

## Closed Caption Log, Council Meeting, 05/14/09

**Note:** Since these log files are derived from the Closed Captions created during the Channel 6 live cablecasts, there are occasional spelling and grammatical errors. **These Closed Caption logs are not official records of Council Meetings and cannot be relied on for official purposes.** For official records, please contact the City Clerk at 974-2210.

good morning, I'm austin mayor will wynn, thank you for your patience as we get started this morning. It's my honor to welcome sterling lands at short notice, who will lead us in our invocation, please rise.

Greater calvary bible church, mayor. In the book of proverb chapter 14 we find these words. You earn the trust and respect of others if you work for good. If you work for evil, you are making a mistake. A witness saves lives and tells the truth. When he tells lies, he betrays people. A king's greatness depends on how many people he rules, without them he is nothing. If you stay calm, you are wise, but if you have a hot temper, you only show how stupid you are. You oppress the poor, you insult the god who made them. But kindness shown to the poor is an act of worship. Wicked people bring about their own down fall by their evil deeds, but good people are protected by their integrity. Wisdom is in every thought of intelgent people, fools know nothing about wisdom, righteousness makes a nation great. Sin is a disgrace to any nation. A general answer, quiets anger, but a -- gentle answer quiets anger but a harsh one stirs it up. Thank you for these words of wisdom, give us understanding, we might be able to do the right thing the way way, for the right reason, for expecting the right results, to benefit others. Glorify your name according to your word, as we walk through times of chaos and darkness, we recognize that you are our light. Thank you in the name of jesus christ, amen.

Mayor Wynn: Thank you, reverend lands. So there being a quorum present, at this time I will call to order this meeting of the austin city council. IT IS THURSDAY, MAY 14th, 2009. 28 a&m, here in the city council chambers of the city hall building of 301 west second street. Before I -- before I propose a consent agenda, we -- we oftentimes take this opportunity to alert our colleagues or the public or staff the potential upcoming items or initiatives that we should be aware of. Any potential items? Councilmember morrison.

Thank you, mayor, I want to mention two things. First of all, I think everyone might realize on our agenda later today we're going to get a briefing about the cultural arts. And music organizations that we might be having [indiscernible] et cetera. [Indiscernible] one of the things that I feel like we have -- we as a council really should do, working toward that, is to develop a -- I'll be bringing forth a resolution that talks about how we as the city really want to work on implementing the other items that are in create austin and I'll certainly be working, I'm going to be bringing this forward with councilmember martinez, working with the arts commission and the music commission, all of the community stakeholders that are

so involved and the staff, to really develop a resolution that can help guide us and the city's actions and efforts and implementing those great ideas. Then the second thing i wanted to mention is that -- is that the city and other governmental entities are hosting a meeting on may 20th to talk about -- about stimulus funding and it's really an opportunity for non-profits and the community to -- to come together and hear from the city, the county, aisd, capital metro, the health district who are also working in this field, diligently, to make sure that we take advantage of all of our opportunities. Congressman doggett's office is also going to be represented. We certainly appreciate how helpful his office has been. And it's really an opportunity for non-profits, especially, to come and learn about different opportunities so that we can make sure that everybody is taking advantage of the opportunities that we have. SO THAT IS MAY 20th, FROM 30 in the afternoon and it's going to be held at the -- at the rosewood zaragosa neighborhood center. And I want to thank our staff who are working so hard on the stimulus funding to -- for having put that together.

Councilmember martinez.

Thank you, mayor. I just want to remind folks that may is bike month, tomorrow is bike to work day. We have a very active and avid bicycling community. Tomorrow all over the city in different locations there 00 00 providing food and refreshments for those who choose to ride their bike to work. We will have a station here at city hall in the plaza and will be providing breakfast tacos, juice and coffee to all of our bicycle commuters who stop by. We encourage everyone to try to ride your bike to work tomorrow. I aide andy more is a daily cyclist, he commutes, takes his kids to school, comes to work, does everything on his bike pretty much. He will be down here working at city hall. I would like to remind them to -- that it's here.

Mayor Wynn: Some of you may know I walk to work frequently. Last year on bike to work day I walked down here, went oh, drat it's bike to work day. So I walked home, got my bike and then I biked back to work. [Laughter] additional items to be announced? Before I walk through our changes and corrections for this week's posted agenda to walk us through our quick schedule here this morning, of course since our last city council meeting, we've had an election in this town. Which closed last -- this past saturday. Technically we have canvas that election, sort of formally recognize those results next monday at a very brief special called meeting, which we do after each election. But of course the results of that election informally until monday, our colleague, councilmember cole wa reelected with a substantial margin was as councilmember martinez. Please join me in recognizing those two councilmembers.

[ Applause ] of course we congratulate bill spelman and chris riley, both elected to places on the council. In the mayor's race, our colleague mayor pro tem brewster mccracken has a substantial showing, easily qualifying for a runoff, as of course did councilmember leffingwell with a substantial return and in a very gracious, very professional statement by our mayor pro tem, withdrawing from that potential runoff election, then we do now refer to councilmember leffingwell as mayor elect leffingwell, but please join me in recognizing both mayor pro tem brewster mccracken and mayor elect councilmember lee leffingwell.

[ Applause ] thank you all. Let's see. So on our changes and corrections to this week's posted agenda,

we should 36, councilmember cole is to be included as an additional co-sponsor. 51, we should note that the planning commission recommendation is to deny the limited office mixed use historic landmark or lo-mu-h combined district zoning on item no. 51. Our schedule this morning here after we get through our consent agenda in just a few minutes, we'll likely have a couple of discussion items, which will be pulled off the consent agenda. At noon we will take up our general citizens communication as we do each week. , we will have three staff briefings. The first is on the mental health task force update. The second is our art, culture and music update, referenced by councilmember morrison. And our third is the 2009 bicycle master plan update from our public works and transportation department. , technically, we will adjourn the city council meeting, call to order a meeting of the austin housing finance corporation and take up a brief agenda there. I will -- I will note that staff will be requesting a postponement of ahfc item 2, affordable housing complex that we refer to as little texas. But that -- technically that postponement can't be taken up until we conduct that meeting. 00, sometime shortly thereafter we take up all of our zoning matters. 30 we break for live music and proclamations, frank gomez is our musician today, stay tuned for frank. we conduct public hearings. At this time, I would like to recognize mayor elect leffingwell because i believe staff will be requesting a postponement of several of those public hearings, but again we can't even take up the vote to postpone those until after we will try to use this opportunity to alert folks not to come down here because it's probably going to be -- going to be postponed. Councilmember? Mayor elect?

Thank you. Mayor. 00 I will be proposing postponement of 62 relating to 63 relating to parking lot 64 relating to trees and new subdivisions. It will be postponed, the public hearing postponed UNTIL JUNE 18th. The council will receive a briefing on these items separate from that public HEARING ON JUNE 11th. The reason for this is several fold. First of all, there apparently was a posting error and so -- so this all three of these notices have to be renoticed, there will an amount of time requirement to get that done. Often as is the case here in austin, there are last minute suggested revisions which we will be going over now and then. 00 at the appropriate time I will be king that motion.

Mayor Wynn: Are you sure you don't want to postpone those public hearings until your first meeting as mayor? [Laughter]

Leffingwell: I want to make sure you get a chance to weigh in, mayor.

Mayor Wynn: I will either end my tenure listening to folks talk about trees or you can begin yours by listening to folks talk about trees. Okay. Just kidding. Okay. [Laughter] .. with that I will propose a consent agenda numerically and do know that we have a special presentation we're going to take up as parts of our consent agenda but it's -- after we get all of our comments for the record on other items. Okay, so do note that item 19, item 13 regarding the fire department staffing and item no. 19 regarding the h.u.d. Stimulus funding allocation have both been pulled by councilmember morrison, we will take those up later this morning. So our proposed consent agenda this morning numerically will be to approve our minutes from our last meeting, that being 1, from austin energy, approving items 2, 3, 4, 5, 6, 7, 8, and 9. From our contract land management departments, approving item 10 and 11. From our economic growth and redevelopment services department, approving item 12. From our neighborhood housing and community development department, approving items 14, 15, 16, 1w, and 18. From our

police department approving item 20. From our purchasing office approving items 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31 and 32. 33 are our nominations to our board and commission. Those are to our arts commission nasheen additional, councilmember cole's nomination. To our urban forestry board nicholas classen also councilmember cole's nomination. 33 on our consent agenda. We will also be approving item 34, 35, 36 per changes and correction, 37, 38, 39 and we will be setting the public hearings by approving items 40, 41 and 42. I'll entertain a motion on that proposed consent agenda. Motion made by councilmember cole, seconded by mayor-elect leffingwell. Before I ask for comments from councilmembers on our agenda, I had a couple of folks that wanted to give us feedback on these items that are to be approved as parts of the consent agenda. I did note that reverend lands signed up in support of, to perhaps give us positive testimony on a number of these items, items 14 through 18 from our neighborhood housing and community development department. Reverend lands, would you like to give us testimony or show you as in favor for the record? Great, thank you, sir. 10, we will show reverend lands as being supportive. I believe that's all of the folks that wanted to give us testimony on items on our consent agenda. So with the exception of 34, council, I would like to now take council comments on items on our consent agenda. Councilmember martinez?

Really, just a minor issue, it piqued my curiosity. 32, when we look through the backup and see I guess how the bidding process went, in this instance we see where there was an interview conducted by staff that -- that has a substantial impact on the overall outcome to the tune of 25 additional points. And so -- so what I'm -- what I found out is that sometimes we do interviews, sometimes we don't. Not sure when, why or how. But I would like to look into this to make sure that we're having a consistent transparent and fair process for folks that are bidding on -- on contract work for services with the city of Austin. So I'll just be asking to -- to talk to staff, city manager, about that in the coming days to try to determine how and why we do that.

If I may, mayor, we can certainly set that up for you. I see Byron is available. I believe we could very quickly respond to the reasoning behind our interview.

Mayor Wynn: Mr. Johnson, welcome.

Good morning, Byron Johnson, financial administrative services department. Usually, it's when we create a short list and what you want to do is you are trying to pare down the number of companies in order to get those that would be selected at the top and so what you do is you have an interview process with those that are on the short list in order to get any questions and also to get the scope of work fully finalized. That's when we use the interview process is when we have a short listed environment that -- that we anticipate that need to be able to be very explicit with companies [indiscernible]

Great, thank you, Byron. I think what I would like to just look into is if we're going to do this in certain instances and not in others, what I would like to see is over -- over the last two years or maybe not years but the last 12 months, did the interview actually change the outcome of the recommendation that staff had made? If so, how many times? And because I think it's really important for folks to understand that -- that if we're doing this interview, it has had a substantial impact on the team that came outnumber

one and was recommended.

We would be glad to do that.

Thank you, byron.

Further council comments on our consent agenda? Councilmember morrison?

Morrison: I would like to make comments on two, just briefly. 36 is an item that I have along with mayor pro tem mccracken and councilmember cole to address open space, public open space. It's an issue that came up in our land use and transportation committee where we were really -- we were struggling with what our standards and criteria are for open space and as you know, open space has been addressed by a variety of -- of task forces and committees and commissions, lately. So this resolution asks the staff to work with the boards -- related boards and commissions to make some recommendations about how we can improve our public open space criteria in the city. And then secondly, on item 35, along with the mayor, it's -- it's a resolution that addresses census 2010 which is actually going to be happening, of course, in i guess early 2010, but the federal government is starting and gearing up and doing a lot of work right now and -- and it's a very important issue for those of us in austin because all across the country, but there, as I understand it, there are \$300 billion in federal funds gets allocated based on the census count. Of course the number of representatives we have in the house is based on census count. And I wanted to -- I invited our -- our representative from our regional organization from the feds, yvonne esparza cimion and her partner, to give us a heads up on how we can all participate and make sure that we do get a complete count in our area. Welcome, yvonne.

Thank you, councilmember morrison and thank you, council, mayor, of course everyone in the audience today. This is a very, very important topic to talk about because this money that councilmember morrison just mentioned goes directly towards community services, programs, neighborhood improvement and of course if we want to invest in our communities with newer projects, these are funds that can go directly towards that. Yes, we are looking at the importance of participating in a census to ensure that we get a complete count of austin. Excuse me, I'm a little winded right now. IN 2010, APRIL 1st, CENSUS Day. March you are going to receive a census questionnaire in the mail. Some of our areas we will actually hand deliver the census forms, too, our job census bureau is to get very grassroots about this. We want to engage all of our churches, your schools, all of your businesses, all of your advocacy groups, all of your community based organizations and of course all of the local governments to ensure everybody understands how important it is to participate in the census. \$300 Billion can be allocated every year for the next 10 years based on your response to the census. Those moneys get distributed nationwide and go to specific communities based on the aggregate amount of data that we get from that area. So, of course, the more census forms we get, the more likely you qualify for the funding. So instead of, say, raising taxes, why not borrow the money from the government. You will qualify. But everyone that resides in austin has to participate in the census. That's a big message that we want to put out there first and foremost. Second of all we can't do this alone. I'm a very friendly person, I love to meet all kinds of people, but I can't reach everybody on my own. What

we also ask for is that every local government come and put together a complete committee and this is just a committee of volunteers and folks interested in the better quality of life to get involved, let's get organized, plan some great events, activities, and informational sessions so that way everyone in our area for greater austin knows about the importance of the census. I do also want to emphasize that it's very safe to do. According to the u.s. Constitution, article 1, section 2, all residents who reside in the united states at the time of the census shall be counted. This is not -- this does not involve any kind of translation of whether people are documented or undocumented, how a citizen [indiscernible] with us or not. Everybody is encouraged to participate. Everybody should be counted and we should be very proactive in ensuring that everybody understands that if they live here, they rest here, they wake up here, APRIL 1st, 2010, THEY Shall be count.

Thank you, yvonne, i really appreciate you coming down. Just to follow up on a couple of things. It is confidential information when we submit our census forms. It's not shared with any other departments in the federal government. And regarding the complete census count committees, i understand that we already have one that's formed in the city by the -- by the network of asian american organizations, which is exactly the kind of thing that we'll be looking for the record all of the community groups, church groups to be -- to be helping to reach the population. And then lastly, I just want to recognize our city demographer, ryan robinson who is in the audience here, I know yvonne has already been working with, who will after the census have all sorts of new data to play with. So -- so I'm looking forward to all of us really paicipating in that.

Thank you.

Mayor Wynn: Thank you, yvonne. Again further council comments on the consent agenda? If not then I'm privileged 34, which again is on our consent agenda, this we posted in a generic form approve an ordinance naming the police training academy. With that brief introduction, I would like to ask our techcians to roll a video tribute for roy butler.

In 1948, a true love affair with law enforce. As once a reporter wrote about him, if roy butler could be reincarnated he would come back as a policeman. His story is one of used cars, coors beer and country music, in his own words civic duties responsibilities. As school board's president and austin's mayor. A self proclaimed child of the depression, roy knew the value of earning a buck anywhere he could. , he decided to fix up old cars and sell them. He was successful. He soon outgrew his home based business, bought a car lot and shifted gears from his courtroom ambitions, a natural salesman later bought a bankrupt lincoln mercury dealership and turned it into the number one dealership in the state and earned national acclaim. Business success followed in banking, media, telecommunications and real estate. On advice from friend lyndon baines johnson, roy bought kvet radio. His capital beverage company was chosen austin's coors distributorship, for half century he combined business success with public service, community involvement and personal commitment. Two years of overseas duty in the naval reserve, nine years on the austin school board, two terms as mayor, chosen austin's most worthy citizen. In 1971 the public instead of the council selected him as mayor. Roy butler, raised the image and standards of the mayor's office. Known as a sharp dresser and a work alcoholic, he kept a hectic pace, numerous police radios in his lincoln, often responding to emergency scenes, a friend remembers

it this way, he had so many antennas on both sides of his car that he could thrash weeds on both sides of the road. As mayor he created the budget from five to seven million, added 125 officers doubling the force. With federal help he targeted drug dealers. After two terms he went back to a very public personal life in 1975. While involved on civic boards, his passion remains law enforcement. He's played a vital role since the beginning of the greater austin crime commission. He served as austin chair of texas exile, a state gun crime initiative, locally he's been involved in police oversight and training standards. He's a member of the public safety task force. Recently, he donated the funds to pay for the newly designed badges for a.p.d.

He has stood by this police department day in and evening out. Whenever we were in need of any advice or any assistance, he has unhesitantly given us his time and energy to stand with us, during the most difficult times as well as the good times. His support for all of us that wear this austin uniform, that wear this badge, has been unwavering.

Through the years, both the austin police association and the texas department of public safety officers association have named him citizen of the year. Police hone their skills at the public safety training campus which opened in 1982. [ ?? Music playing ???? ] and today, our city honors roy butler, by dedicating the police academy campus in his name. [ Applause ]

thank you. Thanks to channel 6 for putting together that video tribute. We have a number of distinguished sort of guests and colleagues, friends of roy and anne here. First I would like to start taking some comments here from the dais before we have a very short program put together by the crime commission in roy's honor. I would like to start with mayor-elect leffingwell, we have a couple of special letters from other fans of roy's. Lee?

Leffingwell: I want to read a letter from david dewhurst. Addressed to mayor wynn.

I'm honored and privileged to send you and other members of the city council this note of appreciation for your decision to rename the academy in honor of former austin mayor roy butler. The austin police department is an organization that is better today because of the dedication and devotion of roy butler. The commitment to public service and professionalism which characterized the coupled with the authentic and significant support they received from the butler administration, more than justify the decision to rededicate this primary training site in honor of this outstanding citizen and community leader. From 1971 until 1975, the members of the austin police department were among mayor butler's top priorities. He improved overall public safety in this city while simultaneously bettering the lives of the officers who provided it. Throughout his tenure, mayor butler has ensured that law enforcement had adequate funding for the absolute best equipment, technology and facilities and last but not least, mayor butler was a founding member of the 100 club of central texas, a charitable non-profit that provides legal, financial and emotional support for the families of first responders who are killed in the line of duty. These are but a few of the most important contributions roy butler made to our austin law enforcement community. We know that he and his wife anne dedicated themselves daily to improving this city and the overall quality of life we austinites enjoy. I applaud your efforts to give this outstanding citizen the recognition that he deserves. Sincerely, david dewhurst, lieutenant governor. [ Applause ] I

would like to add on a personal note, this is a special privilege for me, I have known mayor butler for a while now, but more importantly, he was a very good friend of my dad's. Many of you may know that my dad was a travis county deputy sheriff for over 20 years. And during that time, his sidekick very often was mayor roy butler who was a citizen deputy, they were good friends, they -- they say in texas they rode together. I would also mention when i first ran for city council in 2005, I of course one of the stops that you have to make is to go meet mayor butler. I did so at his office in north austin. We sat down, he was behind his desk. The first thing that he did was open the desk drawer to show me his travis county sheriff's deputy badge when he was so proud of, I was really touched to see that. Of course it brought back a lot of memories to me. So I will just conclude by saying that -- that in this morning's paper, I was -- i was accurately quoted, it does happen, by saying there's no one in this city that deserves this honor more, I sincerely mean that, thank you for your service, mayor.

Councilmember martinez who has been chairing our public safety task force this year.

Thank you, mayor.

Mayor butler. I have a letter that I'm honored to read on behalf of [indiscernible] it reads i was pleased to hear the austin city council has chosen to name the austin police training academy in honor of my friend and former mayor, roy butler, i applaud the austin city council for it's work, congratulate roy on this distinguished recognition. We all know roy butler has a long history of supporting law enforcement in the austin communities. No, ma'am is he a founding director of the greater austin crime commission you also recognized as citizen of the year by both texas department of public safety officers association and austin police association, as mayor of austin and as a private citizen, roy has shown unwavering support for austin leaders, I can think of no better tribute to his commitment of law enforcement than naming the austin police training academy. Sincerely kay bailey hutchinson.

Mayor butler, I wanted to congratulate you. I also want to extend a heartfelt professional thank you to you. While you have done all of the service and the work that was mentioned and we are honoring you, I think the honor equally goes to anne as well. She was there the entire time, allowing you to give that till serve today, mayor butler, on the public safety task force, I have no doubt that your service will continue. Austin would not be the wonderful city that it is today if it had not been for all of your service. We honor you today, mayor butler, I thank you for your friendship, advice, leadership. [ Applause ]

Mayor Wynn: Councilmember shade? mayor butler, it's a relatively new friend for me. I got the wonderful opportunity to meet him when I was running for office. I can't tell you how inspired I am to meet somebody like mayor butler who combined years of service in the private sector in the public sector as well as the organizations and neighborhoods [indiscernible] and something that we probably everyone on the dais would aspire to be able to be anywhere close to that successful. I completely agree with mayor elect leffingwell's comments about this being such a fitting honor, nobody deserves it more than mayor butler. I also want to point out when I met mayor butler, he pulled out not for me a badge, but a sheet of paper that shows election results over many, many years. He still to do this day has gotten more actual votes than anyone ever elected mayor. I went and looked it up. [Laughter]



Mayor Wynn: That's right. I'm number two, roy. [Laughter]

but april 7th of 1973, 43,753 votes, that means that's more votes than any of us here on the dais received. I think that's really noteworthy, I thank you, really appreciate all of your services.

Thank you.

Mayor Wynn: Thank you, councilmember.

Councilmember morrison? [ Applause ]

I've only just gotten to know mayor butler, also recently and it's been a great honor. I want to echo councilmember shade's comments. It's always amazing to me how much effort and passion and dedication that citizens bring to this city and if we didn't have people doing that, it's not just government that makes the world go round by any means, it's people like mayor butler that really inspire and have been a model for all of the folks in austin and so I'm -- I'm grateful to be able to be part of this honoring session today, too, thank you, mayor. [ Applause ]

Mayor Wynn: Mayor pro tem?

McCracken: I do have to say I'm equally as impressed about mayor butler's work on behalf of beer. For your servicen that regard, thank you [laughter] also thank you very much for your service to our city.

Mayor Wynn: All right, thank you. Councilmember cole?

Cole: Mayor, butler, you have given this city distinguished service, i appreciate your commitment to public safety and the -- and the commitment that you have done city-wide and that you haven't limited that to any particular part of town and that you have dedicated a lifetime of doing that. So, again, thanks, congratulations.

Mayor Wynn: We do have a short little structured set of comments here. We have folks from the crime commission, chief acevedo here, I think either joe holt or perhaps ralph [indiscernible] would come up on behalf of the crime commission, use our podium here, joe. Help us recognize roy butler.

Mayor, thank you, councilmembers, city manager, city attorney. Mayor butler. And the entire butler family. On behalf of the greater austin crime commission, it is indeed an honor and privilege to be involved in this recognition, I want to say thank you to the city for doing the right thing and something that is incredibly, incredibly important. And I think that you can tell in the glimpses of seeing roy on the screen that this is something that is terribly important to him and to the family. And you are right, it is a partnership between the mayor and anne and it always has been. But the one thing that i wanted to quickly point out is something that we don't talk about very much. That I think is significant. The reason that I'm standing here representing the greater austin crime commission is because mayor butler reached out to me and said you needed to be a part of this group. The crime commission is all about

supporting law enforcement. And I had always been in favor of that, particularly when I was driving too fast to be supporting law enforcement. But for many people like me, in the business communities, there was not really a cohesive and important way to participate in that kind of support. And mayor butler reached out to me and many others like me and now we are a part of something that we think is really important. So, mayor, thank you for getting us involved. And thank you for all of the things that you and anne and your family have done. Thank you very much. [ Applause ]

Mayor Wynn: Thank you, joe. Chief acevedo, welcome.

Good morning, mayor and council, I want to first of all thank you for your leadership and vision in getting this done and this is a great day for the austin police department because when I arrived here about two years ago, I just like y'all I was told you need to meet one person that you must meet immediately, and that was mayor roy butler. Mayor, I cannot think of anybody that I have ever met in 23 years of law enforcement that is a greater friend and supporter of the lawman and if -- if we in law enforcement are the wyatt earps, you are definitely our doc holiday. You are there for us day and night. I do have one concern, that we have released some really sensitive information i think critical information, that is a lot of people don't realize that his lincoln continentals actually are backup communications platform in emergency [laughter] that was supposed to be a well-kept secret. But now it's out. So congratulations to you and I want to extend a thank you to your daughter and your grandsons and your family that are standing there with you. If you all could stand up, obviously he's been away from you a lot working with us, thank you all for being here this morning. [ Applause ] thanks again. We look forward to seeing your name out there at the academy.

Thank you.

Mayor Wynn: Thank you, chief. Earlier, unfortunately, former mayor and now state senator kirk watson was here, wanted to be a part of the ceremony. He got called to be on the floor of the senate at 00, he left just a few minutes ago. Former mayor and friend lee cooke is here, both lee and kirk will -- will remind folks what I know is that roy got to be mayor back in the days when the rules were a lot -- what rules they had were pretty loose. So roy -- you know, roy got to be a mayor's mayor back in the day [laughter] he frequently reminds us of well here's how I used to do it when I was mayor. I said roy, you know -- [laughter] -- they -- but with that, I would like to please ask roy to come forward, say a few words. Folks, please join me in congratulating and recognizing former mayor roy butler. [ Applause ]

I am so covered with emotion here. All of you have been so kinds, such a nice day for the butler family and me. I appreciate it greatly. I was wondering what words i would use to come up with to express my absolute overwhelming gratitude to you all for this nice gesture that you are doing today. I couldn't come up with anything. And so I went to a colloquial phrase that is simply I am absolutely blown away. Absolutely. There is no honor in this world that I can think of that I would cherish and treasure more than the one that you have given me I thank that. It's awesome to realize that the years to come our new officers, the men and women, pardon me, cadets going to the academy, trained, graduate as commissioned officers, our new police force of the future and the will all come to -- to the academy that bears my name and that is a -- a responsibility that I feel very strongly. You all have heard me say

before that citizens deserve to live in peace and safety. Our future officers will guarantee that. To me, there is no higher calling and I thank you very, very much. [ Applause ]

Mayor Wynn: Thank you all so much, I so appreciate everybody's patience. As a reminder, technically, we have a motion and a second on the table approving our consent agenda, which are all items except items 13 and 19. Of course, that includes item 34, the naming of the Roy Butler Austin Police Training Academy. All in favor please say aye.

Aye.

Opposed? Motion passes on a vote of 7-0. Thank you all very much. [ Applause ]

Mayor Wynn: Okay, folks. If I could ask you to please take your conversations out into the foyer, I would appreciate it. We have a couple of discussion items to go. Again, if folks could please take your discussions out into the foyer, we would appreciate it. Again, folks, please take your conversations out into the foyer. We have a couple more discussion items to take up. So council, that leaves us with two discussion items to take up. Item number 13 regarding our fire department staffing and item number 19, regarding stimulus funding allocation. I'll just say based on the number of folks who signed up for these two items, we have the ability, I believe, to get through item number 13 before our noon break for citizen communication. We have many more speakers on item 19. Without objection, council, I would like to suggest that we'll take up item number 13 regarding our fire department. We will then roll likely into our noon general citizen communication. 30 we will go into closed session. We have a relatively brief closed session agenda that we can take up over lunch item number 19 regarding the stimulus funding immediately after lunch. So folks here waiting to participate in the dialogue about item number 19, I'd suggest that we won't take up that item before at the earliest, but no later than 2:00 p.m. So if you're here for item number 19, you're welcome to stay and relax or in staff's case go back to work for a couple of hours. And everybody else can go have a quick bite for lunch. Council, that does leave us with item number 13, which is regarding the ordinance on firefighting classification positions. With that I guess we'd like to welcome a brief staff presentation before we hear from citizens. Welcome Chief McDonald. Item number 13 is to establish an ordinance establishing classifications and positions in the classified service eliminating and creating certain positions. This restores a position that we eliminated back in November, anticipating the hiring of a new chief so the idea behind it was by statute we needed to eliminate the position with the anticipation of bringing it back and giving the new fire chief the opportunity to hire the position. And then the other part of this item, reclassifies the battalion chief position to assistant chief. And just a couple of comments. There's a struggle taking place here as well, and that's us working towards making the fire department more progressive. You know, there's no argument that we have one of the best fire departments in the country tactically and operationally. But there are changes needed, and that's why we brought in a new fire chief. We often tout the progress that's been made in the police department and I can tell you firsthand the way we were able to make some of that progress was two things. One, we brought in a progressive police chief. And the second thing we did was we allowed that chief to organize the department in such a way to where she could make changes at the time. And in this instance we've done part of that. We've brought in a progressive fire chief that's willing to step forward and make some of the changes, and what we're asking you to do

with this particular item is allow her to formulate her team to move the fire department forward. So the chief and I along with other staff members are available for any questions you may have.

Mayor Wynn: Thank you, chief. Questions of staff, council, before we hear from some citizens. If not, we'll do -- we'll receive that testimony. We'll take these in the order that my computer says they've signed up. The first speaker is palmer buck. Welcome, palmer. You will have three minutes, to be followed by max -- I'm sorry, matt cox, to be followed by sterling lands.

Palmer buck. I'm a citizen of austin and have had the privilege of serving for the last 15 years in the austin fire department. I'm here to speak in opposition of item 13. As we approach and work through difficult budget times, this ordinance is asking you to approve two unneeded executive level positions, while at the same time pulling fire trucks off -- pulling firefighters off of fire trucks. Firefighters in the stations cannot order plates, knives, cups and spoons because of budget issues. But we want to approve two new 120,000-dollar positions. Firefighters and fire stations cannot have their physical fitness equipment repaired. There's no budget for it. But we want to approve two new unneeded executive level positions. This is the wrong time and the wrong message to the firefighters who work very hard to take care of the citizens of austin. Six weeks ago you were asked -- we went through this, we moved through with city manager ott trying to come up with \$200,000 of savings this year. With the expectation we would have to pull firefighters off of fire trucks. Reduce our staffing from four to three. Because it was necessary because of the budget. Through a good compromise working with the firefighters and the command staff, we were able to keep and restore that staffing as we moved some people from staff to operations. But again, now we have a new message. We have money to create two unnecessary executive level positions. I think that's the wrong message. Thank you for your time.

Mayor Wynn: Thank you, palmer. Matt cox, welcome. You too will have three minute, to be followed by sterling lands, to be followed by henry flores.

Thank you, council. Yesterday I delivered some documentation that you already have. I'm not going to address that, but I want to bring out one further point about no the budget issue, but there's a feeling that there's a lack of process and a long enough time to address the process to deal with these promotions. The way it works in the fire department is you basically work your way up through the ranks. Most people try to achieve the battalion chief level to as to be part of that chief officer pool, to achieve the rank of ace sent chief. -- Assistant chief. In the ordinance it's correct we're wanting to provide for a succession plan. Currently we have 32 officers there. Part of that pool and part of being in the chief officer pool is to develop new programs, work in operations, work in management. That's the breeding ground for the succession plan. We have one in place already. And many of those 38 members in there strive for this position of assistant chief. Currently if this ordinance is approved, we will not be using that pool. Two of the three promotions will come from two ranks below that. Come from that chief officer pool. So the feeling on the street and the feeling amongst firefighters would be that after having a career's worth of effort and career advancement by achieving the career officer rank, developing programs, managing firefighters, managing entire divisions, that doesn't seem to be worth it all if firefighters two or three ranks below are promoted above. We do have a succession plan. It is in place. 38 Fine officers there to choose from that will help to move up the assistant chief ranks. That's all

I have. Thank you.

Mayor Wynn: Thank you, matt. Welcome back reverend lands. You too will have three minutes to be followed by henry flores.

Thank you very much, mayor, and to the city council. I have never served on the austin fire department, but I have been one of the individuals who are on the other side of receiving the services. And I would go along with the statement that we have one of the best fire departments in the state and perhaps even in the country. But even the best there are areas that improvements are needed, and this is an opportunity here to take advantage of that. A year -- last year I sat in a meeting where -- some of you were there. I know that councilmember martinez was there and a couple of other individuals. And we talked about a need for change and a need to make the fire department look more like the community that it serves. And we were all in agreement that change was necessary. We talked about strategies for doing that. And when I left there, for the first time in about 25 years, I felt like we were just about ready for a breakthrough that was going to make this fire department more representative of the community that it serves. When I note that we brought in a new chief and the chief was definitely not in the same cut as former chiefs have been, it was very, very inspiring to think that we're now taking steps in order to make the changes that are needed. This chief brought in to make changes that are going to benefit this community, should be given the opportunity to make the change. When you start to manage it from this level and insist that the changes should not be made and we use the same lame excuse for why we've been kept back for so long, that is, we don't have the budget. The realities is that there is money available for certain areas and certain items. This chief should be given the opportunity to do the job that she has set out to do. The same job that we want done. We need the changes made and we do need to see a new face in this fire department. So I'm completely supported. I represent hundreds of people. And if necessary we can bring all of them down here. I just didn't think we would want to do that today. But we can equal the numbers of individuals who are against it and show that we're on the receiving end. We know what's needed from our end and we want this. Thank you. [ Applause ]

Mayor Wynn: flores, welcome. You will be followed by nelson lender.

My name is henry flores from austin, texas. Mayor, councilmembers, I'm here to support item 13. It's time to continue to support the efforts of the new chief to build a quality team. We need the fire department to continue to be a progressive, dynamic, growing organization, and with the new objectional structure I believe it will be improved by the changes that are outlined in provision number 13. The fire chief was brought in to build a dynamic structure. This effort by building her support team is important to austin and to everybody in austin. And I believe that we will be vastly improved in our efforts to have a quality police department and fire department if we make this change as proposed on item 13. Thank you very much.

Mayor Wynn: Thank you, mr. flores. Nelson lender, welcome. You too will have three minutes, to be followed by andy martinez.

Good morning, mayor, council and city manager. Let me just say as an overview that when I look at the

history of this department, the only time you really dealt with equality is during a federal decree. So we are very disappointed understand your previous history of not being inclusive and not being a fair organization based on equal opportunity. Having said that, we're very concerned that when you begin to address bringing in progressive people who have good ideas, who respect quality in all people, that you get internal opposition. Let me be very clear. There are two ways to change good old boy systems. You can do it legally in the courts, which I don't prefer, or you can hire good people and they'll hire good people who meet your requirements. Let me just add, it is very important based on my conversations, my experiences in the city, that you begin to change this culture that keeps Austin as white as possible. That is unacceptable. Based on fairness, let me just add this, this community, this community is very concerned about this culture that feels like it's okay to show Austin 20 years in the past. We're going to have to change that. You've had a very progressive chief who has given me more access in two months than I have in the past 10 years. You've made a great choice. The next step is you can talk about equipment all you want to. The best resource in the world is good human beings. If you invest in people who invest in fairness, who invest in treating their culture, their open resource for everybody, guess what, my distrust, your distrust, our distrust will be addressed. So I want to encourage you to embrace the chief, embrace these selections and not just talk about diversity. Be inclusive and treat equal opportunity. This department right now is -- it's an embarrassment. We have to change that. It's unacceptable. We support this chief, we support the people. And also as a final reminder, the best way to change these types of organizations is to go inside the organization, bring in good people who have qualities and courage to change this culture. Thank you very much. [ Applause ]

Mayor Wynn: Thank you, Mr. Lender. Welcome, Andy. You too will have three minutes.

Thank you very much, Mayor, City City Manager. Thank you for allowing me to speak. I am here in support of allowing our chief to move ahead and get her job done, but first let me commend you on honoring former Mayor Butler. Well deserved and well done. Austin as far as I'm concerned. But getting back to the issue here, Chief Kerr has a challenging job ahead of her, to say the very least. But I am heartened in what I've seen in the first four months she's been here. She's progressive, she's out there. She's making some impact in the community. And that's what we hired her to do. And in spite of the challenge and economic situation we find ourselves in, when it comes to public safety we need to be bold. We cannot put public safety -- there is no price you can assign to public safety. And having been in management positions in the past, when you hire somebody you have to give them the latitude to get the job done. And so what I'm asking you is to move ahead, be bold, allow her to get the job done, and approve the ordinance. Thank you very much. [ Applause ]

Mayor Wynn: It looks like our final speaker is Steve Renteria. He looks like he's trying to fool us. It says Steve Renteria. Welcome. You probably type with two fingers also like I do.

Mayor, my name is Sabino Renteria. I'm a lifelong resident of East Austin. And you know grew up off 10th Street, next to 11th Street. I played there at the old fire station that used to be the first black -- they used to call it the Negro fire station there on Media Street. And you know, I -- growing up in this town, I experienced all the racism and all that, and now that I have the opportunity to have a leadership on the development commission, all the programs that we're designing and working with on affordable housing,

we have demanded diversity. And because I know only through diversity are we going to make this city great. And we need to support that. We need to support our firefighters and have diversity so that our children can look up to them as I did to the black firefighters that helped us and developed us when we were growing up. So I urge that you pass this ordinance because it would do -- it would be great for this city and it would keep it diversified and it would make us proud to have firefighters that are looking out for us. Thank you. [ Applause ]

Mayor Wynn: Thank you, mr. renteria. And it looks like somebody else tried to sign up just now. I'm sorry, just the name has not come across. Is there anybody else that would like to give us testimony on this item number 13 regarding our fire fighting classification decision? Thank you. So council, that concludes the folks that wanted to give us testimony. City manager marc ott.

Thank you, mayor. I just wanted to take a moment to under score assistant city manager mcdonald's comments and simply as a matter of record indicate my strong support for what our new fire chief -- what her intentions are with regard to this particular matter. It was interesting for me to note the comments about in this economy, and I would take the council and the public back to conversations that we've had more recently with respect to the city's financial circumstances. And among the many strategies that we've put in place -- of course, we've looked at a hiring freeze with some qualification, and the qualification was that we would make exemption to that, to the extent that we have determined that there was a critical business need to do so. Well, I think that critical business need is at hand and is reflected in what the fire chief is proposing today. So I too encourage your support. I also find it interesting that in the course of the strategies that we've laid out to restrain the city's expenditures and in this case particularly in regards to the fire department, we had, as you will recall, some significant push-back when we talked about reductions in that area. I find it even more interesting that when we're talking about making a strategic enhancement that's going to further serve the service they provide, we are likewise having push-back on that. And I think that the chief in this instance has clearly made the right decision. It's logical, it's strategic and it's the right thing to do.

Mayor Wynn: Thank you, city manager. Let's see. Comments, council, questions of staff? Motions? Councilmember morrison.

Morrison: I would like to say that I'm fully supportive of the chief and the responsibility that we give to her in terms of managing the department. That's why we hired her. And I fully support that. I also find our lack of diversity in the fire department essentially unacceptable and I kw that we need to work on that. And my responsibility as a councilmember is to really understand the consequences and implications of this from all sides of the issue. Because what council -- it's not our job to manage the department, but it is a council issue because it's changing the number of members of the fire department that we have in each classification. And with the -- and I've had the opportunity to get some eantses to some questions I've had in terms of how this will affect our budget and how it will affect essentially safety and the service that the fire department serves. And I still have questions about that because in terms of looking at the budget and the question that I ask, the answer that staff has given is that this will result in two vacant firefighter positions, and that we are actually decreasing by one the number of firefighter positions that we have formally in the classification. But on the other hand, it says

that -- what i understand is that it won't change frontline staffing. And I have to say that this has been -- the information I'm getting often times it's back and forth via e-mails and all and this is a response to questions that we submitted. I got the answers yesterday. So my concern is at this point I don't quite understand how with that situation -- how we will be able to either -- how we will be able to continue with our goal of four-person staffing or are we going to be going down to more opportunities for only three-person staffing, are we going to be paying overtime to be able to keep it up even though we don't have as many frontline positions filled. So I still have questions about all that and I feel like it's my responsibility to understand all of that and the consequences on our budget, and perhaps related the consequences on the safety and service that we can provide as a city. So I'm not sure that that's something that we can really sort out at this point in time. Perhaps staff would like to comment on that?

Mayor Wynn: Chief? The councilmember brought up a number of issues.

I don't know if I can remember all those. I think the one that I did want to address, and I would appreciate the time to do this, is that we are not reducing our overall strength or the firefighter ranks by one. What we are doing is le any other time that we have retirements or promotions that result as retirements, people move up and the vacancy exists always at the firefighter level. And then that's how then we fill that with a cadet class. As a result of these appointments, we will be appointing two lieutenants and the down side of that is as we move down and move people up into those positions and then into the fire specialist position, then the vacancy exists at the firefighter rank. The one battalion chief is a staff battalion chief and he will just move from battalion chief to assistant chief. So there will be no vacancy at the firefighter level, there will just be one less battalion chief on staff.

Morrison: Okay, but we're reducing the number of firefighter classified positions by one.

No, we are not.

Morrison: Isn't that what the ordinance says?

If it does say that, i think that's incorrect. We are not reducing the number of firefighter f.t.e.'s by any. We will have -- we have additional firefighter vacancies that will be filled when we hire.

Morrison: I'm looking at part 5 of the ordinance. It says the number of positions in the classification of firefighter of this ordinance is a decrease of one from the number in existence right now.

I was not aware that that was put in there. And my understanding is that we are not reducing the number of firefighter classifications by any number.

Mayor Wynn: Chief?

The reason the chief was stating that the authorized -- for instance, the fire department is not going to change because at the beginning of the budget year, the authorized amount of number of firefighters is in place, but the assistant chief position, we have to fill within a certain period of time or we had to



reduce it back down to a firefighter position. So what we did was in november was reduce the position back down to a firefighter position, so that added one above the number of firefighters that was authorized at the beginning of the budget, only to sort of hold that assistant chief position in queue until we were able to bring on a new fire chief. So it's making that position an assistant chief again is not changing the authorized sprint that was put in place at the beginning of the budget.

Further questions, comments?

I guess if I could follow up with one other. In terms of overall impact to the budget, if we're -- we're adding two positions then overall, so we really are -- we'll have two more assistant chiefs and then we're going to have to fill -- we will eventually fill, as you said, the firefighter, the frontline firefighters. So overall the firefighter budget -- there's no magic the firefighter budget will grow by two f.t.e.'s. Nope? Okay. This is what I'm not understanding. And I apologize for that.

Okay. There have been two retirements of assistant chiefs. One of those was put -- reclassified back in november to the firefighter position because by law they have to -- they have 90 days and have to make a new appointment to the assistant chief. It was budgeted and the wages were budgeted for that as an assistant chief. Then the second assistant chief just retired effective APRIL 11th. And his salary is in the budget for this year, the remaining of his salaries in the budget for the remainder of this year and it's in the budget for next year. The only difference The only difference Will be is that we're taking a battalion chief and reclassifying it to an assistant chief. And there is a salary difference between those two positions. And that is that 10,000-dollar impact that was discussed that will have an impact next year in the budget. That will be be the only difference.

Mayor Wynn: Councilmember shade.

Shade: In looking at the numbers in part 2 where we have the break down, what you're saying is that now part a, which is assistant chief, has the number 5. And last year it would have had four.

That's correct.

Shade: The battalion chief, which currently has 30, last year would have been 31.

That's correct.

Shade: And firefighter where it was is basically -- it had to be reduced when you had the assistant chief reclassified temporarily. So the basic ask here is for one new assistant chief to replace a battalion chief.

That's correct.

Shade: That's the switch.

That's the switch.

Shade: I understand that. Okay. Thank you. And just because I don't know how the management structure works there, but what are the differences between assistant chief rolls and division chief rolls? I mean, there's a lot of layers here, so explain that if you can. Give me any insight on that, that would be helpful.

The assistant chiefs are the ones that direct report to me and they're the second in command. And their roles vary tremendously, but two of them are over combat operations, which is the largest portion of the department. There are many varied tasks that are involved in that. And then the other two oversee all the other divisions in the organizations that either support combat operations or stand alone operations such as fire prevention, investigations, code enforcement, those type of things. And then also the liaisons between other agencies, other departments. We talk about annexations. So the assistant chiefs really are like the second in command of a large organization. The division chiefs currently there are four of them. Three of them are assigned to oversee shift work. They are what we call the shift commander. One is over each 24-hour operations shift. And the fourth division chief is currently assigned to fire administration, and she works under direct report to an assistant chief, and she is doing a number of special projects and a lot of the recruitment and the community outreach as well as works directly with the wellness and fitness center.

Shade: So on the list of in this ordinance where we would have five division chiefs, does that mean that there's also currently a vacancy that will be filled?

No. There is no current vacancy in the division chief rank that will be filled. If there is a retirement, then that -- then it will be filled.

Shade: Okay. But what the ordinance says is that we'll have five assistant chiefs and five division chiefs, but you're saying we only have four division chiefs or do we have five? I'm sorry for my confusion here.

I'm sorry. I might have forgotten something just like I did a few minutes ago.

Shade: We have five division chiefs.

I apologize, my misstatement. We do five and I do know that. My mistake. I do know that. It's a lot of information that I've taken in this a little over -- almost four months. My mistake.

Shade: I understand that. No worries. It's just that from the perspective of the budget priorities and having the various levels, it is -- I certainly appreciate the effort to -- completely support your desire to have your own team. I think that's what you should be doing. I'm just trying to weigh out -- because there is a budget impact. Even if it's small, I'm just trying to figure out how that works and whose responsibilities and when have we ever had five versus four at this level? It's a different structure.

To answer part of your question, in 2002 there were five assistant chiefs. And then I think it was in 2005 it was reduced to four. And then just most recently, as you were told, the assistant chief that retired in -- it was in november of 2008, that that was reclassified and I would just say it was kind of put in the freezer until they could bring the new chief on.

Shade: So four of them for at least the last decade, four has been the usual number.

Four has been the usual number.

Shade: Is that the same on the division level that there's always been four or five?

Yes, that's correct. And can I just make a general comment, please, if you would allow me to, and ask that you do support this reorganization? And I know that it is a difficult time and your questions are that it does have a budget impact even though it is small. But I think it's really important now more than ever to have key people in place, first of all, that give me some balance, some diversity. Secondly, that give us the opportunity to do some succession planning. And I hope that the day that I leave -- and I don't plan for that to be any time soon, but the most difficult decision the city manager will have is which one of these people do I select to be the next fire chief? And then I think the third thing is that we are going into a lot of changes. And we need key critical people to help us manage that change, to help us retool, to be able to provide the services, the community expects from us, and keep our firefighters safe and find a way to do that with the budget reduction. And so yes, there is an impact and there is a small impact fiscally to this reorganization, but I think the benefit will far out weigh the small cost.

Mayor Wynn: Thank you, chief. Further questions of staff, council? Councilmembers morrison and then cole.

Morrison: There was another piece of this that i wanted to understand, and this might be for the city attorney to address. And that is I wonder if you could help me -- help us understand if there have been limits, are there under certain circumstances numbers in the law in terms of how many police chiefs -- excuse me, fire chiefs, assistant chiefs that there would be allowed to be in a city like ours?

Yes. I'll ask anita stephenson, who is well versed in that area, to answer your questions.

Anita stephenson, assistant city attorney in the law department. Prior to 2004 there were limits on how many assistant chiefs the fire department could have. In 2004 one of the impacts of adopting the collective bargaining laws for the city of austin was that it removes that cap. So that has been the status quo since 2004 that we'd have no cap on that number.

Okay. So now we're under the collective bargaining law as opposed to the civil service law, is that correct? And as I understand it, under our contracts that we had with the fire department, were there limits on it at that point under the contracts? We now have an expired contract, so we're not under a contract.

There are not limits, but there were a few provisions about how they were chosen and how the contract impacted them. Of course, we don't have a contract right now, so we are under state civil service laws as usual. And there is no cap on the number of assistant chiefs.

So we're under straight civil service law, but not under the caps under straight civil service law?

That's correct. It's the interaction of the two statutes together on this particular issue is that if you're a collective bargaining city, but you also have no contract at the moment, then the impact of that is that there are no caps on the number of of assistant chiefs. Chiefs.

Morrison: It was my understanding that there might have been something built in that identified how many together assistant chiefs and division chiefs we might have.

We did have a provision that in the contract behalf last, I believe it was, that provided for a total number of people in those two ranks.

Morrison: What was that limit?

Was it seven or nine? Nine. I think it was nine.

Morrison: And that was the contract before last.

I believe it was.

Morrison: So in last contract we didn't have any. And then under civil service, what's the guideline that we use?

Well, under civil service law there's a formula that's set out based on the number of firefighters you have, but there is a provision in that same portion of the civil service law that makes an exception for cities who have enacted collective bargaining. The purpose of that apparently is to put that decision back in local hands, take off the state control of that and put it in local hands. That the number will be in control of the city and if we choose to do it through collective bargaining, we can.

Morrison: And the number under is civil service law, do you know what that would be? It's my understanding that would be three.

I think it would be three based on the number of population of firefighters at the moment.

Morrison: Okay. And I guess one other -- two other points. If we had nine at this point, we'll have 10. I want to point out that we have five division chiefs and this would be five assistant chiefs. And then one other question. This might be for the chief or for mr. mcdonald. That is, one of the pieces of the ordinance declares it an emergency and asks for immediate effectiveness. Could you talk a little bit

about that, instead of the usual, what would it be, two weeks, I guess, is the normal?

I would be happy to speak to that. The reason we asked for that is so that we can -- upon your approval, we could immediately move forward with the reorganization. Some of that had to do with payroll and at the right time we could move people in. I think it's important that right now we're in budget preparation time and we've been trying to look at how can we maybe retool, how can we reorganize certain positions and what staff can be moved and how do we continue to do what we need to do? So we need these people on board right now.

Morrison: Right now as opposed to two weeks from now?

Right. Two weeks from now you will have our budget reduction proposals before you, so we need to work on that right now.

Morrison: Thank you.

Mayor Wynn: Councilmember cole.

Cole: Yes. Chief kerr, I realize that we brought you here from arkansas and we gave you a very, very difficult task to do in terms of taking over our fire department, and i think it's very important given the difficulty of the task to recognize when you have made such a tremendous effort to include diversity in the fire department at the higher ranks. And I also appreciate the fact that you pointed out the difficulty with succession training because that is something that -- a problem that we have throughout all of our departments. And I think that we need to recognize that. So with that I move [ applause ]

Mayor Wynn: We have a motion by councilmember cole to approve item number 13 as posted. Seconded by the mayor pro tem. Further comments on item 13? Councilmember martinez?

Martinez: Thanks, mayor. You know, I wasn't going to make a whole lot of comments about this. I think that it's obviously very difficult to be put in a position where you're being told you're not embracing diversity if you don't vote for this item. That's simply not true. In fact, I consider myself one of the most vocal and strong advocates for diversifying the fire department at all ranks, not just at the executive level. And I don't question chief kerr's selection. That's a personnel decision that she makes. In fact, I know all three of them very well. Chief evans was my training chief. Richard davis was my classmate, class of 1995. And matt ota was a friend of mine and came in just before me in the fire department. All outstanding men. And I think could serve well as leaders in the organization. But there are some process issues. The african-american firefighters association sent us a letter with -- expressing their concerns that there was a lack of process for consideration of other potential individuals. Again, that's not this council's decision, that's chief kerr's decision. And I support her decision to run the fire department as she sees fit. But at the same time we have to take into consideration the other folks that are impacted by this, the hispanic firefighters have also shared similar concerns and so has local 975, the austin firefighters association. So diversity can happen right now in the fire department. There is a vacant assistant chief position that has been vacant. And so if we wanted to make an appointment right

now and include diversity in that appointment, it could take place and have absolute zero budget impact. And I'm not sure why that's not considered at this point because there are some -- what I consider valid concerns, policy concerns on behalf of the council. This is not about not wanting diversity. This is not about not wanting to make bold, difficult decisions. In fact, this is a difficult decision. But it has to be done right. It can't be done just in the face of either you're all in or you're all out. Either you're for diversity or you're not. This is not about that. As a councilmember, and no longer as a firefighter, we have to take in many different factors and many different issues. I think that these folks that are being nominated for these positions will be leaders and already are leaders in the fire department, and that can and will happen in the future. But I don't think it's appropriate to move forward in a rushed, hurried pace right now when there are still questions about some of the questions councilmember morrison asked about the statutory limitations and whether or not collective bargaining actually weighs that statutory limitation. In fact, there is legislation pending right now in the legislature that speaks specifically to this issue, and I think it would be irresponsible to act hastily right now knowing that that legislation is pending that could have a significant impact on any decisions that are made as a council. The reason this comes to council, folks, is because of state law. We have to classify the number of positions in each rank for the fire department. But there's another reason why it's before us today, and it's not just because we need to move forward to create this executive team. It's because the legislation is pending. And there's a potential for that legislation having an impact. So I think that diversity absolutely must happen in all levels of the fire department, not just the executive level, but up and down. But I think it should happen immediately. I think that -- but I think it should happen appropriately. We are considering how to close a 43-million-dollar budget shortfall. We are openly considering freezing all city employees pay, all, including potentially going to our contract employees and asking them to freeze their own pay. These are the decisions that we're facing. And I think all of that in totality has to come into whether or not we approved this item today. It doesn't mean we can't come back in two weeks after we find out what the recommendations for budget savings measures will be. Maybe we can find that additional funds and it not be a problem, but I don't think we've seen the proposals from each city department how we're going to close that 43-million-dollar gap to be able to weigh that into this decision. So I'm going to make a motion to -- a substitute motion that we postpone the item and bring it back after we get our first round of proposed budget reduction items for the entire city.

Mayor Wynn: We have a bstitute motion by councilmember martinez, seconded by councilmember morrison to postpone this item. I think we need to set a date, councilmember. We of course meet next week, THE 21st, AND THEN AGAIN Twice in june, the 11th AND 18th.

Martinez: Right. I believe we will have preliminary budget information within the next few weeks, so I would be fine with either june the 11th or june the 18th. I guess the 18th would be fine just to give staff as much tim as possible.

Mayor Wynn: Again, a substitute motion and a second on the table postponing item number 13 to JUNE 18th, 2009. Comments on the substitute motion? Councilmember shade.

Shade: I have a question. Was it considered to have four assistant chiefs instead of five? If so, can you

address that for me?

The answer to the question is that I think that the reorganization, when I looked at things that needed to be done, determined that we needed to have the five assistant chiefs and we could have that better division of labor, if you will, and that will enable us to move forward. Right now -- and even with four assistant chiefs, there are things that just get dropped because there's so much going on and so much to do and have oversight of that there aren't enough people to keep their fingers on all of the pulses that need to have the fingers on them. So will four assistant chiefs be acceptable? Of course it's acceptable. I would never say no, but I think that right now for us to continue to manage the change that's coming and to manage the change and continue to make this fire department one of the best in the country, I think we need to move forward now with the reclassification as requested.

Mayor Wynn: Again, we have a substitute motion and a second on the table for a POSTPONEMENT TO JUNE 18th. Comments? Mayor pro tem.

McCracken: I know y'all have probably said this already, but what is the current diversity makeup of the assistant chief position? Both as it has been prior to vacancies and what the diversity makeup would be with the proposed reclassification?

Well, prior to my arrival the diversity makeup of the assistant chief level was two white males, one hispanic male, one african-american male. And then with the proposed change, the assistant chief level, part of that executive team will go back to two white males, one african-american male -- I'm sorry, three white males, one african-american male and one hispanic male. And then, of course, a female fire chief and --

Mayor Wynn: Again, substitute motion and a second on the table for postponi JUNE 18th. Further comments? Mayor-elect leffingwell.

Leffingwell: First, I think it does make sense. We haven't identified what the operational cuts in the fire department are going to be. You know those are forthcoming. I think it will be a useful exercise to see how those cuts at the operational level are balanced with costs at the executive level. I do think that those two things should come forward together so that they can be compared side by side. So I will support the substitute motion.

Mayor Wynn: Further comments on the substitute motion? I would just say I was certainly prepared to support the original motion. I do want to support our city manager's request, our chief's request, but there is some -- there's obvious questions. It's not easy for members of council, frankly, to understand the real dynamics there in the command staff, fire, even e.m.s. So again, I was supportive of the original motion, but I believe there's support now for this postponement. Further comments? Councilmember martinez.

Martinez: Mayor, I just want to close by sincerely apologizing to the family members who came down here. The questions that have been raised, it has been known all along that this item could have been

posted not on this week's agenda because of the issues that were raised. I apologize. But we are going to get through this and we will diversify the executive ranks of the fire department and we'll balance a 43-million-dollar shortfall. We don't have a choice. It's a mandate. And we accept that mandate. But we have to do it appropriately. And so I do want to apologize for the folks who did take time to come down here, but I do also want to assure you that this is not over. This is just a postponement so that we can make appropriate decisions in the right time and in the right way.

Mayor Wynn: Councilmember shade.

Shade: Why june 18th and not sooner since we can probably get these questions addressed more quickly? I didn't really follow why we are waiting until the 18th and why not the 11th?

Martinez: Because it was set that it would be at least two weeks or more before we get our first round of information regarding budget cuts. So june 11th or the 18th would work fine. It would give the two weeks that are necessary and then we don't meet on the 28th of may or the 4th of june. The 11th is fine.

Mayor Wynn: Councilmember cole.

Cole: I'd like to just make a friendly amendment. I certainly support councilmembers that have additional questions and that they need additional time to do that, but I do stand in support of management even at this time. So I withdraw the motion.

Mayor Wynn: So we're back to a single motion on the table, which is postponing item 13 to JUNE 18th. Mayor-elect?

Leffingwell: I'd like to offer a friendly amendment to bring it back on june 11th instead of the 18th because there does seem to be some need to go ahead and make these decisions. So I think we need to work on as tight a time frame as we can.

Mayor Wynn: We have an amended motion and a second postponing item 13 to JUNE 11th, 2009. Further comments? Hearing none, all those in favor please say aye. Opposed? Motion passes on a vote of seven to zero. Thank you all very much. I apologize to the folks who are here for our noon citizen communication. At this time we will take up that testimony. I think we have a full slate of folks signed up to give us testimony. Our first speaker this morning is ray nadler olenick. Welcome back. You too will have three minutes to be followed by walter olenick. If folks could please take your conversation out into the foyer, we would ou. Good afternoon, mayor wynn and councilmembers. We've just had an election and soon will have our new mayor and two new councilmembers sitting at this dais. The room will look different. In other words, we'll have change. Change according to president obama is a good thing, and I agree that it's a good time for new ideas and new directions. With you change has already happened since I started speaking on water fluoridation here last october. Pa people are calling and e-mailing me. Quite a few people. Some are community leaders and representatives of prominent local and national organizations, but I also hear from just plain folks, average citizens concerned with what they're putting into their bodies every time they take a drink or cook and wondering what they can do about it. That



doesn't surprise me at all. Austin is an educated, aware, fitness conscious city and it's also natural that austinites take an interest in what is ultimately both a health and an environmental issue. My purpose from the start has been not just to educate the council and the public on the dangers of fluoride, but also to connect with like minded members of the community who, like me, think the issue is worth pursuing. So I am gratified at the response. One thing the people i talked to are very curious about is the contracts with fluoride vendor which the city renegotiated two months ago far short of its exploration date at a significantly higher cost. In fact, they're more curious about it than i initially was. They're scratching their heads and saying what? Because it's hard to imagine a scenario in which such a thing could happen. Because we would all like to know more, it's my intention shortly to file a request for all information relevant to the transactions under the open meetings act/public information act. Also, several of us have decided to arrange to take a tour of the city of austin's downtown water treatment plant, including the laboratory, in order to observe firsthand the fluoridation process and the water testing that goes along with it. We requested jane braizier of the austin water utility to set it up for us. We are aiming for the first week in june. That's june first through 5th around nine a.m. And I'd like to take this opportunity to extend an invitation to the mayor, the mayor-elect, the current and future councilmembers, the city manager, and any of their aids who might like to come along. We'll send out a notice when we have firmed up the date and time. It should be a very interesting and informative experience and we hope some of you will be able to join us. Thank you.

Mayor Wynn: Thank you, rae. Do know that we have decommissioned our downtown water treatment plant. We have two now that are operational. One is the davis plant near camp mabry. The other is the you will rick treatment plant across the low water bridge.

[Inaudible - no mic]

Mayor Wynn: Do try to confirm that. Thank you. Our next speaker is walter olenick. Welcome back. You too will have three minutes to be followed by ronnie reeferseed.

Greetings council and citizens. I actually have a three-minute clip that i would like to run. If you could roll that.

[Inaudible - no mic] all these things are serious indicators that you shouldn't expose young babies to fluoride. That's exactly what happens when you put fluoride the water.

How are low income kids supposed to -- low income families supposed to avoid giving their kids fluoridated water?

They can't afford to avoid it. They can't afford to seek sources of drinking water that has no flower ride in it.

They think that low income communities could be at higher risk for adverse effects from fluoride exposure or water fluoridation.

Mayor Wynn: Thank you, walter. Questions for mr. olenick. Thank you, walter. Our next speaker is ronnie reeferseed? Welcome back, ronnie. You will have three minutes, to be follow bid lewis or louise kokernak.

Thank you, mr. mayor. I have as usual my handy visual aids. But this is ronnie reeferseed saying rejoice, austin. We've now elected a brand leffingwell, a relatively conservative austin politician who blew away his competition. And with his competent tense exrens and grace and yes, i believe buyer's remorse about obama. Now austin hopefully will step up to shed some of her nons sense kel, wowrnt productive, city sanctioned criminality such as austin, texas somehow being annointed as a so-called sanctuary city for illegal aliens. Vast majorities of legal citizens understand that for every facilitating by accommodating the illegal criminals only hurts us all, short, medium and long-term. For example, blacks and other often undereducated citizens like myself with better law enforcement and immigration laws should now be able to -- more able to find work here because as i can testify, it is hard to compete against others who predictbly use their criminal status to work for greatly reduced tax-free wages. Life here for most everyone will begin to improve when low skilled workers like myself have a better life with better pay. Fighting for the rule of law here will be much easier when we all collectively cancel our ongoing continually counterproductive war on pot smokers and temporary enthusiasts. Suddenly we will all recognize the folly of sacrificing our brave troops all over to only defend one tribe of afghani or drug lords against some other tribe. Hey, let's instead try freedom. By merely granting absolute freedom for for farmers here, we can all best once again earn our leadership on the world stage through freedom and the rule of law. Or instead we can just stick with the organized crime status quo, keeping marijuana illegal and just keep on sur rending our own national sovereignty and political will to the thugs who rule our world to this day. By the way, since 19 nix, independent voters in at least 13 states and many municipalities nationwide have for years now been demanding at least access to medicinal marijuana. Finally now absolute freedom for farmers to best serve our heros overseas with medicinal marijuana and here at home to best help conserve topsoil and our family farms to best prioritize police activity and to liberate our doctors to best treat their patients. Absolute freedom for farmers is a must. And my dear mother, all of her siblings, all of their spouses have already died an early, grisly, painful and horrific death from sucking the damn tobacco cigarettes. However, the idea of punishing with imprisonment any and all tobacco farmers is frankly idiotic in my humble opinion. Infowars.com. Online 24/7 are great sources of news and entertainment in my humble opinion. And I'd like thank to check it out. Again, thank you all for your patience and looking forward to the leadership. And I do agree with what you were saying.

Mayor Wynn: Next is louis koker nak. And you will be followed by david edrich.

Thank you, councilmembers. The reason I'm here and the reason many other south austin residents are here -- could you guys raise your hands? Great. Is we have some concerns about the billboard ordinance that was recently passed that after roughly 30 years allowed the erection of new billboards in the city of austin. We've gone through the ordinance as it currently exists, and frankly we have some specific and some general concerns with this particular measure. One is that the ordinance itself contemplates that the city council will serve as a back stop to regulate the potential erection of billboards if the particular target site is not suitable. I'm just going to read section 5-f, sections 3 and 4

here. The council may waive or modify with or without conditions modifications of paragraphs a through e if the council decides that the waiver is justified for the benefit of the city. They can consider the characteristics of the site on which the sign is to be relocated. And the sign that's caught our attention has been constructed just to a couple of months ago on south lamar avenue. This is the view outside of a south lamar residence. You can see here that the sign pretty much dominates they're window frontage? Why is this the case? The original ordinance as constructed said that no signs could be constructed within 500 feet of a residential structure if the base zoning is residential. This particular area here is currently zoned commercial. I think it's reasonable, especially when the council is contemplated as a back stop in the ordinance, that one of two things occur. Either the council take proactive action to see that this sign is dismantled and that no further signs are put up, or at the very least, modify the ordinance in its current form so that no additional signs can be put up in -- within 500 feet of a residential structure regardless of the baseline zoning. There's also language in this ordinance that specified that any lighting for a new billboard sign be made from green materials, which I think is probably reasonable; however, we would like to see additional language in the ordinance that would provide any lighting if once again it's within 500 feet of a residence. I don't think it would take much tweaking if you will on the part of the council to implement something like this. And at minimum we would like for you to also consider retroactive action against this sign that's also been created to the detriment of south austin austin aesthetics. -- Of south lamar austin aesthetics. And the individual following me will be giving additional input on this. We would like to put this matter before you and we would also invite direct feedback from you on measures we might take additionally. [ Buzzer sounds ] with other bodies designated by yourselves. Thank you.

Mayor Wynn: Thank you. Councilmember shade.

Shade: When was the billboards put up?

It would be early march. Early march of this year.

Shade: Thank you.

Mayor Wynn: More questions? Thank you. As he mentioned, our next speaker is david edrich. Welcome. You too will have three minutes, to be followed by pat valles-trelles. [One moment, please, for change in captioners]

this is it is first eyesore of many in our city. A city we normally take pride in. As being a model for living, planning and government. I thought there was a push to get people downtown. And considering this affront do people really consider relocating downtown if billboards like these are permitted to pop up like weeds in front of their views at any time? When a billboard is there first, people can decide what to do so live around it. It's not a problem. When a billboard plops itself down in an existing residential neighborhood, there's nothing anyone can do to put it in a non-bothersome place. It's going to be an attention-getting, public nuisance because of its very basic advertising nature. It's a blight and blocking of natural views. Individual owners should benefit from their land. The form of violating the actual home of many individuals this right must end. In this case I might add one owner used his right in what I was

told was the most stealthy and dishonest way. I was told he didn't notify his tenants about the surprise until his tenant was fully vested in the buildout cost for his coffee business. This owner has no sense of neighborhood and does not even play fair with his attends. This billboard needs to come down. Until recently there's been a ban on these billboard's construction. I ask you what is the difference about people who live in apartments or condominiums on downtown streets. They pay the same property tax. Why should their houses or lives be considered less important? It's not clear to me that they are yet. But if this billboard is permitted to stand, it certainly says that. Know this, there are 200 people close to this billboard now. Probably another 200 when the complex across the street is occupied. Both of these places were built first. This area is for families. There can be no doubt about this. This area is residential like any other area with so many people living in it. We should not have to fight with businesses who fight dirty about keeping this area for families. [Buzzer sounding] the quality of life must be preserved. Please take this billboard down. Thank you for your time. [ Applause ]

Mayor Wynn: Thank you, david. Mayor pro tem?

McCracken: Maybe staff can give us an education of how this -- this relocation happened on lamar. It seems -- it seems not at all in sync with what jordan said about relocation, taking billboards away from urban roadways and having them go on highways. So maybe if there's some more information that we can get. This certainly is not -- not anywhere in the radar screen of what was contemplated in the ordinance as far as I'm concerned.

Mayor Wynn: Thank you, david.

Good afternoon, council, I'm kathy hall with watershed protection. This is clara hillings, watershed protection. This particular sign was legally relocated from hilling can give the details as far as the address. But it was taken down or will be taken down from that site had it hasn't been already.

McCcken: How is that possible relocation, acceptable relocation destination? Because it's a core transit corridor, urban core. Everything that the ordinance is speaking to about taking -- taking the billboards off the urban roadways and having them go to the highways, having -- and these billboards show up on south lamar in a core transit corridor, just yards from lady bird lake, that is not even remotely in the radar screen of what this ordinance was contemplating as far as I'm concerned.

Yes, sir. Part of the ordinance, one of the exceptions to that are for signs area 300 square feet or less, this does meet that. And express corridor sign district or commercial sign district. I can read it in its entirety. The tract to which the sign is relocated must be in an expressway corridor sign district or for a sign with a sign area of 300 square feet or less and expressway corridor sign district or commercial sign district. And it is actually in a commercial sign district there on south lamar. The new location.

McCracken: My concern is that it sounds like the -- however the reading of this is very different from the intervention of the council at the time we -- the intention of the council at the time we adopted the ordinance. The council -- all the testimony in favor of the ordinance, for instance, was for getting these billboards off of our urban roadways and on to highways. So it sounds like whatever -- however this

came about is not the intention of the council or even the proponents in the public. We have something that happened that has been part of the mix of outcomes, it would have been quickly stricken from the ordinance. It's so far removed from -- from what this -- what is contemplated for this ordinance. I'm just - I'm baffled. I'm not complaining that it's y'all. I mean it's that -- I do think we need to figure out how this outcome happened. It is -- it doesn't make sense.

Mayor Wynn: We will hear from ms. edwards. Ladies, before you step away, the 300 square foot limitation, I want to just remember, you know, this -- we've had billboards that's come up four times in the nine years that I've been here, it's always ugly business. This was the fourth revote when this ordinance was changed. I was on the losing side of the vote. But the 300 square foot limitation, the photograph of the sign, I just saw clearly is larger, there's more than 300 square feet of surface space on that billboard. What's -- what's the issue there?

Yes, sir, we can have that checked, the exact measurement and sign area, code enforcement can help us with that. Certainly verify that it does comply.

Mayor Wynn: Well, i would both like that to occur, but joining the mayor pro tem's comments, I would like to really have legal spend some time on that section of the ordinance and somehow convince us that -- that the -- that what i believe to be the intent of the four votes at the time was to -- to specifically remove the billboard, if -- if the billboard had to be relocated, it had to be relocated to a major highway. But -- but I think we'll have to revisit --

McCracken: What I don't understand the relocation outcome was specified and it was -- we went through a lot of debate on the highways. So what I don't understand is -- is how it's possible this lamar was -- was an acceptable outcome, particularly lamar and [indiscernible] yards from lady bird lake.

Mayor Wynn:? Response.

Sue edward, assistant city manager. Once council one of the things that I would suggest, mayor I think you looked a it, you said it. Legal has looked at this once before as we began getting these complaints in and had determined this was -- did comply. However, I since a real concern from all of you, as well as from us in terms of the individual that's have to look out on this sign. I would suggest that we get with legal, take a look at this again, see if -- if the exception was the intent and bring something back to you within a few weeks or so if that's okay.

McCracken: I think that would be good. I do also believe that to the extent that this is an -- a matter of interpretation, I can tell you as a member of the council at the time and someone who voted for it, that -- I think the minutes will obviously reflect this, too. The ordinance was structured to prevent -- promote tearing down billboards close to lady bird lake and get them over to i-35 for instance, it was not intended to become a vehicle to start putting up new billboards along lady bird lake, which is the community gathering spot. So to the extent that there appears to have been some statutory interpretation questions, I just don't know without a bit -- to the extent that intent matters, I think you are hearing from all of us here on the council at the time that the intent certainly was not for an outcome like this. And it is

deeply concerning that this is an ordinance that would facilitate that.

We would be happy to take a look at that.

Mayor elect.

Leffingwell: I would say at best this seems to be an unintended consequence. I appreciate your offer and second that effort to come back and bring us some potential revisions to correct this unintended consequence.

Mayor Wynn: Thank you all. Councilmember martinez?

Martinez: Mayor, I want to remind folks that this specific issue is exactly what I attempted to address against major opposition. And I referenced this intersection, I will reference it again. Drive to minor road and airport boulevard. And look in all different directions and there are no less than nine billboards within 500 feet of that intersection. Above homes, in neighborhoods, around neighborhoods. What I tried to do was bring an ordinance amendment forward that said for every two billboards that you take down in the urban core or in neighborhoods, that you can put one up in specifically designated areas, those specific areas were slaughter lane and i-35, ben white boulevard going out to the airport, at the 183 interchange and along i-35 up and down. We face tremendous opposition. Those ordinance amendments failed. This is a direct consequence of that ordinance amendment failing because you have statutory rights that trump any city ordinance, you have statutory property rights. And what I was simply trying to do was create a measure to incent and to actually create a reduction in the number of billboards. The opposition said we just don't want any at all. We don't want any moved or able to be relocated. But the fact of the matter is, in my humble opinion, a good policy initiative was railroaded because of this absolutist mindset. They are going to go up. What we as a council can do is try to create incentives to reduce that number and put them in an appropriate place. I totally understand and agree that there are many folks who would just rather they go away altogether. I'm one of them. I agree with that. But we don't have that luxury as a city council to do that. This billboard on south lamar, south lamar is absolutely inappropriate. Absolutely. But there's nothing we can do about it. State statute gives them their property rights. Now, we can create a local ordinance, but they are going to go straight to the legislature and try to undo what we have done so they can continue to operate. What we have to do is create incentives to achieve agreements with this industry so that they will comply with any local ordinance and not try to undo it at the legislature. Again, this issue is not going to go away. Like you said, mayor. It's come up four times in your nine years, already come up twice in my three years. It will come back again. And I'll continue to work on it because I do believe there is -- there is an appropriate balance. And that's what it has to be, a balance, not an absolute all-in or all out. And I really feel for the folks who moved in to those residences. Because it's -- it's complete infringement upon your ability to live, you know, in an area that's not totally devastated by advertisement. And advertisement that you can't even control. What's on there. That's just a side issue. But it shouldn't be there. I will continue to work and try to incentivize billboards not be placed in the urban course and around existing residents and homes, but it's going to take your help as well. Going to take you all stepping forward and letting folks know the impacts that it has on you. It's been in east austin forever. The reason they are all over

east austin neighborhoods is because everybody used to drive through east austin to get to the airport. That's when we didn't have strict billboard laws and ordinances they went up anywhere, everywhere, on top of buildings. They still exist. Because the legislature has granted definitive property rights to the owners of those billboards. It's very hard to remove them. You drive over there, absolutely zero advertising on any of them, none. But all nine are still standing with the hopes that some day they will be able to move somewhere like south lamar. This is a very serious issue and I take it seriously and I will continue to try working on it. I apologize for what you guys are going through.

Mayor Wynn: Thank you, councilmember. The next speaker is pat trelles. Welcome, I thought that i saw pat earlier. Okay. William newton also signed up to address us. William newton. As has paul robins, welcome back. Followed by pat johnson.

Mayor, council, citizens of austin, I'm paul robbins. An environmental activist and consumer advocate. First, let me acknowledge councilmember mccracken and thank you for your efforts to champion clean energy over the last six years. If I haven't said it before, I'm saying it now. And to -- to kevin who is out there listening somewhere, I'm not going to talk about water treatment plant 4 today. And -- and I do want to -- to talk about -- about renewable energy. Last meeting I believe last meeting this council spent a considerable amount of money on a new gas power plant. It was handled unceremoniously, routinely. In march you voted for the largest renewable energy solar cell plant in the country. And while highly commendable, the amount of power from this new power plant, this new renewable energy plant, pales in comparison to the gas plant that you just recently passed. In april, I believe, you voted for a special citizens task force to scrutinize future renewable energy purchases, even though the cost per kilowatt hour for the solar plant is really about the same as the recently passed gas plant. And even though we already have two citizens commissions that review energy matters, and very respectfully I can't help but feel like this is a kind of subtle form of discrimination like we will debate green power but we won't debate conventional power, even if they cost the same. Now, this kind of stigmaization might have taken place 30 years ago when I first entered this venue, it would have been another council and another time, it should not take place today. It is probably too late to organize the task force. But for the record, I think you should. Thank you for your attention.

Mayor Wynn: Thank you, robbins and for your attention. Pat johnson will be our final speaker. Welcome, and congratulations on the headlines we saw.

Good afternoon, good afternoon, I want to congratulate sheryl cole, mr. leffingwell and mr. Martinez on y'all's electoral votes. Today, council, we're going to talk about criminal behavior. This is still going on throughout our community. These towing companies are hurting our citizens on a daily basis. One of the issues that we're seeing happen more and more and more is that when they respond to a collision rotation, they are leaving crash debris on the roadways, that causes road hazards, people have collisions because they try to avoid hitting it. Still, these wrecker drivers are charging fees that are not unauthorized to. People trying to catch them in the parking lot, they want \$100, they shouldn't charge them anything. Certain towing companies in the -- members of the austin towing association, are knowingly violating state law on a daily basis. It's common practice for them to do that. Yesterday, I sent y'all all an e-mail with the attachment to this p.d.f. File of the arrest affidavit and the probable cause

affidavit for the owner of central towing. This was during the south-by-southwest towing scam. I warned the public about this before south-by-southwest, this was going to happen and it did. They were over there towing cars out of that whataburger alongside first and barton springs, they didn't even have a valid contract. Now, it's -- it was on the news last night that kathy kramer, said, well, we have been doing this for 20 years, they have been violating the law for 20 years. Finally they got caught. This is not the only charge that they are going to get because we expect additional charges to come out of the pike because we have 11 victims out there that we are still trying to get ahold of. You know, I hear on the news how we're going to have to cut the police department's budget. Let me just explain something. Our detectives in the various bureaus within the department are not being allowed to work comp time to catch up on their backlog of cases. They still go home at 40 hours. When somebody is victimized or a crime victim, it's important that the detectives be able to contact these people within 24 to 48 hours. Or that information goes bad. We lose contact with the victims. Our citizens deserve police protection. Now, just yesterday afternoon, in my neighborhood that I'm a neighborhood guys trying to abduct a 13-year-old girl in my neighborhood right off the street. I was on the open for with 911 -- on the phone with nine, dispatcher -- with 911, dispatcher called me back, we identified the vehicle and caught all three of the suspects, if we expect our city to remain safe, the citizens have to become involved. You have to call the police whenever you see suspicious activity in your neighborhood or your street. Or if you are just driving down the street, you see somebody getting robbed or somebody leaving the scene of a traffic accident, you have got to call 911. If we are going to keep our community safe, the public -- the public has to -- to become involved. Being a neighborhood watch captain, like I am, I've called several criminals out in my neighborhood. But the issue at hand here is we're going to -- if you're going to cut the budget in the police department, think about those people. That are raped during a burglary. Because the detective didn't have the funding because his lieutenant told him no, you can't do that. Remember, our citizens and some of y'all took a pledge during your campaigns to see to it that our police department would have funding and the core services to our citizens we deserve. Thank you.

Thank you, mr. johnson. Council, that concludes our general citizens communication. We are running well behind schedule. We do have a -- a relatively brief closed session agenda that we will take up here in a minute as I -- as we break for lunch. Folks that are listening, i just made -- we will come back out in open session to 19 sometime 00 and prior to , then we will go into our afternoon briefings. But without objection, 071, we will now go into closed session to take up 43, legal issues regarding the bradford nora historic zoning case. We may also take up pursuant 072 of the open meetings act real estate matters posted as 44, the real property related to the brushy creek wastewater treatment. We are in closed session. I anticipate it losing approximately one hour, as soon as we come back out we 19 funding appropriations. Thank you.

Mayor Wynn: We are out of closed session. In executive session we took up and completed our discussions on item number 44, real estate matters regarding the brush which i creek wastewater treatment system. We also took up, but have not completed our discussion about item number 3, legal issues regarding the bradford nohra house. That brings us back into open session. We still have one discussion item remaining from this morning's consent agenda, that being item number 19 that has generally been recently known as our h.u.d. Stimulus fund appropriation item. And with that I'd like to



welcome a brief staff presentation before we then hear from folks who would like to give us testimony.

Thank you, mayor. I'm greg canally with the finance department. Good afternoon. We're here today to walk you through a brief presentation on this item. You should have a copy of this that was handed out early this morning. You might be inundated with other information you got. Just quickly, just a real big recap, the stimulus bill was passed in february with the objective to jumpstart the u.s. economy. As we talked about several weeks ago, the money is flowing in several different forms. The formula allocated grants, but competitive grants via the state, directly from the federal agency. Back in march the city received two allocated fundings as part of the stimulus program, 1 million for the homeless prevention and rapid rehousing program and two million dollars in community development block grant funding. As we outlined to council back at the end of march, in order to allocate that funding and meet the guideline deadline for submitting and securing this funding, we put together a public involvement process to get us to this date today, which is really to secure and approve that funding. This started before the stimulus funding as the housing department had started on its consolidated plan. It certainly ramped up after we received the funding. We put some additional processes in place for both of these funding sources, working with the cdc, urban renewal board to discuss both the funds and having public access and public comments through a variety of means, public meetings that we've had, subcommittee meetings with the council. We had an online sphere for groups and citizens that submit ideas of how to spend this funding and meeting with all the stakeholders. As margaret shaw with walk you through, she met with the cdc this past week to talk about the allocation. And this action tonight is for substantial amendment to the existing consolidated plan to secure this 5-point world cup million dollars. It will not be as you hear from both david lurie and margaret, it will not be the last action items relating to this funding as we come back and go through the process of awarding contracts, awarding extension to contracts, doing wrch's to actually get some of this money spent in a timely manner. So with that I will turn it over to david lurie to walk through the homeless prevention fund.

Mayor Wynn: Thanks. Welcome back, mr. lurie.

Thanks, greg, mayor, councilmembers. As greg has pointed out, we're on a very fast track here in terms of the homeless prevention money. We think it's a really exceptional opportunity for us to have this investment focused specifically on prevention. This whole process for us started in early april and here we are just in may. So definitely been on a fast track, but at the same time have really strived to have an inclusive process. We met early on with stakeholders. We've also presented to the council of public health and human services subcommittee and as greg pointed out, we've been to the community development commission twice. And most recently this week, and the commission did endorse the recommendation as it relates to the homeless prevention and rapid rehousing portion of this stimulus funding. So with that I just want to comment, the federal folks are fairly prescriptive in terms of how the homeless prevention money is to be applied and these are the three primary areas. One, prevention, preventing people from becoming homeless, diverting folks who may be having to enter into our shelters because they are recently -- have recently become homeless. And for those in kind of a similar situation, to initiate rapid rehousing. And I think it's important to emphasize here that this stimulus funding is specifically targeted to individuals who are impacted most recently by the economic conditions and may either be on the verge of becoming homeless or very recently have in fact become

homeless. So it's sort of short time funding. It's intended to help bridge a situation for individuals where they can either remain or get back into a more stabilized situation. So in terms of the recommendation for the homeless prevention funding, it is a total of 1 million over a three-year period. And our plan is again to accelerate the spending related to this activity and get money to individuals in need as quickly as we possibly can. So we program this 1 million over a two-year period rather than a three-year period. And the components include homeless prevention and rapid rehousing specialists. We're proposing \$480,000 be allocated for the purpose of individuals who would work in identifying those in need, confirming that they for the program and getting them linked up with services. And that would be a component that we would put out through a competitive process to identify the agency or agencies that would provide that service. The second component is the rapid rehousing, and we have a rapid rehousing program currently in place with caritas. And this would be an expansion or enhancement of that program, and that's to identify rapid rehousing opportunities for people who have recently become homeless and we've proposed \$240,000 for that purpose. And again, keep in mind these dollar amounts are for a two-year period. The federal program also encourages that you make sure that any legal-related issues are covered as well through this program, so we're recommending \$120,000 that would be a combination of funding through the austin tenants' council and through legal aid services. And those likewise are preexisting agreements. The next component, which is the most grant, is the tw - which is the most significant is the rental and utility assistance and other support for individuals that would help to overcome barriers they might be facing in terms of preventing homelessness or getting back into a more stabilized situation. 97 million over the two-year period. And this also would be put out competitively to identify a fiscal agent that would manage that part of the program for us. And then there are two other add administrative related components. We need to be able to track people through this system, be able to effectively evaluate how successful the program is and assure that the services rendered are consistent with the intent. So given that need, we're proposing \$102,000 that would be an enhancement for our homeless information management system, basically the data tracking, data collection system. And finally, the program allows for five percent for administrative overhead, in this instance that's \$153,000. I'm not going to go through this whole chart for you. I think the main point here again as we started in early april, we've been on a very fast track. We've engaged a lot of people in this process. And as greg had pointed out, we will be proceeding. We'll submit this substantial amendment to , they will be reviewing it. We should hear back by september -- august-september. And then we'll be coming back to you in late september for the contract amendments, new contracts associated with the homeless prevention portion of that. So you will once again see this and you will see the specifics in terms of those contracts in late september. So I just want to acknowledge as always we have a lot of partners engaged in the process, and we've really had a lot of support and strong collaboration. Not only around this package of the funding, but also with the broader community and the meeting, for example, that councilmember morrison cited earlier today which we're going to bring people together relative to stimulus funding in total. And we're working very closely with our various partners because we want to make sure that all of these components are complimentary and that we're creating some good synergy in terms of these investments. And then finally I just want to acknowledge both vince and karen with our staff who have done really I think an exceptionally good job for us within the health and human services department to be able to move this proposal along very quickly and make sure that we've engaged our partners and come up with what we think is our best recommendation at this time.

Thank you.

Mayor Wynn: Thank you. Welcome, ms. shaw.

Good afternoon, mr. mayor, councilmembers. I'm here to speak to you about the community development block grant recovery program, so cdbgr is what we call it. We've had nine days to spend quality time with these guidelines and make sure that we understand clearly what the federal government is looking for. I'm getting updates almost on a daily basis of questions being asked and staff giving feedback back to us so what it is. One of the key issues that folks are confused about is this application is due on MONDAY, MAY 18th, WITH THE Homeless grant. The guidelines do say if you're just using cdbg r you can turn that in in june, so I don't want you to be mistaken that we're not putting you through this for the fun of it and we have extra time. We have clarified the fact to be safe, we need to turn this in with our homeless monies. So the federal guidelines and criteria that we've been creeling about are very clear and -- we've listen reading about are very clear. 70% Of the funds to low to moderate income residents. Those are folks, single people earning less than 40,000 and families earning less than about \$60,000. Families of four to create and preserve jobs and promote economic recovery. A letter that grantees received from secretary shaun donovan on the fifth with the new guidelines explicitly said that investing in infrastructure that will create and sustain jobs in the near term and generate maximum economic benefits in the long-term are their highest priorities. Local criteria as both greg and david alluded to, we have spent a good deal of the last couple of months in pulling together our key stakeholders, the community development commission as well as the urban renewal board to get irrelevant input on how this money should be spent. The categories and criteria that those boards and commissions focused us on fall into three basic categories. To partner with projects that are sustainable, well financed and established. That we're looking for significant results for the community. And tangible results for our residents. And I want to stress again those boards also stressed benefitting the low to moderate income persons as well as under served neighborhoods and populations. Staff recommendations came about as we said, we received almost 30 recommendations through online, written suggestions from the public. We then convened an interdepartmental group of senior city staff from a variety of department whose reviewed based on the criteria both federal and local all of those submissions and came up with the recommendations that you see before you. They are slightly amended from the ones we posted on friday. \$500,000 For life works east austin youth and family resource center, which will be a resource center built with green building techniques that will serve hundreds of homeless and near homeless youth and families with literacy training, financial education. Next we have people fund center for economic opportunity. Another half a million dollars for them that will create a resource center for small businesses as well as affordable office space for businesses growing and expanding in austin. And \$550,000 for the creation of the african-american cultural and heritage facility. This was in the 2006 bond election for renovating the 912 east 11th street known as the dietrich hamilton house, which is the home of one of the first freed slaves in travis county that council and the community has directed staff to renovate that into the african-american cultural and heritage facility. And last, we have \$250,000 for new sidewalks in central east austin. These in a unique partnership with our public works department, will jumpstart some of the most high priority sidewalk efforts in central east austin to promote safety as well as transportation. As we know, many of our low income neighborhoods, the residents of low income neighborhoods disproportionately use public transit

for their work and daily use. These sidewalks are critical on these major streets to be able to get them safely to their bus systems as well as provide life-style choices for walking and health. And last, we have \$200,000 for the administration of that grant. One of the most compelling cases that we've heard throughout the public input process in the last six months is for home repair. This is certainly not a surprise to the department or any of the housing leaders in Austin. Many of Austin's families live in what I would call the professionally called severely substandard for laypersons terms, it's deplorable conditions, especially what low income elderly people are living in with leaks in their roofs, poor plumbing, a dangerous electrical facilities. The city this year alone spent six million dollars a year on emergency home repairs as well as architectural barrier removal and complete reconstruction of homes. This is a critical need that we have heard throughout our community efforts, and one that the staff had already identified as a priority for our next budget cycle. I'm pleased to announce today that we can use the two million dollars of our 55-million-dollar general obligation bond allocation to expand these home repair and emergency home repair programs. It's a wonderful funding source. It's much more flexible than the federal grant funds. It enhances our current programs as I've described, the emergency room home repair -- the emergency home repair program allows us to expand it to other providers, as well as provide those architectural barrier removal that are so key for some of our elderly and disabled residents. Folks that need grab bars in their bathroom or a ramp to get into their home. This would also alleviate some of the concerns we have in federal guidelines from the buy American clause that would cause as well as Davis Bacon paperwork that will cause some unique burdens for a small project such as a 2,000-dollar plumbing repair. We plan to hold a June stakeholder meeting for input on stakeholder design for the newly designed rehab coalition and we have also identified last night that we do have funds available in the current year budget cycle for this purpose. As many of you know and have heard me say on various bond funds have been enormously successful for our rental housing allocation, however one of the challenges we've run into it using it on a timely basis to create first time home buyers. If it wasn't for Habitat for Humanity and some of our other nonprofit community housing developments, those funds would be drastically underused. I'm happy to assist low income and disabled homeowners. With that we wanted to have the public know there's some key websites where you can follow this process. Again, as Greg has alluded to and David, we will be back. This isn't the last you've heard of us. We'll have contracts and other actions that we'll need in order to execute your decisions today. Thank you. With that the staff is available for questions. Modern modern.

Mayor Wynn: Thank you, Margaret. Questions for staff? Councilmember Shade.

Shade: Bonds always been able to use on home repair?

Yes, ma'am. Legally for small amounts of money. I think some of the issues that we have faced, as many of you know, in fact we just received in the last two rulings that they will not be ruling on us, but we had sent forward was a question of whether we can revolve the funds. So the question is that we, the first community in the country to do this, was can we not use it for a grant, but provide a lien or a shared equity where we can revolve funds? One of the key issues from the policy perspective is from this board as well as our community stakeholders when we put the guidelines together was making -- assisting home buyers. So the priority that you saw in the guidelines was to use these funds to provide new home buyers. So I think now that we've looked at it, we've got two years into it, we're not using the home

ownership money as quickly as we would like. We would like to shand that to use it for rehab, but it was not prohibitd for grant purposes. So these would just be granted to the homeowners.

Shade: The contemplation of the -- understand the small project, \$1,500 year, 3,000 there, can you distinguish between that versus a larger grant to those organizations that will work on the 150 homes at a time?

Correct. We're actually looking at a variety of different program designs. The programs that we use right now, as y'all are well aware, is we have given for about 30 years a million dollars a year to the austin area urban league that runs an emergency home repair program to do just that, either a \$2,000, up to \$5,000 of repairs. So we do do a lump sum payment to a nonprofit. We are open and hope the stakeholder meeting, we have some ideas about how we might run that a little differently. And perhaps expand the number of people we can serve in a more timely fashion.

Shade: Thank you, so much.

Leffingwell: So the bonds being used for home repair, is that money going to be available immediately? When will it be available?

It is available immediately, however, we do have to put together the program guidelines and designs, so there's a few technical administrative steps that we have to make. My goal is to have this available in august.

Leffingwell: So it would be available before the stimulus money or after?

Yes, sir. Before.

Leffingwell: Okay. So is it going to be the entire two million that's going to be designated for this purpose? Is it going to be available as soon as it can be used by the people who are making the repairs?

Yes, sir, that's part of the program design that we're looking for ways that we can expedite that.

Leffingwell: As quickly as they -- they can actually do those projects, the money will be there for them?

Yes, sir.

Leffingwell: Thanks.

Mayor Wynn: Further questions of staff? Comments before we hear from the public? Thank you all. So with that let's see. We'll just take our testimony from folks in the order that they signed up earlier. I apologize for the dmai today. I appreciate everybody's patience. Our first person signed up is karen popp. Welcome, karen. You will have three minutes, to be on followed by susana almanza, to be

followed by ruby reo.

Good afternoon, mayor, mayor pro tem, mayor-elect, members of council. My name is karen popp, and i speak today representing the community development commission, which I am the vice-chair and also I have a memo that was sent to you from housing works. I don't believe staff mentioned to you that the community development commission met in april and was not able to make recommendations then because we were not posted for action, but we did meet on tuesday and we made recommendations on the hprp lurie presented earlier and also on the cdbg-r funds that ms. shaw just presented. The commission unanimously supported the program presented to us and to you from the health department for homelessness prevention, rapid rehousing and the different kinds of rental assistance and mediation. We had serious concerns about the staff recommendation for the cdbg-r program. The city has a consolidated plan, this is something that came from the community. It was recommended by the community development commission and adopted by the city council. It sets out our priorities for our housing and community development dollars. It makes housing our highest priority. And the commission believes that when we have the opportunity to bring more resources to housing and community development, we need to remember those priorities. Those are still serious needs in this community. And allocate the funds to those priorities. And so we recommended 75 million of the funds on housing rehab activities and we chose activities that are things that the city is currently doing with cdbg funds. We've heard a lot about cdbg-r having different program requirements. They are similar. It's kind of cdbg advanced. So we've picked activities where we're already dealing with cdbg. Where the people who are doing the services are already familiar with those and will be capable of going the next step to meet the cdbg-r requirements. We worked with staff on the sidewalks issue that is a lower priority according to the consolidated plan and it differs from the 1982 ordinance that the city has known as the acorn ordinance. But we wanted to work with staff. We felt that the combination with the public works department and the testimony that we received at the commission merited finding an extraordinary circumstance under the 1982 ordinance and to go ahead with that program. We are aware that bonds are available and we really appreciate the council and the staff's work to finally get an answer to whether the bond funds can be used for home repair. It's something we've been trying to get an answer to for months. Actually, ever since the bonds started. We don't regard the bonds as an extra resource. They are a housing resource and they are a limited resource and they're being used. [ Buzzer sounds ] so we would like to stick with getting more resources for housing and to use the cdbg-r funds primarily for home repair and rehabilitation activities. Thank you. [One moment, please, for change in captioners]

number oneriority need. The cdc recognizes this need and understands that tremendous amount of funding that is needed for building affordable housing and for maintenance of current housing. Assisting over 300 people with home repairs would provide basic services to residents and promote energy efficiency and conservation for rehabilitation. Using the [indiscernible] moneys to purchase land would not serve the need of providing sustainability, energy efficiency and the creation to green jobs. Many non-profits can advocate for themselves. Some of them have grant writers. The poor, the low income, only has one commission, the cdc, whose goal is to advocate for the programs designed to serve the poor with an emphasis on federally funded programs. Let's make sure that we serve the poor, which have never received their fair share of city services, even though, they, too, have paid taxes. Last year the city told the east austin southwest key program, which was requesting funds to seek low interest

loans through the city of austin program, let's be fair and instruct others to do the same. The cdc's recommendation represents a project that most closely aligns with the federal and local criteria. Notably job creation, economic benefits and shovel ready projects. So we -- we request that you accept the recommendation made by the cdc and not to have and to make sure that these funds -- used for housing rehabilitation and not just for non-profits who have other means of finding funds or can seek low interest loans from the city of austin to continue their growth. It's a good -- these are good programs. But how do you have 50 different programs asking for money and select three programs, three non-profits. They are going to get this money again. I asked you to listen to the cdc, to listen to -- to the commission, the only commission that advocates for the poor and to do the right thing. Thank you.

Thank you, suzanna. Welcome, three minutes followed by johnny lemon.

Thank you mayor and council. I am ruby a member of the community development commission, represents the voice of the four families here in austin. As someone who helps time to help citizens build safe affordable homes, I have to say the delay to getting answer on using the g.o. Bonds for rehab and the sudden appearance on answers only this week are frustrating and lead to situations as today where the commission and staff come to you with different recommendations. Nonetheless, the commission views the bond as a limited resource and an insufficient -- insufficient to meet all of our housing needs. We have given you plenty of information on a -- on homes where our elderly or people with disabilities and very poor families live. Where you can see the sky through the ceiling, or door through the floors, and an investment in health and safety of their homes is -- is also an investment in stability of our lower income communities. A city that is owned as the music capital of the world, and a leader in environmental protection and green building should also be a city that is recognized for its capacity and stability. I encourage each and every one of you to support the community development commissioner's recommendations for the stimulus funds for housing. Thank you very much for your support.

Mayor Wynn: Thank you, ruin beat johnny lemon. Welcome. You will have three minutes followed by susan mcdowell, followed by stuart hirsch.

Good afternoon, mayor and city council and mayor elect. My name is johnny lemon. And I also serve on the community development commission. And I am here also to support the recommendation that the cdc has put forth here. And the reason for that is sickened with the priorities that this city has set forth and the high priorities and housing -- priorities and housing is one of its highest priorities. And if we're going to be a city that keeps to its priorities, then housing should be one of them. The people that -- that we will be serving, that we serve are the elderly throughout this whole city. And the disabled. And if -- if this city wants to live a legacy with -- with the stimulus money, it should be on those people, the elderly and the disabled. Especially when the elderly have already contributed to this city to make it what it is. And now it is our turn to take care of those citizens. So, again, we strongly support the recommendations of the cdc has put forward to you all, and as a commissioner, you know, it doesn't make sense that we come here and there are two different totally different recommendations. That tells me that something is not working. Hopefully from this day on, we can work, the recommendations will be a recommendation that is a composite of staff and also this commission. Thank you very much. Oh,

one more thing. On the sidewalks, you know, we -- we do support the sidewalks because as most of us know that -- that east austin is the part of the city that lags behind big time on sidewalks. But the one thing that we do want to recommend, in our recommendation on sidewalks, is that the city looks at the neighborhood plan because when -- when the communities did their neighborhood plans, they are the ones that live in those communities. They are the best ones that can tell you, that can tell the city where the sidewalks really belong. Thank you very much for your time.

Mayor Wynn: Thank you, johnny. Susan mcdowell signed up, welcome, susan, appreciate your patience, to be followed by stuart hirsch and michael willard.

Thank you, good afternoon, I'm susan mcdowell, executive director of life works, which is a non-profit organization dedicated to transitioning youth and families from crisis to safety and success. I won't take long because i visited with most of you or your aides on the projects that we're proposing for this youth and I have to say the service provider of a very large organization that serves primarily poor and working poor residents in austin through education, counseling and housing. I do not envy the decision in front of you. We have a lot of priorities and very limited resources and -- and I have a lot of respect for the decision that you all will have to make. Youth and family resource center, which we are proposing and are primarily funding out of private resources raised through -- through capital campaign, life works board of governors, will provide a -- a strengthened pipeline into the workforce, education, youth development and mental health opportunities for residents of east austin. We believe it meets the city and state federal goals and I am here primarily today to -- to thank you for the opportunity for applying and to answer any questions that you have.

Mayor Wynn: Thank you, suzanne, questions for ms. mcdowell? Stuart, welcome back.

Thank you, mayor, members of the council, mayor elect. My name is stuart hirsch. I'm a retired city employee and I'm here to ask you to hunker down for housing. I'm asking you to support the community development commission recommendation, stimulus money, to repair poor people's homes. It's been 25 years since i appeared before this body and testified against the staff recommendation, i don't do it lightly. And I recognize that you have a difficult choice in setting priorities for using community development block grant money that is uniquely available. You can go with the staff recommendation and have some worthy not for profit organizations have three new buildings built with grants from the city. These projects are easy to monitor and would be eligible for the funding. But it seems like a luxury when we have long-time austinites living in substandard housing commissions. I ask you to choose to adopt the community development recommendation and get many homes owned by low income families fixed, their roofs could be fixed, then their water damaged insulation in their attics could be removed along with the water damaged sheetrock and they could end up with good insulation and good sheetrock in their ceilings. Their ungrounded wiring systems and aluminum wiring could be removed and replaced. People with unvented gas heaters and with -- with air conditioning units that are in their windows could ends up having those systems removed and replaced with -- with heating and air conditioning systems that meet current energy code standards and their bills could go way down. Finally, people living in houses built before 1979 could see this money go towards led based paint, testing and abatement. So the choice is really simple. We can get three new buildings for worthy



organizations or we can get a lot of people's houses fixed so they are no longer living in substandard conditions. I go back to what reverend lands spoke of this morning in the benediction, a community is all about the way that we treat poor people. We have a wonderful opportunity to help poor people or to help worthy not for profits. I'm asking you in this time of stimulus to create construction jobs and also help poor people. Thank you very much.

Mayor Wynn: Thank you, stuart. Michael willard, welcome back. You, too, will have three minutes to be followed by nelson linder, to be followed by john

thank you, mayor. Thank you, mayor pro tem, mayor elect, councilmembers. Oh, for the wisdom of solomon. You all have a tough position to take today, that decision is to go with the staff recommendations or with what the cdc is proposing. I'm here to say what austin habitat is trying to do is both. Help create new home ownership in our community and help long-term residents to be able to repair their homes to have the dignity and pride that they have in the home when they first moved in to maintain that, the elderly or disabled and they don't have the resources that it takes to repair those homes. You know, austin is a great community to live in, we all know that. It's a green community. We pass resolutions about us being a green community. We talk about and we have the energy efficiency retrofit task force in place, how we can make our houses even more energy efficient as we sell it from one person to the next. Here's a great opportunity for us to be able to help those low income folks who are needing to have their homes improved in an energy efficient way and a way for us to invest in that. I must admit that I was surprised by the city's presentation today with the two million dollar stimulus go bond funds. That was a pleasant surprise. Those funds were not available the last time we spoke. I'm encouraged to see that. Also realize that when we take those go bonds to use for repair, that leaves less money available for habitat or other organizations throughout buying land and put infrastructure into subdivisions which will be made available for low income folks. So again habitat is trying to build and create brand new homeowners with go bond funds and at the same time we are trying to find ways to repair funds for our long-term residents, long-term homeowners in our community. Like you, I feel like solomon trying to decide what's the best way to use these dollars. And I just encourage you to use your best wisdom and best judgment in coming up with the decisions today. Thank you very much.

Mayor Wynn: Thank you, michael. [ Applause ]

nelson linder signed up wishing to give us testimony. linder earlier this morning. Also john denisey. Signed up to give us testimony, as kirk becker. Welcome, kirk. You will have three minutes, to be followed by mary [indiscernible] to be followed by shirley johnson.

Hi. First thing I'm not sure why you have the money in two years instead of three years. It might be better to stretch it out, that last year if the apartment complex goes through foreclosure, maybe you can buy it cheap, provide affordable housing for another 20 or 30 years. I'm not sure -- are you trying to help the homeless or are you trying to support the real estate market? As far as the money goes, the [indiscernible] of it, is going to like chase management that's a big chunk, I think there's a tendency for non-profits to try to put their success, their greater success in providing help to those who need it the least. I think there needs to be a review over case management. It's something that you ought to start

thinking about for the future. You have job training in here. People get their job training, they get their dress for success used clothing, they go out and get jobs. If they have bad teeth or glasses that have black plastic frames that say welfare on them, they still don't get the job. I think you can use some of this money for supportive services. There's a huge backlog of need for people who need dentures and more than just the basic glasses, sometimes the first time we get them it don't work. Sometimes you have to do it twice. Whether it's a doctor's fault or patient's fault it needs to be done twice. You can use some of this money to help out the huge backlog of people who have dentures and don't need them. Really helps, glasses, too. Sidewalks. Major streets. And look on the list of major streets and they have GOT -- 13th STREET FROM I-35 to dead end, east 14th street from navasota to dead end, those are not major streets. You can look at capital metro and look through the complaint database, search for like splash and those are places that need fixed with drainage. Look through a.p.d. Database, pedestrians getting run over, improved sidewalks there. There's no reason all of the sidewalk money has to be spent in one little area of east austin. And I understand complaints with concentrations of -- of poverty, there's also benefits we provide facilities for eligibility. If we're going to move, if we're not going to concentrate all of the poverty in east austin, you need to start spending some of the affordability facilities funding outside of east austin. Thank you.

Mayor Wynn: Thank you, mr. becker. Let's see, mary faas. Wishing to speak, shirley johnson, welcome, shirley. Your turn, yes, ma'am. Welcome back, you will have three minutes to be followed by gavino rentria.

Good afternoon, I'm shirley johnson. As you heard how important repairing these elderly and these disability homes. If you are going to live in a home, it should be better than living on the outside. It should be safer. And a comfortable place where everything works. And I hope that you think about that. Thank you.

Mayor Wynn: Thank you, ms. johnson. Welcome back, you, too, will have three minutes to be followed by sterling lands.

I'm gavino, chair of the community development commission. [Indiscernible] I support other speakers on what they said. We're facing a crisis right now in the east austin, especially in the inner city part of east austin. I don't know that you realize that, but our taxes, our land values skyrocket by 45 to \$60,000 per lot. And -- and we are just -- we are getting to the point where we're getting run out, you know, because we have no money left over for repairs. You know, where -- for fixing -- fixing broken appliances, you know, and -- and, you know, a lot of our seniors are on fixed income. And if we don't -- if we don't hunker down and fix these problems, you know, we're running people away. We are running our seniors, our most -- the ones that worked hard to make east austin what it is now. You know, there was times in our life where you couldn't walk down that street. Because it was run down, we had a lot of crime, and you are looking at people here that -- that devoted their whole life to getting austin, east austin fixed up. You know, and now we are being told, now we are investing our money and infrastructure that -- and buildings, but what we need to do is invest in our people that the ones that worked hard, who made this town, you know, we have seniors there that -- that come up to me and said they don't know what to do. You know? I look at their houses and mike you know how the conditions are

there. You know in east austin. Old houses. I mean, I have a friend that's renting low income he can't rent anymore to them because the high taxes that the land value has skyrocketed and he can't afford to charge these poor people, you know, the low income rent that he's charging now and he comes, you know, with a broken heart telling me that please can we do something. And here is a chance, an opportunity to help our people out. Those that are struggling, those that have to live in substandard conditions. And I encourage you to support the cdc board, thank you.

Thank you, sterling lands. He gave us testimony earlier today. Council, I believe that's all of the folks that have signed up wishing to give us testimony. On item no. 19. A number of folks signed up not wishing to speak. So comments? Questions? Of staff or anybody else? Councilmember martinez?

Martinez: Thank you, mayor. Well, you know, this is -- this is kind of a fun problem to have. We have a very caring community. What we are struggling with here is all of the different needs. We have to have councilmembers find that right balance. What I wanted to ask, margaret, was a couple of questions, some of the speakers and some of the folks that I have spoken with on the side have said they are quite surprised now at the fact that we can use go bonds for rehab housing, what went amiss and why was this not presented as an option much earlier than this week. councilmember, i can't give you a great answer, I apologize for that to everybody, I apologize to the cdc members, my best understanding is that we have a miscommunication in that as I said the policy direction from this body and also those same stakeholders when we were designing the guidelines was that our first priority was first-time home buyers. The emphasis was on building that asset based for low and moderate income members of the community. With that, as you know, we're quite a dynamic housing finance corporation and city and we incorporate shared equity and we do community land trusts. We are the first community in the country to want to use general obligation bond funds in that model. So our bond counsel add advised us out of an abundance of caution, to ask our opinion on can we use the public financing tools for those home buyer activities. They have come back almost two years later to tell us that they won't rule on that. My best understanding is there was some confusion there between assisting homeowners and assisting repairs. As long as we grants the nds to the distinction here we have is -- is when we are helping in this fast appreciating market, it is not unusual for us to invest \$100,000 in creating a home and then down payment assistance and what we felt is that we cannot just give that to a home buyer. We as a communities, we have need, as you have heard today, we have so much need, we have to recycle those funds, that was the question driving the i.r.s. The other side of it is we can also grant with general obligation bond funds and private activities, we can give it away as a grant. I think where I again apologize because we've gotten a miscommunication with my oversight board is the distinction between that grant so our \$5,000 grant programs are allowable undergo bonds, we had not sought to do that because the emphasis was on creating first time home buyers. Now when we and staff looked into the repair program when I mentioned earlier for the last two months hearing it as a need, planning on proposing that and have been working with council and finance to make sure we can pursue that. All I can say is I apologize to have it flipped in one week. The good news is we do have that money available. As michael willard alluded to, we have not unfortunately had as much use for it on the home ownership side so we do have some flexibility in that. We are very interested in spending that money. As we all know, the more money we spend faster the better we set up for the next bond fund. I don't know if that answers your question other than to say we do have the funds available. Where staff's

proposal is a win-win. That we do recognize we have rehab needs. We want to jump start those rehab needs, continue with the ones that we are doing now, as well as address some of the critical economic opportunities which I didn't say earlier, you know, four out of 10 folks under 25 in east austin don't have a high school graduation. We have statistics and the commission itself saw statistics from noted scholars back in march about how the unemployment rate on the east side and in our minority communities is astronomically higher than the overall rate with the city. That is a tremendous need that we have in the community and the difficulty that I have in my department and you have with me is we need both jobs and housing for folks in the low income. So staff's proposal was professional balanced approach where we could give both jobs and housing much needed.

Martinez: I don't disagree with you. I think it is a fair and balanced proposal. I wanted to ask another question, though, because it was mentioned a few times about a lack of process and how did we get to these final recommendations and I -- my understanding that there was a process and anyone that applied went through that process and staff came up with the final recommendation, can you explain that a little bit?

Absolutely. It is a bit frustrating, it's frustrating for us, too, because it was on a short time frame. As you saw in a slide earlier, we did use a lot of the input process we have been having for our consolidated plan and used that as a baseline. But we were only getting the homeless guidelines at the end of march. Cdbg guidelines one nine days ago, it was a pretty rapid response. So we had already started the public input process. As I said we went before the cdc, urban renewal board at their april board members. A public input process where on the website anybody could e-mail in from april 20th TO MAY 1st. That same proposal was available in 10 different neighborhood centers, the austin -- couple of austin libraries, the austin housing authority and the offices of aids services of austin to collect some input on what the need was. Those were both written and online. About 30 recommendations that we did get. The proposals ended the public comment period ended at midnight on friday, may 1st. Members of my staff who i can't name all of them who have made this possible came in over the weekend last weekend, pulled those together, compiled them for us on monday so we could put that together. We then got the guidelines on tuesday. We then pulled together the -- the review proposal, the renew committee on WEDNESDAY THE 6th. We went before the city MANAGER ON THE 7th. And then we came before y'all by posting the action ITEM ON THE 8th. So unfortunately, there wasn't a lovely amount of time for having much input. We did then continue the process by coming back to the cdc on tuesday night, we also met with a group of the housing rehab coalition and the cdc members on tuesday morning and then continued to meet yesterday with your offices, aides and other public folks and then we're here before you today. Given the fact that we had a very shortened time frame, we did the best we could to get that input in a variety of different means.

Martinez: If someone were to make an information request, would any scoring criteria or results be available? Or was this something down in a round table discussion?

The items were not scored. So we have a list of the top -- the review committee went through the criteria first to understand those better. Then they come back and ranked the proposals that best met the

criteria. And then come back through and picked the ones that they felt were most compelling.

Last question is, when we talk about the two million in go bond money and trying to expedite it, can we actually lock down a time frame? Can we say six weeks, five weeks, two weeks? byron johnson is not in the chambers.

Can we at least set a target and then if we don't --

> aim for august 1st for me, sir, both working with law and purchasing, which i have already spoken to them this morning and said I do want to jump start this. We are looking to do things a little differently. And faster. So I'm -- I have already gotten their thumbs up that they will be happy to help me. But august 1st is what I'm aiming for.

Martinez: I turn 40th ON AUGUST 1st, THAT WOULD Be the best birthday presents.

Perfect goal, sir.

So with all that being said, I think -- for me personally, I think that we have something that -- that does create the -- the home repair program. Substantially invests in that to the tune of \$2 million and it also supports some very worthy non-profits that -- that will provide the sustainability model that we need for providing training and -- and, you know, folks getting into the workforce. So I will be supporting staff recommendation and i appreciate all of the work. Now, is it -- is it enough? No. Can we do more? Yes. Will we do more? The answer is yes. We have to continue working on this. I completely understand and support the cdc's recommendation. I don't care that this is -- by supporting this item, for me this is not ignoring or not listening to the cdc. I think it's completely listening to the cdc and the entire community because there are multiple needs. So I appreciate staff's work, I appreciate cdc's work and all of the local non-profits who sought the funding and hope that they will continue to do good work that they do.

Mayor Wynn: Councilmember leffingwell?

Leffingwell: So now just to get a little bit more explicit, is the staff recommendation --

JULY 29th.

[Laughter]

okay. You did say [indiscernible] stimulus money. Does the staff recommendation, including the bond money for home repair, does it now include everything that the cdc recommended?

Yes, sir, I believe so. They have asked for -- they have supported both the administrative funding, 250,000 for sidewalks and then --

that's not in --

correct. So I was just reviewing what the cdc proposal was, the 5 million dedicated was specifically to the urban league home repair program and two home repair programs in my department. What we would be seeking what staff is proposing is a broader coalition by which we could tap some of the other, the capacity of some of the other providers in town.

So from a consumer perspective, you know, seeing the money come in, everything that the cdc recommended is in there plus some additional things that were recommended by staff?

Correct. And I would add, too, from what we heard from testimony from both tom spencer at hands on housing and as well as jeffrey richards at the urban league, we believe the two million will clear their backlog. So the waiting lists they have on both of those key programs and give a little bit more. I think with the two million I'm feeling more comfortable to clear the backlog and also start getting to an increase in the demands.

Further questions of staff? Councilmember cole?

Margaret, I just have a couple of questions. I just wanted you to -- i appreciate all of your work and actually coming up with the recommendations that included the cdc's recommendations also. I would like you to briefly tell us about -- about why you put these particular projects in this order in some of the federal guidelines like the prevailing wage rate and how difficult it would be to actually fund certain programs in this category versus the two million go bonds.

Absolutely, thank you.

Part of the balancing act of the review committee as well as staff is the fact that no good deed goes unpunished is the cliché. The guidelines have a couple of provisions that they add to. The guidelines is prevailing wage, a federal standard by which you pay laborers a certain wage rate, as well as a document that wage rate as well as a buy america clause were included in the cdbg guidelines. And in austin we actually typically don't have challenge in meeting that labor rate so our prevailing wages for labors are typically higher than what the federal standard is. What it makes is weekly if not daily paperwork burden. As I was mentioned earlier, when you are doing a \$2,000 plumbing repair or a \$3,000 electric repair, to have to document all of the workers on site, the paperwork for that is tremendously burdensome. You also have to keep that paperwork I believe the federal standard is four years. Under which they would come back and be able to audit those. Buy american is also a clause congress put into this act which specifically states that any iron, steel or manufactured goods in these prongs would have to be -- projects would have to be manufactured in the united states. That present practical challenges in some of the home repair issues, especially for appliances and other durable goods for where they are collected. We also note, too, for federal funds, part of the compelling cases for some of the other projects, for instance, like the meals on wheels, which is such a wonderful project and a terrific opportunity, has already started construction. They do not have any federal money already in the deal. We have to do certain environmental and other reviews before a project starts. So for some of

the projects that were already underway and wanting this fund what it would mean is that they would have to halt construction, we would have to restart while we did some of our due diligence under the federal laws and guidelines. We felt that would be incre burdensome on a project already underway. People [indiscernible] already started those processes they needed to. Last but not least as i mentioned at the april 23rd council hearing, we have also already been put , 's inspector general as well as the general accounting office that these dollars will be monitored, we will have to do quarterly reports on line and there was a concern also that this could be an administrative burden for some of the non-profits that we work with in the home repair program and that we did have more flexible funding available to meet those needs.

That was the second thing that I wanted to ask you about. The administrative expenses associated with these programs. I'm assuming that if you had included the home repair programs, it would be substantially more.

The administrative -- yes. The burden on the administrative funds would be much different from what we have right now. Even though they use standard cdbg the cdbg recovery rules have more inclusive, more challenging. Monitoring.

Cole: With that, mayor, I move approval of the staff recommendation.

Mayor Wynn: We have a motion from councilmember cole. Seconded by councilmember morrison to approve the staff recommendation, further comments on this item? Councilmember morrison?

Morrison: I did want to get just a couple of clarifications from staff. shaw, I wonder if you could tell me are the specific sidewalks that we're going to be redoing, are they designed now or any flexibility on which sidewalks those may be.

I'm going to bring howard lazarus from the public works department to talk about that. I have learned a lot about sidewalks in the last 10 days.

Welcome, howard.

Thank you, good afternoon.

The sidewalks that we coordinated with margaret over, the ones that are taking [indiscernible] master plan, they go by the ranking criteria, and [indiscernible] there is flexibility in the location. There are more requirements than resources, we do have the opportunity to make substitutions. Our intent is to execute the work through our [indiscernible] contract which provides us with the opportunity [indiscernible]  
[microphone not working]

can you reminds me the way that we prioritize the sidewalks? Does the high priority in the neighborhood plan get accounted for in the prioritization scheme?

One of the criteria in the matrix is [indiscernible] [inaudible - no mic] with approved [inaudible - no mic]

great, I think all of the areas that we're talking about have a neighborhood plan so we don't get into that issue of not getting -- doesn't have a neighborhood plan. I think we're all right. One of the things that staff was going to look into, we haven't heard back from yet, but I think there's sometime and that was I know that I had -- have heard that getting sidewalks on MLK has been a frustrating experience for -- for folks in East Austin. They thought they were going to get them and then didn't show up, they thought they were going to get it. Didn't come in the next bond election. I hope you all can look into that, continue to look into that and make sure that we get an answer for that and that it's adequately addressed in our sidewalks.

We will look into that.

Morrison: Great. Lurie, I have one question. With regard to rental utility assistance, that came up as a possibility certainly with the joint work that the city is doing with the school districts and the county in terms of trying to get together some -- some programs so that we'll be able to -- to hopefully try to reduce student mobility and process increase student success. And can you talk a little bit about whether some of 9 million might be available for that program as we develop it?

Right. Councilmember Morrison, it would be available in both respects. We will be working with stakeholders to design that in a way to address families within the school district. [Indiscernible] may in fact be on the verge of homelessness. Also use it as a vehicle to [indiscernible] their access to the basic resources in terms of rental assistance, utility assistance, so forth. As we discussed with you previously, there were a -- there are a number of models and program underway in the community present limit we have the flexibility between now and sent when we come back with our contracts to design the program so that it does in fact take that into account, make sure that those families priorities are addressed.

Morrison: That's great. I know Councilmember Cole and I will be working on that through the joint committee [indiscernible]

yes.

I wanted to comment that in terms of -- of rehabilitation, we're really fortunate in this city to have these folks that have come together to form this coalition and make the most of our money because they think that -- that the rehabilitation at home is -- is a key of preserving affordable housing which is absolutely the best thing to do. If we have that choice. To make the money go further, I think it's good for the elderly to be able to stay in their homes, it provides [indiscernible] so I'm certainly supportive of that. I appreciate Councilmember Cole asking the question and staff answering how it is that the programs that ended up in their recommendation ended up on their recommendations because with all of the amazing projects that we have going on, it really did get filtered down into the ones that are going to work with the CDBG funds. I certainly understand the frustration. I want to recognize the frustration from the -- from the housing leaders and CDC folks to only now learn that oh, we can use the go bond funds for rehabilitation. It's good news but that's the kind of thing that makes the difficult to have a really



productive relationship between working relationship between staff and -- and citizens or commissions, which I think we all need to work really hard at being accurate and going the extra mile to make sure that we -- we get the information that we need. So really it's with all of those considerations I think that balancing long term as well as short term items that the reasons -- that's the reason [indiscernible] for staff recommendation for two million in go bond [indiscernible]

Mayor Wynn: We have a motion and a second on the table. Mayor elect?

Leffingwell: Two quick questions for ms. shaw. The first one is I heard you were talking a few minutes ago about the criteria being that it had to be a project that wasn't already started because that would involve stopping the project and I'm wondering if that was the criteria that I was -- I was a strong advocate for meals on wheels as one of the recipients. Is that the reason that they are not included in these awards because their project is already underway or --

I was addressing councilmember cole's administrative issues. The ones that did not make this short list, it was because the review committee felt that the federal guidelines were very clear. It was about preserving and creating jobs and maximizing economic opportunities and serving low income folks. So obviously meals on wheels is going to serve low income folks so when it came to creating jobs and returning jobs we felt, they felt that people fund in training small businesses, the largest generator of jobs in an economy, as well as life works who is working on workforce training and literacy and education to help place folks were in a better position to meet those federal guidelines as meals on wheels. But again they did make what we called kind of the tier 2 of a very compelling case, but the administrative issues were also of a factor for them.

Administrative issues being in large part due to the fact that they would have to go stop their project and restart it. The other question that i have is on the go bond money for housing, do you know approximately how much we have remaining at this point? Out of the 55 --

a few million here or there off a little bit.

We certainly obligated 20% of that, so we were a little over I'm going to say we were close to 12 as we have come and talked to, talked to cdc we are actually running quickly out of the rental bucket. So we are already planning to have a stakeholder meeting about -- about how we want to spend. [Indiscernible] my best guess is we have object debated, committed to certain projects clerks to \$20 million. So we need to start looking at how we want to make the most impact and the biggest legacy as we move forward for the last couple of years.

I just want to -- the question has been raised that this money was set aside for housing, now it's taken money out of and so if we go ahead, if we go ahead at the present clip that you are expending this money as a go bonds for affordable housing, how long do you expect it to last?

That is actually for me a concern. I think we probably have at least on the rental side we have almost more applications than we can fund. On the -- if we are doing the 60/40 split, 60% of the funds for

rental, 40% for home ownership. The issue that we have for home ownership and I -- why I want to go back to the cdc you are my policy oversight board the issue we have on serving and creating new homeowners is the fact that we can grant the money. So we could give a non-profit \$150,000 to build a home. But the difficulty is we would never be paid back for that. So it would be only -- only ability would be to help that one home buyer. So the policy discussion that I look forward to having with the board is - is how can we assist home buyers and homeowners and still respect the fiduciary responsibilities that we have.

Can you estimate the time, in years. A 7 point cycle. My best guess is five. Five -- [indiscernible] it's a seven year bonds program. My finance advisor is telling me that we did it for five years. I thought six. My best guess is we exhaust the funds by the fifth year. So 2011.

Leffingwell: Projected time in other words.

Correct.

Leffingwell: Okay.

Mayor Wynn: Again we have a motion and a second on the table approving staff recommendation for item no. 19, Further comments? Hearing none, all those in favor please say aye.

Aye.

Wynn: Opposed? Motion passes on a vote of 7-0. Thank you all very much. Folks, actually before we take up our -- our afternoon briefings, at this time i will recess this meeting of the austin city council call to order this meeting of the austin housing finance corporation board of directors meeting. For that -- for that brief agenda.

Good afternoon I'm margaret shaw. We actually have before you today four items. I'm goink to offer three of them on consent. 1, 3, 4, So the first one is the approval of minutes for the -- for the april 30th board, the third one is authorization of negotiation execution of an agreement with the austin revitalization authority to purchase goods and services that they have executed. And then last but not least is an additional funding amount of 452,000 for austin neighborhood alliance for habitat. I offer the three of these on consent.

Mayor Wynn: So questions of staff? Board? We have a proposed consent agenda consisting of items 1, 3 and 4. I will entertain a motion. Motion by the vice-president. Seconded by the board member morrison to approve the consent agenda as proposed. Further comments? 2 I would like to read into the record that I have, recused myself 2 the little texas deal. Although I have no financial interest in this transaction or with the companies involved, I used to be employed by one of the partners involved and out of abundance of caution I would like the public and the board members to know as well as management that i have recused myself from the original start of the application and I turned the board

meeting over to anthony [indiscernible] chief of staff.

Thank you, welcome back, anthony.

Welcome back, mayor. At this point, mayor, i would like to request that item 2 be postponed until JUNE 11th. It would give us an opportunity -- we had an opportunity to listen to the bond oversight committee that reconvened and wanted to discuss these issues. They had a number of questions. I know there are a number of councilmembers that have questions, too, related to this item. This will give us an opportunity not only for -- for our councilmembers to answer that question that they may have, but also to talk with the -- with the bonds oversight committee to make this comfortable. Although they have approved it, we still want to make sure that they are comfortable before we proceed.

As far as you know, anthony, is that in any way, you know, have a negative impact on the project itself? That is a test there a closing scheduled or something that somehow us not taking action would --

I had an opportunity to discuss this morning with the developer clearly they would like to expedite this, but they said that they were okay with the two to three week delay to allow all of these issues to be resolved. Questions of staff? Board member martinez?

Martinez: Thank you, mr. president. I have 22 questions with eight parts.

I am hunker down and try to answer them as best that I can. [Laughter]

I have only got 15.

Martinez: I definitely support the postponement as long as it doesn't have some major negative consequence on us potentially considering the project, which it doesn't sound like it does. For the record some of the questions coming up for staff to look into are things like are we truly creating levels of affordability that don't exist in or around the area or in austin for that matter that the current market is already supplying? And then secondly, it's based on the questions are surrounding the pro forma and return on our investment over time and do we see a guarantee or is that just a projected potential return on that investment? Things of that nature. Those are the kinds of questions that I will want to see before it comes back and before we consider making [indiscernible] i appreciate your work.

Councilmember, we will be happy to get back with you. I know from the performance standpoint which was , they were satisfied with the performance not guaranteed but our hope is to work with the developer and also staff to make sure that we get that information that you need. great, tha you. You.

Would you consider it a friendly amendment to your motions to add postponing 2 to our june 11th 2009 MEETING?

Thank you. Again wave consent agenda, motion and a second on the table. Ms. shaw?

I apologize board members, mr. president. I forgot the fifth item. We need to add to the consent item just approving the adoption of a new set of bylaws for the corporation. vice-president and board member morrison. We have an amended motion and a second on the table approving consent agenda approving four of the five items and postponing item NO. 2 TO OUR JUNE 11th, 2009 Meeting. Further comments? Hearing none, all in favor say aye?

Wynn: Opposed? Motion passes on a vote of 7-0. Thank you. There being no more business before this meeting of the austin housing finance corporation, we stand adjourned, call back to order this meeting of the austin city council. In time for our afternoon briefings, I apologize for the delay. Appreciate everybody's patience. Our first briefing, item no. 45 The mental health task force briefing and welcome our chair, dr. stone.

Thank you, mayor wynn, councilmembers, mayor elect. I really appreciate the time that you have given to talk about the fourth annual report of the mayor's mental health task force monitoring committee. As you all know, I will give you a little bit of background. The task force was at pointed in [indiscernible], over 80 agencies met for four months to develop recommendations about how to make austin a national model of a healthy community. This was really a visionary idea to really look across what are all of the issues that people with behavioral health needs face in our community. How can we work together to address them. The original mayors task force was supported by the hogg foundation for mental health. I want to acknowledge linda frost here in the audience today, the associate director of the hogg foundation, they supported that original task force. When the report came out in january of 2005, one of the recommendations was the formation of this monitoring committee to oversee the recommendations in the original report. The monitoring committee is a subcommittee of the travis county health mental retardation board. I have to give them appreciation. I also wants to acknowledge that the two co-chairs of the mayor's mental health task force former mayor gus garcia and former representative wilhemena delco have been very supportive through the four years of this committee's if you thinking. Mayor garcia couldn't be here today, but I do want to acknowledge representative delco who came to support this report, I thank her very much for being here, for her support.

Mayor Wynn: Yes.

We also have a number of members of our committee and austin travis county mhmr here to support this presentation, I want to ask them briefly to stand so we can acknowledge their work. They have been a very hard working committee, very dedicated thank you all very much. I want to go through briefly what has been. In the first year first appointed in may of 2005, we spent a great deal of time looking at infrastructure, thinking about what is the monitoring committee, what is it that really our role and functions are. We also asked the question early on, how will we know how we are doing towards progress, behavioral health arena. Began to do research on national indicators to help us measure our approach. We spent a lot of time looking at member analysis and making sure. Then transforming the 39 criteria that were in the original focus of the task force report, five focus areas. One of the things we really looked at developing our work, how we could not duplicate what other planning groups are doing in our communities. We have a lot of planning going on in austin, that's a good thing. Leads for potential for duplication. Schools for youth, access mental health services, housing, criminal justice, community

awareness, faith based activities. What we have done in our work, really looking at what are some of the other planning groups doing, how to collaborate and coordinate with these planning groups. Probably the two best examples, there are a lot of planning groups looking at housing as we have just heard in this discussion. Really none looking at individuals with mental illness or adult mental health [indiscernible] services. Really, they don't look across schools, they don't look across housing. What we know is what we have learned through these work monitoring committees, addressing the behavioral health needs of individuals in our community goes well beyond just providing access to mental health services, they don't have housing, don't have adequate education with the community. We started looking at what we realized was we really don't know what we have currently in terms of behavioral health services. In our second year of work in 2006 we convened an inner agency task force to develop a behavioral health service system mapping survey. Not only to be behavioral health providers but private to get an idea of what we have. Also a survey of consumers of mental health services about what they wanted in terms of housing so that we could really develop a good comprehensive housing plan, which we are still currently working on, we did surveys of the [indiscernible] in our communities. We know that many people are living in those kinds of housing situations. We developed the mental health community score coordinate using indicators to look at measuring from year to year how we're doing. We also worked together with the suicide with austin travis county suicide prevention coalition to develop a project to -- to determine how as a communities we can come up with real time data about suicide, in our communities. I briefed you all before. The most recent data from the state in terms of suicide statistics is from 2005. So we really have no mechanism for real time data. [One moment please for change in captioners]

we did an update of our mentally healthy community scorecard and probably the most important work we did that year was we were chosen -- travis county was chosen as a beta testing site as a simulation tool, but it was a cost benefit analysis of mental health jail diversion activities in our community. So today I'm presenting to you the first annual report. I'll talk to you a little bit about and keep my comments very brief about the year 4 activities provide a little on the forefront and talk about issue who are rise and. In the schools, we start with schools, we look at these issues as you would look through the development of a child. We start with early childhood as one of our areas of focus. In october of 2009 the mayor's mental health monitoring committee hosted a public forum here at city hall around early childhood interventions. We had a number of local providers and local planning bodies talk about what we were doing as a community in terms of early childhood interventions and we were libby dogette for our keynote speaker. Ve facilitated a discussion. We hielded in this report a program that helps parents in recovery from substance abuse disorders to continue active parenting of their child. The access grant looks at innovative ways to access data so children have more access to behavioral health services and other services and there's continued implementation of something called positive behavior support in the austin independent school district, which is a very positive mood. When we look at schools and youth we have to look at juvenile justice system diversion and we've been very fortunate here in travis county to receive a grant and the program is sustained beyond the grant of a juvenile mental health court. This is kind of a novel idea across the nation, and ours is preadjudication, before they go to court to get adjudicated the mental health team addresses mental health issues. We also have work going on in our community on reintegration of children in the cps system as they move out into the community

and that's highlighted in the report. We've noted before that there are a number of things going on in the interface between criminal justice and mental health. We have two crisis intervention team programs in the austin police department and the travis county sheriff's office and we have been tracking over the years how many contacts with those cit teams have taken place over the years, and they continue to rise, which we're monitoring closely and have a number of different hypotheses for. There's been a lot of work done in the travis county jail this year, and we're finding -- I've done a screening and identification of mental health problems among the jail detainees and 2 bookings in the travis county jail had serious and persistent mental illness in 2w589. We have a number of court based strategies we're proud of and we get national attention for. We have defense attorneys. We have a rotating wheel of attorneys who have chosen to become specialists in mental health defending. We also have the first in the nation of a mental health public defenders office here. Again we get national coverage for that. We have had specialist prosecutors in the county attorney's office for several years. One of our recommendations in our 2007 report was to implement a specialist prosecutor in the district attorney's office and we're very proud that that has now taken place so we're proud of that development. We also had had for a number of years a specialized mental health docket for misdemeanor cases. We have a number of innovative programs but i won't go into detail but they're outlined in your report, of ways to link people coming out of jails and prisons into services and we've done a lot of good work in collaboration with the reentry roundtable to really look at what are the behavioral health needs of people coming out of those facilities. In january of 2009 the mayor's mental health task force monitoring committee hosted a public forum here in city hall to look at the innovative strategies in our community around mental health and criminal justice interface. Access is obviously a very important focus area for us. We have been working closely with austin travis county mhmr to do some capacity analyses. I mentioned to you before that when we started our work we didn't know what it is we currently have, but the came up, what should we have in our community, what level of service do we need to really fill the gaps? Austin travis county mhmr, the monitoring committee did an inpatient service system capacity analysis in 2007, and updated that analysis in 2008 to look at how we're -- how we're doing in terms of the capacity of inpatient public hospital beds. Our initial estimation was 2 public hospital beds per 100 population. With funding from the healthcare district this past year our curnlt vailt a 4, so we're making progress but there's more work to do. We also did in conjunction with austin-travis county mhmr an outpatient analysis. As we know the outpatient services are more effective and cost-effective than inpatient services so we need to look at a community about how to fund those as well. In that analysis the estimated cost of unmet need for four major behavioral had you been health service providers came to a little bit more than \$5 million and we will continue to be updating that capacity analysis. We also saw in this year expansion of crisis services in our community through a group of -- an interagency group and crisis stakeholders who have been making recommendations. The austin-travis county mhmr crisis hotline was accredited. We've had the mobile ouch reach team and respite programs. We have a national model of integrated behavioral health in our community health clinics here and we've seen in the past year expansion of substance abuse, with 12 detoxification beds and expanded outpatient services as well. That said we still have quite a bit of unmet need in terms of access to behavioral health services. As you look at the graphs both the austin-travis county mhmr waiting list and the number of individuals presenting to emergency departments with behavioral health needs have continued to increase over the years that we have done our work. We also have continued in that need and while the -- the primary recommendations of the

original task force was that we needed psychiatric hospital capacity, psychiatric specialty in our general medical hospitals here in this community, and that has yet to be implemented. There are still no specific psychiatric expertise, so that when our public hospital bed capacity is full, the emergency departments without psychiatric expertise are left to deal with these behavioral health cases. All the other urban communities in Texas do have psychiatric capacity in their general medical hospitals. The average waiting time for substance abuse services in 2008 was three months and 1467 individuals currently are on the interest list for services for people with developmental disabilities in our communities, so again, a lot of work yet to go. Probably the most important, because we've just had this long conversation about housing, housing is probably one of our most critical areas. We did an analysis in 2008 of 1467 individuals on a waiting list for Austin Travis County, 51% of the individuals indicated they had significant or high housing instability, so we know that this is really an unmet need and no matter what services you provide people don't have a safe and affordable place to live, they won't be effective. We have worked with the reentry roundtable and the city of Austin health and human services to work with a national corporation for supportive housing to really come up with a plan to implement permanent supportive housing for individuals with special needs in our community, and that plan is progressing as I speak. And we've been doing a lot of work with Echo and the reentry roundtable in other regards as well. I'm not going to go into a number of community awareness events, you-all are probably very aware of those but they're highlighted in this report. We also in this past year finalized our set of indicators, based on national guidelines again and we were successful in getting those registered with the community indicators collaborative which is a national association. Our suicide prevention plan was agreed to by the city of Austin and Austin-Travis County MHMR to work together to help us implement the plan to have real-time data about suicide. Our web site redesign in this past year has been successful and we get 100 to 200 hits per day on the Mayor's Mental Task Force Monitoring Committee. You have in front of you a journal article published in January of 2009. This is a national journal, peer reviewed journal. An article written by Frost and myself that outlines the committee and the community collaboration. And finally we were informed that the Texas Council on Community MHMR Centers has awarded the committee with the Frank Adams Award for outstanding volunteer service so we're pleased with that and that awards ceremony will be in June of this year. Issues on the horizon, we need more planning linkage between these groups. I've highlighted a number of criminal justice planning endeavors, but one of the things that we really believe is maybe we need to step back and really look at -- you know, we're implementing all these programs with regard to criminal justice. Maybe on maybe we need to step back and look at an overall plan for what's the most effective and cost-effective. You've heard a lot and will hear more about stimulus package from the federal government. In the behavioral health arena most of that revolves around evidence-based practices and there are a number of evidence-based practices that are listed so we want to support the various entities that are plague for the stimulus money for the evidence evidence-based practices. One of our recommendations for 2009 was implementation of a felony mental health core docket and I'm pleased to say that has been implemented, so April 28 the felony mental health docket was put into place, so we have a full continuum of court-based strategies which we're proud of. We want full implementation of the suicide data plan and there needs to be expanded attention to three special populations. One is people with developmental disabilities who are on the waiting list. We haven't spent a lot of time working with that population. We've all heard a lot about veterans issues and we have representation from the VA on our committee, but behavioral health issues

are obviously quite paramount in the veteran population. And finally older americans. We know thra there's an increased risk of depression as people grow older and we really believe that these -- these are important populations to consider. So at the end of our fourth year we think that this is an appropriate time to really step back and look at the continued structure and/or functions of the mayor's mental task force monitoring committee, so just as it got started we are kind of mirroring that by asking the austin-travis county mhmr center to -- they have appointed an ad hoc committee of community leaders to meet together over the next several months to really make some recommendations about the structure and functions and how we move forward, so we will look forward to getting that feedback. And I just wanted to provide a special thanks to mayor will wynn for your vision and leadership in this regard. This is really quite -- quite a wonderful thing, and it's actually been replicated in numerous cities across the nation since the implementation of this task force. So we very much want to recognize your leadership and your help with our mental health issues and causes, and as a tribute to you we have made a contribution to the new milestones foundation for mental health in your name. So thank you very much. And I'd be happy to take any questions. thank you stone, and for your service. stone, council? Comments? I trust my way -- with city staff to make sure we have -- obviously this presentation will be public and available because of channel 6, but perhaps utilizing the city's web site folks could have access to the more formal, more lengthy report as we continue to raise awareness.

Thank you. thank you, dr. stone, so much. Council member -- mayor leffingwell, excuse me. when you made your presentation to the public health and human services subcommittee, i asked you this question, so I know the answer but I want to ask you in here so tha other folks can hear it, talked about various groups that are working on mental health issues in the ongoing effort by the healthcare district to coordinate a number of organizations to, arrive at a plan, and they have a plan continuum of care and actually we have an item on our agenda tonight to facilitate a city zoning case to p for public use, and that will be part of that -- it's a housing facility for mental health care. That's the city's part of that operation. But anyway, back to the question I asked you, it was about collaborating with other organizations, particularly the mental health stakeholders group, which is atc, mhmr, the healthcare district, seton, david's and the city of austin and travis county, and I think your perspectives could have of great benefit to that group as we go forward to a permanent solution to mental health care in travis county.

Wonderful. I think -- thank you very much, mayor elect. I know you've been very active in that committee and made a lot of progress in terms of collaboration, and we've been working hard not to duplicate that. For example I talked to you about our inpatient analysis and outpatient analysis, we actually provided that to the stakeholders group to help enemy in guiding. We've been trying to work together but I think you're right, there could be improved linkages.

I kn busy but just for me alone, I wish you'd come.

Thank you very much. Appreciate the invitation. any questions for dr. stone? Comments? Thank you, doctor. So again, we apologize for the late start this afternoon. That brings us to our second staff briefing. That's on our art, culture and music update. Welcome back, anthony.



Thank you, mayor. Mayor wynn, mayor pro tem mccracken and also leffingwell and staff members. I'm city manager's office. The purpose of my presentation today is to brief you on the results of an in-depth study of art, culture of music as they reside within the city of austin's organizational structure. As many of you may know, on the heels of the create austin initiative in june of 2008, council passed a resolution directing the city manager to conduct a feasibility study for combining the city's art-based programs, particularly as it relates to arts and culture, and should the city manager determine that creating a department of arts and culture is feasible, he was asked to further -- further be directed to return to council with the implementation strategy for approval. In addition, in response to a recommendation from the live music task force, council in january of this year directed the city manager to conduct a city-wide assessment of functions associated with the promotion of live music and to recommend a range of actions related to the creation of a music department. In an effort to maintain impartiality, the research for this project was assigned to our corporate internal audit department led by carla and her staff member emily roberts, who did yeoman's job. The project included seven objectives and I want to share those with you before I really get into the presentations. One was to research art, culture and music industry standards and best practices, to identify all arts, culture and music activities and associated functions and resources, to survey affected city staff, to identify areas of duplication and existing functions and costs associated with the new department, to solicit input from the law department regarding any legal issues with the creation of a new department and to identify financial impact of reorganization to existing departments. Put very simple, council -- simply, council, we began the departmental assessment with a basic evaluation of related functions. We looked at programming and facilities in our economic growth and redevelopment services office, parks, recreation and also our aviation department. In addition, we collected input from staff. We felt it was important that we interview our staff, do some desk audits, to determine whether there are any benefits and/or drawbacks to the creation of the new department. We gathered input from the law department to determine whether or not there are any legal issues that may arise based on the creation of the department, and lastly but certainly not least, we assess the cost associated with creation of a new department. Within the arts and culture, and this is based on our -- the results from our assessment of that work -- within arts and culture we identified four programs in egrso, a program in the aviation department and then 14 museums and facilities and related programs in our parks department. When addressing music, we identified eight music-related programs, including live from the plaza and also our popular airport music program. In looking at benchmarking, because we felt that was another -- that was another important aspect of our work, and talking with some of the arts community and also the music community, they gave us some ideas of some ideal cities that we needed to contact, so in looking at that benchmark activity for arts and culture, we selected 12 cities for their vibrant arts theme. Some of those 12 cities we identified or found that 9 had separate departments or offices of arts and culture, and they are listed there. Two of the 12 have divisions within a larger department, philadelphia and santa fe. One had a city department that worked closely with the regional and nonprofit. That was portland, and other nine cities that have separate departments or offices, three are council manager form of government. In the music area when we look at the data here, benchmark data, ten cities were selected for benchmarking or were selected for their music scene. Of the ten cities we evaluated only four have an office dedicate to do the promotion of music. Two were divisions within the mayor's office, seattle and new orleans, one is a division within its department of cultural affairs, that's los angeles, and the other is a commission serving

both the city and county of memphis. When looking at functions, three of the four offices -- and we felt it's important that we look at what functionality was going on in the various cities that we benchmarked. When looking at the functionings, three of the four offices focus on promoting music, professional development and also attracting business opportunities, and one office focused entirely on youth music education. Chicago and san francisco do have some miewtion some miewtionred light music-related programming. One of the key cornerstones of our work involve stakeholder feedback. From the very beginning the manager -- city manager was very clear that he wanted to get not only internal stakeholder feedback but also external, and we want to make sure that we accomplish that goal. Stakeholder feedback was indeed very key in the decision-making process. We invited the working chair of the create austin effort. The chair for the music commission, and also the chair of the live music task force to meet with us and provide us with input, opinions and also feedback on the information that we had gathered and collected. Based on many hours of meeting among themselves and also with staff, and for that we are deeply and personally thankful to cookie -- I'm sorry, cookie ruiz, brad stein and paula. I think cookie is here but i don't know about the other ones. Raise your hand. We want to thank them. Based on all of the information the stakeholder feedback, the benchmark data, crunching the numbers, we were able to come to three options for consideration for you today, council. Option one is the creation of two departments, a department of arts, culture creativity and also a department of music. Option 2 combines the two into one department that contains two offices, the office of arts and culture and the music office. And then option 3 creates a separate division within economic growth and redevelopment services office with emphasis on the music division. At this time I would like to take you through in detail, and as i mentioned, option 1 provides two stand-alone departments. This charlotte reflects proposed staffing and structure of a stand-alone department of arts, culture and creativity. We combined the cultural arts program currently housed in eso and the facilities division which are currently in our parks and recreation department, which oversees all of the museums and the facilities, cultural arts centers. From here through the remaining of the presentation, the boxes with dotted lines are intended to identify new fte's that staff is proposing. As proposed, this structure 5 fte's, which would incorporate eight new fte's. The department includes the transfer of existing fte's from our parks department, egrso, and aviation and adds new fte's for the director, assistant director, the executive assistant and the budget and administration, which includes support and human resources, budget and also public information. This particular slide here depicts the distribution of fte and associated costs. The budget includes not only personnel costs but also operational and maintenance costs such as supplies, furniture where needed, equipment, training, the lease for office space and also other one-time costs. I think it's important note that not only in option 1 but in option 2, anytime you see non-personnel costs, we're talking about the same thing, furniture as needed, equipment, training and other essentials to get the department up and running. The estimated annual operating budget is 1 million for that department. This slide captures the funding gap associated with option 1 for the arts, culture and creativity department. The current funding for the existing fte's and other related funding is \$8.9 million. The funding is comprised of general fund dollars, hotel/motel tax and also enterprise funds. An estimated \$162,000 would be needed to close the gap created in the parks department and also egrso. When the fte's were actually doing those functions based on the audits that we ended up doing, individuals were doing more than arts-related programming, and also music-related programming. So in order to make those departments whole, we want to make sure that the department, based on those operional

responsibilities, were not left less fulfilling their responsibilities. One time costs are estimated to be \$263,000, which would leave a delta of 6 million needed to create the department. The other portion of option 1 is a separate department of music. This structure would consolidate the current music functions currently housed in egrso and the aviation department. As proposed the structure 75 fte's which incorporate five new fte's and include funding for two participation positions that currently split time between music and other functions in egrso and aviation. As you can see, this includes new fte's for a director and executive assistant that would also function as an hr liaison, an fte that would support the budget, purchasing and payroll function, an fte for pio and marketing and an fte that would work with the live music venue permitting. One of the things we saw was there was a magnitude of work in this particular department and we felt that we did not want to create any department without providing the necessary support for those departments to be sustained. 15, the estimated annual operating budget, is \$1 million. And as you can see, that's broken through the executive level, personnel, the budget and administration and also the music program. This next slide captures the funding gap created with the development of the music department. We have identified \$308,000 in existing funding. An adjustment to keep egrso whole will be needed in the amount 6 of \$16,000. Estimated one time costs are \$150,000, leaving \$859,000 to create the department. Overall option 1, the creation of two departments, would require an estimated 1 million and budget costs less the adjusted amount of identified fundings of \$9 million plus the estimated one-time cost of \$413,000. The required first-year funding for the combined option 1 would be \$2.5 million. Option 2, I call it sort of a hybrid proposal from staff -- option 2 is a single department with two offices, the office of culture -- arts and culture, and the music office. As in option 1 the functions of art and cultures music would stay the same. The benefit to this particular configuration, council, is that you would be sharing our budget and administration function and you would eliminate one department director as well as an executive assistant. This structure consists of 2 fte's, which incorporate a total of 11 new fte's and funding to make three split-time positions whole. The estimated budget for option 2 is \$10.8 million. This next slide captures the funding gap associated with option 2. If you recall, we estimate an operating budget of approximately \$10.9 million. 9 -- Approximately 2 million has been identified in existing funding, and about \$178,000 would be needed to make egrso and also the parks department whole. One-time cost equal to \$328,000 would be needed to -- during that first year, leaving about \$2 million for the first year funding. Option 3 proposes a separate division of arts, culture and creativity and a separate music division within economic growth and redevelopment services office. In this option it is recommended at this time that the museum and cultural facilities remain in the parks and recreation department. I want to pause for a moment. I think based on the dialogue that we've had with a number of key stakeholders and the arrival of our new parks director, sarah hensley, a number of them were very, very impressed with her vast experiences and wanted to give her an opportunity to examine what we currently have and try to improve and take it to another level, and this option allows that to occur. And the aviation arts coordinator would remain in aviation, leaving the arts, culture and creativity division in current configuration with the addition of one fte, which would be our film coordinator. I'm sorry, the new music would contain both the existing and new fte's related to music. Again, the boxes with the dotted lines as you can see are reference to new fte's that have been created in this particular configuration. It would bring about a jointly shared administrative assistant fte, a new muse program coordinator fte who would focus on implementing the music task and we talked about a new sound to participate. These are two essential components of creating the

department and we believe it will accomplish -- at least get us started in the right direction and moving forward some of the recommendations of the task force. The music function located at the airport would at this time remain in aviation. mayor pro tem?

McCracken: On the -- you have a box, the film program coordinator. That's not currently in arts, culture -

no, that's -- that's -- that actually was shared with one of the positions. They were doing film-related activity, music, et cetera. Based on our conversations we wanted to separate that out with the stakeholders, so now it would be a new position that's focused on the film industry. Because one of the things that we learned, mayor pro tem, is a lot of the stakeholders saw the importance of synergy, not only music, not only art, but the digital media, film, all those really working together. And --

McCracken: Yeah, I'm sorry, there's just a council budget resolution from three years ago that required film to be not under cultural arts, and i know because I sponsored it, and so I'm concerned to see -- that would take some kind of change in council policy to effect that. I wanted to make sure that's not already happening because that would be a violation of council policy.

We'll look into it.

You're correct, and right now film is in -- in the economic development emerging technology. It would stay there as it is. It's just that we wanted to show it since we do not have -- would not have a position for it at this time.

McCracken: Okay. And we can get to more of this later. I just wanted to make sure while this popped up. Thank you.

The total budget for the music division is \$522,000. The next slide identifies the gap. \$244,000 Currently exists in the current funding that we have. An additional \$50,000 would be needed to keep egrso whole. The funding gap is \$333,000. This slide compares the funding gap for each of the options that we've presented to you today. As you can see, the estimated annual budget cost for option 1, two separate departments, \$11 million, with a funding gap of 2.5 million. The estimated budget for option 2, a department with an arts, cultural and creativity division and a music division is almost 9 million with a gap of 1 million, and finally option 3, a music division within egrso with an estimated budget of \$522,000 and a gap of \$333,000. Council, we recognize the desire by the music community to elevate music to a level that desires -- that it desires and justly deserves. We also recognize the financial situation in which the city of austin sees itself in at this time as we begin budget discussions. After lengthy dlibbation staff -  
- deliberation staff is recommending option 3, a music division within egrso. As a first step in continuing the process to emphasize the importance of art, culture and music in our community, one of the things we want to make sure that we emphasize, we're taking baby steps, but we feel that most of the key components that have been requested is included in this option, but it's something that we can build upon in months or years in the future, and we've committed to the various communities that we can work, but we felt that this was a good starting step for individuals to get to, whether you're from the

digital media, film, music, cultural, and then evolved from this first step. This recommendation says the division should take advantage of the administrative functions, including budget and finance, pio, marketing, web design -- web site design, and also hr functions. In addition, it allows close coordination with emerging technology, small business development and also cultural art. I can't conclude my presentation, council, today, without thanking a number of individuals. Sue edwards was -- I called her my right hand person. She really assisted, as well as marie sandoval and rebecca britain of my staff, because it's been a long process, as well as the city manager, who really gave us clear direction from the beginning to make sure that this was an inclusive process and one that we can be proud of at the end of the day. So that concludes my presentation at this time. I'll be amenable to answer any questions that you might have. thank you, anthony. Questions for staff, council? Additional comments? Mayor pro tem? Yes.

McCracken: You know, i think one of the things that jumps out for me -- I appreciate the hard work on this. A concerning thing for me to try to get a grasp on is when we, for instance, created the partnership, the university of texas, the bioscience incubator, that cost \$150,000, and then created -- you know, they have five companies there, and so now we're being told it will cost millions of dollars to do something that when we -- when we paid to do it at ut they did it for \$150,000 and created jobs. So I'm concerned about why it's costing us a lot more to do this without the apparent job creation matrix associated with it.

Well, council member, i think -- I think one of the original directives was for us to identify all of the associated functions pertaining to art and culture. When you look at the organizational structure that's before you, a good amount of the cost is from our facilities, our cultural arts, where a large amount of programming occurs, from a number of our facilities. 5, I believe, fte's. So when you're talking about 28 positions, automatically there's a large amount of resources allocated for that purpose. From a music standpoint, 75 fte's currently, and that's sort of misleading because the one fte in egrso isn't for a person. 75 of one 25 of the other. We felt it was important that if we ended up trying -- if you look at the - some of the task force recommendations, if we wanted to do it right, whether that's with the permitting sound engineer, doing some of the things that they wanted to do, we want to make sure that they were established to get the job done. And in any department you're going to have to have some support, whether that's tio, maintaining of the web site, payroll, all those things need to get done, and we want to make sure that those things were included. With the recommendation that we made before you today, option 3, those things currently already exist within egrso, and the individuals that are coming in new can focus then on the work of the -- of the --

McCracken: Yeah, I'll just say, I am concerned that I feel like a lot of the recommendations have missed the point, which is that -- you know, there were two basic sets of recommendations in live music task force. One said recommendations dead with oh dealt with the -- dealt with the logistical sound, organizational, but the second recommendation was to create job opportunities, and we've -- and -- so i know that when we do this with the university of texas it's costing us 200,000 bucks a year for the wireless incubator and 150,000 bucks a year for the bioscience incubator and they're hiring one person, and there's not suddenly this whole menu of millions of dollars of cost that come associated with it. So I do think it's going to be pretty important that we maybe visit with the incubator folks at ut and ask how are they able to do it for \$150,000 when it's costing us millions of dollars. The second thing about this is

that I am concerned to see kind of this creep back in of something that the council has repeatedly said over and over again not to do, which is try to lump some of our for-profit sectors in with our cultural arts sectors that are -- because there are different sets of inputs on those. You know, the -- what we're trying to achieve is an organization from a policy basis on film and digital media and music is different from what we're trying to achieve for performing arts organizations and dance troops and the long center and other really important cultural activities, that that's part of our quality of life efforts, where is our music and film and digital media efforts are an important job sector about what we export commercially to the rest of the world. And so there's just different economic and policy drivers behind that. So the -- so for that reason to see things like the film efforts creeping back into cultural arts when we repeatedly said to the council, don't do that, is very concerning to me that that would show up again, because I don't know how many times we could have said don't do this any more. And I do think we need to have some sort of proposal that looks at a vastly stripped-down ambition focused -- that's more in line I think from what we've heard from the task force members of one person to handle the economic efforts, which is to repeat myself, but, you know, we're -- we're getting it done a lot cheaper by ut than we're seeming to get it done here. And the second one looks like a code enforcement issue. On the code enforcement issue, things like management of the sound ordinance, you know, I can see that that would have more costs associated with it, but it's not -- it doesn't seem to be focused on what were the core missions that a music or creative economies department. So that's just my -- my take at looking at this is that this is a lot more expensive and seems to be missing some of the key points.

Council member, in response to the sound engineer, if you recall a couple of months ago, council passed a specific resolution that basically called for a sound engineer to be included in the new music department, and this was being responsive to that resolution that was passed by council, which requires a new resolution. There's going to be a continuance of the one-stop shop enforcement that we have in watershed protection, but this was really in response to a resolution that was passed by this body, I believe two months ago. One of the things that we wanted to stress is, tonight there is no action of council. What we wanted to do, if you look at the resolution that was brought forth by the council, it talked about the feasibility of some options to explore what was -- what was currently out there. I think in the coming weeks we'll have an opportunity to continue to work with staff and council to see what ideally is the best model. We felt, though, based on the economic times that were going on, this was a good first step, and a couple of folks -- it's interesting, a couple of folks in the arts community that we've talked to embrace digital media and film, feel that a lot of what they do includes a lot of those things too. So it's interesting in meeting with the stakeholders to see how much synergy and similarities were out there. There are some differences, but there are some opportunities too.

McCracken: Yeah, I think on that latter point, it would require some change in council policies, for starters, and I think that has to be acknowledged as opposed to just assumed away. And, you know, the emerging technologies committee, for instance, spent a couple years working through these issues and made a judgment that they were different. The council resolutions from three years ago said they're different, and then the council resolutions related to music department said they were different too. So I think that one of the things that has to be said is go against several years and multiple council resolutions if we're going to recommend this, and be explicit about it on the front end. The -- but the -- I think a lot of this also looks at what funding pot you come from, because the -- if you did things like

sound -- the sound issues, I think that because there is a code enforcement-related function, I think it would be justifiable to look to the code enforcement funding stream to help fund that, and I also believe that while the -- as you look at funding pots when it comes to -- if it's economics, we have different funding sources for economic growth and we have different funding sources for cultural arts. And so that's why these divisions of duties within the potential department matter because that speaks to what might be the potential funding sources for that, but I think finally, one of the key reasons why we have said that we don't want the cultural arts in the economic creative economy merged together is because the needs are so different. Distribution labels and talent agencies are some core functions that are needed for successful film, music and digital media sectors. Not as important of a function as a performance space are and theater space and some of the associated issues that might be for cultural arts organizations. And so that's why there is some importance about not getting those lumped in -- that we have underperformed economically in our music efforts in part because we treated it as a cultural arts effort, I think is one of the critiques we've seen.

Mayor, sue edwards, assistant city manager. Council member, I wanted to clarify some of the for you, and probably the way it was put on the organizational chart was -- was not appropriate in terms of what actually happens. We were just trying to show a position. Currently economic development has all of the film and digital media just as you are talking about, and that intends to be the case. We do not intend to change that at all. I think one of the reasons that we thought of putting this division as a first step into egrso is simply because we have found that although there are very specific economic development needs for gaming and emerging technology and film, there is also that interrelationship with the arts, and in economic development, in egrso, you have the ability to keep it separate under economic development, but you also have that relationship, that very close relationship, with the film of -- art side of it and with some of the other art sides of digital media and that sort of thing. So we thought that it would be appropriate in that you have the music piece, which is really looking to do economic development, which we think is a very good thing, and you have the experience of the emerging technology folks and economic development in egrso. So as a first step we thought that that would be good to have that interrelationship. So I did want to clarify that, because the only reason it was on the organizational chart under -- organizational chart under cultural arts is we didn't show the rest of the organizational chart or egrso. So I did want to clarify that.

That's helpful. Thank you.

The second thing I did want to also speak to, or to address, is the permitting piece of this. When council passed the -- I don't remember whether it was a resolution or an ordinance, to create this individual that would do the permitting, it was very specifically directed to music. The plan that we have is that right now the individuals who are doing permitting do not have the expertise that that ordinance creates in terms of sound, sound attenuation, looking at all kinds of different areas and where we could place music venues so that sound would not carry into any neighborhood. So one of the things that we did talk about at the time and I think that we desperately do need, is someone who does have that kind of experience in order to carry out that ordinance, and the plan was that they would not be individual, but they would be a part of a team in watershed development review. It is out of the one-stop shop and the one-stop shop for the most part is funded out of general fund, so that is why this particular position is

here. And I just wanted to clarify those two points.

McCracken: That is very helpful. I -- I do believe as we look at how we fund these efforts, which are so - we just saw, I guess, at the state a week or two ago -- they were at a press conference on the importance of the creative economy to the state's economic future, and this obviously, it's accentuated considerably here in Austin as compared to the rest of the state how our economy is, that as we look at the funding sources, I think that there is a justifiable distinction for saying some of these things are potentially economic development funding sources, which comes from Austin Energy. Some are cultural arts types of funding streams, which comes from bed tax funds. Still others are more of a -- of a code enforcement variety, which comes out of solid waste, and then some others are obviously more of a permitting nature, which are more out of general fund. So I think the distinction is helpful in looking at funding sources, keeping in mind as the ultimate mission, for the outcome of the departments. I do think, also, by the way, that it would be helpful to look at the possibility of a -- of a creative economy either department or division that brought in together film with digital media and music, since there are some similarities about distribution models and need for incubators and talent agencies and there are some similar dynamics that are necessary for the success of all three of those sectors. Further comments, questions? Council member Martinez.

Martinez: Thanks, Mayor. Anthony, thanks for all your work. I really want to express my thanks to the folks that at least got us to this point, the live music task force, Create Austin. I'm going to echo some of the things that Council member McCracken mentioned because it is concerning that we spend -- not we, it was actually them, have spent so much time creating what Council adopted as a directive and what seemingly comes before us as a recommendation that's contrary to that. But I understand, there are multiple factors and I understand that, we're facing economic uncertainty now. But this is the starting point, not the finish points. So -- but along those same lines, you know, I think back a year ago, in the '08-09 budget, all of a sudden we created a new transportation department, and it was one FTE and \$200,000, but we created the department. And I daresay it was probably one of the best things we did that year. It has been the -- one of the most popular departments that we've created. It was, you know, something that was sorely needed. Again, this is the third time I've said this today. I can't believe I'm going to use this cliché a third time but it's true. It's almost like we're being presented an all or nothing-type proposal, when I think that we could get a little surgical here and dissect it and maybe create a menu of options that at least get us to a starting point. I think what the folks in the community want is at least that show and display of a commitment to their effort, to their work and to our values that we've laid down in Council policy. So that's what I'm going to be working on moving forward. What I see as an opportunity is that at a minimum staff is willing to recommend that we go out and work as hard as we can to find at least 300,000 plus dollars to work towards this goal, and as Council member McCracken mentioned, \$150,000 in conjunction with the University of Texas was able to create something pretty sustainable. So hopefully within that \$300,000 window we have enough money to create both parallel paths but separate entities of arts and culture and music, and whether that's one FTE or two FTE's, I think showing that commitment, that we are actually making these decisions that we committed to making is what's more important than us getting to a point today where we can adopt, you know, the panacea of arts and culture and separate music departments to the tune of \$10 million, which would be nice, and



maybe someday we'll get there.

Not 10 million. That was -- the delta was about 2 million, about 2.5 million. right, if you put it all together. So I'm glad that we're finally at this point where we have a recommendation. Now it really lies in the hands of the council, and, you know, we will come forward with a final proposal when it's time to take action on it, but I do appreciate all the work that you've done, your staff. I know it's not been easy. It's been difficult at times. We are still going to have another meeting. Council member shade, i believe, is hosting a meeting with council member morrison, myself and some of the stakeholders, and we're going to get somewhere with this, and we're going to make some commitments that we -- we're going to follow through on commitments that we've already made. I assure you of that.

Council member, if I can just add, and thank you for your comments, one of the things in working with the stakeholders was that we were immediately able to -- I understand that there are multiple, probably 10, 15 or more options that people can consider. What we tried to do is to provide you with a menu of options, a range of options, and in this option, 1 versus 3, you have the opportunity to develop departments. Might not be the cost that you expected, but what we wanted to try to do is to identify the current resources that we had within the organization currently. And because we're looking at it from a starting standpoint, our hope is that all of the recommendations that were made, not only from create austin but also from the live music task force, once that department was established, they can begin working on implementations of the goals and objectives that they had set forth. Our goal really wasn't to start tackling those. It was really to identify the resources that were available and to come up with some options. We ended up coming up with three, and then ultimately, as you said, council then can make a determination on which one is best suited to move forward with. further comments, questions for staff? Council member morrison. snipes, just a couple other questions. At the beginning you said that you were going to -- part of your review was to see if there were any legal issues that would arise in creating these departments. Anything come up?

No legal issues that were identified related to the the creation of the department. I think the funding is going to be something that we need to explore, but ultimately there were no legal issues with the creation of the department.

Morrison: right. And then creating a department by charter is something that council does. Am I reading that correctly?

Yes, ma'am, that's right. and I have to share the -- I appreciate all the work and I think we're going to have to dig in and understand it because it feels a little frustrating to see, for instance, the option 1 music department that has four people that do the real work, if you'll excuse me, directors, and then four people on the -- the director and the support. So I think that as we delve into it we can understand a little bit. And mayor, if you don't mind, I really would love to hear just briefly the folks that put some time into this and it's been a little challenging to understand their perspectives. stein in the audience. Do you have a minute or comment, reaction, response or anything? I appreciate your work on this and all the other folks, but I think it could help us as we move forward just to get a couple of comments from you-all. very

appropriate. stein and mr. ruiz.

Thank you, and thank you for involving us in this process. It's really meant a lot. Thank you for your commitment not only with the task force but just kind of staying on top of this. And, you know, the key is when we look at the recommendation from the task force, I mean, that's really where we start, and, you know, that was a special day for everybody in the music community when that was presented, and the response to that and followed up with recommendation a couple months ago, I believe in january, to look at the creation of a music department. And so, you know, that's -- the recommendations from the task forces, and then the follow-up recommendation and resolutions from council is, and so, you know, there's two areas where I would say the city could improve in terms of music, and that is the economic development portion and then those issues that are very -- very specific to the music community here. And some of those issues that the music community faces are different than the issues that the arts community faces. And, you know, I just want to say that, you know, what the arts community is asking for and what they're doing, the music community supports it. There is no us versus them, and I've really enjoyed working with cookie and folks from the arts community as well, you know, working with cliff red in the past on the music memorial, I think that shows that there is many possibilities for the arts and music community to work together, and there are some ideas that council member morrison has talked about that we look forward to working together on. But when we look at the larger issues, what we would hope is that whatever this creation, this department would do is to look at those two major issues of economic development and how we can really improve, you know, how our music industry can really grow and thrive here, and then those issues that are really specific to the music industry, you know, such as the noise issues with the neighbors, and we've really made some progress there. And so having a dedicated department will really enable us to continue making that progress. So I think that's all I have to say. Thank you.

And I would say sort of back achu. It has been an incredible opportunity to get to know many within the music community specifically, and the conversations certainly -- we've worked in the same city, but really, the opportunity in the last few weeks to -- someone said to me, you really don't understand, and I said, then tell me. And we've begun to really listen and have that opportunity. You know, the situation, i think, for those of us who work in part of the creative industries here in austin is that currently our structure is set up with titles and words we no longer use. They are, in your situation, tied to funding sources, and I respect that, but where we work together in terms of the issues around the creative community, many of the concerns are those about the creative themselves, the working artists themselves. And so for us in the talent that you-all put before us as citizens two years and five months ago today and counting, was to engage in this process working collaboratively to come up with a plan that's about ten years from now, and so the measure isn't today and it isn't really tomorrow. It's ten years from now. Do we still have creative industries in this city of ours and are they growing? And so who's create austin? We left arts and culture as a phrase two years ago. I don't even use the language and yet I know it is still used within our city. So that's where we are confused, because we've been in the process of starting out with something the size of a cup and ending up with something the size of a swimming pool, and our attempt and our goal to be collaborative, which is what we thought you wanted us to be doing. And so we have set aside a lot of the words and in that process find ourselves looking at the needs of our working artists, specifically in this case where the arts -- where the music work has

gone on, and find many, many, many concentric circles of some of the needs that are really -- we are very supportive of the needs of live music and musicians and the greater context of the conversation around music. So to that end I would hope that whatever you-all decide to do and respect the many pressures that you-all have in your decisions, and we read and we're aware of what's happening fiscally, and we know that the decision that we should probably look at seeing coming forward from you-all would be one that would have fiscal impact, that would be a wise fiscal decision, but I would just challenge us not to go to a place of destination. Give us the opportunity to find our way in better economic times and so that whatever we would decide to do or whatever you-all would decide to do would give us the opportunity to build in phases. The real vision for a department of creative enterprise isn't on the table today because we are so bound by fiscal constraints, but I think it's in front of us. So that would be our hope. This has not been the issue, necessarily that create austin has pushed at this point. We really are waiting to have our plan really acted upon and we do respect so much of what's going on with live music. So it's a yes and proposition, not yes or, thank you for the opportunity to comment. thank you, ms. ruiz. Thank you. Further comments, questions? So then the plan as it is would be for staff to come back with some action item soon, I suspect.

Correct, council. I think the plan is staff will be working and bringing back some plans, working with council members. I know a number of them have expressed an interest to work with the city manager to offer up some ideas and suggestions, but at this point I'll defer to the city manager. council member -- shade -- I was going to say that when we had a meeting earlier in the week we actually, you know, anticipated that there might be some additional work that could be done before we bring this back for action. So city manager graciously agreed, along with sue edwards and yourself, to participate with some of the stakeholders who I've had a chance to talk with some already and others that i haven't, but we'll shoot for doing that, I think at your suggestion, early next week. So those of you here in the audience, some of you I've contacted previously and others I haven't. We'll make that happen. It won't be such a large group that we won't be able to get work done, but certainly be as inclusive as needed so that we can hammer something out and get to a place that we need to get to move forward. I thank you for being so responsive to that.

I think the council member said it all.

Mayor wynn: great. Any further comments or questions? Thank you all very much.

Thank you mayor,. thank you, everybody. Finally, I apologize for our delays this afternoon, takes us to our briefing on 2009 bicycle master plan update. rob spiller.

Mayor. -- Mayor, council member martinez? if I could take -- excuse me, sorry. if I could just take a moment of personal privilege, I know this is an issue that's near and dear to our newly elected council member, but he is here this afternoon, proving that he is crazy for showing up at council before he's forced to. But I want to recognize council member elect chris riley, who will be sitting right here. Can't wait to have you up here. Congratulations. [Applause] sorry, chris, didn't recognize you back there. Rob, welcome.

Thank you, mayor, mayor pro tem, mayor elect, council members, council members elect. Thank you for invite me here today. I'm robert spiller, director of transportation for the city of austin and I'm here today to talk about the 2009 bicycle plan update. Before I get started I want to reiterate something that council member martinez reminded us of all this morning. I'd like to invite all of you to join me in riding my my -- -- bike bicycle -- not my bicycle but your bicycle, on national back to workday. It would be a little crowded you were on my bicycle. Before I get started I want to point out some of the materials you have before you. You should have a full size copy of the presentation before you, but also a really cool new publication, first annual bicycle guide for austin. This is something that the city of austin helped participate with the bike community in publishing. The reason you have it is that the center fold is our current bike route map, so it's a good resource for you to take a look at if you're looking to ride tomorrow. And then two other documents in there that I'll talk about later, which is a map of our future bike system and the top 20 projects, and we can talk about that when I get to questions and answers. Again, what I'm here to talk about is the bicycle plan update. At part of the backup material we made available to you an electronic copy. I will tell you I'm not going to burden you with the actual printed copy. We were delivering a single copy to your office this afternoon or this evening, so you don't have to carry it back. It is quite meaty, as you can see. The 2009 bicycle plan update is an update to a plan that was originally adopted in two phases, in 1996 and '98. If you will remember the original plan was adopted this way so that you could take care of policy first in '96, and then the actual infrastructure plan in '98. The update reflects changes in austin over the last decade, and we have a lot of successes to talk about but we have some big plans as we look forward. What you have to look forward to is in the coming council meeting, a council public hearing, and the potential action on the 21st to amend the current plan to adopt the update. So let me tell you what some of our accomplishments have been. Literally, since 1998 we have had 100% increase in the bicycle lanes here in austin. That is a huge achievement. Today approximately 3,000-plus bicycle racks have been installed, hundreds of spot improvements, those are intersection improvements, curb improvements, trail improvements throughout our community. We've created multiple city of austin bicycle programs. As you can see, the street smarts task force and employee bicycle fleet program. In recent city council meetings you have actually purchased bikes for our employees to share and get to and from various meetings. In fact, I want to point out that anike, is here, she actually rode to the council meetings on one of those bike shares bringing all those materials. I don't know how she did it but she did it. And what's really cool is austin last year received the silver level as a designated bicycle friendly community within the u.s. What's significant about this is we're the only texas city with such designation. This puts us shoulder to shoulder with some of the cities we like to compare ourselves to on the west and east coast, most notably seattle and portland, and we are hot on the trail to out do them. I have challenged anike and our bicycle program that in the coming years when we reapply for the certification, to strive for gold and ultimately platinum. That is a very rare level of cities that are able to get to that level. What is the importance of this update and of bicycles? Last year we took a look at the 1996 community surveys, census to work surveys, and we found that on a daily basis something like 3,500 people are using bicycles to get to work. Now, you have to understand that that data does not include work -- school access as a work category, and so people using bikes to get to the university of texas, where we believe a huge percentage of that community uses bikes are not included in this, but the significance of 3,500 people using bicycles, that's the equivalent of two lanes of freeway that we've not had to build because we

have such a significance bike program. And so that's a significant accomplishment. You know, a couple weeks ago I had briefed you on a recent downtown study that showed that we have the same number of vehicle trips entering and exiting that central core of austin as we did 17 years ago. At the same time businesses and residential have been growing exponentially in that same area. This is partly the reason why we haven't seen an increase in vehicle trips, because people are using other modes of transportation, including bicycles. When people rely on bicycles, we know that they can save up to \$5,000 or more per year, per household, because they're not using a vehicle or choosing not to have an additional vehicle. It's also a huge boost to our local economy as you can see from these statistics. We know people visit austin specifically for bicycle events. The live strong program has brought measurable income to the city, and that's good for business. So what is our vision as we look forward in this update? And that is to continue to transform austin into a world-class bicycling city, and that's really important to reiterate to continue that transformation, because I think we're well on our way. Our goals are to significantly increase bicycle use over the next decade. You know, we looked at in this past update, that we have about 1% of the traveling public. We want to double that over the next five to ten years, and and quadruple that over the life evangelical plan, through 2020. We want to increase bicycle safety and reduce crashes. As much as we rely on safety equipment on bicycles, we know that there's still the soft body often in a vehicle bicycle accident, so we want to increase that safety attribute for the users of bicycles. We want to maintain comprehensive bicycle systems and promote those, improve the awareness and acceptance of bicycling within our community, and strengthen the implementation, identifying tasks and reliable funding -- sustainable funding for our bicycle program as it continues to become more and more of an element in our transportation system. Some of the key elements of the 2009 update, looking at bicycle transportation system again, we want to achieve a 2% of doubling of the use of bicycles by the year 2015, and so right now if we carry as much as two freeway lanes, we want to carry as much as four freeway lanes by 2015, and again, doue that by 2020. And so that's an aggressive goal but I think we can get there. 70% Of bicycle network, we want to have completed by 2020, and 100% of the bicycle network that's proposed in this plan by 2030. We want to continue education promotion of the bicycle program. We want to encourage safe behavior and enforcement, that's safer behavior on the part of bicyclists and drivers, and the remaining traveling public, and we want to pursue implementation and funding. You know, again, as with the rest of the transportation system, we want to pursue bonds, we want to pursue grants through the development process, really seek the completion of this program. If you look at this plan, the build-out cost is about \$250 million to achieve these goals. That may seem like loose for bicycles, but I'd point to other some of the cities we like to compare ourselves to. When you look out over a 20-year horizon and look at the entire system, just like in portland or seattle, the systems tend to cost this much over a 20 or 30-year period, so that shouldn't startle you. We have a list of top 25 projects in the city and i supplied a list to that. That was tucked ins your -- it gives you a list of what the top 25 projects are in the city, and you'll see that total is about \$10 million, and you can trace those out on the map and you can trace those out to where we would be. I wanted to highlight the public process that's gotten us to here, and as we move forward. You know, if we look back through the development of this plan, it's been a couple year project. It started with the street smarts task force, took off at the same time that we started this plan process. We've been through technical advisory committees, had public input, ended up at an open house in the spring of '09, and then we've been to just about every board and commission that we could think of that might have

interest in this. One of the early concerns was, hey, did we coordinate the trail program with the bicycle update, and the answer is absolutely yes. We know that trails and bicycle facilities are used by a variety of people, both for recreational and commuting purposes, and we wanted to make sure that those were coordinated as directed by the council, and this plan does represent that. It does coordinate those. We had a presentation just this week at the utc, and we are now here before council and headed towards a public hearing, and adoption, hopefully, on may 21, next week, I guess. So that gets us to questions and answers. That's a very brief overview. I'm sure you'll have staff reviewing this for the next week, or already have, perhaps. We tried to provide it to you electronically first but sometimes we know that it's easier just to get the report and take a look at it. thank you, mr. spiller. Questions for staff, council? Comment? That's a lot to take in and our staff will be reviewing this. I'm sure you said this. The likely public hearing would be the --

the 21st. next thursday?

Next thursday, yes. council member shade? I know that we -- we discussed this a little bit in a briefing that i had, but I am curious about how the services are marketed, if you could go into a little bit more detail about that, how we're getting these maps out to people and that sort of thing.

Well, I'm going to ask anike to come up and help me with that. The first thing is this gui actually my first introduction to this was i have to admit I was walking into work and I saw one of our staff carrying this huge stack of bifolded thing and putting out the first article and before I could get mine three or four people are already come and taken them before I could get them. These are jumping off the shelf. But I think we have some other mechanisms of how we're getting the information out here.

Thank you, rob, I'm from the public works department. We have started to focus in the last year on promotion and marketing, knowing that as rob mentioned, cities would like we like to compare ourselves, portland, seattle, who achieve a high percentage of bicycle comubt commuting reached a point to where their infrastructure was decently good but they had to promote the use of bicycles, just like anything else. You want something done, you have to promote it. So we've been focusing on that. We know that. And we have a whole chapter in the plan that speaks to promotional and educational efforts that are modeled after best practice throughout the country, and so we're setting the stage with this plan to help us look at funding of those types of programs for the future. So the first step is getting a plan and kind of understanding where we want to go with the type of promotion, that type of thing. As far as what we have been doing is we have our main promotional item is our austin bicycle map, which we distribute. We charge \$1 or \$2, depending on what rate we get for the printing, per year, and that helps us fund the reproduction of the map. So it's a self-perpetuating project, and we distribute about 5,000 a year, and we can't keep them on the shelf. They're very, very popular. We sell them to the bike shops. Bike shops sell them at cost. And so that's our main mode of marketing and promotion. Inside the map is not only routes but also safety information, legal information about riding on sidewalks, that type of thing. But that's really the only promotional endeavor that is a pretty major one that we've done. We know we need to get there. We -- we were fortunate enough to have lance armstrong just last month record a public service announcement for us on general bike commuting and on bike month for this year, and we're going to start having that running on channel 6 and channel 17. So that's a major effort.

So we are moving towards psa's. And we try to get as much media as we can through press releases and that type of free discussion of bicycle commuting through tv and radio and that type of thing. So those would be the three kind of major initiatives for marketing that we have going on.

And I appreciate that.

Yeah, I want to ask -- add also that we have another initiative that doesn't receive a lot of attention yet, but I think will. When we organized the transportation department this year, we put our child safety program concurrent with our sidewalk and bicycle program, and the reason for that was actually very specific. Our child safety program does a lot of education work, and we know just as back in the '70s when seatbelts were mandated and the plan was to go to second graders and third graders and educate the families about the good of seatbelts through that, we want to tap into our school safety program and use their expertise. So if you have a second or third or fourth grader, be prepared to hopefully in the future hear about why you should be riding a bicycle. this really is impressive, including the vote for chris riley add on page 15.

That was a paid-for advertisement, by the way. I know it was. [Laughter]

mayor, I just -- I just wanted to say thanks to rob and anike for all their hard work on this. This is one of the things that I think sometimes folks watching on channel 6 will wonder why we're spending so much time on bikes. But when you really think about it, this transcends and touches so many of our core values and policies as it relates to climate protection, healthiest most fit cities in the country, traffic congestion, quality of life. All of these things that we talk about ad nauseam up here, list really things like bicycling runs the gamut and touches each and every one of those issues. So I do believe this is very critical work for our community as we move forward, and I just want to thank you you-all for all your hard work. council members shade? my other question was, I talked about this before, but I am curious, we are investing from different resources to create more awareness, to create and maintain these bicycle lanes, so my question is, how are we going to measure, or can we measure, you know, a decrease in other routes so that -- in other words, when we get -- I mean, the example I think we used when we talked about it was exhibition versus pecos. How are we going to know that people are going to be using these and that they're less likely to be using the other less safe route?

Well, thanks for that question. This year with a grant from the greater chamber of commerce, austin chamber of commerce, we launched -- or relaunched our annual count program, and one of the things we have done is challenged our bike program to start adding count statistics to our annual counts. So we're getting saturation counts, not only on -- but on bicycle trips but -- pedestrians are going all different directions so we don't know where they're headed. So we have to wait for the survey to get the pedestrian side of that. And we do this through discrete portable cameras that we mount on poles and that's the way we take a count of how many people are using a specific facility. And so as we move forward, i challenged across the modal divide, if you will, for the transportation department and the bicycle program to become more data intensive, and so that's how we plan to do it, is actually count first. I think that's dramatically important. I think that's great and I think it would be great to keep track of

how many citizens are taking advantage of the mapping.

Exactly.

Shade: thank you. council member morrison? in terms of the outreach, I also wanted to highlight the work that you do with the city of austin employees, because there's 12,000 of us, so if you can -- if we can get some of us riding bikes to work or for recreation, that would be great, and I want to highlight that as part of that we have a bike safety program that's available to city of austin employees, and I and my staff are signed up for it at the end of the month, so we're looking forward to that. Thank you.

Yes, I look forward to doing it with you, actually.

Great. We'll have some fun.

Cole: mayor? council member cole. again, rob, I want to thank you, you and anike for this great work. I had a question under the funding. Because I think this is such great work I think that council needs to get a little more detail about how we could possibly put it into place. You talked about funding through bonds, grants and partnerships. I'm wondering if you have any type of estimate within the next -- say for the 2010 or the 2012 bond election of what it would cost to implement at least a portion of the bicycle plan. I'm just -- I can't wrap my brain around any specifics.

Well, I'm not sure we have that specific answer for you, council member cole. One of the items that we talked about at the last council meeting was a strategic mobility program, a strategic mobility plan, and really understanding what the gaps are in our network, and I was serious when I said, look, this has to be across modes. I think this plan gives us a good way to identify gaps over the next 20 years and set priorities. It already sets priorities. We've given you a list of the top 20 priorities, which are about \$10 million. But it allows us to include bicycle facilities as part of that program as we contemplate some type of referendum to the voters. So I think, unless you want to correct me, I don't think there's a way for me to say right now how much would we need to include in some future bond program, whenever it occurs, but I think that's part of the strategic mobility look that we need to take over the coming year, to include bicycles and pedestrians as part of that gap analysis, if you will.

Cole: okay. So I guess the important part is that bicycles are included as a part of that mobility plan, that as we include them we have definite estimates of the cost that we would put associated with it.

Absolutely, and this plan identifies specific projects and specific cost estimates. I mean, that's how those -- that \$240 million over the next 20 years was aggregated up from specific projects. That allows us to take the top priority within the life of some future bond referendum that you suggested, and include them as part of that gap funding. So absolutely. and when you talk about priorities, how are you determining what is or is not a priority? Is it based on usage or area of town or --

a lot of those.



It's based a lot -- like the priority matrix and the sidewalk master plan that came before you-all a few months ago, that we look at basic planning inputs as far as density and proximity to transit stops and that type of thing, median family income, that type of thing, but we also look geographically and make sure that we have adequate access throughout the city in each quadrant of the city, including downtown. So it's a combination of a lot of analysis, looking at how can we get the most bang for our buck as far as reaching major employers, areas of density, making sure every route was within at least half a mile access from every neighborhood in austin, and then making sure we had every quadrant of the city, northeast, southeast, northwest, and southwest covered as far as a reasonable route system. And so the priorities are based on all those inputs to make sure we have a balance throughout.

Cole: okay. Thank you. [One moment, please, for ] Bond referendum that you suggested, and include them as part of that gap funding. So absolutely. and when you talk about priorities, how are you determining what is or is not a priority? Is it based on usage or area of town or --a lot of those.

It's based a lot -- like the priority matrix and the sidewalk master plan that came before you-all a few months ago, that we look at basic planning inputs as far as density and proximity to transit stops and that type of thing, median family income, that type of thing, but we also look geographically and make sure that we have adequate access throughout the city in each quadrant of the city, including downtown. So it's a combination of a lot of analysis, looking at how can we get the most bang for our buck as far as reaching major employers, areas of density, making sure every route was within at least half a mile access from every neighborhood in austin, and then making sure we had every quadrant of the city, northeast, southeast, northwest, and southwest covered as far as a reasonable route system. And so the priorities are based on all those inputs to make sure we have a balance throughout.

Cole: okay. Thank you. [One moment, please, for ]

As council is aware of there is a piece of litigation involving this issue. We have been looking at issues raised, well, a lot of issues raised, but raised by that litigation. Today I got some abbreviated analysis from cases from lawyer called phil durst. I don't know if he is here. Some of the issues in the lawsuit. I'm familiar with a couple of the cases but not all. So I would respectfully ask for some more time before you take action on the zoning case to be very certain about my advice.

Questions from staff staff? Comments? If not our proposed consent agenda on the cases where we conducted and closed the public hearing would be noting that items 48 and 49 have been withdrawn and to postpone action on item number 50 for one week noo until the may 21 meeting. I'll enter tear that motion. Made by council member morrison. Seconded by the mayor p pro tem to approve consent agenda as proposed. Further comments. Hearing none, all in favor say aye. Opposed? Motion passes 46-0. Thank you.

--4-0.

These -- the public hearings and possible action this evening. The first item I'd like to offer for consent is 51, known as the bo 1 tract at 1503 west avenue. Staffers requesting postponement of the item to the

june 11 gen did. I'm aware that the applicant is agreeable to that. The commission recently took action tuesday night to recommend the denial of this case. Item number 52 is kc 14 1485339 rca. This is the east jaeger lane restricted covenant amendment for the 400 and 900 block. Staff is requesting postponement of this item to jewel 23 agenda agenda. The zoning and planning commission has yet to review this item. And they will review it on july 7. Item number 53 is case c 1420080193, the 500 block of vfw and jaeger lane rezoning. This is located in the 500 block. Vfw road. Staff requesting postponement until july 23. Zoning and planning are review july 7. Item number 54, the regency nursing and rehab center for property located 9901 south first street. Zoning change request to multifamily resident moderate high density or mf 4 district zoning zonin recommendation was to grant multifamily residents, moderate high density conditional overlay or ff 4 co combined district zoning with conditions. This is ready for consent approval on all three readings. Item number 55, case c 1420090031, the more redburg project at 3134 red bird rain. Neighborhood request for postponement. The first request to the meeting of may 21. The applicant is in agreement with this postponement. So this is a postponement request to may 21 for item 55. Item number 56, case np 01 for the properties at 6 6102 and 6110 hill forest drive in the oak hill area. This is an amendment to the oak hill combined neighborhood plan. We have a postponement request by one of the agents representing the mickey bentley. He is home with pneumonia and has requested postponement. He asked for july 23. He would be willing to settle for june 18 but he would ask your indulgence for postponement because he is ill and cannot attend the meeting tonight. There's a decision that you need to decide on regarding the date on that. This is a first request request. Item 57 is case mpa 01, the high land combined neighborhood planning area vertical mixed use neighborhood plan amend amendment in the brentwood high land neighborhood planning area. This is a planning commission recommendation two approve mixed use and mixed use office on selected tracks within the areament we would offer the planning commission recommendation for consent approval on all three reading. Item number 58 is case c 1420090012. This is again the high land neighborhood planning area vertical mixed use, zoning of that process. We would again offer the planning commission recommendation to grant the vertical mixed use building or b district zoning and to, include certain tracts from the vertical mixed use over overlay district. This is ready for consent or approval on all three reading. Item number 59, case c 142009, 002, known as the formal ronald MacDONALD AT 403 EAST 15Th street. This is to grant p public district zoning. Planning commission recommendation was to grant the public district zoning. This is ready for consent approval on all three reading. Item number 60 is case c 142009, 40015, known as the reagan 290 property at 9211 east u.s. highway 290. This is to zone the property to limit industrial conditional overlay or lico combined district zoning. Zoning and planning commission recommendation was to grant limited industrial conditional overlay or lico combined district zoning. This is ready for con scent approval on all three readings. Item number 61, case c 14, 2008, 0234, known as zfd limited re rejoining prompt at 97 9710 and 9718 anderson mill road. Applicant has modified the request. There's a need for re renotification of this considering the amended request for reduced area. Staff is recommending postponement of the item to june 11 agenda. And that concludes the items I offer for consent on this evening.

Thank you mr. Guernsey. Counsel, the proposed consent agenda for case cases where we yet to conduct public hearing would be to postpone item 51 to june 11, 2009, meeting. To postpone items 52 and 53 to your july 23, 2009, meeting. May or elect. Item number 54, to postpone item 55 to our may 21,

2009 meeting. I'll propose the consent agenda to also postpone item 56 to July 23, 2009, meeting that can be amended if there's discussion. And Mayor, on 57 and 58 we can only offer those for first reading. We don't have the ordinance on the Diaz.

Thank you. To close the public hearing and approve on first reading only, items 57 and 58. Close the public hearing and approve on all three readings, item 59 and 60. And postpone item 61 to our June 11, 2009, meeting. I'll entertain that motion on the proposed consent agenda.

So moved.

Motion made by Council member Cole. Seconded by Council member Morrison to approve consent agenda as proposed. Further comments. Mayor elect.

Just want to point out that item number 59 is the zoning case I alluded to earlier during the Mayor's mental health task force briefing. The Ronald McDonnell house near Breckenridge Hospital and that is the city's contribution to the continuum care program, the healthcare district now has, for mental health. So I think it's a significant contribution. It has been remodeled to be SRO housing. I think the P zoning is very appropriate.

Yes, thank you.

Mayor, Clerk has informed me we have speakers regarding some of these items.

Mayor will Wynn: Excuse me. Let me confirm that let's see. We're postponing Mr. Ben Net's item, 51. Item 55 we're postponing. We have some folks here in opposition. Respectfully, we will take up that case in WOWN WEEK ON THE 21st. Let's see. Item 56 we have folks here in favor. Again, we will be Bentley Bentley's case until July 23. On item 57, which we're approving on first reading only, we have two folks here who want to give testimony in favor. I'm trusting with Council action to close the public hearing and approve, they are supportive of that and may not have a need to speak. Thank you. Same thing with item 58. So, think we're good to go. Any citizens that feel the need to give testimony on any of these cases where we are closing the public hearing and taking action? Otherwise we're postponing the majority of these cases. Great. Thank you all very much. Again, Counsel, we have a motion and second on the table to approve the consent agendas as proposed. Further comments. Hearing none, all in favor, please say aye. Opposed? Motion passes 7-0.

Mayor and Council, Mayor Pro Tem and Mayor's legs, that concludes the zoning items this evening.

Thank you, Mr. Gurnsey. Council, with no more action items, prior to our posted six o'clock public hearings that I believe the motion will be to postpone, however, we can't that that vote until six without objection, I will recess this meeting of the Austin City Council until approximately six p.m. Meanwhile, beginning 5:30, we will have our live music and proclamations. Our musician today is Frank Gomez. Stay tuned for Frank and we'll have our 40 to approximately 6 p.m. Then we will come back and I believe the proposal will be to postpone our three public hearings this evening for some period of time. So we are

now in recess. Thank you. . . . . Ted ted road ard . . . . .

. . .

Mayor will wynn: Welcome back to our weekly live ic gig. Sorry to have on toe make you wait. If you would start 30, believe it or not, a bunch of folks tune in to watch the live music live. If I wither to start early, I get a bunch of angry e-mails. Join us for frank gomez.

(Applause)

mayor will wynn: Let me finish. Frank's blend of r&b, classic oldies and tex mex has been a main stain in austin for more than 30 years. His signature smooth vocals and soulful guitar have landed him on stage with stevy ray vaughn, drifters and eric johnson. His two brothers joining us have toured and in 2007 they re reunited to record their latest cd, under influence. Please join me in welcoming big frank gomez.

(Applause). . . . .

Thank you very much.

Thank you all.

(Applause)

fabulous. I apologize. I didn't introduce the keyboard player earlier.

Paul santa cruz.

Paul, welcome. Frank, tell us where we can hear you.

After party at baby a across from capital plaza there. And check the website frank gomez.com. We play all around austin.

And the cd you all cut together last year or so, I guess it's available on line or water loo?

Cd baby, water loo, and at our jobs, you know, where we are playing.

Right.

I want to thank my brothers for coming out of retirement. I had to caulk them into coming out of retirement. That is the one that made it. Paul santa cruz, peter playing trumpet. Alex fernandez. We want to thank you or wives for letting us play and our manager here, liz.

Just know woo e are celebrating latino music month mere in may may. And the visitor's and convention bureau but out the great collection of some of on you fabulous musicians in town, frank gomez and

ruben r ramos are featured, patty vaughn, rosy floor es, great correction of latino music. I suggest everybody figure out how to get a copy to celebrate austin music. Before frank and everybody gets away, i have the official proclamation that reads reads. The city is blessed with many citive musicians whose tall he want extends to virtually evergenre. And whereas audiences support good music produced by favor its and neucombers alike, and whereas we are pleased to show case thighs fine local art artists, therefore i, mayor of the live music capital of the world, do here by proclaim today, may 14, 2009, as frank gomez day in austin and call on all citizens in joining me to condition congratulate you right now.

Thank you very much. We appreciate it.

(Applause)

I like to say hi to my grandson, shrimp. . . . so while frank and the guys break down on that side of the room we're going to come here and use this podium to conduct our weekly proclamations. We take this time each week to say thank you, congratulations or good-bye to folks at times, to raise aware awareness about some causes and upcoming events, that sort of thing. The first proclamation is a series of certificates of appreciation because we're celebrating public service recognition week. And so we have a bunch of fine city employees here. I'm going to ask the city manager to help me me. I think we're going to give a certificate of appreciation to at least one representative from each city department as nominated or suggested to us by their department. I'll turn it over to city manager marc ott and do the duty of handing out the s. Welcome.

Thank you, matter, a pleasure to have the opportunity to make this presentations today. I would like to begin straight away because we have lots of people to recognize, by calling on james harvey of the austin convention center to come forward.

(Applause)

thank you. Next person is carmen n nidal from austin energy.

(Applause). . . . Austin water utility, robert johnson.

(Applause)

aviation, leroy hargrove.

(Applause)

budget office, sandra elovardo.

(Applause)

building services, carlos garsa.

(Applause) city auditor, deanne black stone.

(Applause)

city clerk, rena reece.

(Applause)

city manager's office, rebecca britain.

(Applause)

communications and public information office, abel vilarel.

(Applause)

get back to work.

Communications and technology management, linda gilmore.

(Applause)

community court, edgar fincher.

(Applause)

come troller's office, karla stephen.

(Applause)

economic growth and redevelopment services, randy jenkins.

(Applause)

ems, randy shabrane.

(Applause)

fire, reggie tait.

(Applause)

Police services, lindy byrd.

(Applause)

government relations marry con trez.

(Applause)

health and human services, susan garien.

(Applause)

human resources, carol vance.

(Applause)

law department, barbara baldwin.

(Applause)

library, tony muldan muldanado.

(Applause) municipal court, holga delgado.

(Applause)

neighborhood housing and community development, sandra harkin.

(Applause)

neighborhood planning and zoning, jody demel.

(Applause)

office of contract and land management, si silian or tez.

(Applause)

office of home left-hand security and emergency management, e epha longmore.

(Applause)

office of the police monitor, julianne garva.

(Applause)

park and recreation, sonya freeland.

(Applause)

police department, anna sabana.

(Applause)

public works, judy dye.

(Applause)

purchasing, beverly mendez.

(Applause) small and minority business resources, elton price.

(Applause)

solid waste services sam gilbert.

(Applause)

telecommunications and regulatory affairs, sheena harden.

(Applause)

transportation, alan hughes.

(Applause)

finally, watershed protection development review, renee scott.

(Applause) as we are posing for photograph, I just want to say this will be the last city council meeting certainly, maybe the last time in public office that i will see many of you all. I leave here in three or four meetings, about a month. I have now been on this diaz nine years, last six as mayor. My dad worked for the same little company in east texas for 57 years retired a few years ago ago. So really sort of a fundamental loo life lesson of mine was continuity, dedication, and nine years that i have been with this city, seeing the men and women who, the vast vast majority unsung, out in neighborhoods, in our streets, up telephone poles, in ditches, in big facilities, working with kids, working with services and-- seniors and disabled, outside of watching my kids grow up has been the honor of my life. I'm so proud before i got to leave, have a chance to say that and to be here with a bunch of great am employees



from many great departments. So thank you all very much.

(Applause)

(Applause). . . . .

Mayor will wynn: Great job, folks well done. . . . .

Mayor will wynn: Okay, folks, a few more celebrations to conduct today. If you into ed to leave please take your conversations out in the foyer. You are welcome to stay to help us celebrate these other proclamations. Next proclamation is about go local austin, I'm joined by robert tuschak, jane rash, and a few others, looks like. I'm going to read the proclamation. City manager is going to be up here with me. Think we might be receiving something from the go local organization. The proclamation reads shopping at locally owned businesses keeps up to five times more money circulating in our community as each purchase triggered purchases by others, creating more income, wealth and jobs. And whereas go local austin has developed a loyalty card that rewards citizens and visitors to austin for shopping locally, there by helping to preserve our distinctive culture food, music, ecology and history, and whereas the go local austin card generates awareness of the need and benefits of shopping locally and positively impacts the financial well being of local businesses so critical in today's economic climate, so now therefore, i, will wynne, mayor of austin, urge citizens to shop at our businesses and do here by proclaim this coming saturday, may 16, as go local austin day. You can start your go local austin day saturday by heeding to the firmer's market a few blocks from here and buy a bunch of locally grown produce. Join me in welcoming our friends in the go local austin program.

Thank you very much. Thank you, mayor. We are honored by this proclamation and thank you for recognizing our role in supporting locally owned businesses and helping citizens and visitors a alike to conserve money during these difficult economic times. Great thanks are also due the passion at group behind me. We all love austin and would not be in this enterprise without a great love for the city city. Briefly, jane rash, wane la shapel, gail tu tushc, and mayor winn. We're a company with a social and economic purpose. Our mission is very spul--system pull. It's to--simple. An its to simultaneously the businesses that make austin unique and re reward people that support them. We do this with the go local loyalty card. I don't know if anyone has seen it but I hope you go see it a lot. It entitled the bearer to exclusive offerings at locally owned businesses every time they present the card. A strong local business community, I'm sure you all agree, translates into more revenue circulating in our town which in turn supports our parks and schools and fire and police, and results in a more engaged civic life. All this helps provide an amazing stage upon which we act out our lives in so many creative ways. As the recession has deepened, it becomes clearer that the consumer needs to be helped as well. Now with over 150 place places in austin, every one can save in a real meaningful way every single day. At this time, I would like to present a go local card to the city manager, mr. marc ott. Thank you very much with our gratitude.

Thank you.

(Applause)

says something nice on the back.

Go ahead.

I'd like your voice. Thank you.

All right. Si. It says, this card entitled me to exclusive offers every time I show it to one of my favorite austin businesses. But that is not all it does. It also helps austin's own companies compete with the national chains and nurtures that curious and beautiful thing that makes our community so ours. I'm proud to do my part to keep austin healthy and unique. Every time I use this card. How appropriate is that? Thank you very much.

Thank you.

(Applause)

thank you all. Lastly, in recognition of may 16 being designated as go local austin day, we would like to invite you all to visit our booth at the farmer's market. Best place in the world to get food from people who grow your own food. And thanks to the generosity of about 35 of our businesses, we'll have prizes there that will be drawn from a hat every hat half hour. So come have fun with us. And we look forward to seeing some or all of you. Maybe, it's an honor to know you.

Thank you. Well done.

(Applause)

mayor will wynn: For my last proc here before I turn the podium over to mayor elect leffingwell, the proclamation regarding the annual home builders association, h b a, parade of homes that I'm really excited about because we're going out to the old mueller airport. For those of you who haven't been out lately you should go out and see what we are accomplishing both as a private and public sector out there. It will be ten years next week from when we closed muler and started flying to berk strom. We took a long time planning what to do with the 750 acres. We're now in phase three out of ten. We of course have staggeringly impressive dell children's medical center there located. We have a lot of retail retail. What we really wanted to create at muler was a new neighborhood. In fact, maybe several neighborhoods, sort of a city within a crint. We're probably about 20 20-30 percent done building those homes. It's great. What's been occur out there, all the homes for every front door, within 500 feet of a park. We have created 140 acres of park land out there, lakes, trails, hike and bike system. Just sort of a remarkable potential city within a city. Now for the home builders to chuce mueller to show case their big impressive parade of homes is touching to all of us that have put in so many years trying to make that plan come to fruition. I'm sure wes will talk about the homes here in a second. But these homes that are being highlighted are some of the finest homes in all of austin. All five of them are five-star green

building homes. These homes are going to be the most energy efficient homes in the city. We probably only had a dozen or more five-star rated homes in all of austin and now every single one of these homes on the parade of homes achieved a five- five-star level which is very hard to do. It means they are very well designed, use the right materials and have the right appliances and hvac systems. They will ultimately reduce the cost of owning that home. People talk about the cost of a house. The purchase price is important, obviously obviously. But if you can stay in a home and have monthly electricity bills a third of what would be anticipated of a home that size, means a lot in my opinion and will keep more people in their homes rather than not. So real proud to have wes and harry here. I'll read the proclamation and have wes talk about this year's parade of homes. It reets, the poem builder association parade of homes will show case the new mueller development, the site of the old air payment, created in partnership with the development group. Whereas the parade of homes will feature the latest in architecture, interior decorating, landscape design and green building amachine tis. Whereas this is the first hba parade of homes in decades in austin and also the first series of homes in central texas to seek three levels of green certification, now, therefore, i, will wynn, mayor, do declare june 7, 2009, 56th annual hba parade of homes in austin. Please join me in welcoming our friend, wes peoples.

Thank you.

(Applause) mayor mayor. As you said, the mueller airport is a real jewel in the crown of austin. It is a phenomenal community. It's something that the city, the neighborhood associations worked very hard to put this together, to help plan this. The developer could tell us and the builders out there can be very proud of. We're very excited at the home builders association to be involved in the mueller airport and to have our parade of homes there this year. As the mayor noted, this parade is the first we have had in the core city in some time, in decades in fact. We're excited to be out there. The parade will focus on ultra urban and ultra green homes. As mayor noted, highly energy efficient. Not only will these be urban homes, but they are being build by local home builders and designed by local trect trects. For example, we have direct interests with their trect barely fire muskin company with trect michael sue. Bill tardy homes, with their trect, architecture 365. Core river custom homes with their trect, cornerstone. And streetman homes with four star energy arc trects, four star architects. As mayor noted, these houses are all five- five-star rated in the austin energy green builder program. These very few houses in a stin rated that-- that--austin rated that that. Not only that, things the first parade that we know of in the united states to not only have the rated in austin energy program five star but also u.s. Green building council leed certified as well as green building silver level certified by the national association of home builders. These are some great homes that are designed to be highly efficient. We'll have as well as the homes, we'll also have tents that will feature many subcontractors and vendors dealing in green building technologies every day. They will be showing their wares as well as we'll have green building education opportunities. In between those educational opportunities on the weekends, and also memorial day, we have a real treat. We are trying to keep focus on urban building and also trying to make this as austin as we can. What we have done, we have been able to bring in some great live music on the weekends that will play in between the educational opportunities. We have wc clark playing, shelly king, porter davis, red vulca vulcart, ci next fugeas and wendy crona. These are all great act acts we excited to have in there. I'd like to satisfy thank you to nancy cop copland who books the music at the airport, for booking

the band to us. She was introduced to us by ray benson. I also like to thank caroline sha warts with health alliance for austin musicians. Speaking of musicians, every year the parade has proceeds that go to different charities. We're proud to say this year help alean for austin musicians is one of our charities as well as the bell children's museum and austin children's shelter. You may not be aware of the new village for austin's children shelter is being built there at the mueller airport. This is a really good opportunity for people to come in and hear some great music, see some great architecture and see some new ultra green, ultra urban homes in a new community that the city should be very, very proud of. We hope you all come. Once again, that is may 23-june 7. Thank you.

(Applause)

very well done. Thank you.

Mayor will wynn: With that I will turn the podium over to may elects lee leffingwell.

Okay, guys, come on up. . A special privilege for me to honor tonight a bunch of young folks who have come from basic all over the country. I think they are about 300 volunteers assigned to you a sin here for americorps volunteers. 1700 In austin? Okay. All right. Well, I stand corrected corrected. Even more impressed than I was before. Half a million across the country. Volunteerism is so important in tough economic times. It's how we get things done, how we get a lot of our needed social services done. More important than ever right now. I was thinking back. I believe a predecessor of americorps was vista volunteers in service to america. A good friend of mine, state representative elliot nashtat was from new york city, brooklyn I believe. So he was signing up for vista and they said okay, we send people all around the country. Where do you want to go go? He says, I think I'd like to go to san francisco. They said fine, just sign right here. You are now a member of vista. And about a week later he got his assignment and it was to eagle pass, texas. He says it was a pretty far cry in san francisco, but he is still here. He has come up to austin from eagle pass, but he began his career as a vista volunteer and he is still in public service as a member of the state legislature. I can't resist this opportunity also to talk about some of you may know, I just ran a campaign for mayor of this city. And hopefully I will be sworn in as mayor sometime, if everything goes just right, sometime next month. One of my campaign planks was to adopt a local service organization that we're going to call austin corps, which will be modeled after this organization. It will have an academic component and folks involved will be doing projects that are basically community service projects that benefit the community. So, I'm looking forward to that. For now, I want to read this proclamation on behalf of mayor wy in, n. Be it known that whereas austin benefits from the work of nearly 300 onsti corps members that's what it says here who commit their time to educational and professional develop development opportunities. And whereas an anamericorps programs in austin focus on education, the environment, human needs and public safety through their americorps service members, have helped the austin community keep kids in school, im improve hiking and walking trails, served to end homelessness and acted in numerous other service orients the capacities, and whereas since 1994 more than 2000 austin area americorps members have contributed more than three million hours of service, now, therefore i, will wynn, mayor of the city of austin, do urge all citizens to join nee me in recogniz recognizing these young people for their hard work on behalf of the community and do here by proclaim may 9-16, 2009, as americorps week in austin, texas.

Congratulations.

(Applause)

thank you very much. Thank you, city of austin for recognizing the service that austin americorps is contributing to the community. Its intentions, its goal is very noble, to eliminate poverty and to meet the needs of those people in the community whose needs are not met. Quite a task. I'm honored to be receiving this for all of the americorps members. We won't worry about the statistics. But we are all working on a daily basis to help the most vulnerable in our community. And I have been very proud of any contribution I made during this last year. We would like to mention how this network of community organizations and non nonprofit organizations works daily to meet those needs of the most vulnerable in our community--vulnerable in our community, but also to comment one time a year we have a service project where we coordinate our efforts as a group to have one project that addresses a community or segment population in particular. This year we chose the river city youth foundation but if i case project. All of us work together and collaborate to do one special project. And as a team it's been a pleasure to work with all of you. And I hope that you all will hear about our project. It's happening on the 16th of may. We're going to get it done but if i case project. A culmination of all our skills and talents. I did want to mention, we incorporated many donations from throughout the community. And they need to be recognized. We will in our own way. But two in particular were very generous, and they are planning with us throughout this process and generously donating services to us. Sutherland page architects offered their support with their designer ross wilson who worked with us throughout the planning to make the project a reality. We want to really send our gratitude to paige sulther land, architects. And also gardens without borders, a wonderful business here in austin that takes time out of business life and says we're going to give back to the community, donate hours and hours of our time to the community to make it a better place to live. We want to recognize their contributions because they were very generous with us. Paige sutter land, paige architects, and gardens without borders borders. I cannot mention enough all the businesses that gave donations and services throughout the project. Thank you very much city of austin for recognizing austin an american's contribution to the city. It's an honor to receive this on behalf of all the members. I was really honored. Thank you.

(Applause). . . .

Well, it's my honor tonight to read a proclamation in honor of peace officers all over the state of tex as. Specifically all over the state who have given their lives in the line of duty. During the last two years. A lot of you know that just last week there was a parade in honor of these fallen officers. Several of us were there on the capital steps as we went through frankly a fairly long and dramatic ceremony honoring all these folks. And it was very touching in a lot of ways. And particularly meaningful to me. Some of you know that may know my dad was a travis county peace officer over 20 years and actually severely injured in the line of duty. Actually a car crash he was involved in. I particularly know what the families of law enforcement officers go through, the sacrifices that they make and the sacrifices that their families make as well. Not an easy thing to do. With that said, I'm going to read this proclamation for mayor wynn. Be it known that whereas these dedicated

Mayor Wynn: We'll call back to order the meeting of the Austin City Council. We have been in recess for approximately 75 minutes. While we listened to live music and conducted Proclamations.

Council, all we have left on the posted agenda are the three Public Hearings, and as Mayor Elect mentioned this morning regarding changes, I will recognize him for a motion.

Mayor Elect Leffingwell: Apparently there was a notification error for all three Public Hearings. They are all going to have to be renoticed. And as we talked earlier, we are now holding the Public Hearing. I'm going to make a motion to postpone the Public Hearing until June 18, 2009. There will be a briefing only to the Council on June 11. And the postponement is for Items 62, 63, and 64 relating to the Heritage Trees parking lot landscapes and new residential subdivisions.

Mayor Will Wynn: We have a motion by Mayor Elect, seconded by Councilmember Cole, to postpone Items 62, 63, and 64. The actual posted Action Item to Thursday, June 18, 2009, knowing that there will be a public City Council briefing on Thursday the 11th of June. Motion, a second on the table to postpone. Further comment?

Hearing none, all those in favor, please say aye.

Opposed? Motion to postpone passes on vote of 5-0 with Mayor Pro Tem and Councilmember Martinez off the dais. There being, actually, for the record, Ms. Gentry, we have concluded our Executive Session Agenda Items for the day. We had started discussing Item 43. We just never went back and revisited that. So now there will be no more business before the city council. We stand adjourned. It is 6:37 p.m. Thank you.

**End of Council Session Closed Caption Log**