

# Closed Caption Log, Council Meeting, 03/10/11

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good morning. I'm austin mayor lee leffingwell and we will begin today with the invocation from meredith beal of sgi-usa. Please stand.

Thank you, mayor leffingwell. To the honorable mayor, councilmembers and citizens of austin, on behalf of the buddhist organization, sgi-usa I would like to express this deep appreciation to invoke the law at this esteem gathering. As representatives of the noble of city austin people and stewards of the resources you have a great responsibility. May you carry out those duties with pure hearts, clear minds and firm resolve to elevate the quality of life of all of its inhabitants, the buddhists spoke of the great wise compassionate powerful life force that dwells within us all, may the council's deliberations and decisions be guided by the great insight and compassions and they lead to the highest close knit community as possible. The buddha of mappo in speaking and teaching about unity, said, quote if the spirit of many in body but one in mind prevails among the people they will achieve all of their goals, whereas one in body but different in mind they can achieve nothing remarkable. End quote. It doesn't heap we all have to think alike but if we can become one in mind of creating the common goal as the most high being of most people, then the center of that unity may produce remarkable results. Use within yourself the imagination, creativity and cooperation to help new ways to help people and may your deliberations emerge to navigate this fair city through the myriad challenges it faces now and in the future. Let us work, pray in harmony as we all strive to contribute to a better world. I would like to conclude by chanting a mantra. [ Chanting] thank you. thank you. Please be seated. I will call this meeting to the austin city council to order on thursday, march 10, 2011 at 10:05 a.m. Meeting in the council chambers austin city hall 301 west second street, austin, texas. I will next read the changes and corrections into the record. Item number 2 is withdrawn. Item number 8 add the words recommended by the airport advisory board. Item number 15, delete the words operating account after walton stacy development partners for, comma lp, 24 add a cosponsor councilmember laura morrison. Our time certain items for 30, we are scheduled for morning briefings on two items, enterprise asset management strategy implementation and solid waste services long-term cycling services contracts, both of those briefings have been withdrawn by staff. 00 noon we will have our general citizen's communications, 2:00 p.m. Take up the zoning matters, 30, live music and proclamations, musician for today is megan tubb. The consent agenda for today is items 1-29. Item number -- with exceptions, which I will read in the record in a moment. First I will read item 22, which remains on consent. These are our board and commission nominations and waivers. To the african-american resource commission, wayne cook is councilmember riley's nomination to the arch commission, scott beigel is spelman's recommendation and tom hayes is councilmember spelman's recommendation. Number 11 is pulled off consent. Item 12 will be pulled for staff presentation before consideration. At this point, I have items 23, 24, 25 pulled off consent because of speakers. And one speaker on two other items we will do that later. Any other pulled off consent by councilmember members? Hearing none, I will call for that.

Move removal.

Please show me recusing myself on item number 21.

Mayor leffingwell: Councilmember spelman seconds the motion and show him recused on item number 21. Councilmember morrison.

Morrison: Please show me as voting no on 19 and recused on number 21.

Mayor Jefferingwell: Councilmember Morrison voting no on 19. It remains consent gentry. And item 21, councilmember Morrison is also recused. Further discussion all those . " opposed say no. Passes on a vote of 7-0 with the exceptions just noted. Councilmembers, I want to -- we have citizens to speak on items number 16, we were just passed, and I neglected to allow them to speak, so I am going to allow them to speak now and if there is a wish to reconsider after these speakers, we can do that. First, on item number 16, Scott Johnson. You have three minutes.

Good morning, councilmembers, mayor, Mr. City Manager. I am not against item 16. I choose to bring up some items that relate to the sustainability of these projects and we are gaining ground as staff is working toward some suggestions about better formulations for the cement purchases that the city makes that become concrete for things such as sidewalks, roads, vertical construction and I would encourage the council to try to utilize these recommendations as they come to you hopefully the next month and that is reduce amount of cement used in the formulation because we talked about before the energy intensity of making portland cement is so high it creates upwards of 5% of the global carbon dioxide emissions worldwide and if that can be considered when these items are funded, even though the funding may come from capital metro, if you are a partner on this project and are going to lead in terms of the laying of the concrete, then I encourage you to look at the opportunity very strongly. The climate is changing. I seen it myself as I travel around the world and the people who are in the first nations, those people that live in the Andes, in the Himalayas and the items such as Malden Islands off of India they are experiencing climate change and it is important we do our part and also with regard to the fee waivers that the city council gives out, those are worthwhile but what we have done over the last 2 and a half years working with Councilmember Mayor Pro Tem Martinez office and staff is try to come up with ways they can curb their energy use, their water use and include more recycling and waste diversion for these private sector entities that put on projects and events here in the city so I encourage you to mention to that to him when you hear about fee waivers and try to help them. Those recommendations haven't been fully fleshed out by city staff yet but hopefully will be soon. I will be happy to answer any questions. Thank you.

Thank you very much. Item number 8. Dean Johnson speaking in favor of the motion -- of the item.

Good morning, I am Deane Johnston, a member of Airport Advisory Commission and I want to commend the staff for putting the GTSA facility together. They have been very professional and inclusive of taxi drivers and what their interests might be, so I do recommend that. I want to say this is one of the few items that this council has done that has been good for taxi drivers. If you look out the window, you are going to see them circling this building, as they did last week. That is because they are quite unhappy. The wait will be longer at the airport now because the transportation staff has continued to permit petty cabs. They are making a recommendation to permit golf carts, unlimited number of competition to the taxi drivers and the taxi drivers have families that they have to support and have very low income, as you know from the studies that we have done, and we hope that you will wait until the consultant has completed the study as requested under resolution 60 and 55 before any additional permits for taxis, petty cabs or golf carts are authorized by this council. Thank you. I am available for questions if you have any. Thank Deane? Questions, also, 19, Justin Pena signed up in favor.

Good morning, mayor, councilmembers, city manager, Pena, a proud United Marine Corps veteran. Number 19, I have to ask you to direct staff to answer three particular issues that I had with that particular item in the agenda. Number 1 is the safety of the parking enforcement employees. It is going to be later at night in isolated areas and you know some people, when they get a traffic ticket or a parking ticket, they tend to get agitated, and when a person is inebriated, it further complicates the situation. My concerns are and I ask Spiller -- or Spiller last week, it was not done. The safety of the employees. We need to remain cognizant they are in a safe area. I know they have the radios, whatever, but they are at nighttime, that hour, it will be more dangerous. The fiscal impact was also one I asked to be addressed. I am in favor of this. I supported it. I feel a little bit for the people opposing it

because a lot of volunteers and nonprofits do need parking space. You can address the issues, key, first and foremost, my concern is safety of employees and I understand from the backup, there is 11 new positions, or whatever if it can be clarified but safety for employees, how are we going to keep them in safe in this hourly time of the night. Any time, that's all I have to ask -- direct. well, peno, I believe that was addressed at the last spiller is out here and he will be glad to huddle with you and fill you in on that information. Council, items 8, 16, 19 remain previously approved on the consent agenda. So we will now go to item number 11. Councilmember cole.

Cole: Yes, I have a few questions of staff. shannon jones to step forward? jones, I want you to briefly explain what this item does.

Yes, thanks, shannon jones acting director for health and human services. This program has two components. One is the critical nature of it, it's designed to serve low income families in crisis, such as those going through homeless transition out of poverty, near homelessness, moving to stability, parent in and out of substance abuse, children of those, families that have suddenly lost a parent caregiver due to illness, accidents, incarcerations. So it is helping to bridge those communications in terms of services. To the communities the important because primarily it is the bridge to greater stability for those families, for up to 6 months of care providing to those parents. Provide safe, stable, predictability environments for the young children with care five days a week. And then finally referrals, comes directly from case managers who are part of the program who are providing services to them, especially important are families who have access to child coordinated through other stabilizing and supported hog so those are the programs to be able to bridge individuals currently not part of the system and to allow them to get them. jones, can you explain if you know, the percentages of children or families that face homelessness? The percentage, I am going to ask our staff maybe to come forth and speak a little bit of that because i can't give the exact percentage right now. jones, the real reason I asked that question is because this council has made a commitment to help the homeless community and oftentimes there is not a recognition that a significant portion of that community includes families and it includes children and I wanted to make sure that you explained this item so that we can see how we are trying to also make an impact on that community.

Okay, well, the goal of this program is to bridge those who are currently not part of our systems who are homeless, to be able to have these services during their transitional period. Our goal is to be able to allow them that same opportunity as others who are not part of of that health -- that childcare system to do that. In terms of numbers percentage wise, I don't have the exact numbers but the sizable number of home esness are children, upwards to a third 0 to maybe a half and I will get the exact numbers but that is the goal of the program itself.

Okay. Thank you. I wanted to emphasize what significant amount of that community is children. So thank you, mr. jones. Move approval, mayor.

Mayor leffingwell: Councilmember cole moves approval of 11. Second by spelman. Discussion, all those in " all opposed? Passes on 7-0. Item 12, staff presentation from law.

Good morning, councilmembers, I am an assistant city attorney with the city of austin law department and I am here recommending settlement in cause number gn501931, randall barnett versus the city of austin it wall in the amount of \$235,000. As you may recall last week assistant city attorney dana johnson presented this case to you in executive session. It involves a motorcycle accident written the plaintiff collided with a truck and was severely injured. The plaintiff claims the city stop sign was obscured by trees and vines within the road right-of-way. The plaintiff and the city have mediated this case and agreed to settle contingent upon council approve for \$235,000, so law recommends that you approve this for total amount of \$235,000.

Any questions? Spelman.

Spelman: Can somebody explain what steps have been taken to prevent this from happening again.

Thank you, I am Robert Spiller, director of transportation. This incident happened a while since then, we have a stronger preventative maintenance program where we actively go out and monitor our stop signs and -- stop signs and check on those and engaged on our 311 program and encourage citizens to call in when they see a sign that is troublesome so they can immediately respond. Our crews maintain the signs out there which are inventoried and are instructed to check that every time they go out. Again, it is an effort to make sure we have maximum coverage of those stop signs. We have, I can't tell you the exact number but thousands of these signs out there, so I wish I could guarantee that every one was in perfect working condition. As soon as we detect a sign that is problematic, we respond to it -- stop signs within two hours.

Spelman: So if we see a sign has been removed, obscured, we are on it within two hours and did we have people out there looking a few years ago?

Again, I can't imagine they were looking at it. In fact, in this sign we have evidence that people had maintained it, but clearly our new preventative maintenance program is focused on maintaining the visibility and effectiveness of those signs.

Spelman: We can be fairly certain this sort of tragedy won't happen a second time?

I can be certain that we have minimized the potential for it, yes, sir.

Spelman: We can ask. Thank you, sir.

Thank you.

Spelman: Move approval.

Mayor Jeffingwell: Councilmember Spelman moves to approve item 12. Second Cole second. Councilmember Morrison.

I sit with the emerging technology along with Riley and Shady and one thing we have had an opportunity to talk about is some of the things that are being developed to service the city, and this seems like a perfect opportunity for folks if they can click a picture and send it in, it would have an opportunity to increase and leverage the eyes on the street.

Absolutely, Councilmember Morrison. Again, I remind people in the transportation department we only have about 300 eyeballs looking at signs and we need everybody to play their part as they are on the road to dial 3-1-1, send us an email and let us know where the problem signs are. To the traveling public, don't ignore the issues and let us know about it.

Cole: And maybe one day we can work with CTM and get an app going, because it could capture a location.

Yes.

Thank you.

Martinez: One thing we don't mention often in the cases when we approve settlements, obviously it is several hundred thousand dollars, but if it had for the work of fire EMS on the patient it would have been worse. I happen to be on the scene that day when the accident occurred, so I want to thank the fire

department, ems and everybody for limiting the liability for the care they transported in the situation. He was in town visiting and got into a terrible accident and I think it was the speedy work of the fire, police, and ems that helped this man. So I am supporting it.

Mayor Jefferingwell: Motion on the table. All those in favor, say "aye. Oppose say no? Passes 7-10. Number 23, citizen signed up to speak. All three speakers are for and only wishing to speak if there are questions. They are bob mix, phil stefca and keith johnson. Anyone have questions of any one of those three persons.

Mayor pro tem.

Martinez: I don't have any questions. Hopefully everybody got the information they were seeking from the work session the other day. This is an item from council that shores up our current language in the statute as it relates to the contributions we make to the fire pension, similarly what we do with apd every time we make changes in their pension contributions, we have to change it through the next legislature session, and that's what we will be doing this session and I believe everybody has the appropriate backup. I will move approval. mayor pro tem moves approval of item 23. Second by councilmember spelman. Discussion? All those in favor, say "aye. All opposed? Passes on vote of 7-0. Item in has two persons to sign up to speak, mary engel signed up for, and, also, joleen kilboss a is for and ready to answer questions, not wishing to speak necessarily.

Morrison: Before we hear from the speakers, I am not sure what version I have. I have a version on a white page that seems to be missing the fourth item that I was just shown that was going to be included in the -- be it resolved and i want to make sure what we are considering here. we are asking the appropriate staff to verify or answer that question, and I think we can go ahead and hear the speakers while they they were doing that, unless you have objections.

Morrison: Okay. As I heard from councilmember riley's office this morning that a fourth item would be included that I think in fact addresses engel and kilobasa are addressing so is there a fourth be it resolved item during the process that is coming on?

Mayor Jefferingwell: okay. We will get that question answered. And mary, you can go ahead.

Morrison: I had a question for riley. I think he was going to answer that.

Riley: It is actually included in the sixth whereas, where we identify that there is currently a group of stakeholders in the process of reviewing city wide parking benefit draft ordinance as well as the residential permit parking program and transportation staff and other city staff.

Morrison: Thank you, councilmember, I appreciate that. now, three minutes.

Good morning, my name is mary engel, a citizen at large. I just wanted to compliment the sponsors of this resolution and for establishing a stakeholders group for south congress and for the neighborhoods there and also the businesses. This is a long-standing problem that needs some solutions. I am also grateful that the transportation department is participating in this process. Parking is becoming an issue of great concern and it's causing trouble throughout the city. I am also glad there is -- sort of a blessed whereas for the current stakeholder group so that we can actually legitimately tackle the big picture about how we can solve these parking issues in this city. So thank you very much.

Thank you, mary. Questions of ms. kilbosa? If not, entertain a motion on item 24. Councilmember morrison moves approval. Councilmember spelman seconds. Councilmember riley.

Riley: Mayor, I of course am supporting the resolution as sponsor of the resolution but I want to make

clear in case there is any misunderstanding, this resolution in itself does not initiate a code amendment process. It simply establishes the stakeholder group to work on if problem and recognize that in the event that areas in need for code amendment down the road, -- if there is a need for code amendment down the road then the stakeholder group can make that recommendation to council and we will be glad to initiate a code amendment at that point. With that, I will support the motion.

Mayor Jefferingwell: Further discussion? All those in favor, say " opposed say no? Passes on vote of 7-0. Item 25. Three folks signed up to speak. All in favor. The first is Jay Jones. Jay Jones. Jay Jones, not in the chamber. Gus Pena. Welcome, you have three minutes.

Thank you, Lee, I want to spill, in fact, did not address two of those issues that I spoke about last week and for the record, I have used the tape. First and foremost item 25 having to do with creating a -- a committee addressing homelessness here in Austin and it concerns us in the community, those of us who know about homelessness, that a lot of the grassroots people who have experienced homelessness, who re-entered society are not appointed to these committees. City manager and by the way, I want to thank you because some of my friends have issues in the community and you addressed them professionally and I have a friend who passed away, Dan Davis, former city manager and you come close to what he was as a city manager and I applaud you, we appreciate you. And homelessness was first addressed here in Austin among Austin veterans, with with the growing number of Vietnam veterans who came back from the war with families becoming homeless. We saw increase of veterans from Panama, Beirut and more on a smaller scale. At that time the VA administration was not a cabinet level position. It was just a -- I guess the veterans affairs director was appointed by the president and vice president. It was very difficult to bring awareness to the public because homelessness was not an issue remaining at that time, and now homelessness of veterans and families are rising at an not acceptable. Not affordable housing for homeless veterans with families. You see a lot of these transitional housing entities buying motels, but in order to get a room there or a place to live, you have to have some sort of income, SSI, disability, social security, or a pension. My -- my focus, my main focus here is to please appoint somebody from the community that experienced homelessness that can prospering, they can give you a fresh flavor and recommendations as to what can be done in the community. We have growing number of families growing homeless in Austin. Sixty minutes did a great outstanding spot talking about homeless families and kids themselves, they were traumatized, maybe were at fault for being homeless, it is not true, so it is a growing concern here for Austin, Travis County and there are barriers to the transitional housing, a lot of SRO single occupancy transitional housing being built but not enough for homeless families. -- I will leave it at that, and EMS we had an accident of Mopac 290, a lady from Westlake, with a 150 ran two with lights and nearly cared out. EMS was there to support us and brought me back alive by defibrillator. Thank you very much Mayor, thank you Mr. City Manager.

Next speaker is Mike Jones. Mr. Jones in the chamber? Those are all of the speakers signed up on the item. Entertain motion for approval. Motion by councilmember Cole, second by councilmember Shade. Any questions? All those in favor, say " it passes 7-0. Welcome back.

Mayor Jefferingwell: Passes on a vote 0 of 7-0. So I believe those are all of the items that we have on our consent agenda. So without objection, city council will go into closed session pursuant to section 071 of the government code for consultation with legal council to take up two items, 32 to discuss legal issues related to open meetings act, open 33 to discuss legal issues related to Magnum Tunneling LLC, be the city of Austin. Any objection into going into executive session on the it announced? Hearing none. The council will go into executive session. Week

Mayor Jefferingwell: WE Are out of closed session. In closed session we took up and discussed legal issues related to items 32 and 33. We'll now take up our citizens communications. First speaker is Walter Olenick. Topic is water fluoridation.

I have a short video clip

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I have a short video clip if they can get it started.

I felt like I was ugly. I can remember being in elementary school and people calling me freckles because I had specs on my teeth.

I got it from floor ride in the water in tucson, arizona.

How much do the veneers cost you?

I don't remember. A lot. A couple hundred apiece.

About 800 bucks? About a grand?

Uh-huh. I need to get porcelain ones at some point and that will cost me at least 5,000.

(Indiscernible) is the permanent scarring of the enamel [ inaudible ] water fluoridation delivers to an infant on a bottle [ inaudible ] a family should abandon the public water supply and purchase distilled water to rea constitute the powdered formula. Small children are at risk as well especially from all sources of fluoride, including the pesticide residue and from swallowed toothpaste.

The condition which made that teen feel unattractive is dental fluorosis, the same condition the center for disease control now admits afflicts 41% of our 12 to 15-year-old population. The girl has already spent close to a thousand on temporary cosmetic dentist try and expects to pay five thousand for porcelain veneers later. That's just for her four front teeth. If she wants to cover more than four teeth the cost will be far greater. According to an austin dentist who has treated many such patients, today's price runs between 1200 and 1600 per tooth. never mention that side of the issue when they talk about glorious savings in dental care through water fluoridation. If fluoridation was truly effective, after more than 60 years dentist try would by now be a declining profession, like maybe horseshoers. Clearly it is not. It's not working. It's time to do something about it.

Mayor Leffingwell: Thank you. Next speaker is heather faz yo. No topic listed.

Good afternoon, council. I have a few things I would like to discuss today. First I would like to address the parking meter extension that passed on the 3rd. My busiest -- my concern with the extension is that it stifles one of the best things about austin, which is our night life and our music scene. I don't know how people are supposed to enjoy an evening out when they have to go on and move their car every three hours. And it will cause more of the circling that the extension aims to reduce or worsen courage people to not even stay downtown. Another concern of mine is that it's not the role of government to create a market for private parking garages. If they want to attract more people to their service, they need to provide something that the people want. Austinites are not willing to pay \$10 for parking. And so in order to fix this off balance they need to lower their rates. This is how a free market is supposed to work. This is a classic example of business using the force of a state to manipulate the market. And it's also known as corporatism and it's why at all levels of government, special interest and lobbyists control public policy. My biggest problem with this is in direct conflict with the results of your own survey. An overwhelming majority of austinites that took the survey said that they did not want the city to extend parking fees downtown. But this seems to be very characteristic of this council, especially when leffingwell is saying we -- relating to body scanners, we know no one really wants this, but, it should

come down to what the people want, period. Second I'd like to let you know if case you haven't heard, there have been two bills introduced at the state house regarding tsa security measures. Hb 1937 and 1938 have been introduced, which will ban body scanners and the practice of an invasive pat down as a requirement for air travel in texas. I'm thankful that this level of government in texas is standing up and doing what's right. I would also like to let y'all know that representative stinson, the original author of the bills, which actually has over 20 co-sponsors already, has found zero legislative or statutory authority for tsa to be doing what they're doing. This is something that legal should have brought to y'all's attention when they were discussion the city of austin opposing scanners and pat downs. We did an open records request and were unable to obtain anything relating to what legal told you about their jurisdiction and what I think happened is that y'all realized that you have jurisdiction and got scared to stand up to the feds. After all, you don't bite the hand that feeds you. And that is a real problem that we face now. The city of austin is unsustainable without federal money. And that is something that's going to be a real problem for us when they're not allowed to print money anymore at the federal level. And finally, as much as i like art acevedo, he's been -- I'm finding it hard to find in his job description where he's supposed to be lobbying and he's been doing a lot of lobbying at the state house and in the media for things like driving while ability impaired laws, sobriety checkpoints in texas. And most recently speaking about legislation regarding immigration. [ Buzzer sounds ]

Mayor Leffingwell: That is your time. [ Applause ] next speaker is susan wampler. TOPIC IS the McCal la property and mobile loaves and fishes.

Hello. I'm susan and I live in the gracie words neighborhood. I'm here to request that as members of city council you formally dissolve to direct city staff to cease per SEUSS 10414 McCAL LA PLACE As a potential site for the mobile loaves and fishes community project. To begin I will quote from a letter dated SEPTEMBER 23rd, 2010 SENT From howard laz reth to mayor and councilmembers. this memorandum provides an update on the status of the city's efforts to collaborate with the mobile loaves and fishes organization to identify a location for a facility to accommodate homeless individuals on a permanent basis. city staff conducted a tour of four potential sites with allen graham on tuesday, SEPTEMBER 21st. Councilmembers morrison and shade and andy moore representing martinez also participated in the tour. Of the four properties visited, one of the feasible SITES IS 101414 McCAL LA Place, unquote. I believe that there are three major problems with McCAL LA PLACE AS THE SITE For the mlf project that city staff is not properly addressing. I also believe that city council is not dealing with these concerns in a state forward and open manner by repeating that there is no proposal. The first major problem is THAT the McCal la site is zoned li for limited industrial, which is not appropriate for a residential project of any scope or size. If a private citizen wanted to use the land as mlf proposes, zoning staff would say that he and she needed mh or mobile home zoning. The city is looking at exempting itself from its own zoning rules. Second by using a campground for the site the city is completely contradicting its own planning efforts and zoning overlay as presented in the north burnet gateway master plan. Putting a housing project for over 150 permanently homeless people in the middle of a second downtown area will not produce the results targeted in the nbg master plan. Third, the city's stated purpose is to identify a location for a facility to accommodate homeless individuals on a permanent basis, unquote. City staff repeats that use of McCal la property for the mlf project would be temporary. When a business owner wants to develop the site in the future, mlf will have to move its community elsewhere because the lease with the city will be up. Promises aside, if it goes there it will never leave and to say it will is disingenuous. Finally my concern is how city council is dealing with citizens on this issue. It goes to the repeated statement that there is no proposal, as has been told to some of the other citizens who have spoken here. As long as the property is under consideration, which it clearly is, since three of you toured it in september, we will continue to be here to resist use of the McCal la site for this purpose. So in conclusion I want to restate my purpose for being here. I request that as members of city council you formally resolve to tell city staff to cease pursuing 104 foirn McCAL LA PLACE AS A SITE For the mlf project.

Mayor Leffingwell: Thank you. Carmen llanes. She is to speak about the annual cesar chavez si se puede social justice march. Welcome.



Thank you, mayor. Poder would like to invite everyone to celebrate the life of cesar chavez by attending the si se puede it will take place on saturday march 26th, 2011. I want to make sure I have my clicker on. Cesar chavez was borch to MARCH 31st, 1927 IN YUMA, Arizona. He was a latino farm worker, labor leader, civil rights activist and crusader for social change. Chavez was the co-founder of the united farm workers, which advocates for better wages and safer working conditions on american farmlands. Cesar chavez is more than a symbol and role model for farm workers and the chicano and mexican community. Cesar demonstrated the need for all working people to support those who are oppressed and exploited. Working for dignity on the job and in the community. Increasing democratic rights of working people and challenging the powerful in defense of the powerless. March 26th, 2011 marksz the 10th annual cesar chavez march in austin, texas. Austin residents have celebrated the life of chez cesar chavez and his work for economic justice, civil rights, environmental justice, peace, non-violence and empowerment of the poor and disenfranchised. As cesar chavez once said, we have a power that comes from the justice of our cause as long as we are willing to sacrifice for that cause, slodges we persist in non-violence and work to spread the message for the struggle. Then millions of people around the world will respond from their heart and in the end we will overcome. [Speaking spanish] and I would like to mention quickly that currently house bill 505 is being proposed to repeal the state holiday for cesar chavez and I would like to encourage our council to take a stand against this to contact our state officials, representatives, and I would encourage everyone to do the same. This is another blatant attack on our heritage, our cultural history and the richness of what is texas and the history of the united states. So as we're facing a lot of these house bills, keep that one in mind because we've seen similar attacks in arizona and we're seeing them here. But once again we want to invite everyone out on saturday march 26th. We will be meeting at 12 noon, which is a little later than we normally do. And we'll be marching to the state capitol. Thank you very much. Mayor pro tem.

Mayor Leffingwell: Mayor pro tem. Mar mar we have talked to our legislative lobby team about this and similar legislation and they are monitoring it very closely. If something were to start happening with it we would know right away and they would work on it.

Karen hadden.

I would like to start by thanking you for your vote to improve the austin generation plan. I think it was a good process. It was a product of two years of involving the broad community, lots of input from lots of different interests. And I think it paid off. I want to thank you for your forward thinking. It's based largely on wind, solar energy efficiency and I think that's the right path and that's where austin wants to go. You've recently been approached by nrg energy about a power energy plan to invest in more nuclear power. I would urge you not to go that route. It's very expensive and you're probably well aware. These reebighters would cost 18.2 billion. That approaches our state debt. And our share over the 40 years of the reactor life for austin would run 6 and 20 billion. Austin can better invest that money in other technologies, things that are the clean technologies and safer technologies of the future. One thing that we think is very important is the water use that goes with nuclear reactors. The two new reactors would -- like the existing ones, would use colorado river water and they would use over 23,000 gallons every minute. That's a swimming pool every minute, day in and day out. And you have to ask how would that impact lake travis. Would we be able to put boats on the lake anymore? Would there be enough drinking water? Would there be enough water for rice farmers? It's a huge amount of water and you can't say no when you have to cool a nuclear reactor. We can use better forms of meeting our energy needs, energy efficiency first and foremost is the most affordable and creates local jobs. One other option, and i think wind is a great option for austin, for austin energy, and affordable at about half the cost. Also nrg, the same company, is right now doing a project in arizona and they've already gotten a federal loan guarantee of nearly a billion dollars. It's for 290 megawatts of solar. So if we can offer solar power in arizona, why not in texas? We've got lots of solar. And I thank you very much and I'm bringing a handout. Thank you. [ Applause ]

Mayor Leffingwell: you can pass it -- that's good. Ronnie reeferseed? Peace, freedom and fluoride.

Thank you, mayor. I'm ronnie reeferseed. mayor, council, please stop poisoning our water now! God bless arizona, our friends. No more time for redundant studies about fluoride. It is poison used in pesticides! S fluoride is toothpaste. It's poison. Everyday people are reading best sellers, long-term university studies, warnings, cautions from the american dental association and poison control people, etcetera. Nobody can be blamed for being confused about this because it's so hard to grasp. Everyday advertising gazillions of dollars are being diabolically spent to blur the picture to keep most people deluded so that they can keep poisoning more people and more people easily confused and did he lewded and manipulated. Wake up, people. While we still can, shake o cobwebs. The worldwide explosion of political activism including ronnie reeferseed here demonstrates that resistance is victory. On the other hand for the rest of your evil lives, city council and mayor, everyone here, everyone, everyone here will have to justify their own position in this evil example of eugenics. It is the number one topic for discussion among these elites. They meet periodically to swap notes and ideas. They continually write white purposes, articles and textbooks such as john hol dreep dren's text, eco eye ens. It's about diabolical population reduction with poisoned water and tainted vaccines. Read it! Face reality and just say no to the horrific evil here. Meanwhile the february 22nd edition of american free press headlines yells out run, ron, run. America needs president ron paul once again representative ron paul of texas won the presidential straw poll and the recent conservative political action conference for the second year in a row. And this fact is now and always will be ignored in lock step by our very own zionists controlled sensorred news media. Fox news caught sabotaging paul was another headline. Fox news from last year, c pak event from ron thugs who ron paul and each larger margin this year. Millenniums the word -- mums the word. The media keeps the reality out of the picture. And why do zionists hate ron paul? paul delivers love and life to countless patriots and constitutional enthusiasts worldwide. We do not need to keep killing people. Stop the killing. Celebrate life. To learn more just dial toll free 1888-222-1414 for updates from ron paul approximate. Puz buzz.

Mayor Leffingwell: Next speaker is paul -- paul avena. Jeffrey tulis has cancelled. Welcome, paul.

Thank you. One year ago prominent black ott, attended a firm at huston-tillotson that appeared to be a good purpose for other ones. Economics, health care, police accountability, affordable neighborhoods were the flashy issues to deal with. Instead it became an award for the (indiscernible). All these mature and uneducated people wall lowing in praise don't think of a minute of those who crossed the sea in their filth for freedom of expression. Nevertheless managed to, sell in the arts, propelling the united states to prominence. One year later and two million dollars in salaries, none of those issues was resolved. Blacks still represent a risk for the communities they live in. They draw a number of security forces. Thefer more ignorant and poorer than a year ago. They get blamed for their own ills. Despite the fact that public servants hold the highest crime rate for channel 8 or "austin american-statesman" wouldn't look into it. Our children get punished if they lie or deceive or disrespect others and that's our weakness because ethics and principles rot away with chicanos, blacks and immigrants in texas prisons. I've seen judges condemn chick canoes and blacks in minutes. I've seen insurance lawyers run the courtrooms on their terms and I've given you the names of the corrupt judges but you remain unmoved. Often ignored. Immigrants in austin have overshadowed blacks and chig canoes in business and education by working hard and fending off security forces and insurance men on a daily basis. And (indiscernible). I've heard negro ground zeros called worst in newspapers, so it is not a big deal for cox newspapers. (Indiscernible) teachers and preachers hard to modify your thinking. The damage is is not relegated to one inmate, one drug addict or one poor. It drives all of us down, but it pulls neighbors together in compassion and fortitude against your intention. Just look at (indiscernible) for the formula one crowd for european investors to benefit while police cars run through bearrios writing tickets night and day. Crashing in on these people for money, removing their children from math and science, providing life standing for -- safe land fog outside incesters, giving jobs to others, bashing mexican innovation, covering up judicial abuses, releasing security forces on us constitutes the longest running (indiscernible) in history. Thank you.

Mayor Leffingwell: Next speaker is richard franklin. Topic is the african-american quality of life.

What's the way you make decisions based on your legacy? Now I'm hoping you will deliver it based on

how you want your immortal souls to be judged. Far be it for me to preach, but there are some words in the bible that speak to me. Matthew 25, 34 through 30 reads then the king will say to those on his right, come those who are blessed by my father, take the inheritance the kingdom prepared for you. For I was hungry and you gave me something to eat, I was thirsty and you gave me something to drink. I was a stranger and you invited me in. I needed clothes and you clothed me. I was sick and you looked after me. I was in prison and you came to visit me. Then the righteous will answer him, lord, when do we see you hungry and feed you or thirsty and give you something to drink? When did we see you a stranger and invite you in or needing clothes and cloth you? When did we see you in sick or in prison and go to visit you? The king will reply, surely I tell you whatever you did for one of the least of these brothers and sisters of mine, you did for me. I ask you as you deliberate on how you will spend the taxpayers' dollars, will it be with this in mind? Will you continue to subsidize those whose silos are already full or will you -- so they can build bigger and better silos? Or will you find a way to treat the least of us with that same measuring stick? Please ask yourself if the city wouldn't be better off and continue to be better off if you had given the same considerations and financial help to those small businesses and entrepreneurs that continue to beg for the same help that is given to projects like the domain and f 1. A tree is not grown from the top, it's grown from the bottom. Our communities are stronger when we have a true stake in our own success. Fathers and mothers raise their families with a true sense of pride when they take ownership in their futures. These productive individual should not be a burden on tax base. They can only boost it. If the money spent on surveys, studies and trips on how others will see doing what they do, whatever they're doing, have been invested directly into these underresourced community, many of the problems we're now having to address like high incarceration rates, homelessness and homes would have been greatly lessened. Implore this council to give the community it needs in a meaningful way, not to the top as the rest of the country is want to do, but in a way that actually gives us and allows us to live up to the potential as a truly progressive city. It is impossible for the city to be what it's supposed to do if it continually yokes itself by the oppression of any of its people. I implore you to do this not in word, but in deed. [ Applause ]

Mayor Leffingwell: Next speaker is darsy bloom. Hydrofluorosilic acid.

Council, hydrofluorosilic acid is from the -- or from the exact wording of austin's purchasing office finance records hydrofluorosilic is known to the common folk as fluoride. It's core row is sieve, harmful and fatal if swallow and caused severe throat and stomach damage. That is from the website of the mosaic company which now owns all assets of the chemicals from which austin purchase of fluoride is obtained. This is a major company that manufactures fertilizers which as a by product that comes here to be our fluoride. This is not natural. There is no hey, let's go down to the hydrofluorosilic tree and get some of that, put it in your water and strengthen any teeth. No, what good is it ingesting it if its true benefit is proven to only be applied topically. I work in construction. In summer my intake of water is unmeasurable. But there are those who do not intake it the same. How does this exist? It's like me having 10 to 12 glasses of water a day and so and so having two or three glasses. My dosage is obviously higher. Since 1973 austin started the fluoridation program. Also in the early '70's as asbestos was being used and led was an additive in gasoline. My point is it's 2011. We know it causes death, severe health problems for thousands. Those set practices have been done away with. There is logical reason to accept that fluoridation falls in line with those same practices. Especially with such a by product chemical. Fluoridation was never a safe, healthy choice as an additive for any consumption in any water used by a population. It's okay to admit that it's wrong and therefore change. On march 22nd this is the agenda of city council's committee on public health and human services, so come on, guys, don't let us down. Show the people you care for them, their families and the city. This council can probably use an approval and a thumbs up from the citizens right about now. No more big bucks to the huge super corporations that are not responsibly playing for a proper disposal of hazardous waste materials and instead are actually making money off of it and off of us. This contract with mosaic appears to expire in a few weeks. Now is the perfect moment for a clean slate. Start over, start it right. Do not be embarrassed to admit that it's wrong and needs to end. We'll all be behind you. Be an example for texas, be an example for the country. Make it here, make it now, make some history. Good day. [ Applause ]

Mayor Leffingwell: Those are all the speakers that we have signed up to speak in citizens communication. Question?

Shade: Actually, it wasn't related to his comments. Thank you.

Is it true that it's about to expire, the mosaic contract?

Shade: I don't know that.

MARCH 31st.

Shade: I wanted to take a moment of personal privilege as I wanted to do earlier, but while citizen communication was going on, just make sure that people watching know that especially during south by southwest we've got a retail space open, acvb, our convention and visitors bureau has set up a store in the city hall retail space so while people are around city hall if you want to pick up great local austin fun products ranging from austin nuts to clothes to toys for kids, it's right back there in the retail space. Go see it. It's a great place.

Mayor Leffingwell: Thank you. Council, without objection, we can now go into recess until I would suggest 3:00 p.m. We have a few zoning cases and a time certain public hearing at 4:00. So without objection we're now in recess, reconvene at 3:00 p.m.

on core.

Mayor Leffingwell: We are out of recess and we'll begin with our zoning cases.

Thank you, mayor and council. My name is greg guernsey, I'm the director of planning, development and review. I'll walk through the items we can go through on the 2:00 agenda. First item I would like to offer for consent is item number 34, case c-14-2010-0197 for the property located at 600 west 13th street. This is to zone the property to downtown or dmu mixed use zoning. The planning commission recommendation was to grant the downtown mixed use with a conditional overlay or dmu-co combining district zoning. This is ready for consent approval on all three readings. Item number 35, c-14-2010-0205, mayor, i believe we have one citizen who wants to speak in opposition to this case. I'll skip this one and go on to the next item to speak to for possible consent. And actually, the next case starts a series of historic zoning cases --

all of the zoning cases will be discussion.

That concludes the items I can offer for consent, that first one, item 34.

Mayor Leffingwell: So council, the consent agenda for those items where we have yet to hold a public hearing is to close the public hearing and approve on all three readings item number 34. Moves moves approval. Mayor pro tem seconds. Any discussion? All in favor say aye? Opposed say no. It passes on a vote of seven to zero. Six-0 with councilmember cole off the dais. Correction. So we'll go on to item number 35.

35. Thank you, mayor and council. Item number 35 is case c-14-20100205 for the property located at 5501 to 5617 lacrosse avenue. This is a zoning change request from -- from community commercial mixed use conditional overlay or gr-mu-co combined district zoning to gr-mu combining district zoning to modify a conditional overlay as it pertains to college and university facilities. Oh, mayor and council, i have a request for postponement from the neighborhood. Applicant agrees for two weeks.

Mayor Leffingwell: On item 35?

On item 35.

Mayor Leffingwell: All right. Council will entertain a motion to postpone for two weeks until march 24th. Moved by the mayor pro tem. Seconded by councilmember morrison. Discussion? All in favor say aye? Opposed say no? On a vote of seven that passes to be postponed until march 24th.

Thank you, mayor and council. This time I'll introduce Steve, our historic preservation officer and he will present the remainder of these cases. Mayor, Mayor pro tem.

Mayor Leffingwell: I need some tech help up here, please.

Steve Sadowsky, historic preservation and planning development and our first case is h-2009-026, the Byrne Reid house. This house is one of the best examples of a restoration in the city that we've seen in my tenure and I would say my life here. This is what the Byrne Reid house looked like in 2009. It housed the Humanities of Texas at the corner of 15th and Rio Grande. Beginning in 2009 Humanities Texas received a grant for the restoration. The grant was approved and they embarked on a restoration project that was headed up by Clayton and Little Architects. This is what the Byrne Reid house looked like in the 1920's and this is what it looks like today. So they basically took out that concrete box that had covered this house, uncovered everything. And if I go back to -- you can see it from this. In the 2009 photograph, if you see just at the top of the tree there on the left there's a hip dormer. That was the only thing that you could see of the historic house when the box was still on it. But they underwent a lot of exploratory demolition to see how much of the house was left underneath. There was a surprising amount of it left. And what wasn't left they recreated from historic photographs. The house was built in 1907 and it was designed by Paige, who was an extremely prominent architect in Austin. At that time the first owners and occupants were Byrne and his wife, Byrne was a cotton merchant here in town and his wife Ellen had also been involved in that business. They had moved up here from Galveston. And after Ellen Byrne passed Byrne moved with one of his children up to Fort Worth and they sold the house to Reid, another very successful cotton merchant here in Austin. His mother was Malcolm Reid was Reid Estate. And together they built one of the largest fortunes in the city. Excuse me. Reid unfortunately died in a plane crash in 1948 and the house was converted to office space at that time. In the mid 1970's is when the concrete box was placed over the house to modernize it, I guess. But this is as I said the best example of a restoration in this city on a major, major house. It is -- it was recommended by staff, the Landmark Commission and the Planning Commission under three things. First of all, its architectural merit, second of all its associations with the Byrne and the Reid families and then third for community value to show what a great example of a restoration can be accomplished in Austin. So this house is recommended for historic zoning. And that concludes my presentation.

Mayor Leffingwell: Thank you. Questions of staff? Councilmember Spelman.

Spelman: Is there any evidence as to what the prior owners were thinking when they covered over this beautiful house with a concrete box?

I -- there's no evidence that I'm aware of, no, sir.

Spelman: Too bad. I would love to know about that. Thanks.

Mayor Leffingwell: Anything else? Mayor pro tem?

Martinez: Thank you, Mayor. This is certainly a case that I will wholeheartedly support and I think it's an incredible case of what truly can come out of historic preservation program. I want to thank staff for all

the work on this and bringing it to us. I'll make a motion that we approve, mayor.

Mayor Leffingwell: I think we need to have -- give the applicant an opportunity to speak if he wants to. Is the applicant here?

Yes.

For your information there are no speakers signed up.

I'm ken johnson with clayton and little, mayor, mayor pro tem, councilmembers. We also have a representative from humanities texas, the owner's representative as well, who can elaborate on their mission with the building, but I'm happy to answer any more questions about the architectural aspect of the restoration or some of the history on the building.

Mayor Leffingwell: Any questions of the applicant or the property owner? Council? Councilmember morrison.

Morrison: I just want to express my thanks and I'm sure convey from everyone the amazing effort it must have taken for you and for humanities texas as an organization to under take this effort and it's a real addition. I've had the opportunity to be inside, and outside and out is absolutely gorgeous.

Thank you. Definitely a team effort. It is open to the public, so the inteen your is just as good looking as the exterior. I would offer tours to anyone who would like to come through.

Mayor Leffingwell: No speakers signed up.

Cole: Mayor, I have a brief comment. I also want to extend a thank you to you for this nice project. And also to recognize that because this is a nonprofit, we do not have the typical push-pull that we have with the historic case of taking money off the tax rolls. So thank you.

Mayor Leffingwell: All right. I think we're ready for that motion now. Mayor pro tem moves approval of item 36, seconded by councilmember shade. Any further discussion? All in favor say aye? Opposed say no. It passes on a vote of seven to zero. And that is to close the public hearing and approve on all three readings.

Thank you.

Mayor Leffingwell: 37.

Morrison: Mayor?

Mayor Leffingwell: Councilmember morrison. I just wanted to announce that I will be recusing myself from this case. [One moment, please, for change in captioners]

here is a better photograph of the detail of that window. This is something that staff believed in the landmark commission and the planning commission, all believe hadal altered the historical appearance of the house to too great of an extent that it would not qualify as a historical landmark anymore. The history of the house is it was built in 1909 and originally it was owned by the man across the street who also lived in what is now a landmark property on ninth street. Aw brill purchased the property in 1906. He owned the house right next door which is also a city landmark, also intact. And then sold this house in -- sold the property in 1909 to omar and pearl bones who built the house. bones was a meat salesman, he and his wife lived here for many years, and then sold the house in 1913 to julia stokes,

stokes moved up from goesal valley with her son and daughter, edward stone oaks was a salesperson and then wells forgo and was a cashier for railway express until retiring in the late 1950s and passed away in 1961. His first wife ruby passed away 1945 and second wife jewel lived here until her death in 1996. So the house basically remained death outside of the back canted bay moving forward but the staff and planning and railway commission thought the plan to the change of the house was too much for it to qualify as a landmark so the staff cannot recommend this house for landmark designation due to the landmark modifications.

Steve sadowsky not recommended to the staff, the historical landmark commission or the planning commission, wrote in also it is in the historic district, castle hill.

It is in the castle hill historic district, yes, sir.

Does the applicant wish to make a statement? Is the applicant here.

I don't believe so. no one has signed up to speak, council, so we can entertain a motion on item 37.

I just want to ask a couple of questions before i thinkly make a motion. Is there any talk with the applicants about going back to original state in that front window or do we etch know what it looked like originally -- do we even know what it looked like originally before the previous modification to the one that exists now?

The house looked very much like this, counselor. That front bay was pulled forward a couple of feet, i believe.

There was a porch there.

The porch extended all the way across and that bay had pulled forward but it is a very typical look for a house of this vintage. I actually -- this house was on the heritage society homes tour a couple of years ago and I was the house captain for this house and this was a photograph I took in '09 and I could see inside the house where the wood changed, where they had pulled that little forward, didn't make any other changes except pulling it forward but you could see the wooden floor add changed. That is the origin -- the wooden flood had charged, and that is the original configuration.

Did the applicants at all suggest to go back to origin gnat state.

No, sir.

Did we ask them if they would.

Yes.

What was with their answer?

They like the window the way it is.

I will make a motion to close public hearing and accept staff recommendations. mayor pro tem moves to deny the request for historic zoning. Is there a second? Second by spelman. Discussion? All those in favor, say " opposed say no. That passes on a vote o 6-0, with councilmember morrison off the dais and recused.

Yes, sir.

Our next case c14h200103008, norris house at 1208 hackberry street in east austin. This is the request, and this house is recommended by the historic land commission and it was a 1908 house and originally associated with the arnold family that lived on the house that would be directly to the right of this that actually faces on sam bernard street, this is an excellent example of vernacular victorian with wing and gable organization, which mean a gable to the forward and it is a wonderful victorian floor plan but it is rare to the house of this size and level of ornamentation in east austin which makes it truly spectacular for where it is. It is completely intact except for the metal roof and the current owners, the ones who restored it to historic appearance so this has great community value as a great restoration and historic project in austin. The history of the house, built 1908 by the arnold family. Never lived in it but rented it out until about -- sorry, until about 1932 -- 1908-1932, the house was rented by a series of anglo folks that worked as cleaners, painters, carpenters, things like that, very blue collar but craftsmen type occupations. And then in 1932, the house was occupied by samuel and hatty norris, an african-american couple and their moving into this house is very indicative of the transition in this neighborhood. As I said, this house is one house off of sam bernard street which used to be a very exclusive anglo street that around mid 1920s to early 1930s began its transition into an african-american neighborhood. This house is one of the last hold outs but in 1932 reverend norris and his wife moved into the house. Samuel norris was a baptist preacher. Preached in harrisburg pennsylvania and ohio before moving back to austin between 1930 and '32 and as I stated in the staff report, it is important to note that reverend norris listed as his occupation in the city director he was a clergyman because at that time there were very few full time african-american clergymen so they usually listed their full-time and not a clergyman. The norriss lived here until 1958. He then,ed as a porter for the state industrial accident board and retired in early 1950s and when he passed away in 1958, the house then became a rental unit again, for african-americans. The first one was demas s odom who moved in this house and lived there for several -- several years, and then the current owner purchased the house and began the restoration project. The house deteriorated. He used documentary evidence and physical evidence to restore the house, the metal roof is the only thing that would not have been original to the hse, so, again, this house was recommended by staff, the landmark commission and the planning commission, in the areas of architectural significance, in being a great example of a restored vernacular victorian, for its historical associations with reverend norris and the larger community transformation of this area from an anglo neighborhood into an african-american neighborhood and its community value, again, for its preservation. I have a couple of more photographs so you can get really good idea of the level of restoration of this house. There is the front porch and here is a view and hopefully you can see that well enough of the screen door on the front which is a recreation, obviously, but it shows you the level of care in the restoration project of this mouse. So staff recommends this house for landmark designation under architecture, history, and community value.

Mayor leffingwell: Questions of staff. Councilmember spelman.

Spelman: This looks like a terrific restoration and in all respects it is how i imagine the way it looked in 1908 the time it was reconstructed. It is an interesting juxtaposition, when the house constructed first, where they moved forward into the huge area the bay window and that was sufficient in the minds of the historic landmark and planning commission to disqualify this historic structure, where this house removed original roof which I imagine is a shingle or shake roof and replaced it with a metal roof. It seems to me that the addition of the metal roof would also make it look very different than it did when it was originally constructed. I wonder what your thinking, in the extent you can explain to us, if historicic landing commission and planning commission, why would roof not disqualify a house but movement forward of a room would do so.

It is not so much of moving forward of the room but removal of the bay with replacement with a modern looking picture window on if front, on the last house on 9 street was the major factor in that the -- they felt that the new or existing picture window of that house was not in character with the historic appearance of the house, and it took up a third of the facade, so it was a major change. Metal roofs are not unknown, while this is not original to the house. A metal roof on a house like this, especially in east



austin, is not atypical, at all, so it is -- it is a change, also that is reversible -- easily reversible. If somebody wanted to take that metal roof off in the future and put down a shingle roof, the metal could come off, roof structure still there. In the case of the house on ninth street, a lot would have to be rebuilt, so you would have a lot of new fabric on the house to rebuild what was taken out.

Spelman: In other words some houses built in the turn of the century that did have metal roofs.

There were.

Spelman: And this is not more of a structural change -- not facade change but it is easily reversible, you wouldn't have to do any structural work to put the roof back the way it was if you wanted to.

Correct.

Spelman: Thank you.

Mayor Jefferingwell: Questions from staff? The applicant wishes to make a presentation on item 38.

Introduce yourself, you will have up to five minutes.

My name is William Andrew Fleece, the owner of this house, I live there had 12 years before that I lived five years next door at the Arnold house which is a triplex, and the house came up for sale and I bought it and I have done everything I can to restore it and keep it nice and make it last another 100 years. I have spared no expense. It has taken a while. I still don't have new floors yet but it's going to look like it did or better, and I would like to thank Sadowsky and Debra with Aus-Tex permitting for letting me do that. I tried a long time ago, I went to the Austin History Center and gave them some stuff and what they did -- I just gave up. Too much -- I couldn't figure out the addresses and did I believe that maybe they moved the address. So I have worked in the neighborhood for a long time with a landscape architect and I know all about the historic houses around there and I really like living there. It is a magical place.  
[Indiscernible]

Questions of the applicant? Councilmember Shade.

Shade: It may be a question for you, it may be a question for Steve, I am not sure. I am really intrigued with what you have been able to do and just area and was curious if this wasn't a candidate for a local historic district just given the -- and you might not even know what that would entail for your neighborhood. I don't know how active the others are, if they are mostly rentals and homeownership or whatever but maybe Steve can address it but it seems like a neat area like you said.

Several square blocks of.

That type of thing.

Of really nice homes. [Indiscernible] houses duplicated three blocks over and it's flipped. Their friends of mine and they have done an addition but it is not historic. Everything else is identical, the split.

It is a newer tool we created, the local historic district and it might be something that would benefit the entire neighborhood or at least a portion of it. What are your thoughts on that, Steve?

It would qualify as a local historic district. Sam Bernard in particular has, I believe, 8 landmarks on it already, including Representative Doggett's house is on Sam Bernard. The entire street, we looked at it years ago as a city project for starting a local historic district and it would make a very good local historic

district. We never got to the point of contacting the folks of the neighborhood. We were basically doing background work to make sure all of the house there is would qualify under the local historic district provisions at that time but it would definitely qualify.

I am going to be supporting this case but i think it is another example where the purpose of the local historical district is to help us better maintain our tax base and look for ways to preserve the neighborhood rather than house by house as is the case right now, so I don't know if it's something we can move on, but i definitely want to encourage that.

It is definitely something I am interested on moving on. all right. No speakers signed up. Council entertain motion on item 38? .Com spelman mos to close public hearing and move on all three readings. Second councilmember cole. Further discussion. Councilmember morrison.

Morrison: I will support this motion. I just wanted to mention we had a little bit of discussion about this in our work session on tuesday and something came up in that the value in our -- in the criteria that is written today, which I brought up and I do want to point out that it is explicitly listed in our code as to our heritage, the ways that it brings community values, satisfies a great area. i will be supporting it also, councilmember riley.

Riley: I want to thank the applicant for all of the work you have put in the house. It looks great and i appreciate the work. And I want the note for some time now we have been taking a look at our historic protection program and in particular, where we have folks working both the criteria that -- in determining what is historic and as well as the benefits associated with historic zoning. The outcome of that process may well be some adjust foment the benefits that we currently provide to historic zoning, so we have been doing our best as the cases come up over the past year or so, we have been doing our best to make sure people understand that process is underway and we do expect that to the extent that there are changes to the benefits associated of historic zoning that those changes would apply to the cases that we have been considering over the past year, since people are really on notice that this process is in motion. I don't mean to undervalue the work you are doing but i want you to know there could be changes coming associated with this. all right. Motion on the table. Say aye. Opposed say no. Passes on a vote of 7-0. And we will go to item 39.

Councilmembers, it 39c4100040, a howl on 1705 willow street. This is the apcaptains request for as change to sf3-hnp and the house was built in 1930. The house is fairly typical frame bungalow. The difference that you see in 1930s bungalows versus 1920s is there is a little bit more ornamentation, a rounded arch doorway in particular. The porch railings on this house are not original and although I have seen historic photos of the house, the front of the house, that front gable that comes out is extraordinary heavy -- extraordinarily heavy for a house of this type. So I am wondering if that was modified or not. Don't have any evidence to prove it one way or another. Let me go through the history of the house first and then we can talk about the family in a second. The house was built in 1930. Originally a rental unit but by 1932, axle and ester paulson moved in and paulson was a swedish born cabinet maker for a lumbar company. He and his wife lived here until both of them passed away. He passed away in 1961. She passed away in 1980. The house was a rental unit for a short period of time after that and in 1982, it was purchased by margaret sing, and then she passed away and now it is occupied by her the nephew who has filed for the historic zoning on the house. The. As I said markrette sing purchased the house in 1982. The house was 50 years old at that time and the sings had lived on medina street on a house that still stand. She was the daughter of joe and francisa sing, and had immigrated from the united states in china and established chinese laundry first on 804 congress and then moved around, he had his laundry on tenth street, on fifth street, unfortunately, he was killed in a hit and run accident outside of that fifth street location in 1927. When he was in austin, he married francisca moreno who was a mexican american who lost her citizenship for marrying a chinese citizen. So for a very long time, they could not purchase property in austin because neither one of them were recognized syverses of the united states. They had laundry on west fifth street. After josene died in 1927, sing continued to live on fifth street but by the mid 1940s moved the family over to 603 medina

and the house still stands. There is a photo of it taken last summer. It still stands and is in reasonable good condition. The sing family lived here from the '40s until sing passed away around in 1982, margaret purchased the house on willow street, moved into it and retired, after josene sing carried on the chinese lawndra tradition and then eventually all of the children worked in various laundries and the son was a machinist and eventually went out of chinese laundry business and went to work for other folks. The landmark commission and the planning commission have both recommended this case. But staff cannot. And it is with regret, I say I cannot support this nomination. I understand that there is a lot of -- I recognize there is a lot of cultural history here. Raul hernandez, after he lived in the house after his aunt passed away found a box in the attic containing a lot of papers from the sing family history detailing the chinese american existence in austin in particular. He donated those papers to the austin history center. The state erected a marker in the front yard of this house. But staff's reservations about designating this house as a historic landmark are, first of all, that the association of the sing family with this house dates from 1982. Their association with this house is not in the historic period. When we have our criteria for landmark designation, we state the building has to be historic and that has to be at least 50 years as well. That's really the biggest reservation. This family lived in that house on medina street longer than they lived here. They purchased this house in 1982 and that is the limit of their associations. It is not to say that the family does not have a significant part in austin's history and the contribution of the sing family papers to the austin history center is a wealth of material that details asian american history in austin. As I said, this is nothing to say that the family has not contributed, but their association with this particular house is not within the historic period. It dates from 1982, and if there is a house that is more substantially associated with this family; it is the house on medina street. I tried to contact the owners of this house. It is a rental and have not gotten an answer from them as to whether they would be interested in pursuing a landmark designation for this house, which is still standing and in very original condition, so that perhaps should not even be a consideration, but, as i said, as we are becoming -- scrutinizing our historic zoning cases closer and closer every week and we have the operations committee and staff both working on recommendations, I think it behooves me in particular as your staff to make recommendations that are substantiated by the evidence. And unfortunately I cannot say association since 1982 can qualify this house as a landmark. As I said it has nothing to do with the importance of the family or that it's in east austin or that it's in original condition but the fact the association of the family is not within the historic period. i believe you said there is a marker for the house?

There is a state marker. In fact, there is a city proclamation signed by you mayor for the dedication of that last october. i remember that. Mayor pro tem.

Martinez: sadowsky, i want to go back to -- there are two points you made about the code to apply for historic designation. And you use two contradicting terms and i just -- I want to be very clear. You said that code is implicit on the family connection for a 50-year period, but then in the very next sentence you said, so the connection has to be for 50 years. If it's implicit, then how does it have to be?

Well, what I meant to say there -- and I know I was being a little confusing there -- our designation criteria for the most part are based upon the national register designation criteria. Up until 2004, we didn't even have a requirement that a building be at least 50 years old but that is the industry standard in preservation. That is a minimum requirement for national register designation. In the national register designation criteria, they talk about the context and say that the historic -- the significance also has to have been within the historic period. We did not take that into our city code.

Martinez: So it's clear that the structure has to be 50 years old?

Correct.

Martinez: It is not crystal clear that the connection with the family also has to be within those 50 years. It suggests it and there are things that can point to it. But it is not an absolute definitive statement within

our code, so we could designate this historic, it having met the criteria for 50 years, being over 50 years old?

Yes, and, in fact, mayor pro tem, in our designation criteria, we also have an exception for a house that is less than 50 years old that has achieved exceptional significance in the last 50 years.

Martinez: Do you have the historic photo that you said you have seen of these? All we have are recent -

I believe the applicant has that as part of their presentation, yes, sir.

Martinez: Thanks, mayor. all right. We will hear from the applicant, paul hernandez -- raul hernandez, sorry. Welcome. You have five minutes.

Good afternoon, councilmembers. I do have a presentation that I would like to show you and the slide show I am going to show you is a recognition from various local, state, and national organizations that have organized josene and his family as contributing to the asian american history here in austin. I also would like to point out that if granted, historic city marker, this would be the first one in austin with an asian background. This is a clip of the austin history center's webpage of asian american resources, and the photographs in there are documents of the sing family papers that my family donated that I did find at 1705 willow and it is one of the oldest asian american archives at the history center. And to quote mike miller, director of the austin history center, this is a landmark moment for the american liaison program, asian americans are one of the fastest growing populations in austin but their history goes back well over 100 years here, it is important the history is preserved so it becomes part of the greater austin story. And this is one of the brochure that is the history center gives out asking for donations for the asian american archive collection and of course all of the images in the middle are part of the sing family collection. This is an invitation that was out for -- sent out for a photo exhibit, pioneers from the east, the first chinese families in austin, which three photographs were -- of my family were included in the exhibit. This one of josene, my great, great, great grandfather and my great, great, great grandmother with her four children around margaret sing, my great great aunt who purchased 1705 willow and here we have councilmember chris riley reading proclamation from mayor lee leffingwell, acknowledging the photo exhibit and giving proclamation to the members of the five original families which my grandmother in the yellow jacket was a part of. And this is a photograph of jim yazoo, chairman of the board of the texas asian chambers of commerce who was one of the sponsors of the event and speaking about how important it is to preserve the history of asian american community here in austin. This is from the emmy award winning pbs show downtown austin, a segment was done on austin history center and was also -- the papers were part -- the sing family papers part of the segment and this is a documentary done about the sing family, five generations in austin, done by the university of texas here in austin. And also the five generations documentary was one of the twelve films selected to be part of faces of austin which we will be showing here at city hall for the rest of the year. This was front page article done by the statesman about the history of my family and also how we found the documents in the house history of the home, and the donation to the austin history center. And this is the center for asian american studies at the university of texas, acknowledging josene and -- joe his wife and this is part of the asian american caucus from the national trust for historic preservation conference and they did come to 1705 willow and this is the members in front of the state marker and they encouraged me after touring the house to apply with the national trust for this. are you finished?

Yes, I am finished.

Mayor leffingwell: Questions?

Why did you pick 1705 willow and not the house that the family lived in.

The sing family never owned it. It was a rental property. This is the first property my family owned. We

never owned any of the location it is laundries were at and didn't own medina. So this is actually the first house my family purchased -- or property.

Spelman: So the first house they purchased. On the other hand, despite the fact they didn't purchase it, rented property 40 years, I would imagine there would be some kind of sent mental attachments to it?

If you drive down -- if you drive down medina and see the house, it's surrounded by bars, it is on east 6 superstreet and it is, in my opinion, in disrepair. You can see it is unleveled. Nothing has been done to upkeep it. That's my only reason on that. And we are not the owners of it, or we were never the owners of that property.

Spelman: Thanks.

Mayor Jefferingwell: Councilmember shade.

Shade: I am curious, why is it important for you to get this zoning historic?

It is important for me to just honor my family's history. I first went for a state marker because I did want a plaque to say what my family had contributed to the history of austin. And once I did, you know, was able to get that, I was denied the first time. I applied again and the second time was able to get it. Now that I have gotten that plaque, now with you guys, to do the city and hopefully, if I am granted a city one, I do plan ongoing to national, because it is important to me to preserve the history and that is why myself and my family chose to donate all the documents about my family to the austin history center that we know that not only is our family history preserved but the history of early asians in austin.

Shade: I am having a hard time connecting the importance of the history of the family, which i completely respect and understand, with this house. I mean -- and you -- and if it's about having a plaque or having recognition, i mean, you have that. I am going through the processes I do with every historic zoning case especially difficult, when it is against the staff's recommendation, you know, about, again, why all -- why take -- there is a tax abatement associated with it. It is about the house itself, which has -- it is a little challenging to connect it to the family. Again, the family's history sadowsky said, the designation of the papers, i actual had a chance to be at the history center last year when the exhibit was going on, spoke to people who attended the event, where you have the photographs from and even people from the picture. It is oly terrific, the recognition, but I am not sure how it fits into the program for the houses tha are dealing with. That's what I want you to speak to.

Well, being that -- because of the asian exclusion act my great, great grandfather joe sing could not purchase property and his wife lost citizenship from marrying asian man they could not purchase property here in the united states in austin. The reason it took so long in the '80s for my family to purchase this home is because their four children were children. They had to wait until they were adults. They had -- they waited until they were able to pay cash for a house because of, you know, not being able to get a loan at the time or for whatever reason, this is why it took so long.

Shade: If it 50 year from then, it would be so much easier. We are talking about less than 30 years. I mean, it's just -- the criteria being what it is, the standard for national .. how do you -- how, if you were in our position, would you explain that, I guess?

In your position --

that is the criteria -- it is 50 years.

To be honest with you --

you will get to 50 years and apply.

I will in 50 years but i don't plan on selling the time any time sooner in the future. But as mayor pro tem -  
- mike martinez mentioned, it is not fairly stated in the application that residents have to live there for 50 years for it to be considered historic. What I read is the property has to be at least 50 years of age, which it is and after having the state recognize the house with a texas historical marker, i felt that the next step would be to go to the city. If it was a thing of -- as some of y'all mentioned, if it's about taxes, why wouldn't I have gone to the city first? Why did I do a step and do the state first?

Shade: I understand the importance of the recognition pieces. I understand. Thanks. mayor pro tem.

Martinez: I think it's kind of a -- personally, i am going to support historic zoning, not only because the structure is 50 years old and somewhat in its original condition but because of the rich history of your family. And maybe that shouldn't be taken into consideration. But it is. And we are allowed to. And there is no strict rule that says the family has to have owned the property for 50 years. I get that we would like to see that. And maybe that becomes the rule moving forward, but it's not the rule today. So I want to thank you, first of all, for buying the house and finding the box upstairs that is a treasure forever for austin. I think that's something that is not insignificant. Think the history you point out about the family losing their citizenship, not being able to purchase property, all of those are significant into where we are today, in 2011. Once we are done with speakers, I intend to make a motion to support the case. all right. Thank you.

Thank you. next speaker is susan deadrick. Suzanne will have three minutes. mayor, councilmembers, I am the agent for the paulson-sing house. One of the purposes of the city's historic landmark program is to document and preserve not only structures but the stories from our past, the past who defines who we are today. The history of the sing family was literally found in the attic of the house at 1705 willow. Boxes of old photographs, correspondence written in beautiful chinese script, transactions from the hong lee laundry and treasures for decades that were lost. These are great for our austin asian american community. Because of the chinese exclusion act, joe sing could not become a citizen and his wife lost citizenship because he married a chinese man. Later after the death, 2 children ran for that. And his wife went on to fork for governor ma ferguson. The buildings are all gone from laundry room. And the rental house in medina is in december disrepair from driving by and this home is the only house owned by the sing family, by landmarking this house we will commemorate not only the contributions of the sing family but evolution of minority rights in austin. I do have an old photograph of the house from 1949. It is on my computer. We cannot get it on your overhead for some reason. I will be happy to show you what I have on here. The house is very intact. The railing is the only change in it, but the rest of the structure is intact from a snow day picture in 1949. And this was -- this was provided by gladis rigs who is the daughter of ester paulson. And the other thing I want to point out, we are not talking about just the sing family here but the house is named the paulson-sing house, and the paulsons, other than a new renterrings over the years, the paulsons were another family that owned this house a vast majority of the time along with the sings, so it is not just that we are looking at the sing family but also the paulsons. Thank you. If you would like to see the picture I can -- i believe councilmember spelman has a question for you.

Spelman: I was going to ask if I could see the picture.

Sure. could we have the discussion on the record, please?

Spelman: Mayor, I am asking, holding that, the -- I am asking what is holding the of of the porch up and ms. deadrick is telling me. it has to be on the record.

[Indiscernible]

my understanding from gladdis, the daughter who provided the pictures is the porch railing -- I believe i need to go back and look but I believe it was wooden structures that held up the porch and then it was changed to the metal railing but the structure of the house didn't change, from my understanding.

Mayor Ieffingwell: Councilmember riley.

Riley: Do they know when the change to the railing occurred?

Well, this is a 1949 picture. Give me just one second. I do not know. I am not recalling what she said. I am sorry.

Riley: Most of our discussion today has been focused on the sing family and its connection to this house. If we were to look for the period of historical significance for this house, that would be significant -- that is the term we use when there is a particular period of significance, that is ideally you row store the house to what it looks like at the time of historical significance. I assume wince we focused mainly on the sing family and if period of historical -- the period of historical significance would start in 1982 because that's when the sing's connection to the house began.

That's when their connection begins, correct.

So if you were going to restore it ideally to historic significance you would want historic photographs from 1982 and restore it to the condition it was in then, is that fair?

From 1982.

Riley: Does that make sense to you?

No, it needs to be 50 years old and we are looking past -- earlier than 1982. I this think I have the answer to your question. -- I think I have the answer to your question, another picture shows gladdis and her daughter standing on the porch and it has metal railing and gladdis tells us she was in her 20s at that time so 90 miners 20 means the railing was there I guess shortly after 1949. deadrick, you are an agent and come here all of the time, can I ask you next time to be prepared to show us the pictures to all of us.

Yes, I am sorry.

Rather than walking around and showing all of of us.

So you are saying the railing changed from wood to metal sometimes around -- i didn't catch that.

Probably the '50s, i would think.

Riley: Sometimes around the '50s. Okay. Thanks.

Mayor Ieffingwell: Councilmember shade.

Shade: Trying to look at criteria. The house has to be 50 years old, which it is, retain significant -- the sufficient integrity of materials. This is a recorded texas historic landmark. Is that what it has?

No.

Shade: No?

It has a marker.

It has a marker. What is the difference between those two things?

A marker can -- the texas -- a recorded texas historic landmark is a much more involved process.

Shade: So having the marker is more like -- analogous to the proclamation, it is an acknowledgment that this has a great story here, a great story?

That is probably a good way to put it.

Shade: And then this next thing is it has to be -- it doesn't meet number 3, then? On the criteria? I mean, when I am doing going down the list, number 4, has to have at least two of the categories, first thing is architecture, which is one of the items you are saying and the second being historic association, those are the two criteria that this application is being based on? Is that correct?

Yes, I think you can also argue for community value as well.

Shade: I was going to ask about that, because community value, again, that's a broad phrase and what is defined here it has unique location for physical characteristics that represents an established and familiar visual feature of the neighborhood for the season, the best way to defend yourself to get a seasonal flu shot, which can now protect you from h1n1. You can also practice healthy habits to stop germs from spreading. Clean your hands often. Cover your cough and sneeze please. And if you are sick, stay home for at least 24 hours after your fever's gone. Even if you're not sick, plan now for how you'll care for your family. To learn more, visit texas flu dot org or dial 2-1-1. Stopping the flu is up to you. Austin's going ..getting ready for the city's first ever st. it'll end at fado irish pub --- they're here grilling up some grub in honor of the day, plus they'll tell us all about the baldrick's head shaving and celebration.3 from ireland to new zealand. Singer-songwriter jackie bristow brings us her fresh, she's performing at momo's tonight -- - but we get a pre-show of our own here today on the austin bauble me ... local jewelry designer kendra scott is here .. we'll chat with her about her new pieces and hear what might be glittering tonight on the red carpet at the texas film hall of fame awards 3 welcome to austin live. quick ..3 and out in our parking lot --- the 2012 ford focus first of a family of five electrified vehicles for noarth america that won't be on the roads until next ... first, let's turn it over to judy maggio now for a look at today's top stories. 3 Tomorrow is 3 the last day for members of the texas legislature to file but the biggest bill lawmakers must pass is the ryan loyd is live at ryan, house members are really digging into the budget today. 3 That's right -- and it's the hopes of many members to dip into the rainy day fund and use at least some of it to fill the hole in the existing appropriations committee members heard today from some state agencies on how to fix the budget crisis. Representatives from the governor's office say gov. Perry is keeping all options on the table on whether to use THE RAINY DAY DOLLARS.3 "He said again, 'I've not drawn a line in the sand, I just want the process to work to get us to a point where that everybody, these members can go home and tell their constituencies that I did the best that I could.'" 3 But the process is not at six we'll talk about some of the issues representatives have with some of the suggested cuts and why. Back to you. 3 3 one of the last minute bills filed before tomorrow's deadline deals with the taks this bill would reward texas students who consistently perform well on the texas assessment of knowledge and skills exam. It would exempt those students from taking the taks in certain years. ... there's now a suspect behind bars in connection with the death of the gator was discovered near wilbarger creek about a week a man who bragged about killing the gator was arrested after posting a thread about texas parks and wildlife game warden fred ensinger says it's illegal to kill alligators in bastrop county. 3 Another spectacular spring-like day with lots of sun. but we do need rain! Chief meteorologist troy kimmel joins us now with a first look at weather. ... Late winter sunshine .... ..



high pressure continues to prevail this weather pattern is resulting in a northeasterly wind across our our upper air charts show . or . of low pressure over the eastern half of the u. s. As a result, the upper air winds over the texas are a drier and stable weather pattern continues and is expected to stick around the next 24 to 36 by tomorrow, south southeasterly surface winds pick up again and low level moisture will increase into low clouds will increase across the area by another cold front is forecast to approach the area from the north by saturday but it still looks like it should weaken and hold north of our area initially. As moisture continues to increase across the area, the atmosphere will become more unstable by the end of the weekend into the early part of the new week as the cold front approaches and moves through our area late sunday night forecast my overall forecast confidence through the next 24 to 48 hours is by later saturday into sunday and into the new week, the models are still not as clear about the cold frontal passage and whether clouds and rain chances will linger in the post frontal environment or whether clouds as a result, by sunday into monday, my forecast confidence is still for austin and .. a clear sky is expected to continue. Lows tonight around 40 with highs tomorrow in the 70s. Northeasterly winds will turn east southeasterly overnight. Have a good thursday night and .. 3 Still making plans for some thursday night .. hollywood hits the texas film hall of fame awards. Folks like rip torn, renee zellweger, robert rodriguez and others hitting the red carpet tonight at the austin film society. starts at 6. If you get a snapshot of a star, send it to us at [photos@keyetv.com](mailto:photos@keyetv.com) SO WE CAN or, laugh out loud tonight with live magic show and musical comedy. Esther's follies will also be a south-by-southwest venue for a full week starting saturday. 525 e. sixth street. 3 Okay, planning ahead now the new movie "paul" a comedy adventure about two nerdy science-fiction types who cross paths with an alien the three end up going on a wacky it stars simon pegg and nick frost from shaun and jason bateman, kristen wiig and sigourney seth rogen is the right now, callers 5, 6, 7 and 8 will each win 4 good luck. 3 I'm here at the grill with keith mcgrory -- the general .. Coming up, we'll tell you all about austin's first ever st. Patrick's day parade. 3 She likes austin so much she moved here from half a .. and austin has ..jackie bristow is playing for us today and we'll tell you where you can catch her 3 3 looks like we all have the luck of the irish today because we are all invited to a new party celebrating saint patty's day keith mcgrory, general manager of fado irish austin's first ever st patrick's day parade ends at fado annual st baldrick's fundraiser from 11am -8pm. Kids welcome live music starts at 11am pipe bands. baldrick's fundraiser and live music saturday, march 12 11 am to 8 pm fado irish pub 214 west 4th street 3 I want this one --- and this one. and this one. Coming up --- local celebrity designer kendra scott's showing us her must-have pieces for spring and summer. Austin live will be right back. 3 3 3 austin is having an extravagant, austin-styled, red carpet event tonight--- on the eve of the sxsw festival. And jewelry like this will be dangling from the stars as they make their way into the 3 one guest is kendra scott of kendra scott jewelry. She's an austin based celebrity jewelry designer---- you have a big night tonight with the austin film society--- what's big with the 3 beyond red carpet events--- what's hot for this spring and 3 the kendra scott flagship 3 jewelry store recently opened here in austin at 1400 south that's in the so-co district and the store is open 7 days a week. 3 Kiwi's are known for their ..but today we have one that makes sweet .. an austin transplant from new zealand is ..jackie bristow is next 3 3 3 from the south island of ..the only way is .. and that's exactly the trajectory jackie ..she's an austinite now with a new c-d coming out---called freedom here she is with co- 3 you can join jackie bristow for the release party for "freedom album" tonight at MOMO'S ( 618 Sixth St) ..7 dollar more info at [weareaustindotcom.com](http://weareaustindotcom.com) 3 keep up with the bands that play on austin live through we created a list with local go to twitter dot com slash keye tv and click on and if you want áyourá band on the list, direct message keye tv. 3 Wildflowers are starting to bloom across central texas. We want to see your photos. See it, snap it, send it, it's easy --- just com and upload your photos to share it. that's the name of a brand new series premiering right here on we're giving away tickets to an interactive party at cedar street with the stars of the show celebrating the premiere. We'll tell you all about that when we return. 3 3 focus your eyes on that. That's the 2012 ford focus that won't be in dealerships but we get a sneak peak inside the electric they're eating better than we are this half hour of the show! that's not right. Woof-gang bakery is here with some downright delectable and -- okay, I'll take your ralph lauren polo sweater -- and raise you my burberry slacks. Something like that with the ladies known as the shopaholics are here to tell us what this textile trading ... 3 Welcome back to the show --- we're outside, enjoying this gorgeous day --- the future of austin live is so bright, we've gotta wear .. no, not really --- but, we're about to give away some of these glasses to two lucky callers in a few minutes .. it's all because of a new series on cbs called " it's a comedic drama about a group of rogue starring folks like kurtwood smith, freddy rodriguez, eric

close, and you can see the show here on keye starting friday, april 1st at 7 oclock . But you can get a sneak peak this sunday at south by it's the show's meet the stars and hob-knob with the show's famous director. If you'd like to go to the event, call us right now --- callers 5 and 6 will win a pair of "chaos" sunglasses, plus a pair of it's at cedar street from 6 to 9 pm this sunday night, march 13-th. Good luck! 3 Okay, to judy maggio again now for more news and weather. Judy? 3 An attack sunday on a south texas rancher has the texas department of agriculture calling on the federal the ag department says a rancher was met in the middle of the night on his own property by a flurry of gunfire. Agriculture commissioner, todd staples says these photos are proof, innocent farmers and ranchers are being over-run by suspected cartel members. Staples says, the state's CROPS ARE IN JEOPARDY. "This is about protecting your food supply. We know what it is like to be dependant on foreign oil. We can not become dependant on foreign food." Tonight at 6, the security measures the state is asking the federal government to provide. 3 Hutto i-s-d leaders plan to take up several key issues at tonight 's meeting. Including, moving 5th graders this move will impact nadine johnson, cottonwood creek, ray, and hutto elementary schools. Another item would give the district employees another chance to take up an early resignation incentive. 3 Eanes i-s-d is the latest texas school district to place ads on their school buses. Earlier today, district leaders talked about their plan to sell ad space on buses eanes i-s-d is facing a more than six million dollar budget hutto isd recently decided to place ads on their buses. 3 It's late winter, but feels let's check back in with chief meteorologist troy kimmel. ... Late winter sunshine .... high pressure continues to prevail this weather pattern is resulting in a northeasterly wind across our upper air charts show . or . of low pressure over the eastern half of the u. s. As a result, the upper air winds over the texas are a drier and stable weather pattern continues and is expected to stick around the next 24 to 36 by tomorrow, south southeasterly surface winds pick up again and low level moisture will increase into low clouds will increase across the area by another cold front is forecast to approach the area from the north by saturday but it still looks like it should weaken and hold north of our area initially. As moisture continues to increase across the area, the atmosphere will become more unstable by the end of the weekend into the early part of the new week as the cold front approaches and moves through our area late sunday night forecast my overall forecast confidence through the next 24 to 48 hours is by later saturday into sunday and into the new week, the models are still not as clear about the cold frontal passage and whether clouds and rain chances will linger in the post frontal environment or whether clouds as a result, by sunday into monday, my forecast confidence is still for austin and .. a clear sky is expected to continue. Lows tonight around 40 with highs tomorrow in the 70s. Northeasterly winds will turn east southeasterly overnight. Have a good thursday night and .. 3 Well you could say the electric car's day has ..in an official way because today is plug-in texas ..but also in an unofficial ..now that gas prices are brushing the 3-50 a gallon ..that car will cost you about 55 dollars to fill ..with several electric charges this car will take you ..for about 12 chris colburn is ..so 3 the electric car has its own ..3 it was celebrated out at ..are you seeing the attitudes of drivers in this state truly used to be a green ..now it really is about ..economics driving more of it now talk about ..better versions coming next year--- breakthrough year? Fairly affordable? 3 Woof-gang bakery is giving dog treats whole new meaning. Cannoli's and eclairs --- for we'll show you ..next. 3 3 from cannoli's to strawberry tarts and mini eclairs to cheddar bones--- fresh baked healthy dog treats are a specialty at the new woof-gang bakery. The store is set to open this saturday---- and owner tom morris brought in some samples of what you'll find at the new 1-there are about 20 woof gang bakeries natonwiide--- first one in what's different about 2-- according to the american pet products association, americans now spending nearly \$46 billion a some of that money has to go for peppermint bones (for bad woof gang bakery is set to open this saturday, march 12th at ten in the be there when the doors open because the first 25 dogs win free treats for a there are also plenty of other prizes your dog will bark about--- so head over to 1204 north lamar blvd. 3 Crque du soleils dralion ..the show is expected to be so amazing that even we couldn't mess it up 3 Welcome back to Austin Live. 3 Tonight east 3 finally meets west at teh internet speed. And now we're on a mission to visit all their hotspots. [ Wife ] 'CAUSE THEY'RE ALL OVER THE CITY. We're going hotspot hopping. ..nonstop. [ Female Announcer ] WITH AT&T YOU CAN GO Hotspot hopping, too. call today and get all the speed you need 95 a month for 12 months with a one-year price guarantee. Plus get access to the entireat&t national wi-fi network at no extra cost. We had fun, but there weresome close calls, too. I don't even thinkit's in here. it's not in this bag! ♪♪ ♪♪ [ Female Announcer ] HURRY.CALL TODAY. And get all the speed you need 95 a month for 12 months with a one-year price guarantee. Plus take your home internetwith you on the entire at&tnational wi-fi network. These are like,

little, you know, souvenirs from hotspots around the corner and across the country. This is the eiffel tower. We didn't go to france but we went to, uh, a french restaurant. The connection was really good there. [ cups clink ] Welcome back to Austin Live. 3 Tonight east finally meets west at the cedar park .. for the first night .. cirque du soleils latest eye popping .. some of the world's most talented people are putting it on and we can only hope some of that talent 3 3 cirque du soleil dralion at cedar park center 3 you can see 3 cirque du soleil--- dralion--- starting tonight at the cedar it's a combination of east meets west acrobatic the show runs through tickets range from \$32 to \$95. 3 I don't know if men would have as much fun doing this next thing as women might --- they're called wardrobe swaps. Our clothes can be pretty ... but women have how one woman's threads can end up being another woman's treasure austin live will be right back. 3 3 swapping is the new if you want to update your wardrobe--- without breaking the bank--- then instead of buying new--- consider swapping what's old. Two experts in second-hand style are in the austin live amy chase and melissa massello are here to teach us tips for swapping success and let you know about a giant swap coming up for all the swap newbies--- how does this work? And this is a day you want " how do you determine 3 if you want to stuff your bag--- head out to the texas style council conference clothing swap tomorrow, march it's from 7-10 in the evening at the texas style council headquarters at 201 admission is \$5 and you have to bring at least three items to swap. Those items can be clothes, shoes, accessories or jewelry. 3 3 3 the madness is about to begin and it's almost time to fill out your brackets. Play our bracket challenge on we are austin dot com for a chance to win some excellent prizes -- including a 500 dollar gift card from ticketcity and a forty inch just go to we are austin dot com and look for the bracket challenge icon. 3 Before we say goodbye we want to check in one last time with chief meteorologist troy kimmel. geico you 15% or more on car insurance? Host: do dogs chase cats? tires squealing tires squealing 15 minutes could save you 15% or more on car insurance. [Captioning made possible by disney-abc domestic television] [cheering and applause] Meredith: Hi! Thank you! Hey, guys, how are you doing? Hello, everybody, and welcome " today's first contestant is unemployed, could really use some money. Please welcome richard williams from new york city. [Cheering and applause] hey, richard! how are you, baby? Good to see you. You're looking very dapper, sir.

Well, thank you. Meredith: I like that. I like that little scarf there, right in there, that pocket handkerchief is very nice.

Yeah, yeah, just a little flair, yeah. Meredith: Little bit of flair, unemployed right now, so you could use some dough.

Oh, yes. Meredith: All right, well, let's see the money, then, in round one.

How about that? Meredith: Ok, computer. Please randomize the money. Ok, that's all hidden. Now, let's take a look at the categories for your questions. All right. Computer, please randomize the questions. And now that everything is all mixed up, richard, are you ready?

I'm ready, meredith. Meredith: All right, audience, are you ready? [Cheering and applause] " a tourist in italy receives what head-scratching topping when ordering pizza alla bismark? Egg? Apple? Walnuts? Clams? ..i think...this would be a good question to jump, meredith. Meredith: All right, no problem here. Your question is out of play. You don't have to answer it. Let's see the answer. Egg was the answer. Let's see what you just jumped over. \$3,000. Could be worse.

Aw. Meredith: Well, there's still a lot of big money up there.

Yes, ok.

Carried forward.

Yes. Greg guernsey, development and review, planning and development review department. Staff is working on an update to commercial design standards that will actually get the commission to come

back to council and that is one of the points, councilmember, that is to address the back side. The issues that have mainly come up are more parking garages in central austin. In this particular case i think most of those structures weren't one story structures, but that doesn't necessarily prevent someone from coming and joining one of our working groups to talk about those issues of compatibility with neighborhoods and I asked the gentleman to probably get with us and we can set him up and join one of those committees to talk about those issues of the neighbors and land uses and transportation issues and how they work with the neighborhoods.

Mayor Leffingwell: All right. Tracy wett, also signed up against, willing to answer questions. Stefan ray against, not wishing to speak. Those are all of the speakers that we have. .. council, we -- we have a motion sheet in front of us. And -- and there is a suggested action and alternative action. If we address the alternative action, of course, there are other alternatives that we might make up as we go along. But if we address the alternative action in motion number 1, we would need to go to motion number 2, that's the way I understand it. So I'll entertain a discussion or a motion. Councilmember morrison.

Morrison: First, i would like to just comment heron said in terms of making it clear that we are intending for this to be realistic. And from my point of view, the fact that setting one of the goals of overall plan that it be implementable does in fact, we won't achieve that goal unless it's realistic. So I'm thoroughly behind you and I think staff has some key studies and other things underway to help us on that road. But we'll definitely have to keep an eye on it all the way. But I would like to make the motion, the alternative action that's listed here, which says passed a resolution endorsing the imagine austin plan framework and forward the plane framework a the imagine austin preferred growth scenario to working groups for development of the imagine austin comprehensive plan except for strategic direction [indiscernible] 5 which will be the subject of motion number two.

Mayor Leffingwell: Motion by councilmember morrison, is there a second? Seconded by councilmember spelman. I would just add that -- that the comprehensive plan is intended to be a living document. It's subject to change. In fact, should be changed. By charter it's required to be changed as we go along every few years. So -- so it provides a starting place and a guide to work our way forward. I have a motion and a second on the table. Councilmember cole?

Cole: I just had a brief comment. I wanted to thank all of the speakers and the citizens task force for all of the work they have done thus far and to recognize that even though the planning commission and the task force didn't completely sign-off on all of the issues and we are making it clear that those issues are to be worked out in -- in the working group, the -- in particular the environmental issues, the density issues and the transportation issues because we heard testimony about all of those things, they're still on the table, there are still some massaging to do, but it important that we continue to move forward and I agree heron that it would be useless for us to have spent this much time, this much energy and resources on developing a plan and it was not implementable. With that, I will be supporting the motion.

Mayor Leffingwell: Further discussion? All in favor say aye.

Aye.

Opposed say no.

Mayor Leffingwell: Passes on a vote of 7-0. With the passage of the alternative action in motion 1, I will entertain motion number 2 to quantify that -- that strategic direction. Councilmember morrison?

Morrison: Thank you, mayor, this is something that was brought to us to our attention this past week. In terms of really being and the to augment this one specific strategic direction to ensure that we are really moving forward toward a city that has community gathering spaces and places that are friendly for -- for kids to play. So it's to -- to actually for -- for strategic direction, lut number 5, I'm going to make this motion that we change that because a city without kids and community gathering spaces is not the city

we want to be. So the motion is that let's create healthy and family friendly communities through development that includes a mix of land uses and housing types, affords realistic opportunities for transit, bicycle and pedestrian travel, and provides both community gathering spaces and safe outdoor play areas for children.

Mayor Leffingwell: Motion by councilmember morrison. Is there a second?

Second.

Mayor Leffingwell: Councilmember cole seconds. Further discussion? All in favor of the motion say aye.

Aye.

Mayor Leffingwell: Opposed say no. Motion passes on a vote of 7-0. With that, city clerk, i believe those are all of the items on our agenda. So without objection, we stand adjourned at 5:02 p.m.  
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Mayor Leffingwell: Okay. It's time for live music. And tonight's musician is megan tubb. And she is a soulful rocker with stunning vocals, dual lead guitars, three-part harmonies and a drum-based dynamic. Megan tubb and shady people. That's you, shady?

That's jason. He's one of the shady people today.

You're one of the shady people. That's the band. Have managed to win a battle of the bands competition, have opened for willie the group has also secured guitar sponsorships from both dean and luna guitars and won the best song in the blues category from the independent music awards for let me believe. Megan tubb and the shady people's latest release cast your shadow features songs written from unusual perspectives and incorporate as fresh feel to classic american sound. Please help me welcome megan tubb.

Thank you very much for having us. This song is called why. 🎵🎵 [ Applause ]

thank you so much for having us. We're very honored.

Mayor Leffingwell: I'll give you a chance for a little publicity here. Are you performing at south by southwest by any chance?

I am.

Mayor Leffingwell: Tell us where.

I have two showcases. The first one is texas rock fest, which is wednesday 00 at the blue moon on sixth street. And thursday march 17th at 30 in the morning, which I know is super late, but it's st. Paddy's day, so go have fun and come see us.

Mayor Leffingwell: Great. Look forward to seeing u do you have a website?

We do. Meagantubb.com.

Mayor Leffingwell: All right. That's logical. And where can people buy your music? On your website I assume?

Yes. They can buy it on our website, I just found out that our latest record is available for download on itunes and amazon as of yesterday. Feel free to buy there. We do have the physical cd's available at waterloo. You can always buy them from us at shoes and we will woot graph them personally for us, which will greatly increase your value and bring more money to the city of austin.

Mayor Leffingwell: No doubt. Good luck to you.

Thank you very much.

Mayor Leffingwell: In your honor we have a proclamation. It says. Be it known that whereas the city of austin is blessed with mean creative musicians whose talent extends to virtually every musical genre and whereas our music scene thrives because austin audiences support good music produced by legends, our local favorites and newcomers alike. And whereas we're pleased to showcase and support our local artists. Now therefore i, lee leffingwell, mayor of the city of austin, texas, the live music capitol of the world, do here by proclaim MARCH 10th, 2011 AS MAY Dan tubb day in austin, texas.

I don't know what to say. [ Applause ]

Mayor Leffingwell: All the water utility people come on down. We're here tonight to issue a proclamation in honor of fix a leak week. In case you were wondering about that, we're talking about water leaks, of course. Which we know we have from time to time in austin, and actually quite a few. And our water utility is endeavoring to improve or reduce the loss of water from water leaks all around the city from the biggest water mains down to the leaks in your own personal home. So that is part of our water conservation program that the council enacted back in -- enacted back in 2007. It's ongoing. We set a goal. This is a big number, but i want to call it out to you so you will know how serious it is. Our estimated loss at that time was 12 million gallons a day average. So if we can make a big dent in that, that will have a great effect on our water conservation efforts. I believe our goal that we established was to reduce that. We want to be owe on owe we want to set goals that we can achieve and once we achieve them we can set new goals, but our new goal back then was to reduce leakage one-third from 12 to eight mgd. I'm sure we're making good progress on that today. So in honor of that effort the proclamation reads be it known that whereas average household leaks can account for more than one trillion gallons of water wasted each year in united states homes and whereas 10 percent of homes have leaks that waste 90 gallons or more per day and whereas for between a few cents and a few dollars, worn washers, gaskets and faucets, worn wrappers and worn garden hose washers can be replaced to stop the potentially costly leaks and whereas the water utility representatives will be at home depot at 1200 barbara jordan boulevard on saturday, march 19th to help citizens learn about saving water and saving money by fixing leaks in their homes. Now therefore i, lee leffingwell, mayor of the city of austin, texas, do here by proclaim march 14th through the 20th, 2011 as fix a leak day in austin, texas. Congratulations. [ Applause ]

thank you, mayor f

Thank you, mayor F

Thank you, mayor. And just as the mayor described not only do we fix our leaks in the water utility in our pipes, but we're encouraging everyone to fix leaks in your home. No leak is too small to fix. Over a trillion gallons lost in leaks each year. Austin water is here to help you do that. Thank you, mayor. [ Applause ]

hello. I just wanted to take an opportunity to recognize two extraordinary individuals for their very hard work in getting the bridge over 35 that connects mlk to -- from east of 35 to west of 35 named after dr. jj seabrook. He was actually a former president of houston-tillotson and he felt very strongly that mlk should be named both on the east side of town and the west side of town. And there was strong opposition against that. And so recently two individuals in our community stepped forward and wanted

the bridge renamed after him. And I think it's fitting that we recognize the contribution and so I will read the certificate of appreciation. And the same language applies to you both. For his work in getting the bridge at martin luther king, junior boulevard and interstate 35 named in honor jj seabrook, reverend frank costenbader -- you can say it when you come up here -- is deserving of public acclaim and recognition. seabrook was a pif visit toll seeker in the renaming of the bridge on martin luther king boulevard. His speech before the city COUNCIL ON MAY 1st, 1975 Punctuated by him suffering a heart attack at the podium was a turning point in the debate about whether to rename the entire street or just the portion in east austin. seabrook viewed the renaming of the entire street as a way to unify austin. It is most appropriate that seabrook's actions be memorialized. This certificate is presented with our appreciation for both bob o'dell and frank costenbader for their leadership in the efforts on the 10th day of march in the year 2011. The city council of austin and mayor lee leffingwell.

Thank you.

Would you like to say a few word?

We were honored to be part of this. We were amazed that the story had not come forward earlier. And we're just very, very pleased for all the support that we received. And sheryl, particularly you. We're grateful for your help and you've been wonderful.

I'd just like to add to what frank said, that i think it says something very nice about austin. It's been 35 years, 36 years since a very controversial vote was taken. And here now 35, 36 years later a unanimous vote to name that bridge for jj seabrook. It gives me a lot of pleasure to know that his name, that name is going to be known in austin for years to come. He deserves a place in austin's history and in this way in addition to the other ways that have been put forward to honor him, but at least in this additional way we can honor him and ensure that that happens. [ Applause ]

Morrison: We have a proclamation for joe spear man who is councilmember cole's music commissioner, and he must be caught in traffic right now. We'll go ahead without him. I'll give it to councilmember cole. That will be fun. Okay. That sounds great. Because what we really wanted to do was to recognize joe, a co-founder and executive producer of style guy and co-founder and creative director john pattillo because style by is south by southwest's first ever fashion discovery and pop-up retail showcase featuring emerging designers from all over the country. So it's really an exciting, new facet of south by southwest. American apparel and kids keds are two special exhibitors joining the likes of austin based women's brand (indiscernible) and new york based eye wear company tortoise and blonde and the line proxy apparel. So it's going to be on friday and saturday, march 18th and 19th in the austin convention center. Style by is free and open to 00 to on friday and noon 00 on saturday along with photo booths, gift bag giveaways and runway shows featuring musicians on the runway. Style by is a south by southwest fan shopping dream. You will have to come with me -- with everything from eye wear and watches to swim wear and handbags available to scoop up right in downtown austin. So it's really an exciting thing that joe has put together. And he is also -- we're fortunate to have him serving on the music commission. I'm going to read the proclamation. It says be it known that whereas style by is south by southwest's first ever fashion discovery and pop-up retail showcase featuring emerging designers from all over the country, as well as showcasing local austin fashion talent and whereas style by is the conception of joe spear man, austin music commissioner and john pattillo through a partnership with south by southwest. And whereas style by is free and open to the public downtown and the austin convention center and features big names like american apparel and keds among loing with emerging designers along with sanctuary print shop, (indiscernible), ticker watch and jewelry. Now therefore i, lee leffingwell, mayor of the city of austin, texas, do here by proclaim march 18, 19, 2011 as style by days in austin. So sounds like a really great event. And we ought to invite everybody to come out.

Cole: I'm very proud of my commissioner. Thank you. [ Applause ]