

Closed Caption Log, Council Meeting, 10/20/11

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Mayor Leffingwell: Good morning. I'm austin mayor lee leffingwell. We'll begin with the invocation from pastor randall wyles from the south austin church of the nazarene. Please rise.

A city moved from obscurity to be one of the predominant cities in our nation. We thank you for the leadership we've had in times past. We've had mayors and councilmen that have sat and made tough decisions thinking about a bright future for our city and we today are recipients of it. Now, father, we believe that our mayor and our council people are here divinely appointed for today for austin. We come this morning to pray for them as they go through the agenda of today's business. I thank you, father, how that you've given them keen minds and a heart for this city and I pray, father, that as they go through the agenda today that you would give them clarity. May they have a clear vision of what it is that they are dealing with with each of the issues that are coming up. I pray, father, that as they hear more about the issue that it becomes even more clear what would be best for the city of austin. Give them fresh eyes for today. I pray for a spirit of unity. Though we're coming from different backgrounds and different sections of the city, I just pray, father, as they would make their decision that they would have a oneness, how they would sense a corporate feeling that this is the direction that would be best for the city of austin. I would pray, father, that you would give us a fair hearing that in every way, father that is correct we would lay aside any personal bias that we might have, that we would be here for the people of this great city and that we would listen to all the voices and be able to give a fair hearing. I pray, father, that at the end of the day that we would sense that it was a good day, that the decisions that were made today will give us a brighter future for tomorrow. I pray your blessing upon our mayor as he leads us, upon our city council as they would make the decisions, and we would ask, father, that you would send us rain. In your name we pray, amen.

Mayor Leffingwell: Amen on that, brother. [Laughter] please be seated. A quorum is present so I'll call this meeting of the austin city council to order ON OCTOBER 20th, 2011, 10:07 A.m. We're meeting in council chambers austin city hall, 301 west second street, austin, texas. And city clerk, please note that mayor pro tem cole will be absent for the entire day so we'll note her as being off the dais for all votes and i won't have to repeat it every time. We'll begin with our changes and corrections. To today's agenda. On item number 1, strike the words "regular meeting of october 6, 2011" and on item 14 add the phrase "recommended by the electric utility " item 24, strike the words "and " items 31, 41, 47 and 50, add recommended by the electric utility commission. Item number 38 is withdrawn. Item number 59, add as a second co-sponsor councilmember chris riley. And item 72 is withdrawn. Our time certain items for 30 morning briefings on urban parks and a briefing on the bi-annual downtown survey. At 12 noon we'll have general citizens communication. we'll take up zoning matters. we're have our public hearings. 30 live music and proclamation. The featured musician today is meggan carney. The consent agenda for this morning is items 1 through 69. And please note that councilman spelman will be recused on item 18 and 20. Correct, councilmember? I will read item number 52 which will remain on consent and additional items which are pulled off of the consent agenda in just a moment, but item number 52 will remain on consent and it will just be read out loud. To the downtown austin community court advisory committee, hugh simonek is councilmember morrison's nomination. To the sign review board dan graham, mayor leffingwell's appointment or nomination. To the urban renewal board darwin McKey is mayor leffingwell's nomination. To the zoning and platting commission jason meeker is

councilmember morrison's nomination. I've been given one more correction that needs to be read into the record. On items 61 and 64, insert as THE EVENT DATE OCTOBER 30th. Again, the consent agenda items 1 through 69 with the exception of the following items which will be pulled off the consent agenda. Item number 4 is related to item 84 and so will be heard after that item is taken up after 4:00 p.m. today. Item 23 pulled by councilmember riley. Item 24 is pulled off consent by councilmember martinez. Item 51 pulled by councilmember morrison. As well as item 65 and item 67 is pulled off by councilmember riley. The following items are pulled off the consent agenda due to speakers. They are 3, 7, 10, 15, 18, 25, 53, 54, 55, 56, 57, and 60. So that is the consent agenda. I'll entertain a motion for approval.

Move approval.

Mayor Leffingwell: Councilman spelman moves approval seconded by councilmember martinez. Councilmember morrison.

Morrison: Just a clarification. Did 51 get pulled off consent?

Mayor Leffingwell: Say again?

Morrison: Did 51 get pulled off consent?

Mayor Leffingwell: 51, yes, I announced that. But councilman spelman and martinez, would you accept as a friendly amendment to add pulled off the consent agenda also due to speakers item 14? Okay. So any further discussion? All in favor say aye.

Aye.

Mayor Leffingwell: Opposed say no. Passes on a vote of 6-0. So we will now go to those items pulled off the consent agenda. First is item number 3. Clay dafoe signed up for three minutes.

Good morning, ladies and gentlemen. I have a short video presentation so if you could cue that up on item 3, that would be great. Today I probably rise in opposition to this resolution to execute \$30 million of , department of homeland security and other u.s. Government federal agencies. I believe that this resolution will lead to the further bankrupting of our country and put austin in grave fiscal risk. Ever reliance subservient to the united states federal level dictates. There's hardly any real description in the item backup as to what exactly these \$30 million in federal funds are for. While the recommendation claims the money would fund terminal improvements, noise mitigation, air field improvements and security related projects, the lack of details divulged continues me I am unconvinced. It convinces me this city is willing to sacrifice the fiscal teat and physical personal dignity of austin and austinites to interest to our citizens which are unknown. I am sickened by the waresful spending, even though the council will be a solve themselves by side stepping the real issue by saying it's just federal money. I've been told members of council feared all federal grant money would not be given if the city of austin banned the body scanners or advanced imaging technology at abia. These funds will be used to grow the security apparatus at abia and further perpetuate the bunk war on terror mentality that is quickly turning america into a police state. I will not take it and refuse to live under a tyrannical government that will sacrifice my health to high dose radiation emitting body scanner machines for a few measley federal dollars. I'd like to play this video. Take it away, john. Thank you.

John bush here with texans for accountable government. Boy, I missed addressing council and I'm sure you've missed seeing my pretty face as well. I wanted to give a couple quick notes on item 3 which is a federal grant, \$30 million to the austin-bergstrom international airport airport or setting us up to receive \$30 million. I think this is a problem for a multitude of reasons. Chief among them the fact if we continue to rely on fell moneys, one day we'll find that the federal well will run dry and we'll be left holding the bill.

Of course, this happened with the department of justice cops grant. We hired 50 more police officers. I'm afraid they are not going salary in the federal economy continues to deteriorate. It seems local and state representatives in accepting the grants also accept springs attached. Representatives appreciate the grants because they don't have to raise their taxes locally, it allows them to stay in office, and all too often they are willing to look the other way and deflect on the will of the people. We say this taking place as mayor lee leffingwell said in the past he doesn't want to oppose --

Mayor Leffingwell: Okay. Time is up. I'll entertain a motion on item number 3. Councilmember martinez moves approval. Councilmember riley seconds. All in favor say aye.

Aye.

Mayor Leffingwell: Opposed say no. Passes on a vote of 6-0. Item number 7, clay dafoe.

Thank you, council, for allowing me to address you today. Number 7, this one is very intriguing to me. This deals with the waller creek flood tunnel project. Now, I've stood before you here several times as the leading environmentalist in austin on waller creek and shoal creek. I just gave a lecture at the university of texas last week about this project. How it's going to kill austin's environment. Waller creek is located as the expense detail described in a 100-year flood plain and is subject to severe flooding, erosion and litter. We now that waller creek is polluted. There's real environmental problems there. Starting with work that the CITY DID BACK IN THE 50s Pouring concrete and cement over trees and trying to basically tame this creek. It's important that we don't have creeks overflowing. That's an important step. But I believe this is not what this is. The tunnel will reduce the risk of severe flooding, they came, by capturing and diverting flood waters from the upper creek basin into a large tunnel located 70 feet underground. The tunnel will begin in waterloo park which is about to be destroyed thanks to the council where an inlet facility and pond will accept flood waters and screen out trash and debris. To me this sounds like turning waller creek into a sewer drain. I will continue to oppose these environmental damages. Who on the council is going to step up for the environment? You guys talk about green jobs, you talk about the environment. I don't see any of that here. This contract provides for the construction of inlets. You'll be considering 80 inlets later. These are sewage inlets. We need to maintain our creeks. We're not like dallas or houston or san antonio, we're unique. We have the environment, we have the that it. That's what drew me here. That's what is going to keep on drawing people here. It says the outlet lagoon is scheduled to start construction in january of 2012. The contract will include a tunnel, outfall structure and lagoon adjacent to lady bird lake. It says the structure will discharge flood waters into the lagoon and then into lady bird lake, our bee loved colorado river. I believe this is a pretty rosy description of what this really is. It's really.

Sewage tunnel. We need to stop doing this and start standing up for the environment in austin and is a no to this item. I instruct you as your constituent to vote no. Thank you.

Mayor?

Mayor Leffingwell: Councilman spelman.

Spelman: In a moment I'm going the move approval but i wonder if there is anybody here who can speak to the nature of the water in the tunnel. Joe, thanks for coming.

Thank you, deputy [inaudible]. This is not a sewage project. This is a storm water project. Currently when it rains and during a 100-year storm, we have a tremendous amount of very dirty storm water going right down waller creek directly into lady bird lake. What this project will do is protect downtown from very severe flooding. Actually there's over a million square feet of downtown property in the 100-year flood plain. Including 40 structures and trails and roadways. The water will enter the inlet which is the subject of today's authorization and be screened of trash and debris. So that is trash and debris that is right now going into lady bird lake and will be taken out of that water, collected and taken to a landfill.

So that's a water quality aspect to it. I've already talked about the public safety, property protection aspect of it. From an environment standpoint, the tunnel will always have Lady Bird Lake in it so during dry weather we have very small pumps pumping water back into Waller Creek which will provide for year round base flow which will help with water quality. Right now we have a master plan that defines lower Waller Creek as among the worst flooding erosion and water quality problems in the city and this project goes a long way to fixing that.

Spelman: Right now during periods of drought we have stagnant water before it vocational rehabilitation rates?

Absolutely. We have complaints about stagnant water, the odors and just very poor water quality. In addition to the condition of the stream banks that have been just really devastated by the floods that have ripped through there over the years.

Spelman: So instead of periods of flooding followed by long periods of drought when there's no water or stagnant water only, by maintaining a constant flow of water we're going to have cleaner water and stream bases.

Absolutely. And that year round stream flow will actually help with the diversity and the health of the aquatic habitat in the stream.

Spelman: Thank you, Joe. Appreciate it. Mayor, move approval.

Mayor Leffingwell: Councilman Spelman moves approval, councilmember Martinez seconds. Constitution? Councilmember Tovo.

Tovo: Since Mayor Pro Tem is out of the country on business, the public-private partnership the city has with the Waller Creek Conservancy will result in great changes to our downtown parks including Waterloo Park which Dave mentioned, so I believe it will be a project we can all be proud of and will serve our whole community.

Mayor Leffingwell: All in favor say aye. Opposed say no. Passes on a vote of 6-0. Item 10. Speaker is Bill Bunch. -- Bill Bunch.

Good morning. Bill Bunch with Save Our Springs Alliance asking for a no vote on this additional \$7 million of good money proposed to be thrown after bad for construction of the primary transmission for water treatment plant 4. I just want to hit a couple points that I hope you'll think about. In the very biased evaluation that your staff commissioned from CDM, if you actually read carefully appendix K, which unfortunately I didn't until quite late in the process, you see there that CDM and your staff have told you that you can build a 43 m.g.d. expansion to Ulrich for \$103 million. Compare that to spending an additional 320 to 350 million dollars to finish the 50 water treatment plant number 4. That's, of course, assuming no cost overruns. And since we're only 15% into the project or thereabouts, we probably haven't seen those cost overruns. So if we're looking at the fiscally prudent course of action here, it's to put this project on the shelf, step back, look closer at the Ulrich expansion option. Expanding Davis is probably even cheaper on a per unit of water treated basis. But, of course, you all know that we don't need any expanded treatment capacity for quite a long time. Whereas we have other very immediate needs that get more obvious every day this drought continues. And I'd just like to note I woke up this morning, there was water rushing down the street, a big water main break just down the block that was reported at 6:00. 00, three hours later to at least start looking at it. The Jollyville transmission main is now under construction with the first shaft, the monitoring system is virtually meaningless in terms of actually telling us what's happening to the -- to the ground water, to the springs, to the spring habitat for the Jollyville plateau salamander. There's just a long list of why it's time to just call a timeout. You don't necessarily have to say you're taking a different course, but you can say it's time for a timeout. [Buzzer]

sounding]

Mayor Leffingwell: Thank you. Next speaker is roy whaley. [Applause]

howdy, y'all, I'm roy whaley, vice chair of the austin sierra club. I would like to see this money instead of being spent on this project instead be set aside to pay for people to carry water from the lake in buckets up to the intake structure because as the lake keeps going down because of the drought, this is going to become obsolete before we can even use it, from the looks of things. Sierra club does oppose this. And for all the reasons that mr. bunch gave. I did attend the environmental board meeting last night. You will be getting a letter from the environmental board talking about the high concerns they have following bennett report on the dangers to the bcp caused by the jollyville transmission main. We are asking -- when I say we, the sierra club is asking that you take up this issue and ask the city manager to stop work immediately on this shaft. now. They are already using an untested technology on the permeable collar hoping that the water will actually go around in a straight line to the other side. Carst recharge does not work in a straight line. This has been used for trenching, they say. This is not a trench. But you might consider a trench. Put this on hold and ask that a study be done, the complete dye testing be done as bennett has asked for in his report. And also at the same time study the cost of rerouting around the bcp. If you have to go forward with this project, which we still oppose, then reroute it. At the very least, get rid of the [indiscernible] down shaft right on the middle or at the evenly of the bcp. Reconsider this is -- the bcp is without value. If we lose the springs, we lose the subterranean and the avian species in all likelihood. In which case we lose the excuse for the permit. I liked one thing that dr. bennett said last night. Is expedience more important than good science? Let's have good science. If y'all believe in your heart that this is a project that should go forward, let's do so with good science. Let's have the facts behind this. We do not need the water in 2014. We can proceed with everything else that they are doing out there, but let's put this portion of it on hold and make sure that we're doing it right. [Buzzer sounding] once the springs are destroyed, they are gone forever. Thank you.

Mayor Leffingwell: Thank you, roy. [Applause] those are all the speakers that we have. Councilmember martinez moves approval. I'll second. Discussion? Councilman spelman.

Spelman: I wonder if there is anybody -- there's greg. I have a couple of questions for you, if I could.

Good morning, greg masarus, austin water utility director.

Spelman: bunch made a couple of suggestions and we've talked about it before but I want to get it on the record. If it's only cost \$103 million to improve the ulrich plant, why -- why don't we just pay \$100 million to [indiscernible].

Well, the -- the option he was describing was a part of the cost to stop work, and that report we included interim steps, short-term steps that we would recommend to council in lieu of not building plant 4 that included expansion of ulrich as well as several hundred million dollars of necessary transmission infrastructure that would be required as an interim step. A lot of that infrastructure -- and the two would need to go together, they are not separate transactions. And all of that would really be targeted as interim infrastructure. It's not the long-term 50 to 100-year solution that plant 4 provides for the community. In addition, plant 4 provides significant other benefits that we've described in the past such as a new intake structure on a new lake with a different dam, deeper, cleaner lake, more resilient and redundancy in terms of our system. It doesn't represent a dead end in the future. Our ulrich plant is really very limited in terms of expansion options. We would really be going -- con torting to getting additional capacity that we had in the interim and really it would be at a dead end in terms of the future for that where plant 4 offers over the next century a lot of additional flexibility in terms of new treatment technologies and how we would address those. So really that was not designed as a replacement or substitute for plant 4. It was only a part of the cost to stop work, interim elements of that particular report.

Spelman: So is a short-term solution it would be conceivable to add 43 m.g.d. to ulrich. That would pretty max out ulrich?

That would essentially max out the project and even then that would be a very difficult project to do. And I don't have report in front of me. I don't know the \$43 million number, but again I want to make sure that it's not just that, it's all the other related infrastructure that would go into that.

Spelman: So ulrich is south of the river. We have limited transmission capacity to take water from -- potable water from south of the river, north of the river. Most of our growth in the last few years and most of our growth projected in the next few years is going to be north of the river. So we have to take the additional ulrich water and transport it over lady bird lake.

That's correct. We currently have -- today not in the future, inadequate pumping caps to it move water to the north. This summer we hit 100% capacity limits on several of transmission and pumping systems moving water to the north. That's not projected, that actually occurred this summer. Another example our davis water treatment plant ran sometimes this summer as above 95% capacity and that's all trying to push water to the north. We just lack adequate infrastructure today to move water to the north, where plant 4 solves that problem through the jollyville transmission system, it's more than a plant, it also includes that particular system which was designed to provide that additional transmission

Spelman: Don't have to push water to the north, it's already north. So the total cost of an expansion at ulrich with limited time -- which you and I may disagree how long 43 is going to help us, but at some point it's clear we're going to need more than that anyway. Total cost of that 43 m.g.d. Is not just 143 million-dollar expansion of ulrich but also the -- well, more than the expansion of our transition caps to it take the water from ulrich over lady bird lake and supply to it growing areas in the north.

That's correct. And as you mention, that water would be more expensive to pump at the lower elevation. That would also be a part of that, plus it's much less inefficient to get more efficient to get water out of ulrich to the north than it is to take it by gravity to our plant 4 system.

Spelman: Why can't we just expand davis? That's already north of the river.

Davis is more constrained. The location is very constrained by surrounding neighborhoods. It's our oldest plant. There's just not space to reasonably grow those plants in a way that wouldn't require significant distortions. I mean, if you are willing to rub enough money on anything, I suppose you could get it done, but it just is not the -- certainly not our recommendations as the wise use of those resources of expanding these plants that are so landlocked and already surrounded by neighborhoods.

Spelman: And if we have some money to spend on davis, I would prefer to actually take care of that water pump too. I know that's on your list. You may not be the best person in your staff to discuss this, but I know we've had several conversations over the last few days about commissioning of the jollyville main. And wonder if you are in a position to talk about that or you would like somebody else from your staff to talk about it.

The environmental commission? Chuck leads that part of the -- I would defer to him.

Spelman: Just over your shoulder. Thank you, greg.

Good morning, chuck, watershed protection department.

Spelman: We've had several discussions over the last few days on improvements to the environmental commissioning of the jollyville main. I wonder if you could talk about what it is -- we had a conversation with phil bennett from the jackson school yesterday morning for a couple of hours. And he presented

his report and made some recommendations as to what it is we should have done or should do going forward to reduce environmental risk to the jollyville transmission. Is that accurate?

Yes.

Spelman: bennett suggest anything that your commissioning team and the contractors and subcontractors had not heard before?

The only thing that we've heard that's new is the age dating -- two of his main recommendations were to test the functional permanentable rings around the four point shaft which we've been discussing for some weeks, and it looks like we're going to be able to do that. We've been trying to work the mechanics of how to do. That looks like we will be able to do that. He also suggested age dating the ground water that would confirm some conclusions that came out of the ground water assessment done last -- last winter. And we're looking at the feasibility of doing that age dating and whether that's possible, but we are going to be able to do the dye tracing of the permeable rains, something we've been discuss discussing for a couple of weeks.

Spelman: One of the things you talked about is testing the permanentable rings and cleanest way is do a dye tracing of that permanentable ring you've already built -- sit completed now?

The shaft is under construction and the rings are placed as the shaft is excavated and they've stalled installed the first of the rings and we expect three to five so there will be more to be installed.

Spelman: The first of the permanentably rings are placed. Is that accurate?

That's correct.

Spelman: And you are going to do that.

We're working on the mechanics of doing that and looks like we should be able to do that.

Spelman: How soon results?

I'm not sure of the timing of the results. We have to have a discussion with the contractor about whether to do those as the rings are placed or after the shaft is -- they've gotten to their final depth and to do all the rings at once. So it could be a few months before we could do that testing. And then one of our limitations is we're in a drought. Obviously when you do the dye tracing you put a lot 6 motor in with the dye to get it moving but you need rainfall to keep it moving. We should get limited results fairly quickly just because the water we ininject should encounter nearby wells, but we'll collect better data once we get rainfall.

Spelman: There's no reason you couldn't do several tracings, one in dry weather and one in wet weather?

That's possible.

Spelman: I look forward to see if there is a way to do some dye tracing early on before the shaft is completed, I would take it as a personal favor. Tell me about the other aging issue.

Actually I'd like david johns, who is our geologist could really speak to that a lot more expertly than I can.

Spelman: Here he comes.

Good morning, david johns with wa protection. What is it you want to hear about that? What is it you wanted to know, let's put it that way.

Mayor Leffingwell: You can argue it round or flat, right? [Laughter]

should I back up and try again?

Spelman: Get your twin brother out instead. The question as I understand it is that we've got -- it's more complicated, but let me simplify it. We've got the edwards aquifer on top which is full of swiss cheese basically. A lot of water runs through it. Below that we have the glenn rose which is more like concrete and water runs through that but it doesn't move fast at all.

Correct.

Spelman: And the question is whether or not the glenn rose water which is where the tunnel is going to go is going -- actually feeds the springs that go into bull creek. [Indiscernible] and as i understand it, the issue on the aging is if the age of the water in the glenn rose is substantially older, I'll defer you to how much substantially needs to be in one of the questions I have for you. If the water in glenn rose is older than the water in the edwards, then that's a good argument for believing that the glenn rostrum you mean is not appreciable feeding bull creek. Is that accurate?

That's correct. We could -- we have a number of wells we could draw water out of. It wouldn't be as simple as one or two tests. We would need to step back and see how well we want to verify our theory. We would want to look at wells in the edwards and glenn rose and verify our understanding of those with water samples ago as well. There's different techniques that can be used. Recent water there's a broad range of techniques you can use, some much more expensive than others. But you could use -- for example, tritium is commonly used for recent water, for the past 60 years, as a result of the atomic bomb testing. Water older you can look at carbon 14. The barton springs, edwards aquifer conservation district has been doing some of this testing in the barton springs section to help round out their understanding of water movement through there. Some of their tests of water in the glenn rose show some of those waters at least in that segment or below that segment to be on the order of 1,000 years to 40,000 years old. So we could do -- we could try and do similar testing with the bull creek watershed to see what sort of age dates we would come up with. But again, if we need to look at some of the springs, we probably need to have rainfall again for this. Obviously right now there's not much up there that's flowing.

Spelman: So you could -- you could not age the water in the glenn rose stratum until you got rain or --

we could do that. It would be -- for consistency of data collection, it would be good to collect a suite of samples initially. Evaluate those results and then go back in and do a second sweep. If we're just looking at the glenn rose, we could do that once we get contracts set up and things like that, but we would not be able to test maybe some of the other areas we would like to look at because for example there's no water in bull creek right now and none of those creeks are flowing. That would be empty information for us.

Spelman: But you could only interpret it once you had a similar aging from the spring water.

I would prefer that. It would give us a range of information to look at rather than just looking at a few data points. I'd like to kind of take a broader view of it if we can.

Spelman: So realistically this would have to wait until the water started coming from the sky.

Ideally.

Spelman: Yeah. Approximately how much would it cost to the nearest -- nearest few zeros?

The individual samples for this will probably cost \$1,000. Few did a suite of wells, a suite of springs and did them twice, you are probably looking at the range of 25, \$30,000.

Spelman: And the value of this would be we could verify that glenn rose or not, just confirm, that the glenn rose appreciably had contributed --

older water.

Spelman: It's older water and therefore based on what we find coming out of springs themselves, we may be able to show the glenn rose is not substantially contributing to the spring water that flows goo bull creek.

Correct.

Spelman: Is that what you would expect to see happen?

I would hope to see happen. I think we would expect that based on our conceptual model of what we have out there. That's the complexity of doing this. We don't know the results so that's why I'd like to do two levels so we get the initial samples back. There may be some erroneous data that we need to look at closer. And I guess that price tag i threw out there, that's if we do this on kind of a, you know, seat of our pants or, you know, staff going out and collect ing this. If we have to engage another group to do this, for example, the geological survey that has a tremendous amount of expertise in this, that price tag could easily double, i think.

Spelman: Mayor, I realize this is not part of what is before us today, but seems to me both the dye testing of the permeable collar around the shaft and the aging of the water in glenn rose would both be valuable peas of information to -- pieces of information to help us determine. I think in particular the dye tracing of the collar would put a lot of fears to rest. It works fine for trenching. We have good evidence that's good for trenching. It's not been tried to a vertical collar and I would like as quickly as possible to get some evidence that it does work as advertised and in fact our understanding of how water flows through that aquifer is pretty much the way we expect it to be.

I do want to point out that there certainly is value in doing this testing and we are already considering doing the permeable rain testing and i think the age dating will provide valuable information. I want to point out the watershed protection department and our consultants that are independent of this project, we're very confident in the evaluation that we've done of the design of this project that was done by black and veatch and the water utility staff. And we're very confident in the conclusion that we've made that this transmission main will meet the city's environmental goals that we've laid out.

Mayor Leffingwell: So i assume if you feel like -- if your recommendations are based on that would call for additional testing, you would bring that recommendation to us or you could just do it?

Yes, you know, I think this testing is valuable and i think it will be good verification of the conclusions we've come to. And certainly if the data says something else, we will bring it to the project team's attention and to your attention. But I injures didn't want to leave the impression that -- just didn't want to leave the impression that because we're doing the testing that we feel like the evaluation we've done to

date is flawed.

Mayor Leffingwell: I appreciate that and I know you've consistently treated this entire project the city has with due regard for both the underground water flow and any endangered species issues that might come up. So assuming that the jollyville salamander has been listed, which it has not, all of our operations and procedures have been based on that assumption.

Yes.

Mayor Leffingwell: Councilmember morrison.

Morrison: I have some more questions for staff. I appreciate that and i appreciate the effort to verify some of the assumptions because based on some long discussions it's been very interesting to listen to in some detail this -- the expertise and the foundation of your assumptions and why you have that confidence, and I did ask at one point -- because we're looking at a probability of risk and i asked at one point what is that number. And it's not a number you can really calculate because there are so many variables involved. And so I think that some of -- these two tests are going to help us narrow that down and instill that confidence and i appreciate that. I noticed, I did catch a little bit of the environmental board discussion last week -- I mean last night, although I have to confess I didn't absorb a lot of it because it was late at night and I appreciate you guys and everybody that was involved in that. But I did hear some folks on the board suggesting the possibility of other tests. And I think what I heard were that, you know, those tests didn't really fit into our budget or our schedule. Are there other tests that were suggested last night that would make sense for us to consider even if we had to -- especially considering that we really want to make sure that we narrow down our understanding of the risk as much as possible.

No, councilmember, I don't believe so. And in fact I spent some time talking to loren ross, one of our consultants about that specifically and some of the other evaluation that was recommended last night was to do dye tracing to better delineate the ground water divide near the four point shaft and near the water treatment plant and to better be able to tell exactly where the water is flowing to the spring. And I think it's our staff conclusion and I think our consultant's conclusion that that type of dye tracing while it would be interesting information would not provide value to the project and it wouldn't provide information that would lead us to do anything differently than we're already doing. And so -- so I think that the testing that we're looking at right now is appropriate for verification, but I don't think -- I think that was really what they were suggesting mostly and I don't think that would provide additional value.

Morrison: And then also we just -- they adopted and sent to us based on their adoption last night a letter to mayor and council about the jollyville transmission main, and I haven't really had a chance to review it indepth, but I do notice one section of it talks about their interest in continuing to monitor the issues and the development, and they -- they suggest that it's imperative to do that work that the committee have access to certain city staff and various resources. Sit your understanding that those resources are going to be available or is that going to take some kind of council action?

No, they have been available and we've met with the board and the subcommittee in the last year probably eight or nine times, with the subcommittee a number of times. We've provided every expert they've asked for and I was surprised they felt they weren't getting access and I'll have a discussion with chair and make sure they get access to whoever it is they need access to.

Morrison: One of the other parts of their letter lists the concerns specifically about the hydrology and all the things we're talking about now so I'll certainly be interested in reviewing with staff those concerns and see how we might move forward [inaudible].

Mayor Leffingwell: Councilmember tovo.

Tovo: I have a few questions. One thing I wanted to point out about that letter, I also caught a little of the environmental board meeting as night and I know they had a discussion and for a while there was a friendly amendment on the table to actually request that council not proceed with construction on the jollyville main until some of these questions got answered. For me that under scored how critical they think it is to look at this before we're too far along on that project. I wanted to be sure my colleagues were aware of that. I have a -- and also I know there is some difference of opinion about whether or not the particular staff members have been made available so i would just add my encouragement that that subcommittee of environmental board be allowed to have whatever expertise from the staff or the consultants that they feel is necessary and if that requires a council directive, I'm happy to sponsor one in the next few weeks. You know, the discussion last night at the environmental board, what I caught of it, was fairly complicated and detailed, but I think it's really critical for all of us to hear and I don't know the mechanism for doing this, but I would like to suggest we put a briefing, schedule a similar briefing in the next couple weeks so that all of us can be informed. It sounds like you -- several of my colleagues have maybe had benefit of that carolina of discussion, but I think we all need to hear it and so i would propose we add that to our agenda for whatever that week is of november.

Mayor Leffingwell: Would a memorandum suffice or --

Tovo: I think we need to have a question and answer, but I'm happy to hear from my colleagues who haven't weighed in on it.

Mayor Leffingwell: Well, certainly we can discuss and if it's your request put a briefing on probably the work session would be better.

Tovo: Yeah, work session would make sense. Then I have a couple of specific questions about the contract up before us today. It's my understanding from some question and answers I've had back and forth with the assistant city manager's office that the contract with black and veatch expires in 2016. Is that correct?

Rosy truelove, director of contract management. That is what the current contract states, the contract is set to expire in 2016.

Tovo: So today's contract is an amendment to the existing contract but it's authorizing new work? Work that was contemplated in the original contract but not currently underway or can you help me understand that.

Correct. That's correct. When we originally came for authorization of the this contract, we anticipated returning to council for these services.

Tovo: So how soon -- if this passes today, how soon would who work begin? And I guess my subsequent question would be what would be the impact of our postponing a decision today until after we've had a briefing in our work session.

The work would begin immediately and I'd want to talk to the project manager about the impact on timing.

Well, a project, this is a typical progression of a project. It starts with planning services, preliminary engineering and design and then construction phase, engineering, this is all professional phase services for the project. We've been operating off the old authorization and then using black and veatch not only to fleet the design but help us as we're starting construction. Given that construction is well underway, this contractor is mobilizing more and more resources as they are not only constructing the shaft sight

and eventually the tunneling, we would want the professional service side to make sure the project is being constructed as designed, gauge progress on the project, do inspection, review invoices on the construction and really would not recommend a delay of this given that the project is progressing into construction and that will be ramping up in the days and weeks ahead. If that -- these are part and parcel together, that delaying this and continuing with construction would certainly not be our recommendation.

Councilmember, part of the response we provided this morning also is just to underscore that, you know, the design of the transmission main includes several environmental protections and so it's important that as this is being constructed, that the experts that designed it are monitoring that so those environmental protections are actually in place. So I guess a short answer to your question is construction will continue and that oversight won't be there. And so it poses certainly a concern of some exposure to the entire project.

Tovo: So if based to dye testing and perhaps some of the other testing if we as a council decided to make some -- to suggest staff make some changes to the route of the transmission main, if the evidence warranted that that was not a good solution based on the results we're getting back, would this -- would the money we authorized today be money wasted?

It would not be money wasted. And in fact, black and veatch will be part of whatever work needs to be done. And I think chuck, our environmental officer, talked about we -- staff has been discussing the dye testing for several weeks now as one of the additional environmental protections that we could move forward with, and black and veatch will be part of that equation. So their expertise is going to be important as we move forward with any kind of test we do.

Tovo: Can I just be clear, I know we're not posted for action about ordering more tests, but what is the mechanism making sure the testing councilman spelman discussed actually begins?

Well, this is something that's within our purview that we are moving forward with. Several environmental features, and again this is an action that staff and our consultants have been contemplating and we're going to move forward and we'll report back to you once we have -- and in fact if you want us to give you a time line once the testing begins and give you the results we can do that.

Tovo: What would be a general time line? I didn't catch what the general time line would be where we would have results of this dye testing.

We will actually start the dye tracings in the permeable rings probably pretty soon. We'll work out the exact timing with the construction contractor and integrate it into their schedule. As far as --

Tovo: Would you mind clarifying, is pretty soon in a few weeks, a few months?

Oh, as far as starting the permeable ring testing, in a few weeks if not sooner. David, can you come speak to how soon we might start to get data back [inaudible].

From the ground water tracing or from --

[inaudible].

We -- the dye tracing really is a really valuable tool. We have to be careful what buys we put in the system because we have been doing work out there already. There's a limited number of dyes you can use. Ideally you put a dye in and let it flush out and move out all the way before you introduce that same dye again. We have three different dyes in the ground right now from various work that we've been doing in the past, so we would have to look and see what dyes are available, how good they would be.

So it may be that we can't do all of this testing that you are looking at or talking about all at once, that it will take some time to get some of those in the ground because just the availability of the dye or the availability of dyes that we can use without overlapping another trace that we're doing. I know we have at least one dye available we could use. If we did that and started that in three or four weeks, we could conceivably have results back, you know, four weeks after that, maybe. That's assuming that water is going to be moving in the drought. We have seen some evidence in some water movement at least in the shallow subsurface, but that's -- that's a bit of a wild card and, you know, if we don't see any evidence that the dye is moving, it may be we're not looking in the right spot or just hung up because we don't have any water to drive it, any rainfall to drive it. I would say optimistically you could look at results coming back four weeks after we begin, but that's -- that's optimistic with rainfall. Does that answer your question?

Tovo: It does. Thanks.

Mayor Leffingwell: Okay. Further comments? All in favor of the motion say aye. Opposed say no. Passes on a vote 6-0. Thank you. 00, council, I think we need to break off the consent agenda and go to our morning briefings. Hopefully get through those before noon. I know that's probably a faint hope, but -- first is our urban park stakeholder briefing.

Good morning. My name is Lynn Odgood, here representing the urban parks work group and I want to thank council for the opportunity to present this report today and also before I do, I also want to thank staff because they worked tremendously hard to get us the information and do the analysis behind this report and in particular Ricardo and Randy and Allison did tremendous GIS work. To start off, to bring us back why we're here, council passed a resolution on November 19th of 2009 to ask to form a work group to look at the question of what would it take to put parks within walking distance, which means a quarter mile, within the urban core or a half mile outside of the urban core. And so we convened as a group and looked at what the -- what it would take to meet that goal and what resources we have available at the moment. What we found in doing that report, some sort of big overview issues. One, in looking at the survey that was done in conjunction with the comprehensive plan, we found 87% of the people in Austin would very much like to live within walking distance of open space. Through our GIS analysis, we found that only 37% do. So there is a tremendous desire by citizens to have this available. The other large thing that we found in doing the report was more of a shift in thinking. As we were moving along and thinking about parks, we traditionally think about parks in terms of acreage and Austin does a tremendous job of having a large amount of park acreage per citizen and this is very important in terms of environmental issues we've been talking -- that have been in front of you today. Land conservation, environmental protection. But as we shift our thinking towards accessibility, that shift thinking about parks as large parcels that we drive through to thinking about them more in terms of distributed terms that we think about urban infrastructure and this is critical. We need infrastructure for health care infrastructure, for economic development, what it can do for the neighborhoods and environmental infrastructure as well, but most critically for health. For children in terms of our fight against obesity and in terms of their own cognitive development. To illustrate this issue, we take Los Angeles as an example. Here's a city which has a large amount of acreage as you can see by the green up top, but when you look at where the children are and the density of population it's not together. That illustrates just that point of where we need to get those two together, the population and the parks. Now, if we look at other cities, here we look at a map of New York City and Boston and their efforts, these are their parks that are then buffered at a quarter mile. You can see that the majority of the percentage of their population lives within walking distance of parks. If we look at Austin in relationship to this, here we see Austin -- now, the brown there are the parks and the green are the buffers. So you can see we have quite a bit of coverage, but there is a lot of territory that we do not cover. The gray are the dots of population density. Where you see a high density of, that's not covered by parks within walking distance. We looked to see what we could do to create parks or put parks within neighborhoods. One of the first things we do was we looked at what we call high opportunity sites which are sites that are city owned that we could build parks on them. That was one layer. The other layer -- and as requested of city manager, how could we use property. Here is city owned property and how could that become a resource. The diagram we have here is looking at just the idea of taking the school site and carving out a small bit that could be a small

pocket park for a given neighborhood. This is just conceptual and this is a very gray area and i think it's important to highlight the fact that this is very gray by city -- by texas law, people can access school property during the day. But on a pragmatic level, principals have to maintain safety on campuses and that is different on a campus by campus basis. We're dealing in a very ambiguous policy area that needs to be clarified. What we did was we went and did a series of gis -- if we could maximize given resource, what would that mean. We developed at developed parkland, undeveloped parkland, which is owned by prrd but not developed. Existing school parks. These are parks that pard own and they own a percentage, 25, 50, 75%. Then there would be new school sites and that would go back to that earlier diagram. Looking at school sites that pard does not own property with but could carve out a top lot. Then the higher opportunity sites. Here was the spread sheet. The spread sheet in front of you is a larger version of that condensed spread sheet what it would take to build these. I think what's important i would want to call council's attention to maintenance costs as well. Though we're talking about acquisition, the major effect of the report was how much was needed in terms of maintenance funding. This is a quick slide showing what the inner urban core is and the outer area. Now we'll go through a series of slides showing -- this is current parkland. This is what pard owns and that's developed with buffers at a quarter mile and half mile in the outer area. This is adding undeveloped parkland. Then adding existing school parks. And you can see the gray dot are getting covered. Now we go to adding new school sites and getting even more coverage. And finally adding a few of the high opportunity sites. This is a closeup version of what that would look like. So we do get a large amount of coverage. If we took advantage of all those opportunities, this is what would be left. So there still is a great deal of the city particularly in the north and southeastern areas that -- that need to be covered. That there are no opportunities. So the report itself looked at four things, access and acquisition, maintenance, design development and implementation. Acquisition we've just been talking about. The strategy would be to take advantage of these high opportunity sites and school sites and work with aid to see how we could achieve these goals. Maintenance. This is the critical thing that I want to bring attention to. There's some wonderful analysis on acquisition but one of the major points we found in the report is as a city, how much we need to improve in terms of our maintenance. Out of all -- national cities, austin is only 65th in terms of funding for park operations. And I think a illustrative, a national parks suggests one maintenance person for 15 acres. The national average is one person for 75-acre. In austin for ground maintenance we have one person for 175 acres. It is not possible to keep acquiring parks and have them be good vibrant community assets if we cannot get the maintenance funding behind it. And what happens now is maintenance costs are deferred, it turns into a capital cost which can be covered by a bond but that's not a sustainable model for park maintenance. In terms of design and development, what we would like to bring attention so the opportunity for relationships to develop with the many assets we have in town. With hospitals, with university research, with nonprofits. It's not just public-private relationships in terms of business and that does need to be emphasized, but looking at what we could bring to development of these parks in terms of the tremendous assets we have in the city which are many and wonderful. Our three top recommendation. For funding, we -- we recommend that pard does hire one maintenance staff per 75 acres just to bring us up to the national average. In terms of acquisition, we recommend that the -- that bond referendums be put forward at 25 million for the next few cycles. And then -- but the most important thing in terms of maintenance is that austin work with other texas cities to ask the legislature to grant home -- home rule municipalities the authority to create a parks district. Via ballot referendum so it would be by citizen referendum, citizen vote, but this be created to help fund the maintenance for parks. Because otherwise it's very difficult the keep going forward with acquisition if we can't -- it's difficult to take care of what we have now let alone add -- to meet this goal of a quarter mile. Implementation. What we've done is just an interview -- an overview. We've looked at percentages, we've looked at overall goals and overall objectives. But really to make this effective, pard does need a staff person to bring it forward to help oversee and facilitate relationships, to leverage more public-private relationships, and to pursue the strategic partners with health related entities. So thank you.

Martinez: Thank you. I real appreciate this presentation. Do you have a price tag for the recommendation for getting us to the national average of one maintenance person per 75 acres? Because when I look at it just roughly, you know, it's doubling our current maintenance staff and that

could be a pretty steep price tag.

[Inaudible].

Councilmember, ricardo solis with the parks department. To answer your question, i think we're looking at s and we would be looking at a little over 200 s in order to bring us to national average.

Martinez: Is it about 50 ?

With -- probably at the level that we're talking about, I would say say 35,000.

Martinez: Still pretty substantial. And miss osgood is this your recommendation to be part of that ten-year master plan or quickly as possible?

I would say as quickly as possible, but I think there are a number of things that have to be put in place for that to happen and specifically a funding source. There are other recommendations about how that could happen, but right now we are working -- pard is working at a lack of maintenance personnel. So the parks do suffer right now for lack of teeth. In thinking of adding additional parks if that was to happen and that is important particularly within the urban core, we need to think of acquisition now particularly in terms of density that's very important particularly in terms of small accessible pocket parks for walking. I would say as soon as possible in recognition of all that needs to be done. Trs. [One moment, please, for change in captioners]

thank you and the others in the group that really have taken this goal that we threw out there and put some real meat behind it. I have a couple of questions. In terms of the ten-year action plan do you think that is something that you and others who have been part of would continue involvement in?

I think that really needs to be located within pard. You know, this report is citizens coming together and forming a working group. The details that need to be addressed are many, and i think that is beyond the scope of a citizen working group. I think, you know, we have -- we definitely care about the issue and would be available for it, but i think in terms of the larger scope there's a lot on the plate that needs to be addressed. and I don't know if you're aware but 00 we have posted on our agenda an item to consider a new ordinance about open space, and we're talking about there -- I'm trying to get definitions consistent, but really we're talking about requirements for privately owned and developed open space, and then the question is, when is it publicly acceptable.

Right. so have you all taken into account any of the potential for publicly accessible, privately owned open space, not necessarily partnerships but it's something a little bit different and from that might play into having access to necessary areas?

I think -- I'm very glad that's beinged. I think that's a critical issue. Within the report, for example many areas up north, we didn't look at large apartments or condominiums that would have open space for that, because it's not public and we couldn't take that into consideration for people that lived around that but couldn't actually access it. So for this report that framework was taken just publicly accessible open space. But I think given the lack of accessible open space, that just shows it's absolutely necessary to think in terms of those relationships and to have them be very, very clear about what that means in terms of accessibility. If private private organizations can help with the maintenance, that's wonderful, but it's very important that they maintain that public interface and then we can consider that in terms of larger issues. well, I think one of the ways they're going to play between that ordinance and your work, as well as other things like parkland dedication fee and then we're talking about potentially some fees in lieu for privately owned open space, that's a requirement, and that is where should that funding be used and to be able to target that for the gap areas, and gap is absolutely critical.

Yeah, so it's all that complex equation of how that actually comes together, but I think that's very important, and I think part of the work that needs to be done in the next phase is really what is that exact prioritization in terms of specific areas and how that's going to be targeted. right, and definitely targeting it toward, you know, density, population density.

Yes, very much. hit as many people as possible.

Yes, uh-huh. and then i guess I have one more question that's probably -- well, not sure who it's for, either you or ricardo, and one of the comments that I've heard when we're talking about the number of maintenance staff that we have relative to our acres, and that is we have different kinds of parks and different kinds of parks have different maintenance -- levels of maintenance requirements, and so I'm wondering -- clearly we don't have enough maintenance staff, but I'm wondering, and I see sara coming up, maybe she wants to comment on this, if it would make sense, if we're really going to try to put together a target and a funding plan for adequate maintenance, if we should refine that at all, that number, based on the -- the target number, based on the kinds of parks that we have. Are you familiar with what I'm talking about?

Oh, very much so. that's got a different maintenance requirement than a heavily used inner-city park.

Yeah, I will defer to sara, but just to say, i think it's very important that that conversation be out there because there is different maintenance regimes for a small, dense, urban pocket park, say, or critically - - different types of playgrounds and play spaces. Right now maintenance staff is for grass and for trees, and that's very critical that that stay at a very simple diagrammatic level. As we get more into different types of areas that children can interact with, that takes a different maintenance regime, more staff, more training, so yes, that question is critical.

Hensley, parks and recreation. Lynn said it pretty well here. There's different types of parks, different sizes of parks. One of the problems we do experience in our park system, even though it might not be an active park, because of visibility of staff, dumping and graffiti on parkland. But this is a target and i think that's important to say too because we like to balance. There's the opportunity for us, I think, as we develop this ten-year plan and maybe really go in and start putting action points to it, to say, there's more opportunities to partner with private entities, nonprofit entities and other city entities for everything from the dedication of land that could be used for public space but also for the maintenance of that property. I think we have to look at the saying of no stone unturned when we start looking at how we better maintain our parks. First, we have to design them better. We have to build them to be more aesthetically pleasing but also more green and more sustainable. Then we have to train to work with our existing staff and any new staff we're able to hire, to better maintain those in a more environmentally friendly fashion. That also means we don't go in and heavily plant parks, and things like that. We look at the trees that we plant that are sustainable in a drought condition. It's sustainable kinds of things. The 200 number for staff is a basic number for grounds maintenance staff but we have to come back in and start plotting in what does that mean for acquisition of property and what do we put on that land, is it active, is it passive, what kinds of features are there and is it sustainable and then how do we partner with the world outside there with the nonprofits and partnering with the public as well as the private world to make sure that whatever we're doing, that we are able to provide those resources to the public in every area of our city. and I guess i have one more question, lynn. Have you had the opportunity to give this briefing to our parks board?

Yes. and do they have any specific comments?

There were no -- we actually delivered it to the parks board -- well, it was twice, early on and then later on. No, there was just general support and recognition that these are issues that need to be addressed. and I might have missed it, maybe you addressed it already, but did you in your working group address at all the facilities that we are putting in various kinds of parks? You know, one of the issues right now is what kinds of equipment to, you know, encourage and maximize interaction and healthy living for kids.

Is that part of this discussion?

There is -- it was part of our discussion, facilities, not in terms of the buildings, we didn't get down to that scale, but in terms of -- as conceptually as a design issue, we looked at a number of different ways that a lot of cities are developing their parkland, and there were three sort of main ones. There was the nature-based play, there is the kinetic play, which you see an example at mueller, that has wonderful active, very body-based play and equipment, and then mobile play, and that -- that's -- if you've seen the kids where you have sort of large building blocks and you play in sand and water and it's imaginative and playful, and we're going to bring one to republic square with the parks foundation. There is a range of things. I think it's important we don't throw the baby out with the bath water. Some traditional equipment is great. I personally miss see-saws a grl. But the larger issue with that is the larger design for the park itself, how we don't think of just plopping something down as, okay, here's the play things, but we think comprehensively about the site and it's for children and for families and particularly for places where we have children and others can be safely at the same time, very important. So I think it comes under the heading of larger -- taking a larger design of the parks and how they integrate with the neighborhoods and all of that. and I see ricardo behind you, could i just ask you, ricardo, do we -- I imagine that when we're looking at planning a park, specific park here, taking all of that into account, is there sort of an overall city view that we need to take to make sure that we're mixing things up in different areas and all in terms of the type of parks that we're providing?

Well, you know, one of the things that we did is we incorporated a lot of these recommendations in our long-range plan, and in the plan itself it does get real specific in different areas. When we met with a lot of different stakeholders, they had specific things that they wanted to see in their parks, whether it was more arts-related or performance-related or physical play, those types of things. So as we start targeting funding towards the different geographic areas we really want to focus in on those specific recommendations that wherd morse we heard.

Morrison: great. I appreciate this and I hope one of the things we'll be able to see in the near future in terms of the action plan is where -- what is our sort of prioritization scheme for adding parks to various areas of town, because it's definitely an issue of equity, and we're not there yet. We are lacking in equity and serving folks fairly across town. council member tovo. well, I want to thank this group so much for this really valuable report. It's -- you know, it grew out of the families and children task force. There were some recommendations about parks and then it's really a delight to see all the great recommendations that you have in here. And I wanted to point out that I enjoyed reading about your process and the way in which you did fieldwork and went and visited sites to identify -- to help narrow in on -- narrow down which public land might be appropriate for parkland. So it's clear that you had a very dedicated group serving on this committee and that you really put your -- you know, didn't just sit in a room and meet but also got out there and around the city and did a tremendous amount of work for a volunteer committee. So thank you very much. I did want to say one thing about -- just to follow up on the discussion you were just having about innovative playground equipment or innovative play environments. We had a discussion about this at our last -- i believe it was our last council meeting about -- remind me the name of the park. hensley was --

or gi.

Yes, it seems to me we need to offer the public an explanation why we might want to expand our parks. When you get public groups together to talk about what might go in a park they're most inclined to go to what they've seen before, which is traditional playground equipment, so I think we have opportunities there to educate parents and community about why we want something more invasive that doesn't look like the park next to them, we're trying to get more diverse offerings in our park, that there is a great physical, cognitive benefit to their chi having different types of opportunities available to them. I don't have questions as much as I just wanted to highlight a few things that came out for me out of this report. One, I would just suggest to my colleagues that we all look through the policy recommendations. I think your group has given us a very clear sense of what our next steps might be in terms of moving forward

with some policy recommendations. One that I think should be a priority, or there is a reference to the fact that your group was not able to consider within your scope the charge to consider public spaces used regularly by families with children in public spaces downtown, and that that might be a next step to look at creating play spaces or more innovative, interactive, child-friendly spaces in our downtown area. So that's something that we might want to consider moving forward with in the future. Another recommendation talked -- or another piece of information talked about some aisd sites that are not publicly accessible, and Lynn, I wonder if you would just touch on that issue a little bit about -- if your group was able to get some information about why those particular sites were not available after school hours.

It's always -- it's always particular to the school site. We had a really nice conversation with -- and I'm going to get the title wrong -- but the sheriff --

[inaudible]

the gentleman -- the chief? Okay. Chief of parks rangers, not the sheriff. And we sat down with him and talked to him specifically about why this exhaust, why campus, why not this campus, for each there was a specific agreement. One has an agreement with a local soccer league and so there are soccer games that are held. Another campus, there was so much public use of the fields playing soccer that the school system itself couldn't afford the upkeep. And so -- and it just kept going down the list. So for every campus it is a very particular context and issues that they face, and security for little ones, or bigger ones, is always an issue. And again, it's a very, very gray area in terms of policy, and one that at first we didn't go towards because we thought this is the list is too great, we can't address it but we looked at it and realized there is tremendous opportunity there, but the opportunities have to address policy issues first before they move forward.

tovo: do those decisions have to be made on a campus by campus -- campus level or higher --

I understand that the principal is in charge of safety and security so that they need to -- in discussions with the school board, of course. We've talked a little bit in a few settings about joint use opportunities and some of the policy-level work that would need to go on to make those more possible and more available, and I think this sort of highlights the need to do that, because I think of elementary school, like Peas elementary, which is downtown, where there isn't any public play environments, playscapes, so that might be an opportunity on that site, but as you said, the landscape is complex and there might be different challenges throughout.

Yes, very specific. But as you highlighted, your report has highlighted, it is an area of tremendous opportunity and potentially getting some more park sites that are not at a lower -- at a lower cost.

Yeah. One other -- you know, I appreciate very much both the recommendations and also your focusing on page 45 of the report -- you've also identified some areas where the parks department might have some revenue opportunities, and so I think that's very helpful to have that information to us about what other cities do and where we might realize some additional revenue, one that particularly jumped out at me was to adjust the fees for park use based on high demand times, like holidays. That seems like a very natural place to go. I didn't know if you had any feedback from the parks department -- that the parks department gave to you about the feasibility of some of these opportunities. Maybe that's a question better directed at park staff.

Actually, that's a very -- Sara Hensley, parks and recreation. That's a very good suggestion and we're actually looking at that. The first thing we're doing is partnering with Austin Parks Foundation and the Austin Alliance to look at opportunities in public square as taking one and doing a business management plan and that will be kicked off fairly quickly to look at that and look at the opportunities for different pricing levels, and this is something that's always -- I'm hearing a lot from both Charlie McHaven and Melissa Berry and agree with. We'll also be looking at our own parks across the city and first of all, the

use and the high-use areas and then look at and be back through the parks board and ultimately the council to talk about a different structure of fees, perhaps based on use or based on the time of the year. So absolutely, this is on our list of things to do and something that is a priority for us.

Tovo: great. Well, again, thanks. I think, you know, as we have more and more people move to austin and we have more and more development in denser areas of town, i think it's even more important that we focus attention on making sure that people throughout our city have access to parks. So I appreciate all the work that your committee did. council member riley. lynn, I want to join my colleagues in thank you you and the whole group for the work on this very important subject. That calls attention to a long-standing problem and is critical to our whole city. I want to follow up on a couple questions that council member morrison raised. First as relates to the recommendation about maintenance, and we know that's been a big issue and so it's very helpful to try to wrap our hands around that and figure out exactly what the goal is that we need to aim for. The recommendation of 200 new maintenance employees at 35,000 by my math, that comes out to somewhere around \$7 million a year in additional -- just in salary for those new maintenance workers, and so I want to ask a little bit more about that number. As I understand it, the recommendation of 200 employees is based on the fact that we're currently at about one employee for every 175 acres of parkland and we really want to get closer to one employee per 75 acres.

75.

Right. Now, we talked a little bit a few minutes ago about the fact that not all parks are the same, that there are varying degrees of maintenance requirements from one park to another. And so when we -- is there -- did the group consider alternative ways of arriving at the optimal number for that recommendation that would actually take into account the different levels of maintenance requirements from one park to another?

We didn't look at specifically sort of saying, like, if we got this -- because it would depend a lot if we got this park in place or this park. I think we can say that more urban parks are going to require more and different types of maintenance. So I think that goal of just getting to the national average is a solid one, with the understanding that it will be not just 200 more employees, that it will be employees that need to be trained for specific and different circumstances as well. and so we think that it will probably even out if we aim for one per 75 acres, that, you know, some parks will require more and some will require less, but it will probably all wash out?

Yeah, I think -- we're so far behind that number that just aiming for that is huge.

Riley: okay. One other question about -- about the placement of playscapes. I understand -- well, one question has been raised about some recommendations, specifically for the building where we are today, city hall plaza. As you know, a question has come up about a recommendation in the plan to the effect that the addition of family friendly play features at the city hall plaza should have a top priority and set a model for other city facilities. And so someone who is involved in that -- in the creation of the current city hall landscape has raised a question about that, pointing out that the landscape we have here is a nationally award-winning landscape, and so it's not someplace where you just want to plunge down a jungle gym. That was designed for -- it was intended for our types of parks. So help me understand how -- how we would go through the actual placement of a playscape someplace like this.

Well, and I think that is -- sort of pulling it apart is as we look to creating a family-friendly city and as we go and sort of look at the research that says that children in their cognitive development need places to be out -- they literally need to be outside for their brains to develop in a healthy way, there is just something about that relationship we have with the outdoors that's critical, but it's also very critical not to sort of divide family-friendly from playscape, because I think that's where we're coming from is in an older model of the jungle gym and the swings and they come as a unit, and everything works around that in terms of code and liability and inspection, to just put this thing. But it's going to be particularly in

the downtown, where we're going to have award-winning landscapes and buildings, that when we think of family-friendly amenities, we don't think of -- in art you would call it plop art. We don't think of plop playscapes, and we take that playscape away and think creatively, what is it we can do to make places as open to large family experiences as possible. Here it may mean maybe just a few more boulders to climb on. Something that would be very, very specific to this place itself, and in recognition of the pride and the biewd I that it brings -- beauty that it brings to the city, I think you're right in bringing up that issue. Just putting something down is never a solution. the placement of any infrastructure should be sensitive to its context.

Very much. I thank you and the whole group for all your work on this and I look forward to continuing efforts towards preaching the goals better addressed through the report. thank you very much. I believe we can get in our briefing on the downtown survey. Another 20 minutes remaining. It's a biannual survey. For any aggies out there that means once every two years.

The biannual. Good morning, mayor, city council and city manager and city staff. I'm molly alexander with the downtown austin alliance. As you know in our contract with managing the public improvement district we are required to report what's happening downtown via our stakeholders. For the last 16 years of our -- well, last 18 years for our existence we've hired the same firm, marie crane and associates, and I'm going to turn this over to marie to go through the results with you this morning. Thank you for your time.

Good morning, I'm marie crane and I'm very happy to be with you this morning, mayor, city council members, city manager and city staff. I'm going to try to cover a great deal of information rather quickly in light of your schedule, but I want to take just a moment to offer some context. In 2011 we're in a tim of -- certainly of economic uncertainty that is unprecedented in our lifetimes, a time of greater anxiety, probably more pockets of anger and resentment and cynicism about the state of public affairs, and though we have seen trust in government at all levels eroding since the 1970s, it's at a lower period now than ever. That is the context in which we conducted research to understand stakeholders' opinions about downtown austin, and it is extraordinary that you will hear about such remarkably positive set of findings within that context. The purpose of this research is fourfold. It's to monitor key stakeholders' perceptions of the downtown area, to monitor awareness of the downtown austin alliance and its program and to assess its effectiveness, gives us a chance, because this has been a biannual study, to identify important trends over time, or the lack thereof, and to inform the downtown austin alliance of priorities going forward. A quick review of the methodology this year. Excuse me. There are four stakeholder groups included in that survey. There were three originally and four in the last years. They are property owners and business owners, downtown employees and nearby residents. 550 Interviews were conducted and the interviews took place by telephone in the summer of 2011. This map shows the geographic area that is included and corresponds to the definition of near by residents in this study. The first table of findings here shows the results for 2011 and reveals the ratings that these four stakeholders give to downtown with respect to ten dimensions. They're using a ten-point scale and as you can see the ratings range from an average of 7-something to almost 9.0, 8.7, 8.8. The question asked is how would you evaluate the downtown area in terms of each of these dimensions, and as you can see, by and large all four groups rate the downtown area in very similar ways. The differences between groups are quite small. These ratings correspond also quite closely to the findings in 2009. None of them declined in any noticeable way and some are small improvements. Safety during the day, just quickly, gets incredibly positive ratings, ranging 8, as does the availability of interesting places to go and things to do, cleanliness, ease of getting around and so forth. The least favorable items go to desirable place to work and live, because we know not everybody wants to work or live downtown. We asked this year for the first time these stakeholder groups whether they thought in general downtown was going in the right direction or the wrong direction. At this time about 40% of the country, of residents of the country, think the country going in the wrong direction, but between 75 and almost 95% of these stakeholder groups believe that downtown is going in the right direction. We asked people -- we not only are tracking opinions over time, but we asked people about their own perceptions of changes over the last three-year period, and in the next slide you can see that most respondents in each of the four stakeholder groups think that downtown now better is better than it was three years ago, with respect to

safety, a good place to live, place to shop, visual appeal and desirability as a place to work. There are two dimensions that are distinct -- where we have a distinctly different set of findings. By and large people do not see, with very few exceptions, downtown as an easier place to get around and they are certainly less favorable than ever with respect to the acceptability of the commute to downtown. Fewer than 20% or so think that that's showing improvement. The remainder think it's the same or getting worse. And we asked in the past few years some questions about the character or some might say brand attributes of the downtown area, and the findings here again are quite positive. On a ten point scale the average rating among all four groups to the question, how well -- how well you think this phrase describes downtown Austin, and the one at the top of the list, "as if" there is overwhelming consensus that downtown Austin is the heart of the city. Vast numbers of them also give very high ratings to the notion that downtown is itself a community. They describe it as inviting, friendly, historically interesting, exciting and so forth. The two characteristics that don't seem to describe downtown so well are the two negative ones that were included in the study, and those are mainly a place for young people, which the stakeholders think doesn't particularly describe downtown, or an exclusive place. So as some of you know, this study was designed quite a long time ago. It has changed a little but only a little over the years, and we have relied heavily on a mix of measures so that we can triangulate the findings to get a richer understanding of stakeholders' perceptions, and every year we ask some open-ended questions. In particular I want to talk now about the responses to the question, what do you consider to be the most important strengths of the downtown area? First of all, it's important to note that there are many. These aren't all of them. These are all that get mentioned rather commonly. That's an extraordinarily good thing that positive characters of any destination are not few in number but many in number. The ones with asterisks next to them in that list are the ones that were mentioned that are sort of new findings in 2011. Improved safety was a finding that we saw this year for the first time. Reference to the historic nature as a strength of downtown is a new finding. Improved transportation efforts, and also improved cleanliness. I have -- I would say that these findings tell a story that will be more evident to you when you can glance at some examples of the verbatim responses that respondents provided. I'm going to reference a few. The most commonly mentioned strength of downtown Austin is its vibrancy and that it offers things for the people. They mentioned lots of great cultural entertainment, great activities on the weekends, free things, great museums and art districts. I look forward to Christmastime downtown every year. You know, that is a happening place. It's the most positive quality of downtown. This year another extremely favorable quality of downtown that was mentioned with remarkable frequency is a sense of improved safety. I always feel safe, says one. Downtown is much more secure and safer than it used to be, says another. I think the crime rate has dwindled. I definitely feel safer downtown now. I like the stepped up patrols by the police and the rangers, and on. So there is a sense -- and again, these are -- we're not reporting crime statistics here. It's a different kind of assessment. It's the assessment of people's perceptions of the place. Safety has certainly risen -- risen in their attention of downtown. The natural environment is mentioned. They recognize or acknowledge or notice or believe they notice that there are more tree plantings. They appreciate parks and walking trails, Lady Bird Lake, of course, I like the parks and bike trails, the capital grounds is lovely. The parks are clean, filled with people. The historic character of downtown is another strength mentioned. Our history is our greatest strength. I love that there's so much history. The old buildings. I like how they've restored many of the old buildings. Again, they're noticing changes or improvements in these things that they care about. Dining and restaurants are a strength of downtown. There's not so many interesting subtleties to these. I like the restaurants, the bar seats. There is pretty much a diversity of opinion expressed on that topic but it does come up with some frequency. Improved transportation, the findings on this may appear to you to be contradictory, but I think they are really not. When asked what you consider to be a strength of downtown, people identify attempts to improve transportation. They are aware of planning efforts. The transportation options that they have in the works are strengths. The streets have improved greatly. I like how downtown has walking and biking routes. I like that you don't have to drive your car once you get to work. But you'll see in a few moments that there are also some criticisms, and you have already seen, there are also concerns and criticisms about downtown transportation. Since the beginning of the survey, Austinites and all stakeholder groups like the unique atmosphere or the vibe of the downtown area. They like the diversity. I just noticed there are three quotes almost in a row "I like how it still seems like a smaller town, even though the population has exploded. It's still got that laid-back feel. There's still a relaxed atmosphere. So they're on one hand noting the sort of informality and friendly

quality and noting the change implicit in the way they make their remarks. People are very friendly. The people here are awesome. You've got to love the people. So the feel of the place is one of downtown's strengths. We have not previously seen a finding that shows up in the open-ended questions this year for the first time, and that is an appreciation of greater cleanliness downtown. It not only gets good marks in terms of sort of the quantitative measures, but people say downtown is cleaner. I like how they've cleaned it up quite a bit. The cleanliness of the city has proved it's cleaner than they used to be, notice the word our, they've cleaned up our city. It's got pride in ownership. A couple other strengths and we'll move on. They like the mix. They like that there is more shopping downtown now, that you can live, work and play downtown, good mix of residences and businesses, it's more interesting to work downtown now. I don't presume the nature of the work that that respondent does has changed. It's being downtown that is more interesting. Great shopping area. I really enjoy the shopping downtown. I can assure you four or six years ago we did not see findings like that. And walkability. In my mind this is one -- it's really an indicator of vitality, because now they want to walk around downtown. I don't mind walking around downtown anymore. What they're saying is it's more appealing, it's more exciting, there's more going on, I like the mix. Okay. There are, despite these extraordinarily good set of findings, there are still some issues that downtown stakeholders are concerned about. This section reports findings that surfaced in response to three questions. What do you consider the most important weaknesses or shortcomings of the downtown area, do you have any other suggestions or recommendations, anything else you want to call to the attention of the daa? They are clustered. Since the beginning criticism of parking persists, parking is the weakest link. It's too expensive. You can't find it anywhere. The traffic flow has been also an area of criticism, but people note that it seems to be getting worse. Traffic problems are a mess every day. I wish they could do something about the traffic coming into downtown. Getting into and around downtown is difficult. The traffic is worse every year. The criticisms about traffic and transportation, the nature of those criticisms, have changed. We see in 2011 more than ever concerns about transportation planning and about implementation of transportation planning and the speed of action taken with respect to transportation planning. Mass transit system needs to be overhauled, needs vast improvement. The mass transit authority isn't moving fast enough. And even comments that reflect a concern about usage. They should try to get people to use the public transportation. There are criticisms about too much construction, and especially that construction impedes traffic and causes noise or other types of pollution. These are not as pervasive criticisms, however. And then there is -- as much as there is appreciation of the character and distinct nature of downtown austin, there is some concern about threats to those qualities. There is growth as an alarming rate. One says we're running out of room downtown. They shouldn't be trying to get more businesses to move downtown, but again, these concerns are really concerns about character and history and also green space. Stop trying to turn this into another dallas or houston. Nobody wants that. So they identify tree plantings and parks as areas of improvement, they also identify parks and green spaces as an area for improvement. More tree plantings, invest more in the parks, more money spent on parks and rec. Parks should receive more money from the city, in case you were looking for some advice. I wish they would improve the parks, so forth. They want more lighting. They're concerns about wildlife preservation and so forth. This is not unusual. We have seen this finding in years past. I'm going to move quickly through the next slide. There's a great deal of information on it. We can go back to it if there is time. I would simply call your attention in this slide to the fact that though there are concerns about the availability and the cost of parking downtown, among property owners, business owners and downtown employees, 75% of them pay under \$50 a month for parking so what's new in 2011? Downtown is considered both safer and cleaner, and i want to stop and pause and say this is -- the city had not been getting really -- the downtown area had not been getting bad marks in these areas, but still improvement is noted. And I understand there has been considerable focus given to this by the city manager and it has not gone unnoticed by the people who own property and businesses and work downtown, and including those who live proximate to the downtown area. They are enthusiastic about improvements in parks and tree plantings. They appreciate enhanced shopping, and like the current mix, there is an interest in historic preservation and to some extent, not quite as much about environmental concern. Frustrations with transportation are long-standing. The nature of them has changed, and the level and magnitude of frustration in the comments is more extreme than ever. Quickly, overall evaluation of the daa, we're at a point right now where at least two of the three branches of our federal government have approval ratings of 20% or lower. The overall evaluation of the

downtown austin alliance is very high. 80 -- Roughly, plus or minus 3, plus or minus 6. 63% Of these stakeholder groups say that downtown austin alliance is doing an excellent or very good job, and 83 to 87% say they are -- they have confidence in the downtown austin alliance. The last slide is one that i will only go back to if there are questions because there's a massive amount of information in here. When asked how much importance the downtown austin alliance should give various activities, stakeholders think they should all be important. I will simply observe that property owners and managers place highest -- give highest ratings to sidewalk improvement, tree planting and housing. For business owners and managers it's sidewalk improvement and tree planting. These are great streets matters. And also wayfinding measures, and advocating for the revitalization of public parks downtown. Employees think the highest priorities should be sidewalk improvement and tree planting, facilitating development of downtown housing, advocating for the development in arts and culture. I can't tell you how important that is to people who use the downtown, and working to attract and retain downtown businesses. In summary, the opinions about downtown austin are really quite positive. It is safe, clean, visually appealing, has lots of attractive amenities. It's going in the right direction. It's considered inviting, exciting, the heart of the community, and stakeholders place great value on the wide array and array of diversity in cultural offerings. They really like the atmosphere of the place, and applaud improvements in parks, green spaces, cleanliness, safety and the mix. The most notable exception to these strikingly positive findings has to do with transportation. They do notice increased attention to transportation planning, but they are frustrated by what they consider to be slow progress. Other concerns are parks and green spaces and maintaining the distinctive history and character of the downtown area, including its historic sites and its environmental qualities. The daa is viewed very favorably. Confidence is high. They give it good marks, and the fact that they have such positive sentiments about downtown is testament to the downtown austin alliance but certainly not the daa alone. There are many, many stakeholders who contribute to the quality of austin's downtown area. Quickly, implications are that the bar has been set high. They notice improvements. They're not ready for anything to lapse. So I would say, you know, continued improvement will be the nature of expectation. All of the important positive things that are happening in the downtown area and even the one area where there are strong criticisms are ones that can only be addressed in productive ways in collaborations. So welds that it's extreme -- we would say it's extremely important that affective collaborations proceed and maintain to improve these key areas of downtown. And lastly, there is no area for improvement that matters more to any of these stakeholder groups than transportation. I'll be happy to answer any questions you might have. Council I, I assume there are going to be questions, and we're past our time for general citizens communication, so i kind of feel like we ought to -- unfortunately I have to ask you to take a break here and we'll go ahead with our citizens communications and then our executive session and be back for q and a later this afternoon. Thank you.

Thank you.

Mayor Jeffingwell: okay. Carolannerose kennedy. Topic is wasting h 2 o and saving fires in texas.

Welcome back, council. I was a little nervous about being number one, but I have a song, and I would appreciate it if all -- it's a christmas song. I'd appreciate it if all of you would hum with me. [♪♪ Singing ♪♪] ♪♪ I'm dreaming of a black christmas ♪♪ just like the ones we've never known ♪♪ where the black girls glisten ♪♪ and the white boys listen ♪♪ while building a big man out of snow ♪♪ what's ma'am, would you let the speaker continue?

Thank you, mayor. Where was i? [♪♪ Singing ♪♪] ♪♪ while building a big man out of snow, ho ho ho ho ho ♪♪ may your christmas be merry and bright ♪♪ and may all your snowflakes remain white. A lucky dolly ♪♪ I'm looking for a blue christmas ♪♪ just like the one you never heard ♪♪ 'cause you spend your money on the rich and the funny ♪♪ and you went to the midnight mass to spread the word, ho ho ho ho ho ♪♪ may our christmas be over tonight ♪♪ and may all your snowflakes remain white, a lucky dolly ♪♪ I'm scheming of a brown christmas ♪♪ just like the ones we've never seen ♪♪ when we work to gather, and we play with whomever ♪♪ we keep our homeland so serene fa la

ti dolly ♪♪ ♪♪ may your christmas be merry and bright ♪♪ ♪♪ and may all your -- that is your time.

-- ♪♪ ♪♪ know snowflakes remain white. ♪♪♪♪

rae nadler-olenick, water fluoridation. [Applause]

good evening. -- Good afternoon, council. I recently -- recently mary leffingwell recommended that fluoride austin take up our cause through the initiative gathering process that law provides. There are two many reasons we prefer not to go that route. First, we don't consider the subject matter appropriate to a public referendum. Would we take a vote on whether we wanted a little more or a little less arsenic in our drinking water? Of course not, everyone knows arsenic is a poison, period, and we would assume our public officials are looking out for us. In the case of fluoride its toxicity is less widely known and our health officials are not looking out for us but it's still a poison. Secondly, assuming we did want a referendum, I'm confident if we held one today on a level playing field fluoride would be voted out. The people of austin don't want it. That was plain at tuesday's public health & human services committee when chairman martinez called for pro-fluoridation speakers drew only city staff. Unfortunately the playing field isn't level. Once we got the requisite signatures we had run up against the double deep pockets of the cdc and cda, tweedle dumb and tweeldz deof fluoride pro moition and apparently the only voices this council is willing to listen to. They have endless money for advertising, for instance, the quarter of a middle spent to make and air this recent tv ad paid for out of 5 million cdc antibaccho grant. There's no doubt the cdc, which as zealous in censoring to go toxic fluoride as it is in nicotine is a propaganda politics we couldn't match, but the cost of getting 40,000 signatures is projected at \$24,000, a pittance to most of you, I'm sure, but prohibitive for some. So here's my modest proposal. How about helping us pay for it. I'm not talking about fluoride free austin alone here and I'm not scpg the asking the council to subsidize frivolous attempts. But what if it turns out the vote wants a chance to vote on this. Surely a petty cash fund can be identified to recompensethose who have an initiative drive out of their own pockets. I think that's a pretty good idea, and it's the sporting thing to do. Thank you. next speaker is jeff williams. [Applause] jeff williams. Topic is smart grid technology.

Good afternoon, city council, mayor. I'm sure you'd be outraged if anyone's power were turned off without their knowledge or consent. Especially if you don't have a delinquent bill. That being said, for those who don't know, in 2009 congress passed the american clean energy and security act, which really should be called the controlled energy and what's best for the grid act because it directly dictates to power companies how much electricity a customer is allowed to yoosm the proposed end game for austin energy's smart program is total control of our electricity. Here's just a few facts based off of austin energy's own presentations. As many of you know, smart grid on the face value looks good. Save energy, less power and more efficiency, right? But here's the dirty side to smart grid. That means anything on the house drawing power including the house itself is monitored by the smart grid and the energy company self. It operates on a digital keeping computer and stores this data in a hub. This powerhouse of information can show in realtime what the temperatures of your house is, the cycle that your laundry is on or even if your nissan leaf is charging correctly. Sounds like science phone calls but it's technology we have and already being implemented. Old rotary meters are replaced by smart meters and turning on and off power and monitoring accordingly. The hub also can talk to the smart meter, which can also then regulate the appliances which are best suited for the power grid's needs. Here are a few things you can expect from the technology. You'll be able to fight with the smart grid over the air conditioner thermostat rather than your spouse, expect to see your chevy volt dead in the driveway, considering you're late for work. Worse yet the tv could be turned off. Now we're in trouble for monday night football because we used up too much energy. Are the energy police going to be hauling us off to jail because we can't keep our houses cool in the summertime? Maybe we'll get a friendly reminder from apd that it's illegal to put night-lights on for kids afraid of the dark. Should this bother anybody? Can we just build an 880-megawatt natural gas power plant by 2020 instead? It worked for d.c. We can do it here. The main issue that austin workers don't sign an agreement or contract informing them about the issues involved with smart grid technology or even the power itself in general, just a fee and there you go, you have power. I guess austin energy will keep us in the dark on this one. My correction, smart grid will, but that's just the way it is. I yield back. thank you. [Applause] norman

jacobson. Norman jacobson. Norman is not here. Alan roddy? Alan roddy? Topic is the dark side of the moon.

Good afternoon, I'm alan roddy with the edge water neighborhood association. I'm here to talk about the need to protect lake austin and the five-year mess at 3337 far view. A couple months ago when my neighbors and I came to the city council about illegal work at 2700 edge water drive the mayor asked if my neighborhood was one of those dark side of the moon places. mayor, my community is not the dark side of the moon, although I do call it the twilight zone. When I call the county with a problem they tell me I'm in the city. When I called the city with a problem, you all tell me I'm in the county. This is where empty building and the city manager can hold two neighborhoods hostage for five years by ignoring the land development code, by passing the city's boards and commissions, ignoring the city's rural resident zoning and the citizens of austin. Edgewater drive is not on the dark side of moon. We are the real austin city limits. The glen lake neighborhoods have been asking for help with this public nuisance at 3337 far view for five years. The city's february 2010 contract has a deadline of february 30, 2011 but nine months later the work continues. For five years we've been told the city manager were do whatever the city manager wants to do. Why is this empty building so important to the city council that you're willing to ignore your building codes and to destroy a part of austin's heritage and the texas hillary clinton. Hill country -- hill country. It started when he wanted to build a mini schitterbahn. They destroyed their patio and dumped the debris down the face of the cliff. Last year it was sold to someone in georgetown. Why do you care more about a georgetown company than the people in my enabled. What happened to the january 30 deadline? Before the special review project started we told you the damaged area was much larger than stated in the restoration plan. This is why the premises' 5-foot wall are actually between 10 and 15 feet. The original swimming pool was ground level but the new pool elevated 25 feet aboveground. Why was this 25 by 100-foot long white concrete wall allowed to be built? You don't allow billboards this size along i-35. We request that natural building materials be used and the retaining walls be painted green or earth tone color to blend into the natural cliff, request native trees and vegetation to screen the walls. This property is next to emma long park. It should be restored to its previous natural character that benefits the area's wildlife. The oversized concrete wall was built on top of the cliff higher than mount bonnell. Would the people of fredericksburg allow this to be built on enchanted rock? Would they be allowed to build this mess in palo verde canyon. The city hall was designed to resemble the natural beauty of the austin hill country. mayor, does your city manager have any plans to paint city hall white? If he can paint the austin hill country white what prevents him from painting this white. The city manager should be willing to explain why you bypass the city's building code. thank you. That's your time. Time has expired. Thank you.

Are there any questions? [Applause] next speaker is roger duck. Roger duck. Topic is public housing dispersion.

Good afternoon. I really commend the efforts by council member morrison and mayor pro tem cole and i riley, you were at the meeting on monday. It's been a very successful reaching out to the community to try to get ahead of the curve where we have been behind the curve, and out of this process we're going to come out with a really good, good neighborhood plan. However, as I've studied this issue, we're at a point where we're possibly going to negate a lot of our good efforts if we don't immediately address the issue of dispersion, and the problem is that we don't have a definition for dispersion, we don't have a metric for defining that dispersion. The best we've been able to do coming out of our efforts has been comments from housing -- and by the way, let me say, housing staff has been great. They have reached out, they have listened, and I really compliment them as well. But the best we've been able to do is to say, well, we put 52% of the low income housing west of 35 versus 48% east of 35. What we haven't recognized, that in that process we've continued to intensify certain neighborhoods east of 35 and neighborhoods west of 35. So I think we need a map that shows the allocation of public housing per neighborhood plan so we have a metric to define exactly where it is going, and then we need to change our rating scale immediately, because if we don't we have a probability that we're going to fund the same amount of housing in the same areas that we did last year, and we're going to negate a lot of the good efforts that we're doing with this good housing plan. Thank you. thank you. Council member morrison. thank you, roger, and I just want to comment, I know that we have a lot of work to do in

dispersion, not just permanent supportive housing but in part that, but as i recall, some -- maybe a couple years ago one of the things that we talked about, that housing works talked about, was all kinds of housing in all parts of town, and I think that, for instance, in our comprehensive plan we need to find some ways to make that work and certainly working with staff and look forward to continued work there to put some real teeth into that. next speaker is linda greene. Topic is why it is city council's duty to end water fluoridation.

I know you like me to give these to you after i speak, but I would like you to follow along.

We at fluoride free austin have submitted a resolution to you many, many weeks ago, probably months ago. We've done your homework for you. My niece was complaining today that her son doesn't do his homework. She's worried about him. He's so smart but he's not really doing his homework. You guys have been presented with the scientific evidence from the government, the cdc, centers for disease control, as you can see, 41% of our teens between 12 and 15 have dental fluorosis. That's not something fluoride free austin made up. That was reported in january of this year. What about all the other children's teeth and the fluorosis. And keep in mind there's not one of you that would disagree with me that dental fluorosis is the first outward signs of other damage to the body, including skeletal fluorosis and possible thyroid disease as reported in the national research -- national research report of 2006. There are one, two, three, four, five, cdc, fda reasons for four of you to vote this out, and I am very frustrated from our health & human services meeting this past tuesday, that you, council member riley, suggested that we consider about it and talk about it and review about it some more. On the other hand, i appreciated laura morrison's comment that she is very concerned about the fact that there's no dosage control when you're talking about ingesting fluoride. There are many sources of fluoride that everybody gets. Let's talk about the toothpaste, beer, water, wine, soups, formulas, sports drinks, pesticides have a great -- some pesticides have a great deal of fluoride. So why would you want to add more fluoride when you know sitting there that there's no dosage control. And I appreciate you looking at that question, laura morrison, and lulac wants to know about that too, and they reservations too as well. I'm going to give this to laura morrison since I only have one copy. The [inaudible] league of united american citizens wants fluoride out of our water. Secondly, it's not pharmaceutical grade fluoride or your natural fluoride found in our texas river right here. It's hexo fluorosilicic acid waste, and when it was brought to a referendum 40 years ago the public was never informed of this product. So vote it out now. thank you. You can pass your paper to the city clerk and she'll get it to council member morrison. [Applause] paul robbins? City issues.

Council, in my speech a week ago I tried to alert you to the incredibly regressive proposals by austin energy to raise rates. I would like to expound a little more. I realize that these meetings tend to be numbers heavy. Sometimes your eyes glaze over. I've had the feeling a lot recently, I almost apologize to you for throwing these, but you need to see them. Could you -- austin energy has submitted four different rate proposals. Let me show you the first one. Now, notice that these are in rate blocks, and 300-kilowatt hours and 700-kilowatt hours are -- obviously the two lowest ones and the ones where low income people are likely to fall. Notice that rate proposal 1 has a huge 160% increase for the 300-kilowatt hour block and 127% increase for the next one. Next slide. Option b has 141% and 118%. Option c has 152 and 134. This is the most regressive of them all because the people at the top end, the wealthiest people, the people that use 4,000-kilowatt hours a month, their rate increase only goes up 112%. And then option d, the first two blocks are very high. It's not till you get to the last upper block that you've gone up to somewhere close to resembling the wealthiest, highest now, overall this levies an increased up front cost in the customer charge from 120 to \$188 a year, which means a lot to someone on a low or moderate income budget. On september 22 council passed a resolution to create a progressive water rate structure that would change the one that we have now. Did the people at austin energy hear this? I mean, they live in the same town, their offices were just across the river, they attend many of the same meetings that the austin water utility staff does. You would think that they've heard something about it, but apparently not. thank you. [Applause] council I, without objection, the council will go into closed session to take up two items. 071 of the goad, the city council will consult with legal council regarding the item 73 to discuss legal issues related to city council meeting rules and procedures, and item 74 to discuss legal issues related to rules of decorum during city council meetings

and rules and laws related to public access in city hall. Is there any objection to going into executive session on the items announced? Hearing none, the council will now go into executive session.
[Applause]

Mayor Leffingwell: We're out of closed session. In closed session we took up and discussed legal issues related to item 73 and 74. Council, now we'll resume our discussion of the morning briefing on the biannual downtown survey and I believe councilmember riley was ready with a question.

Riley: Yeah. Actually I've got a couple of comments. First, marie, I just want to thank you for the presentation and for all your work on this. It's in many respects a very encouraging report and I think it's worth noting that having a downtown that's clean and safe is not something that we can take for granted. In fact, it is a very high priority for cities all across the country and pour an awful lot of resources often with mixed results and here in austin [inaudible] and I think it's due largely to testimonies of the downtown austin alliance. We've reached that kind of success with having a downtown that is clean and safe and that represents a collective effort on the part of not just the city but on the part of the downtown property owners that have worked together through the downtown austin alliance and the downtown rangers to make sure the downtown does offer clean and safe destinations for the [inaudible] so in many respects your report is a tribute [inaudible] but I want to congratulate the alliance in particular on the success of their efforts. It's really remarkable. One of my favorite parts of your presentation was on page -- page 13 where you have the quote from somebody saying I don't mind walking around downtown anymore, which people who have been involved with downtown a long time know how meaningful that is because we had all these rudat conferences for many years and the single biggest recommendation coming out of all those conferences, we need to focus on downtown making a walkable place because for many years it was not considered very walkable. So to have someone considering our progress on that is a real tribute to the success of the downtown austin alliance and the whole community for many years so I really appreciate. That I also note that the policies that were identified as needing some improvement are things that we are actually working on. Parking, of course, is the single biggest one that you identified, and I do want to ask you about that. I know when we look back at downtown plans stretching back at least as far as the late 60s AND THE EARLY 70s THAT When you look back at all those downtown materials you see parking identified as one of the number one priorities, even back then people were complaining that they couldn't find a place to park downtown. It's been a problem for many decades. Do you have a sense of how that has changed in recent years, do you see trends or patterns in terms of perception of parking this.

Councilmember riley, to the best of my recollection parking has been the most frequently mentioned weakness of downtown austin for at least ten years. And there are criticisms of both about the availability of parking and the cost of parking. With very few specific suggestions, I think there's a quote in here from a respondent who said I hate to say build more parking garages, but we must need it. Ironically, it is respondents' comments about walking that we begin to think about parking a little differently because they are really more interested in moving around within the downtown area on foot rather than moving in automobiles throughout the downtown area which requires multiple attempts to secure parking. But at least for these who don't have a designated spot. But you know, by many standards the cost of parking downtown is not high. I don't have the answer to the question, do people not understand where parking is located [inaudible] or a different context for interpreting the cost of parking downtown. All I can say is that this survey shows time and again that people are convinced, many people are convinced that there is insufficient parking or that it's too expensive. And --

Riley: Or perhaps it's too hard to find. In fact, we do have -- past studies have indicated we actually do at least in certain areas we have a wealth of parking, just it's notables not always available or people just don't know where it is, they can't find it.

I think it's often people don't know where to park, but that's speculation on my part.

Riley: This confirms what we've been hearing loud and clear that people do want to be able to find

parking. Glad to see steve is here today and I know he's been working very hard on applying more and better information about the parking that is available out there. And then to the extent we have shortages of parking -- [inaudible] and we will continue to focus on that as a priority and I appreciate the additional [indiscernible] this report provides on that subject. Just one last question about the -- I notice on the last few -- where we were talking about the evaluation of the vaa and the -- the categories of respondents were property owners and managers, business owners and managers and then employees. We didn't have a category there for the nearby residents. Why was that?

We didn't ask nearby residents those questions. It's not that we have findings that we didn't include here, we simply didn't ask those questions. And that was because we had reason to believe that familiarity was lower among nearby residents and so we decided that it would be best -- you'll even see -- well, I'm not sure it's clear on the slide, but only those who are familiar with the daa, evaluated tha.

Riley: Downtown residents who own property would be included in property owners and managers?

That's right.

Riley: So one significant population we're not hearing from is those who are renting downtown.

That's right. And we had discussion about increasing the representation of downtown residents, and really it's simply a matter of scope and cost. To include those in years going forward.

Riley: I think we may want to give that some ongoing consideration in future years as to whether we -- that's a population we need to reach out to because we do -- obviously we have concerns about the livability of our downtown and downtown renters may well have some ideas to share.

The downtown residents could be the canary in the coal mine. Because we do telephone surveys, we don't have enough of a sampling size for land lines and we don't have the access to cell phone numbers. As methodologies change, we need to talk about that. That posed a problem this year including them as a separate sample in terms of our current methodology. We also think we should survey them more than every two years because probably see things others don't see and often have issues that are critically important to us.

Right now there are exactly 21 respondents from all -- if you combine all four of these stakeholder groups included in the survey, 21 of them live in 78701, simply not enough data to -- analyze [inaudible]. But there are more sensitive indicators that could be included going forward.

Riley: That may be worth checking with the downtown austin neighborhood association. They might be interested in partnering either in teacher versions of this study or in specialized focus groups in the downtown popul

we certainly discuss the fact that people who live downtown have a special perspective and might know things and be aware of changes downtown sooner and with more sensitivity than other stakeholders. They are increasingly important especially if they become [inaudible]

Riley: Again, thank you for all your work on this and congratulations to you and the daa [inaudible].

Mayor Leffingwell: Councilmember tovo.

Tovo: Thank you. This is a very interesting presentation. I had a couple questions for you and in some ways it follows on councilmember riley and may have some of the same answers in terms of scope and cost of surveys. I wonder if you have given any thought to getting some -- some input outside of the downtown because it seems to me it would be very useful to survey not just people in the downtown

have safety and parking and accommodation, but even even more interesting to talk to people outside the downtown as a way of figuring out what would entice them if they are not currently coming here for their entertainment and restaurants.

This is also a -- a suggestion that has been given considerable thought and discussion. As you can see, there is a map on I think slide 4 or about that shows the central austin district, but, of course, residents of various outside of the city can certainly be considered stakeholders in downtown austin. And so we thought about a couple of things. One is to not increase the sample size but increase the geographic scope, and the other is to increase the geographic scope and the sample size. And again the only reason not to do the latter is cost, frankly but it's a very reasonable suggestion and i will pass along to my client. I'm glad they are here to hear you say that because I hate to make recommendations to clients they should increase their costs.

Tovo: And do you collect demographic information so you can identify how many of your sample, how many are families with children, how many are seniors, how they spread across the life span and household type?

We don't ask about presence of children this the household. We haven't asked that. It could be added going forward. But we do have some information and it's on -- i think it will be your slide 29 that gives some very basic demographic information about the respondents by stakeholder group. So you can see roughly 50 some to 60 few percent are females and the remainder males. It's not unusual females are more willing to partner in telephone surveys than males. And the age is just before that but we don't know anything about household composition. We did ask them how long they have owned a business, owned a property, owned a business or worked in downtown austin, and the average is roughly eight years. We do screen people at the beginning of the survey and ask them for the downtown employee, we limit the survey to those downtown employees who have worked in downtown at least three yearsment and the loan is we ask them whether they perceive change this the downtown area over a three-year period.

Tovo: Do you collect economic data about household income?

We have no information about race, ethnicity, household income, education, any number of a host of our possible demographic measures.

Tovo: I guess a couple of things I wondered about as i listened to your presentation, among the downtown employees, it might be interesting to know who -- you know, who are in low wage jobs and who are in management positions. I think that might impact their responses in terms of parking and, you know, some other -- some of the other questions you are asking.

The only information we have right now, and it doesn't seem to be related to their responses, but I could scrutinize that in more detail and get back to you, councilmember tovo. We know their center in broad categories, whether it's a retail or business. We don't know the individual respondent's role in each of those businesses, which is i think closer to your question.

Tovo: And then I guess lastly was there any thought to -- I guess a couple things I would be interested in knowing and I don't believe they are reflected in here but I may have missed it. To what extent, you know, how the respondents feel about the affordability of downtown with regard to housing and other costs associated with coming down here, so I think that -- I just throw this out as a suggestion, that might be an interesting line of inquiry, and going forward I would also be interested in that piece about household composition. Are families with children, which I think is a particular goal of this council, our families with children feeling -- do they believe downtown is an attractive place, that it has the kind of amenities. Some of your questions relate to that.

Bugs that and answer to open-ended questions where a number of people say they love the events

downtown because they think they are family friendly events and talk about children's use of parks.

Tovo: I didn't see those comments.

We don't investigate very directly or have not investigated very directly the specific --

Tovo: But that is interesting to know. I'll go back and see.

And these are only a sample of illustrate I have comments in your report. There are 550 respondents, four are open-ended questions. While I have read them all myself, they are not all included in the report so we'll happily make that available to you.

Tovo: Thank you very much. Very interesting. Appreciate it.

Mayor Leffingwell: Councilman spelman.

Spelman: crane, if i wanted to look at previous survey reports, where would i find them?

You have to pay me a lot of money.

Spelman: Would i? [Laughter]

we submit to the daa all the original data, all the verbatim responses off every data collection. We have a copy but the downtown austin alliance also retains ownership of all the data special springfield, missouri I have no idea going through your raw data which we should feel relieved about, but I would be interested if you submitted a power point or report summarizing your results of the last few years.

You know, there is one -- one slide that we have used for our own edification that shows those eight or ten basic measures that are on -- i think it's your slide 5.

Spelman: Yes.

Who shows shows measures for all respondents, not broken out by stakeholder groups. Generally they are remarkably strong and remarkably few difference, but we have aggregated them and we can show the responses to those over time, at least for a decade, I think longer than a decade, and what I can tell you in the broadest sense is that there were notable improvements in almost all of these measures for the first few years, and in the last several years many of them have topped out. There's nowhere to go after 8.7.

Spelman: Yeah. Yeah.

But we have that information. We'll be glad to make it available to you.

Spelman: If you would just send me a copy of that slide, I would love to do it.

Done.

Spelman: Thank you, ma'am.

Mayor Leffingwell: Okay. Thank you very much. Appreciate your biannual report. See you in a couple years. Council, if there is no objection, we have three items pulled by councilmembers and I that I think

will be pretty quick, take care of those. And our zoning agenda has only one discussion item at this point so we could go to that next unless there is objection, but right now take up item number 24 pulled by councilmember martinez.

Martinez: This should be quick. This was posted for negotiate and execute, but when I got on the dais, in the changes and corrections it was just to authorize negotiations. So I just want to clarify that's all the item does and that is reflected accurately in changes and correction, and if so I'll just move approval of the item.

Mayor Leffingwell: Did you get your confirmation? Councilmember, I'll verify it is in the changes and corrections and we read it into the record this morning, the words and execution were deleted.

Martinez: The only reason I pulled this is because i talked to the purchasing officer and he has conflicting information. I just wanted to make sure.

Mayor Leffingwell: This is the latest information.

Martinez: You are on top of it, mayor.

Mayor Leffingwell: So motion to approve by councilmember martinez, seconded by councilmember morrison. Discussion? All in favor say aye.

Aye.

Mayor Leffingwell: Opposed say no. Approved on a vote of 6-0. Now we go to item number 65 pulled by councilmember morrison.

Morrison: Thank you, mayor. That is an item that is council waiving certain fees and requirements for the austin hunger walk and I see councilmembers riley, martinez and mayor pro tem cole are on that and I wanted to add also some of the fee waivers from my budget in the amount of \$300. I make a motion to do that. And to approve it with that addition.

Mayor Leffingwell: \$300 from councilmember morrison.

Morrison: Yes, sir.

Mayor Leffingwell: And i will add 150. Councilmember tovo.

Tovo: Mayor, I believe they need another 150 and i would be glad to put forward 150 from my budget, from my quickly dwindling budget.

Morrison: Would you like to second it also?

Mayor Leffingwell: Seconded by councilmember tovo. Motion by councilmember morrison and seconded by councilmember toaf. Councilmember tovo. All in favor say aye. Opposed. Passes on a vote of 6-0. 67 Pulled by councilmember riley.

Riley: Mayor, I was going to do the same thing councilmember morrison just did on hers. This is on the homeless, fees phone the -- 2011 homeless resource caravan held on SATURDAY NOVEMBER 5th, AND I Just wanted to add 300 [inaudible].

Mayor Leffingwell: A motion by councilmember riley. Second?

Morrison: Second.

Mayor Leffingwell: Seconded by councilmember morrison. Councilmember, I will be glad to pitch in in the amount of 200.

Riley: Thank you. Great.

Mayor Leffingwell: Any other -- anyone else? Anybody else? All in favor of the motion say aye.

Aye.

Mayor Leffingwell: Opposed say no. Passes to a vote of 6-0, and i will note there were four speakers signed up in favor not wish to go speak. Heather everly, laurie renteria, gavino renteria and anne house. guernsey is here. We will go to our consent agenda. For zoning.

Thank you, mayor and council. Let me go through our zoning. Items I can offer for consent 00 agenda, zoning ordinances and restrictive covenants items, where the public hearings have been closed. The first item I would like to offer for consent is item 75, c14-2011-0049 for the property located at 10324 dessau road. The applicant is still working out issues regarding redistricts and requests postponement to your november 10th agenda. And that concludes this portion of agenda I would offer for consent.

Mayor Leffingwell: The consent agenda for those items we've already held a public hearing is item 75 postponed UNTIL NOVEMBER 10th. Motion by councilmember morrison, seconded by councilman spelman. All in favor? Opposed say no. Passes on a vote of 6-0.

Mayor and council, I'll move on to our neighborhood plan and zoning items for the public hearings, possible action may be taken. The first item is item number 02 located on fm 2222. Staff is requesting postponement to NOVEMBER 10th. Item 77 for the property located on south lamar. Applicant has requested postponement to december is ath agenda. Item 78, foin 0061 for property located at 3635 north hills drive. This is to rezone the property to community commercial gr. The recommendation was to grant community commercial conditional overlay and this is ready for consent approval on all three readings. Item number 79, case c14-2011-066, a discussion item. The applicant would like to discuss the planning commission's recommendation to make a change to that recommendation. Item 80, c14-2011-0080 for the lot located 5106 nixon lane from community commercial or gr district to zoning and platting commission's recommendation was grant community commercial conditional overlay and this is ready for consent approval on first reading only. Item 81, c14-2011-0094. This is to zone the property to general commercial services. Planning commission recommendation was grant cs-co combined district zoning and this is ready for consent on all three readings. 892, C14-2011-0096 to rezone to multi-family residence or mf 1 co combined district zoning. The recommendation was to grant the mf 1 co combined district zoning. This is ready for all three readings. Item 83 is case c14-2011-0103. For the property located on east 51st street. This is a postponement request by staff to your december 8th meeting. And that concludes the items i can offer for consent at this time.

Mayor Leffingwell: Consent agenda for those items we have yet to hold a public hearing, postpone item 76 UNTIL NOVEMBER 10th. Postpone item 77 until DECEMBER 15th. To close the public hearing and approve on all three readings item number 78, that is the zoning and platting recommendation. To close the public hearing and approval on first reading only the zoning and platting recommendation on number 80. And to close the public hearing and approval on all three readings items 81 and 82 and to postpone item 83 until DECEMBER 8th. And that would be the planning commission recommendation on items 81 and the zoning and platting recommendation on item 82. Councilman spelman moves approval. Councilmember martinez seconds. Discussion? All in favor say aye. Opposed say no. Passes

to a vote of 6-0. 79.

Item number 79, c14-2011-066, creekside. This is located at 5616 south first street and is a request to change from townhouse condominium. The zoning and platting commission's recommendation was grant the sf-6 co. Some of those conditions would include the staff recommendation but in particular recommended that full access to wiser run road or cynthia drive is required. Noting this is only for first reading only and that the subdivision plat must be recorded prior to third reading for this zoning case. And the issue is really dealing with one of access at this time. The applicant would like to propose that emergency access be proposed along with bicycle-pedestrian path to leisure run instead of having the full access that the zoning and platting commission recommended. The proposal is to rezone the property for its commercial zoning designation to the townhouse condominium district. The property is approximately six acres in size, and the issue again dealing with the subdivision that there was a restriction that relates to development on the property shall hereby be restricted to other uses than residential. This is not uncommon after we passed our parkland dedication ORDINANCES BACK IN THE 1980s That sometimes a property owner rather than paying a parkland dedication fee would opt to have a note attached to the subdivision plat saying we agree we won't use it for residential and that way the city didn't charge parkland fees at the time of subdivision. Today it's probably not necessary, but back at that time that was a common practice. The subject lot is currently undeveloped. It does have property along south first street. There's unbuilt right-of-way for cynthia drive which terminates at the west property line and leisure run terminates at its southernmost property line. Some of the adjacent uses to the north, there's a pharmacy, church and retail sales to the gr zoned properties and also to the east is single-family residences. To the west is mh and manufactured homes and single-family residences. At this point I'll pause if you have any questions. I'm not aware of neighborhood opposition really on this case so much as the applicant would like to have council consider the change to the --

Mayor Leffingwell: Questions of staff? Councilmember riley.

Riley: So greg, what is the current recommendation with respect to access from leisure run road?

Well, right now there's -- there is a limitation on the property that would actually deter that --

Riley: What is that limitation?

I think it came along with the original zoning on this property. They are asking for the access to be by commission to be unlimited to the property now and still limit because there's a concern by the neighborhood originally that you have gr traffic running through their neighborhood. And so the proposal would limit it to residential uses, townhouse residential uses and I think in consideration of some of the concerns that may have been raised by the neighbors that the applicant is willing to restrict that to limited to emergency access by the bike-ped access.

Riley: Restricted to emergency and bike-ped.

You can still access the property by bicycle or walking, you wouldn't have vehicle traffic. I think the applicant could go into more detail about the consideration he's asking to limit that.

Riley: There was a restriction with the original zoning. Is that in the form of a restrictive covenant?

I'd have to go back to see or original covenant. Looking through here real quick.

Riley: If the applicant is here.

I'll come back after you ask the applicant some questions.

Riley: Okay. Thanks.

Mayor Leffingwell: We'll hear from the applicant. I have one speaker signed up and that is ryan diefenbrock. Did I say that right?

You did. Thank you for the time this evening. We will jump directly to this issue and if we get that slide petroleum, I just have two slides. That first one is exhibit a and kind of looks around the streets involved in our property there. And jumping to the next slide -- there we go. Thank you. A few notes on the particular issue. I think councilman spelman answered the first question right off the bat here. One of the reasons we're suggesting the emergency only with the bike and ped access is because the -- there was a plat note that's been around since 1984 that initially restricted full vehicular access. When the zoning was changed from residential to commercial, more recently than 1984, I don't remember the exact date, they further, you know, solidified that concept. But that concept was not actually only in place for gr. It has been in place for two different plats and both residential and commercial zoning. So that's a situation where the leisure run neighbors really prefer not to have our residents cutting through their neighborhood. And we can understand that. We can also understand the other point of view of the more connectivity potentially the better. However, the transportation viewer in this case where the zoning staff has supported the emergency only concept realizing that it's not necessary to have full vehicle access through the neighborhood. There is basically one benefit of it and it's to get cars down to a stoplight so that they could exit the neighborhood using a stoplight. And so when we presented the case at zap, they voted 3-3, three folks wanting full access and three wanting what we're suggesting which is the emergency only access. They revoted and a couple members moved over to the full abscess which is the final recommendation. We simply feel that it's been the intent of the original plat, the second plat and the neighb on leisure run for quite a while and we're comfortable that while it doesn't change our layout for development at all, we would -- there would be an emergency access there or a full access that looks the same, we just think it's the right thing to do for all the stakeholders to make this case this way.

Mayor Leffingwell: Councilman spelman, then riley.

Spelman: The staff reports suggests you might want to explore getting an access easement for church property. Did you talk to the church about that?

We did, it's pretty tricky and that was not a thorough conversation, to be honest with staff. It was definitely an idea that was kicked around. I'm not sure that that is still their position. But it didn't go a long way when we really started to kind of lay that out and it would be a situation where you would have -- the main purpose for it for that would be for fire department access going through a parking lot, you never know what might be happening in that parking lot. Seems to make more sense to use a right-of-way that's already there. That discussion, my involvement in it was, you know, 30 minute or so and it kind of got pushed aside and to the back after that, to be honest.

Mayor Leffingwell: Councilmember riley and then martinez.

Riley: diepenbrock, if we were to decide there should be full vehicle access, do you see any legal issues in terms of other restrictions on the property?

Not necessarily legal issues. The plat note would need to be vacated or amended, which is doable, definitely. That's why we're on first reading here so if that is the case, then we can go have that adjustment made. I think that would happen and we're okay with that happening, we just don't believe that's the best solution.

Riley: So right now if -- there will essentially be a road that would provide -- if I live -- say I live at the end of leisure run road currently, there will be a road that will essentially provide direct access off south first. Let's say I'm coming from central city and I want to get home, I can just go straight there off south first

and drive there and pull into the driveway. With that restriction in place, I would need to go all the way well past the whole development, go down to flornoy -- no, turtle creek and take a right on turtle creek, right on sahara and right on leisure region and go that way and then I would get home. You just have to take that circuitous route to get home as opposed to the more direct route of going straight there through this new development. Essentially leisure run currently terminates in a cul-de-sac. But it's well back off -- off of circle creek. And so -- and so we would be -- by restricting that access, we would be requiring all the residents on leisure run to take a circuitous route to get to that long cul-de-sac to get to their home as opposed to taking that direct route connecting through this new project.

Yes, I think that's accurate. I believe, though, that at this point in time all the folks who live on leisure run --

Riley: I understand many people do like cul-de-sacs and that's been since world war ii have liked cul-de-sacs. Thanks.

Mayor Leffingwell: Councilmember martinez.

Martinez: Ryan, I was looking at the previous photo on the slide and there's a slight different shading of green.

That is the flood plain.

Martinez: So the ingress and egress point that you are proposing does cross a flood plain.

Yes, but at an elevation that effectively equivalent or slightly higher than the flood plain so there's not a huge concern that that road would flood. It's really a situation of the development of this size should have emergency or second access point.

Martinez: How far into the flood plain is that road? How deep?

It's going to be within six inches plus or minus and hopefully plus. Slightly above it. So it is not the trigger here for an emergency access point. We would just want one with 40 to 45 homes going in.

Martinez: I understand. Thank you.

Mayor Leffingwell: When you say emergency access, what do you mean? Limited to emergencies and how will that be attained?

Crash gate is the typical preference.

Mayor Leffingwell: What is?

A crash gate.

Mayor Leffingwell: Crash gate?

But that would be up to the fire department in terms of what we install so they have access through.

Mayor Leffingwell: You just crash through it?

The fire truck does, yes.

We might be able to come up with something prettier if they will approve it.

Mayor Leffingwell: I know some of them have combination keys and so forth.

There are codes, I think, that they will often approve so that would be better.

Mayor Leffingwell: Councilmember morrison.

Morrison: Thank you, i think I need a little clarification because councilmember riley was talking about if full access to leisure that the people that live on leisure would then be heading through on your property to get to first street. So are you saying that that full access to leisure requires that you put a public road on your property?

No, it does not require that.

Morrison: Okay. It's really that -- and maybe greg needs to confirm this, but my understanding of the condition is that there be access from this property to leisure. So it's not really necessarily creating that connectivity.

Right. Yeah, I think I was confirming sort of the factual statement that councilmember was making, but that hasn't been the perspective has always been from our property.

Morrison: That's what the requirement is. But you could actually have a one way -- not that you would, but that's what was contemplated with the conditional overlay. Okay.

Yes.

Mayor Leffingwell: There are no other speakers signed up to speak that wish to speak. Anthony spela signed up but not wishing to speak. Since nobody spoke against you, you don't get any rebuttal. That's all the public testimony.

Thank you.

Mayor Leffingwell: Council, again, this is ready for first reading only.

Correct.

Mayor Leffingwell: So i would just comment for myself, naturally I think accessibility is a good thing, but I think it's not necessarily always attained with a street and I think what we're looking for is some kind of connectivity, whether it's the bike and ped -- i understand this is for bike and ped plus emergency access which I think is also essential. I think for me that recommendation makes a lot of sense. Councilmember tovo. Oh, okay. Any other comments or a motion?

Mayor, if I may, I just want to answer councilmember councilmember riley's question. There were two restrictions. One was by the original plat in '94 and ryan mentioned zoning case which was the other time it came up in 2003 when the tia came back and there of the discussion and part of the covenant would prohibit the access. Both of those things would have to be effective and that's why we're only doing first reading today. If successful, ryan could go back and deal with the platting issue to remove some of the restrictions and then go back and finish.

Mayor Leffingwell: Just real quickly, staff recommendation is the applicant request and [inaudible] is that right in.

Staff would not object to either one of these because we still have the emergency access and the bike-ped access. One of the concerns ryan is trying to address, there might be concern by some of the neighbors they try to make a left turn at a light that's further south that you have to go through the neighborhood to get to.

Mayor Leffingwell: Councilman spelman I believe was next. If you feel obligated.

Spelman: What instrument, greg -- if we pass this on first reading, we want to provide for mnl access. Anything other than that?

I think we can move forward with that direction.

Spelman: I'll make that motion.

Mayor Leffingwell: Councilman spelman moves to close the public hearing and approve first reading only with direction. Second?

Riley: What was the direction?

Spelman: The direction was I believe staff recommendation number 2 to provide pervious paving system for access to leisure run road but only on crash bar basis and not a regular road.

And to allow bicycle and pedestrian.

Spelman: To allow bicycle and pedestrian access.

Mayor Leffingwell: Seconded by councilmember morrison. Councilmember riley.

Riley: Question, greg. The time that the previous restrictions on access were put in place, was the expectation this property would be developed as a residential project?

I think the gr was a concern, when the zoning case came in there was a possibility it would be a larger grocery store. A fiesta, I think might have been proposed. And if you had tractor-trailer delivers.

Riley: The restriction was put in place on the fear tractor-trailers would be --

more commercial traffic.

Riley: Mayor, I'm going to not support the motion. I think for years now we've been recognizing the importance of connectivity through the city and trying to discourage more -- move away from the cul-de-sac pattern of development that was very common in the -- in the decades after world war ii. This is a new development that with this restriction will -- the entire development will all be channeled through one single artery on to south first street as opposed to providing an option that would distribute the traffic to -- to give drivers the option of -- of -- of seeking an alternate route. And I think that that would result in better connectivity, it's more consistent with the city's more current -- more recent planning principles and I think it would make a better project and it would fit -- it would mesh better with the existing neighborhood. And so I would -- actually i guess I should state that as a substitute motion. I really should offer a substitute motion that we close the public hearing and approval on first reading with

the requirement there be full access to leisure run road.

Mayor Leffingwell: Okay, so councilmember riley closes the public hearing and approves on first reading only the zoning and platting commission recommendation. Is there a second to that?

Martinez: Mayor, I'll second that just to give out a shot.

Mayor Leffingwell: Councilmember martinez seconds.

Martinez: With the note I'll still be supporting the other motion if the substitute doesn't pass. I agree with councilmember riley, we need to create connectivity, but also look at it from the perspective of taking a piece of property turning it into something beneficial to the city of austin in terms of tax revenue, in creating a neighborhood affordable close to the urban core which is something I absolute support.

Mayor Leffingwell: Yeah, and I'll say I normally agree with that idea, councilmember riley, I like connectivity, but in this case where we have some connectivity, not necessarily vehicle access, then we have the ability with the emergency right-of-way to change that in the future [inaudible]. I'm going to oppose the substitute motion. Councilmember tovo.

Tovo: I have a question from my colleague, which i know ventures into colloquy, but councilmember martinez, would you just -- I appreciate your comments. Would you help me understand why the access issue, how it relates to affordability? You had talked about your support for --

Martinez: The access issue is totally separate for me going -- if the substitute motion does not pass going back to the original motion with limited access I would still be supportive because it is creating some urban infill housing that is for some arguably is affordable, more affordable than other traditional neighborhoods. And so I would agree with councilmember riley we need to create as much accessibility as possible, but in this case even with limited accessibility I would still be supporting the original motion as well.

Mayor Leffingwell: Consider the substitute motion first. All in favor of the substitute motion say aye. Opposed say no. No. Councilmember tovo -- the substitute motion fails on a vote of 2-4 with councilmembers tovo, myself and councilmember morrison and spelman voting no. Now we'll take up the main motion which is the staff recommendation and direction for limited connectivity [inaudible]. All in favor of that say aye.

Aye.

Mayor Leffingwell: Opposed say no. Passes on a first reading only on a vote of 6-0. That's all the case for zoning.

That's all we have today. Thank you.

Mayor Leffingwell: You're very welcome, mr. guernsey. So now, council, if no objection, we'll go back tour morning agenda and take up item number 14. One speaker signed up neutral. Laurie renteria.

Thank you. John herncer and I go way back and john and I have tried to work over two different legislative sessions to deal with group home zoning and the fact that mega corporations involved in corrections are working with the department of criminal justice and they are buying out nursing homes, shelters like pushup and others to move prisoners into property that is already zoned for congregate care or transitional housing and they make them an offer they just can't refuse. So we have got to get some changes in the state law regarding the way cities and counties are notified by tdcj when they have a contractor, a vendor using property in our town to house serious felons. The only restriction right now

under state law is they can't put murderers and sex offenders within 500 feet of a school. And the whole public involvement process is controlled by the vendors. So if the zoning is in place, they don't even need to come to youment and now with short-term rentals on the horizon and we've got corporations doing short-term rentals, and with joan bartz working on the group home issue and regulation and inspections, we really, really need to be aware that these multinational corporations are going to be using existing zoning and short-term rentals and all kinds of loopholes to move serious felons into our neighborhood. And last time john, I worked with texas neighborhoods together and tried to work and didn't get anywhere. John told the council if you get -- deal with that in a legislative package that you guys come up with, then he can work on it for us. Because this is a -- the people up in northeast, they went to bed with frail elderly in the nursing home and they woke up the next morning and serious felons were moving into this nursing home. So this is happening all over town. It happened in our neighborhood with pushup, and it's time to make a change in the state law. The mayor didn't even know he was involved -- not you, mayor, the other one. So we need a change. Thank you.

Mayor Leffingwell: Thank you. So those are all the speakers that we have. Oh, okay. Councilmember morrison. [One moment, please, for change in captioners]

it's single-family housing and all we want is public notice like any other zoning change. Where the vendor is not in charge of the public involvement process and they can snooker the mayor and the county judge by writing a letter of support that says do you believe in feeding and housing the hungry and helping ex-offenders? And they don't even respond. And if they don't respond to a public hearing, there are no provisions in state law that it have to go through a normal notification of three or five hundred feet.

Morrison: All right. Thanks, lori.

Mayor Leffingwell: I have a question for you, lori. What was it you said I need to know?

Well, -- and I'm glad you asked because you're going to see things come across your desk, letters of support, and they're not clear that that -- under the law that's your only opportunity. Only you and judge biscoe can write a letter to tdcj and say, I believe we need to have a public hearing on this contract you're about to do with a corporation or a nonprofit to house offenders. The letter -- we did freedom of information and saw the letter that he wrote to the previous mayor. There's no way the mayor or the judge would have known that it was 65 felons in our neighborhood. So be aware. These corporations -- until we get the change, it's on you, mayor.

Leffingwell: Well, I'm relieved to know that I had not done anything bad yet. [Laughter] all right. Those are all the speakers that we have so I'll entertain a motion on item number 14. Councilmember spelman moves approval, seconded by councilmember martinez. All in favor say aye? Opposed say no. It passes on a vote of six to zero. Item 15 has one speaker, and I don't have a computer anymore, so I may need a little help. I believe that's gus pena. Gus pena? Are there any other speakers, councilmember martinez? There are no other speakers, then councilmember martinez moves approval, councilmember spelman seconds. Discussion? All in favor say aye? Opposed say no? It passes on a vote of six to zero.

Martinez: Item 18 has one speaker, mayor.

Mayor Leffingwell: I believe that's clay defoe. Number 18.

Thanks, council, for letting me get that set up. This resolution approves urban renewal agencies complete management over future development in the current status quo in the east 11th and 12th street areas. I believe this raw deal to extend the already approved seven-year agreement, which was one or two meetings ago, with ura, is an abuse of the public power and will further alienate the citizens of austin against you. I believe that this so-called partnership with ura and involvement with the housing

and urban development as we see on the next item, will further link to growing housing foreclosure crisis and the crashing of your housing values. Hud is a dangerous agency. I know because I used to work in a firm representing lenders who foreclose homes by giving -- and by giving subprime loans added to the massive debt which now surround our once great nation. Tear down these walls and ponzi schemes which are sure to be the downfall of this country. Housing of urban development, lyndon baines johnson's master plan for government takeover of housing will fail. And I feel our people of austin will be left out in the cold. And for someone who has some comments on the subject with the greater deal of (indiscernible) than I do, i present to you the future governor of texas, john bush.

And what better books to point out here than (indiscernible). They are both proponents of the ostrich school of economics, a free market school. And basically my (indiscernible) of the east austin revitalization object, is if there was a demand for it in that particular area, it would be filled by the market naturally without the need for taxpayer resources and public money or public incentives which creates an unfair economic advantage over competition that's in an area that isn't publicly subsidized and funded. We think this is a problem that's detrimental, it creates bubbles in certain areas. Additionally it creates unnatural growth, which leads to both gentrification and a rise in property taxes. Yet another example of this is happening all over the east side of town, in the austin comprehensive plan, and it will only continue to create more inequitable occasions here in the city of austin. It's got to stop. Apparently there's already private businesses in the area that are investing in the revitalization. We libertarians say let the private sector handle it all. You guys can't dictate, you can't perceive exactly --

Mayor Leffingwell: Thank you. Time is up. So council, I'll entertain a motion on item 18. Councilmember martinez moves approval, seconded by councilmember riley. Discussion? All in favor say aye. Opposed say no. Passes on a vote of six to zero. Councilmember spelman.

Spelman: As you i audience announced at the beginning, I was recused on item 18.

Mayor Leffingwell: That is right. It wasn't on consent. So councilmember -- show councilmember spelman recused. Next is item 23 pulled by councilmember riley, and i believe we have speakers.

Only if there are questions.

Mayor Leffingwell: Councilmember riley.

Riley: I do have some questions about this one. This item relates to the requested vacation of some property, a small bit of property over there -- some austinites would know it. If you're eastbound on 35th street right at the point where 35th diverges into 34th and 38th, that's a little triangle of property. Right now there's I think the town shop drug center.

[Inaudible].

The breaker woods pharmacy.

[Inaudible].

Riley: So it has enough parking that's required by the code, but apparently the owner seeks more parking. The reason I raise it as a question is that whenever we vacate property, we're supposed to first determine whether the -- well, when we vacate right-of-way, whether the right-of-way serves any present or future public service, generally we're not supposed to vacate prier of way that has a present or future public purpose. Currently this is a fairly significant piece of land from a public perspective, judging by the language in the neighborhood plan for this area. The neighborhood plan speaks specifically to this lot. 2 of the plan it's a triangular lot currently home to the medicine shop and deserves recognition as a prominent location in the neighborhood. We should continue this site as a

neighborhood use and a welcome gateway to the neighborhood by connecting to and beautifying the city owned open space which makes up the westernmost portion of the triangle. So before we proceed with the vacation, I just wanted to check and make sure that in fact that we are honoring that expression of interest in the neighborhood plan and that we're satisfied that this will in fact be -- this action would be consistent with that general part of the neighborhood plan? So let me just ask you if we are -- as I understand it, the vacation is to allow additional surface parking on that site, is that correct?

Yes, sir.

Riley: And it's an area that we're talking about, one small section of the area we're talking about is currently already used for surface parking and the rest of it is green space. Is that correct?

Yes.

Riley: Two, three trees? There are currently three trees -- on that corner there, three trees. Are there any trees on the section that would actually be vacated?

I think there's one tree that may cross the property line and it would be within the area that we're requesting vacation, yes.

Riley: Would you expect to remove that tree?

Not itself.

Riley: Would you expect that this -- that this property would be subject to the commercial design standards once it's in the hands of the property owner?

It would be subject to commercial design standards if there is a building development proposed on this site. I understand it might be exempt due to the small size of the property. For a surface parking lot, I don't expect it would be subject to commercial design standards.

Riley: Well, I guess I do have some concern about -- what assurance could you provide about the condition of the lot and its role as a neighborhood gateway? How would you see the lot changing from the standpoint of serving as a neighborhood gateway, how would you see this particular area being vacated, changing in the future? Is it going to become more of a gateway, less of a gateway or is it just going to be less green, more surface parking? Can you tell us whether there will be a positive change of providing a neighborhood gateway?

Sure, I can. First of all, I have spoken -- have had numerous conversations with several members -- well, two members of the Brykerwoods neighborhood association, including the trees, including the section of the central west Austin neighborhood plan that you quoted from. There were a number of concerns. One of the concerns is because of the way that the 35th street cutoff are aligned that the westernmost corner is kind of a vital area for folks that are crossing the streets, pedestrians and bicycles that would be crossing the street there. And this will in no way diminish their opportunity to do that. As you can see on the sketches up here, the very tip of that corner where you can see the crosswalk to the north across the 35th street cutoff, and so that area will certainly remain. I'm going to say 2500 feet of right-of-way at the westernmost tip that will remain city right-of-way and green space. And of course the property that is shown in red, which is just under a 10th of an acre, we can't pave the whole thing. We've got impervious cover limits, landscaping requirements, things like that. So there's going to be some opportunity for landscaping there as well. In terms of neighborhood benefit in the neighborhood plan, it specifically talked about the medicine shop, the drugstore, pharmacy use on the property right now, which the same owner, but it's changed names now. They've been a tenant there for 16 years. Interestingly enough, the whole genesis for this right-of-way purchase was to try to help repay

that drugstore tenant on his property. As rents go up they're getting squeezed harder and harder. They can no longer afford to lease the building, which is more than 2,000 square feet. They need about a thousand square feet. So the idea was to utilize that parking. Now, there is parking there. The previous owner of the retail business at one time had a license agreement with the city to build a parking lot. That license agreement somehow expired. The new owner purchased the property and first thing they were shocked to find out when they had a survey done is hey, the parking lot isn't on our property, it's on somebody else's property. So anyhow, they negotiated a lease with the pharmacy owner. They wanted to help make the rents affordable, so she wanted to consolidate her business to the southern half of the building. That would mean that the northern half would have the people -- that would mean that the northern half would have to be a different tenant. So they wanted to add some parking to the site. In terms of making it attractive, they've been maintaining that property, even though they have been paying the contractor to keep it mowed and unfortunately it hasn't rained and the trees are stressed, but they have every intention, I think, of working with the neighborhood. And I haven't heard anything from brykerwoods neighborhood that it -- in opposition to what we're proposing. I think we're on the same page.

Riley: They are not opposing it, but they have asked that the applicant commit to the city to preserve the trees so that we can better realize in future our shared interest in beautifying the westernmost portion of this triangle and preserving some of the green space in all the concrete. And on behalf of the applicant, can you commit to preserve the trees?

We'll certainly preserve the trees if they're healthy. There's a mesquite tree on there. I'm not an arborist, but it looks to me that it's seen better days. At some point that tree may need to be either trimmed or even removed. It might be at the end of its safe, healthy life. They will landscape it, they will make it attractive. They are probably -- when they get there, they'll remove some of the asphalt that surrounds the buildings to the north. The four driveways that serve the property right now are not very functional basically because of traffic -- three sides adjacent to the building, it's not a very friendly for pedestrians. They want to make it a more friendly, neighborhood --

Mayor Leffingwell: Excuse me. The city manager had a comment on the tree question.

Councilmember, I understand if you look at the diagram here, the majority of the trees will actually remain on city property, so I want to make sure that the request is that we would be asking them to maintain our trees? We're not vacating that part that includes the trees.

Riley: Right. No, I think what we heard is there's one tree that appears (indiscernible). And I understand that if it doesn't stay healthy, then it may become necessary to remove it in the future preavment could you commit that if it becomes necessary to remove it that you mitigate the removal by replacing the tree with -- with another tree, at least as caliber inches?

I'll commit this, if this is acceptable to you. Certainly before we would take any tree down, we would do a tree ordinance review, have the city arborist come out there and determine the correct replacement caliber, and we would certainly comply with the city regulation. And of course, it also goes without saying that we'll protect the critical root zone of the tree and do everything in our power to keep the tree healthy.

Riley: Okay. Another question. I believe George Zapalac is here. George, are you in the room? George is our resident expert on the commercial design standards. I did want to ask you about the application of the standards. Those can be kind of confusing on any corner lot, especially in this case where it's a peculiar corner. It not clear how the commercial design standards would apply. Can you tell us whether the commercial design standards would apply to the expansion of the existing parking lot on the site? And what that would be?

Councilmember, the commercial design standards would apply if the site plan is required for

development on the property. That would basically include anything more than a thousand square feet of either paved or building construction. And I don't know exactly what the applicant's plans are for the site. There is some existing parking on the site. I would guess you would get maybe three, four additional spaces and stay below a thousand square feet. So it's possible that --

can we quickly get an answer as to how much additional parking is anticipated?

Councilmember Riley, we have not done a plan, but -- let me say this. For what they're paying for the property, which is, just for the record, twice what the Travis County Central Appraisal District is for value, they're [inaudible]. We don't have a plan. It might be three spaces, might be six. I don't know. We might take out some other area of asphalt and kind of shift it over this way to get it away from the building and make it safer. We haven't gotten that far yet.

Riley: Okay. And George, so so if the commercial sign standards were to apply, then what would that entail?

It would primarily be improvements to the sidewalks along the abutting streets, in the area where the new construction would occur. Along the 35th Street cutoff, which is along the top side of the slide here. That is considered a core transit corridor. And so wide sidewalks would be required there. There's a planting zone of eight feet adjacent to the curb that would be required and the sidewalks themselves would be seven feet. And in addition shade trees would have to be provided every 30 feet within the planting zone. In addition, there is a requirement for an eight-foot landscape buffer between the sidewalk and the parking. Parking along the core transit corridor. So that would take a substantial portion of this site if it is triggered. Along the south side of the property, the west 35th Street, they would be required to construct urban roadway sidewalks, and that would mean a seven-foot planting zone along the curb and then a five-foot paved sidewalk. There do appear to be some existing sidewalks here, but they do not meet the design standards so that it would have to be reconstructed if a site plan is triggered.

Riley: And that -- again, that would apply -- those requirements would apply if they -- if more than a thousand feet of surface parking were there.

Right.

Riley: So I guess the bottom line is that under the commercial design standards, we would see some improvements in terms of widening the sidewalks and adding some additional buffers and shade trees?

Correct.

Riley: Okay. Well, based on that assurance as well as the applicant's assurance that they will strive to protect the tree that is straddling the line and the information that there are -- that the two larger trees will remain, then I would go ahead and move approval of the item.

Mayor Leffingwell: Councilmember Riley moves approval. I'll second. I'll also say there has been no site plan. This is just a vacation, is that correct?

That's right.

Mayor Leffingwell: So whenever a site plan is submitted, we would have to address all the issues that you've raised, including compliance with the tree ordinance, which would require mitigation or review of any tree larger than eight inches. On the property. I second it because I don't see any problems with it, but all your concerns will be addressed at that point.

Riley: I will say that it's never a good thing to see more of our inner city green space taken away and replaced with more surface parking, but I think it's reasonable to question that. But given that neighborhood's interest in preserving that use on that corner as stated in the neighborhood plan, and given that the applicant's willingness and past record in maintaining the site and commitment to maintaining it in the future, I feel comfortable with this vacation.

Mayor Leffingwell: As do i. That's why I seconded. Councilmember morrison.

Morrison: I have a question for you. The question is just briefly to go back to I understand that your perspective, the land that we're vacating, there are no trees on it.

The tree ea butts the land, so you may have a root system underneath thatoes over on to this property and part of the candy of the treeangs over. -- Canopy of the tree hangs over.

Morrison: Great. And to go back to one of the things that councilmember riley mentioned at the very beginning, and that was sort of a fundamental approach to vacating city property and there being a public purpose to that. Could you help me understand that context? Is there a guideline as to when we should or should not consider vacation of city property?

What we do is we send out the -- once an applicant comes in and applies and sends us the site plan or the field notes, then we send it out to all our city offices and our franchise holders to comment on and to see if there's any city need for it. And we received that there was no need for any utilities, any right-of-way or any type of use on the property. So if we get one yes, that stops it and the applicant has to go to the department and either negotiate or come up with a remedy to fix whatever issue is out there.

Morrison: So generally, there's no -- from your perspective, we've determined that there's no public purpose because there's no department in the city that says they can any of any reason they would want it?

Yes.

Morrison: Okay. That's an interesting. And one thing I wanted to comment on is we apparently have a comment process for adjacent property owners, is that right?

Yes.

Morrison: Would it be possible to add or what would we need to do to add to that notification process registered community organizations? That include that property? Because the neighborhood plan contact team and the neighborhood association didn't get notified. And it wasn't until we brought them into the picture that we thought about the -- what was in the neighborhood plan.

That's correct. The interesting thing is the neighborhood association that signed up that's on the list to be notified is wang. So I checked that this morning and we did not send out notices to them and we will start doing that. But I think that there's some additional coordination we need to do on this property. This property is outside of two different neighborhood neighborhood associations and those neighborhood associations aren't signed up on the list to be notified about this particular piece of property.

Morrison: So their boundary zones -- it's in between ridgely and brykerwoods. But wang is like the big daddy -- in that area. And was the contact team, is there -- so you're saying you didn't see a central west neighborhood plan contact team?

I saw it afterwards. I checked and they are on the list to be contacted. Typically the way the ordinance reads is that we send out to everybody within 300 feet of the vacation. And so we sent it out certified

mail.

Morrison: I see. So we have an ordinance that actually addresses that.

Yes.

Morrison: Would it make sense for us to readdress that ordinance?

Yes.

Morrison: Why great. I would be happy to work with you on that.

Mayor Leffingwell: Motion on the table and a second? All in favor say aye? Opposed say no. It passes on a vote of six to zero. Item number 25. Pulled for speakers.

I am ear in support of this item mainly because of my previous experience as a court employee and working around playgrounds and parks, and I think that this is very important and wise policy to come into place. Also a healthy one. And it also prevents kids from having the exposure of cigarette butts all over the playground. And hopefully as we gradually move to a more healthy and cleaner parks that this would be volumed eventually -- eventually sooner by prohibiting alcohol, the sale of alcohol at events adjacent to youth programs like little league or other activities, just like we have at fiesta gardens where you have an event going, you have alcohol going and then down the street you have little league play going. So with that spirit in mind, I support this item and hopefully that we will get to finally address the issue of alcohol adjacent to youth programs.

Mayor Leffingwell: Thank you. Jana hughes? Not here? Councilmember martinez moves approval. Seconded by councilmember spelman. Discussion? All in favor say aye? Opposed say no. It passes on a vote of six to zero. Item number 51. Pulled by councilmember morrison.

Morrison: Thank you. This is the staff recommendation for recommendations on anti-lobbying and procurement. We had talk about it at the work session and it appears that there are a few open issues to have discussion about and we hadn't had a chance to go through the ethnics commission. What I would like to do is make a motion that we pass this on first reading and ask staff to take it to the ethics commission and come back with any recommendations for changes that they might have after that.

Mayor Leffingwell: Councilmember morrison moves to pass on first reading only. And don't come back until it goes to ethics commission. Seconded by comar. Discussion? All in favor say aye? Opposed say no. It passes on a vote of six to zero. Item 53 is pulled for speakers. We have two, anna rittering. No longer in the chambers. Those are all of the speakers that we have signed up on this item. So we will -- please sit down. Those are all the speakers that we have, so I'll entertain a motion on item 53. Councilmember martinez moves approval.

Martinez: Yes. Move approval.

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

Martinez: I just want to ask staff one question. Gordon, we passed this on first reading obviously with the direction to go to utc and come back to council. And I had asked questions about maintaining flexibility in terms of having rigid requirements in the ordinance. And I just wanted to ask you for the record what came back from utc and what has change understand second and third reading if anything from first?

we provide you a memo. We discuss this had with urban transportation commission last tuesday night. They were generally in support of the issues that we have flexibility and preparing particularly the pilot program. As applications are made to us we will look at the different requirements and make sure that we have at least equivalencies to the requirements of the ordinance for things like breaking and some of the other provisions that -- particularly as we're doing this pilot program we look at some options, we work with potential applicants to find solutions to issues. So we feel we have the flexibility to work with the applicants moving forward into the pilot program. We -- there was a question about hours of operation. We felt like the vehicles themselves are limiting with the battery life of the vehicles. So -- but again the applicant would identify for us the hours that they want to operate the franchise. If they want to operate 34, we felt that was a reasonable limit. We would use those as a measure and use those as we finish up the application process so that we can identify going in for the operators what measures we'll be using to look at their success. There was a request to specifically fix surveyors. They agreed to -- to fix fares. They agreed to that. The equipment requirements, we've done some work looking and talking to the manufacturers and we feel that in the staff's recommendation those are appropriate for this type of activity.

Martinez: When you talk about the fixed fare, would you contemplate a zoned fixed fare as opposed to overall? So if I'm going from somewhere in a suit and tie and it's 100 degrees outside, I really don't want to walk maybe four blocks. I'm only going from cesar chavez up to fourth street for a meeting. But I would still have to pay the full fixed fares if I'm going from the university of texas to cesar chavez.

At this point in discussions, we feel like we're going to let the applicants come to us and say they want to run a route that goes from cesar chavez to 11th street. They want to run it 15 00 at 00 in the morning. And the five dollars or whatever they want to charge for fixed fare will be posted on the vehicle. Of course, tips would be up to the person riding. So -- or if they want to do a zoned fare, that's again whatever their business model they need to do.

Martinez: I want to make sure we have that flexibility so that we can maximize ridership. If I'm going to pay five bucks to go four blocks because of heat, I'm probably going to try to get a cab for five bucks to do that as opposed to getting in an open air golf cart. I want us to make sure we have the flexibility to charge a fair price, if you will, for the actual service that's being provided.

And we anticipate that we may start off with a fare structure, then as we get in, it will probably be modifications to routes and probably the fare structure that we and staff intend to work with the applicants. Again, in a pilot, so we can find out what's working and if it's not working, is there a better way to do things to provide this. We do need to move people around downtown. So we want to make something that works for the business and for the people downtown.

Mayor Leffingwell: So it's important to understand that it's a pilot program only. That's just to confirm, councilmember, second and third reading you made the motion on. Are you also during the pilot going to be studying the area of operation, limitation on to --

well, I think at this point the process would be we'll probably take -- if these pass on second and third reading we'll take two to three weeks to finish the application process, but that application would be what streets do you want to run on, where do you want to have your stops? What are your hours of operation. And I think if someone gets ambitious and they want a route that goes up to the university of texas, but they found that really people want to get to the parking areas up around 10th street to the entertainment district that we may see a smaller route, but I think this process is going to be set up so that we can evolve that as we need to to find a business that works for the applicants.

Mayor Leffingwell: But you're going to study what routes might be feasible and safe and all those kinds of things before we make this thing permanent.

Yes.

Mayor Leffingwell: And what's the scope of the pilot? I mean, how many vehicles? Is there any limitation?

Well, what we have in the ordinance is no more than three firms. We feel like if we have more than that - so up to three firms can apply. One of the things that staff has recommended, is in the current ordinance it says an operator can have no more than four vehicles. If we want to have a service level of 15 minutes and we have a route, then that would seem to determine how many vehicles they could operate at any one time. So I guess my only feedback to the council would be that's a provision that I think may not lead us to having the flexibility it that we need to provide the service.

Mayor Leffingwell: Safety is going to be a concern, I assume, when you're issuing even pilot permits. So we will have these golf karst that won't be running up and down mopac, i-35. Is that correct?

I believe so. I believe the parameters that we're talking about were we will work with the applicants to design the routes. I think we can make sure it's on streets that are safe, that actually meet our needs as far as transporting folks and that we can make sure that it's as safe as possible operation.

Mayor Leffingwell: Councilmember riley.

Riley: Mayor, I would like to offer a friendly amendment to the motion, that we delete subsection b, (indiscernible) related to operating and limitations and that we let -- subsection c is subsection b. Subbks b currently limits the number of vehicles operating on a route. So a maximum of four vehicles at any time. And the number of vehicles really ought to be determined based on the length of the route and frequency of the service to provide the appropriate number of vehicles to serve the right. I think we ought to leave the flexibility that the appropriate number could well be more than four in order to maintain the level of service that's required.

Mayor Leffingwell: That was a friendly amendment. Councilmember martinez? Okay.

Riley: Is that consistent with the urban transportation commission's recommendation?

Yes.

Riley: Okay.

Mayor Leffingwell: Councilmember tovo.

Tovo: I have a couple of questions. Councilmember riley, can you direct me to that passage?

Section 13-2-289, subsection b. On page 6 of the draft ordinance, the paragraph at the very bottom, the one that says the department shall limit the number of electric vehicles operating on a route described to the operating authority of four such vehicles at any time. And we would take that paragraph out altogether. There's no predefined limit on the number of vehicles serving any given route.

Tovo: I would just like to say, for one thing, the report does recommend that the pilot -- that there be a pilot project and that it be -- pilot program. And that the number of vehicles be limited to two to four. And so I believe that was the rationale for having in there some kind of maximum numbers because of the safety concerns and the number of vehicles out there on the road in our downtown. I don't think any of us know quite how slow moving vehicles will interact with faster moving vehicles, large and small, and pedi cabs and how the whole environment will go. I will say if this environment passes, I hope that the

intent of making sure that we don't have more vehicles out there on the roads, that it will create a safe environment and be acknowledged. So I would respectfully ask that we not end up with 10 vehicles per route or something like that because again, the parameters that we suggested in the report were two to four. And we've already hit it at the maximum. And now we're contemplating removing it and leaving it up to the discretion of the transportation department. So it could go far higher than four per route. I would have to think about that one.

Mayor Leffingwell: Councilmember, it is part of the motion now. It's a friendly amendment.

Tovo: We haven't vote odd it yet.

Mayor Leffingwell: We don't have to vote on it. It's a friendly amendment. Adopted by the maker.

Tovo: I appreciate that, that we haven't voted. That's why I used the verb contemplate. I guess that's what you're picking up on.

Mayor Leffingwell: Let me say I agree with you. I'm very concerned about the safety and if a pilot program would be appropriate without some kind of limitations. Councilmember spelman.

Tovo: Go ahead. I have some other questions.

Mayor Leffingwell: You go ahead.

Tovo: I'll just say i understand too that the transportation -- that the utc in their discussion also talked about the performance measures and how they may -- successful companies might be -- may not meet their performance measures if they are limited to a certain number. So I understand the complexity of the issue. But I do have some concerns about raising that, but I'll yield the floor and then i have a few other questions. [Inaudible]. The other thing I wanted to point out, we had initially talked about having specified routes in here, and that too has been removed and left to the discretion of the transportation department. But again, I would like to just acknowledge the intent and the spirit of trying to keep them to routes that work well with our existing ground transportation system. And I know there had been a plan in the works to come up with a map of taxi cab stands and to try to make an alignment between taxi cab stands and the approved routes so that there's a good [inaudible] to get them to cabs that might take them to the airport or other parts of town. Is that still going to be the philosophy of the transportation department in terms of the selecting routes?

Yes. Right now in the draft application we have them identifying those other transportation nodes that are along the routes to make sure that they're acknowledging that this is the reason that the route is making that connection between where people park, where they go for entertainment and where there's other modes of transportation, both capital

Tovo: I missed the first couple of words you said. Did you say that's part of the application that they show that correspondence?

Yes.

Tovo: I would say that in our discussion with various stakeholders, there were also some great suggestions that came from some of the people I met with about putting on the transportation website a map that shows where cab stands are in the downtown area and where routes are. So I think as we move forward, that would be a great way to make sure that we're really serving austin. Thanks.

Mayor Leffingwell: Councilmember spelman.

Spelman: Thank you, mayor. Gordon, it was represented to me by an experienced cab driver that we're asking for the potential electric vehicle services [inaudible].

In the transportation world that would be where the -- yes, I guess that's the short answer.

Spelman: Okay. If we [inaudible]. I'm channeling my inner hannah here. It was important to hannah that we identify that the service in our ordinance. Is there any benefit from your point of view, anything that comes out of state law or common-law about the service that you're aware of?

I'm not aware.

Spelman: Is there something in state law that we need to have -- [inaudible].

I'm not aware of any state law that triggers.

Spelman: I won't be concerned with labels if it doesn't have any legal effect. One other issue which hannah brought up, and that was she was concerned that some of the services may represent themselves as cab companies when in fact the cab company in this town has a certain regulatory regime, a certain class of services, and she was concerned that an electric vehicle service represent itself as a taxi cab that it would confuse potential users. Is there -- in your view is that a concern?

In the ordinance it says that each of the operators must identify unique color scheme and identify in the and the city approve any color scheme or signage on the vehicle. We can certainly ensure that those are unique and identify this as being not a taxi service, but a vehicle for hire that is serving the -- it's going to be providing a niche service within our total system. So we need to identify it as such.

Spelman: I guess i understand that one of the likely applicants for the service had taxi or [inaudible]. Did that corporate name were included on the vehicle, that in itself might be confusing. Is there something we can do to prevent ta from happening?

I believe that's a consideration we'll take into account when we're looking at the signage proposed on the vehicle itself. So we can certainly look at that as we move forward with the applicants, working with the applicants.

Spelman: May I take your answer being that you share my concern, perhaps not at the same level?

No, I understand the concern and I think that's something we need to address in the application. And then as we move forward to the application of that.

Spelman: I'm glad we agree. I don't have any more.

Mayor Leffingwell: Councilmember morrison.

Morrison: On this issue of limiting the number to four or making a decision based on service or frequency of service, do you have any idea of the routes that we're contemplating, what, say, a friend minute frequency service would imply in terms of numbers of vehicles on the roads? Are we talking about increasing it to 35 or to eight?

Well, I think illustratively we proposed the former dillo doubts. So based on the performance of the vehicles, I don't really -- we can certainly develop that and provide that to you. My concern is some

evenings of the week where there's not as much congestion downtown, maybe four vehicles would service a route at 15-minute headway. And I think it's important that we be able to put on the signage that the city installs electric vehicles, service every 15 minutes and two so that people who walk up to service will understand when they might get -- now, it may be that on a friday or saturday night it may take six vehicles to provide that same frequency of service. So I think that's the flexibility that we see that we may need. It's more important that the customer really doesn't care how many vehicles there are, they just want to know they'll have a vehicle show up in a certain amount of time and get them to where they want to go to. I think what we've found from some of the capital metro stuff, time waiting is more important than time sitting in the vehicle going somewhere. So it's important to let people know how long they're going to be waiting to take the service.

Morrison: So you need that for it to actually be viable and really do a fair analysis of a pilot program like you're suggesting. I guess I'm just trying to get an idea in terms of the safety issue and adding the new types of vehicles, if you choose a service or a route, are we talking about the dillo routes -- or we talking maybe changing it to six instead of four or are we talking about 20? Because to me then we really get into a question of what's the safety going to be with the new vehicles on the road?

I apologize I don't have an answer for you. I can work with carlton thomas and steve grassfield and we can get you some answers on those. But again, the applicants will bring the routes to us and we'll work with them on the time of the routes and how many vehicles. Again, the limitation of the vehicles, three to four hours for their battery pack, depending on load. It's going to somewhat affect that, how far their service center is from the route. I think it's best fight that we have some flexibility to -- it's best for the pilot that we have some flexibility.

Morrison: Yeah. I understand that, but it should be that it makes sense to leave some and some judgment in your hands. I'm just trying to get a sense of how far out we're going.

Mayor Leffingwell: Do you think you could determine what the maximum number would be to achieve a frequency? Or would you -- I mean --

there's basic calculations --

Mayor Leffingwell: We can pass this on second reading only and make a better determination.

Martinez: Mayor. I think -- again, I think if we get to an area where we've got 20 low speed electric vehicles, we've got a whole other issue. And I promise you that cap moat troa will be all over it trying to take those customers and I promise you the cab industry will be trying to take those customers. What we're talking about is we need to give staff the flexibility to sit down and negotiate with these guys to determine the route. Once the routes are determined and the hours of service, then you can talk about headways and how you get to 10, 15, 20 minute headways. None of that can be determined right now without at least coming up with some semblance of a fixed route service. I just think that's impossible. It would be gordon's best guess to pass this on second reading and say come back next week and give us your next guess. It would be just like today, somewhere between four and eight, four and six. I don't know. We have to determine those routes first. I just don't think -- i don't see us getting to that snorio where we've got a bunch of golf karst running around -- golf carts running around downtown. Other industries would be jumping all over that.

Mayor Leffingwell: Councilmember tovo.

Tovo: With all due respect, we have heard from some people who think there are too many pedi cabs out there and thatted pedi cabs are creating a safety hazard because they are unregulated in terms of the numbers. So I guess I'm struggling to find out -- come to a solution now that there is an amendment passed. Can you set a cap of what the maximum? Would 20 -- maybe this is a question for my colleagues. If we end up with 20 for a route and three routes, this is a lot of new vehicles out there on

the roads during a pilot program. I think that would certainly raise a concern in my mind. And it's far different from what we had been contemplating at four. So I guess would removing the performance criteria of service, would that help alleviate some of these concerns or in the broader scheme of things that would just leave a lot of unhappy customers? I don't want companies to be dinged I guess in terms of the performance measures if they can't hit 15 minutes, or is the broader question whether or not people are going to be served often enough to make it a viable form of transportation?

I believe that -- trophy trophy [inaudible].

I believe that and the certainty. If we've got a service that sometimes shows up fairly frequently or they have show throw up one after the -- show up one after the other and then it's 30 minutes until the next one. If people perceive it's not a reliable or certain service, then what we really want is the concierge and the door men at the hotels saying, you know, it's really easy to walk a block and grab that to go to the moody theater. That's what really over the long-term is going to make a successful business. For that we need certainty. We could certainly after we get the initial applications in as reviewing them by a report back to the council about what that looks like. And then I understand the concern if we've got a train of electric low speed vehicles going down the street, there's business out there and -- to me the next step is to get in from the people who want to apply for this and see what they're really talking about as business models. I think that's going to determine versus us putting more rules or fewer rules in about how this is going to work out for future.

Tovo: Would it be an option to say that four is our starting place and then start with that expectation and then get some results and feedback. I assume we won't know what the -- how quickly people can get service until they're actually out there on the streets and come back and say to the transportation department, look, we can't meet our 15 minute intervals without adding more vehicles? Would that be a way to get on the record that we would like to you start with about four per route and with the expectation that that might need to increase, but it not going to start up in 15 per route. And then you can provide fee feed back to us.

We can certainly add that into the application process if we have these kinds of goals, performance profile. A little more than design a route that four vehicles can service on a friday or saturday night. That someone is going to limit what area they can -- that somewhat is going to limit what area they can cover. Again, that's the trade-off. We say no more than four, will that get us to the parking areas up in the state parking garages? Is that going to get us the length of route that we need?

Tovo: I guess what i was really saying is -- i don't want the routes to be determined by the number of vehicles, but could you set the expectation at least initially low on those routes so that we're not going to -- what I would hate is for people -- for an operator to start with 10 cars and then have you in a few months say look, that's too many out on the street and they've reduced to five and already made the investment to 10 vehicles. I guess my point is just whatever routes get approve, if you can set the minimum, set up a minimum number of vehicles with the expectation that that might need to increase, but not exponentially.

Let me talk to my folks and we'll draft up some guidelines that go with this ordinance. That address that issue along with the issues that we've raised. So maybe it's not in the ordinance, with you we put it in the directors rules that go along with these.

Tovo: I don't know how to articulate it, but I want to reemphasize that I don't want the number of vehicles to determine the routes. I want there to be more of an interplay with the hope that we'll start with the lower number rather than a higher number.

Right.

Tovo: Thank you. [One moment, please, for change in captioners] and i can see their utility serving

entertainment areas downtown and to the parking lots, but it seems to me like in most cases a couple of vehicles are going to be able to maintain that frequency and certainly four. I certainly have that concern. I still think it would be a good idea to maintain limitation that was in the original draft. So as I understand it, council member tovo was suggesting, correct me if I'm wrong, that you'd bring back guidelines and evaluation of how you're going to proceed before you do that, and I just -- before you grant a permit. Is that what you understood?

It's my understanding we're going to take the discussion here and draft some director's rules that would go with the application that we would look at as far as the applicant, as we evaluate an application, that there be a balance between the length of the route and the number of vehicles proposed so that it's not two-minute service, you know, a continuous flow, but that there be balance, and we'll develop that and we'll provide that to the council if second and third readings are today. This is second and third reading. That's why I'm concerned. Council member tovo. I think that our last turn we had talked about getting that kind of an update at some point before -- you know, once you're done drafting the application, is that right? So I think it would just be in the form of an update.

Okay.

Mayor Jefferingwell: okay. All in favor of the motion to approve on second and third reading, say aye.

Aye.

Mayor Jefferingwell: aye. Opposed say no. Passes a vote of 5-1.

Thank you. 53 -- item no. 54. We have a number of people signed up to speak, all of them for the item. First is Craig Spradling. Craig Spradling. Welcome. You have three minutes.

Is it possible to get one -- is there any objection, council is this. Okay. You have four minutes.

The civil parking is very important for the disability community because it acts as the single point of access to the rest of the world. So buildings and attractions are fully accessible but there's no adequate parking to them, then access is made moot, and if someone -- when someone abuses disabled parking, it makes access all that much more difficult. [Inaudible] percent of all parking is disabled, but very few of that low number is properly equipped for ramp access, et cetera, and they're placed close to an attraction. So in 1996 Texas state legislature, transportation 68101, which allowed cities and counties to have volunteer programs for disabled parking, and the city has one -- the number of violations reported by these organizations keep going up. [Inaudible] has 1400 a year, city of Austin is 1200, city of Houston's program, there's 5700 a year. And so parking mobility, which supports this relief, has created technologies that allow an individual to report violations on their smartphone freely, iPhone, ANDROID, Blackberry, and instead of having to -- android, and instead of having to pay for tickets they have to fill out for 15 or 20 minutes, which exposes them to confrontation with owners of the vehicle or other individuals, the application allows them to take a [inaudible], one in the rear of the car, one in the windshield and one in the car window with a vertical sign showing and agents as a conclusive report of the violation that they did then immediately send to the city. The city issues a ticket, and the city records the ticket. Now, within the city of Austin we have unanimous endorsement of the Austin Mayor's committee for people with disabilities. We have the endorsement from Dolores Gonzales, the ad coordinator for the city. We have the endorsement from the Austin Police Department. We have the endorsement of the Austin Municipal Courts, and we have the endorsement of Yolanda Buckman who runs the [inaudible] program right now. Our mobility goal is to eradicate disabled parking abuse. There is no fund revenue collected because there are no violations. We do so, a, through more effective, efficient and safer way of reporting violations, and two, using an incentive to engage the community to participate, and when the broader community participates and becomes more aware, then social behavior will shift and there will no longer be disabled parking abuse. So we support this. Are there any

questions? Questi questi ons? Thank you.

Thank you. Lauren rentrea, also signed up for. You have three minutes.

Thank you, mayor, council. I really support anything you can do to involve the volunteers that you have in this town, and I am a community policer from way back, a volunteer that does that, and I'm also one of the first volunteer code compliance volunteers in my neighborhood, and I think that the smartphone technology and all those things would be good for the volunteers in policing program as well as the volunteer code compliance program, and, you know, low income people like me, i don't even -- can't even afford a cell phone, so i think if you're going to allow this and maybe help support the disabled community and policing disabled spots, which i fully endorse, you should also expand this ordinance to include the ability of the police department and code compliance to purchase smartphones for their volunteers. Thank you very much. nice try. So we also have kenneth cornblum, matt marsh, robin petty, tonya winters, mike haynes signed up not speaking. That's four. And clay defoe against, not speaking. So those are all that we have. Council member martinez.

Martinez: thanks, mayor. Well, first I'll move approval of the item, and if I get a second.

Second. second by council member riley. Motion by council member martinez. mayor, I just want to follow up. You know, we actually have had concerns brought forward from the county level that this is -- the concern is that there my be some outsourcing with this, because it's currently run by the constables and their programs, and that certainly is not the intention. We're not trying to outsource any type of, you know, government work. We're trying to actually give people more access to the rights that they should currently possess. And so I hear those concerns. I want to try to alleviate and address those as much as we possibly can in working with the county, but I still believe that there's really no better enforcement tool than our own citizens policing themselves. And so I really think the merits of this program deserve our support, and I'll continue to support that, but I did want to acknowledge to the county folks that I have heard through the grapevine there are some concerns, and I'm more than happy to work with them to try to address all of those concerns. council member riley? I agree with those comments, but mainly I want to thank greg spradling for all his work on this and focusing our efforts on this very important problem. I think part of the value of this resolution will just be in the conversations that take place over the next 90 days when we're trying to figure out the details of how this will work and how all the parties can coordinate and cooperate with the citizens who are interested to see how we can step up our efforts on enforcement, and I don't know exactly what the outcome of that will look like, but I'm very encouraged about the possibilities that are out there based on the technologies that we've seen can help with things, if there's some solution that involves the use of smartphone technology, putting those technologies in the hands of citizens and helping them do a better job of enforce the restrictions on handicap parking spaces. So I really appreciate the efforts of the community in bringing this forward and I'm looking forward to their ongoing help as we figure out the details of the program and then get something in place that will empower citizens to help us do a better job on this. and I'd just say briefly, I also want to recognize constable lepont who has jurisdiction over this downtown area for his steadfast pursuit of enforce him of the handicap parking rules. I know a few years ago we embarked on a joint venture with the constable and dedicated city resources for helping him enforce these rules. I see this as an improvement even upon that, so obviously I'm going to support it as a co-sponsor also. Further comment? Council member tovo. I wanted to add my thanks to the citizens who contacted us and suggested that we consider this. I think that's a great thing when we have members of the community who bring an idea -- a great idea forward that we can act on and get into place fast. And I also wanted to point out that we're already starting to get emails from people who want to volunteer, so there's clearly a lot of support in the community for working on this issue. all in favor of the motion say aye.

Aye.

Mayor leffingwell: aye. Opposed say no. Passes on a vote of 6-0. And that brings up item no. 55. 55 Has nine folks signed up to speak. First is julia decker signed up against. Julia decker. Julia is not here.

Dela no,wamit. You're signed up against and andsir, you have three minutes to speak. Thank you, mayor leffingwell, members of the city council. It's kind of hard for me to get up here and -- against smoking. I'm here representing the austin golf advisory group and we would like for you to consider an amendment to permit smoking on the golf courses. We find that a number of the members of the associations that play regularly on these courses and then have, aif their tournament -- after their tournament, hold functions not in the clubhouse but on the surroundings for hotdogs, beverages, et cetera, someone is going to light up. I don't know how many people still smoke and play golf. I really don't. But I do know there are a number of adult men that do smoke cigars on the golf course. The group last night suggested that we don't have enough information to study this in detail. We would like for you to consider an amendment to hopefully allow, even in designated places, smoking if they choose to do so. Most golfers, as you know, are pretty responsible advises about policing what they try to do. They clean up. We have very little trash on the golf course, they put them in the receptacles. If there is the golfers always pick those up when they're traveling in the vehicles. This is not something that we're trying to -- it's a really -- I know, a tough decision, but we think -- we know that if the courses that the city operates, if we have bad personnel, if the equipment is poor, if the facilities are unkept and unclean, that we will lose golfers, and we do not want to lose golfers to another course, where they can go -- which is a semi-private course, possibly, which we do know that they still allow in the area smoking. I know that sounds juvenile, but it's a fact. If the golfers don't like something going on at a course, they eventually will not come back. And I'm just asking you to consider an amendment to that until we have more data from other areas to support a definite need for that ban on golf courses, to consider an amendment accordingly. Thank you. [Applause] thank you. You know this is a resolution directing the preparation of an ordinance that we're not addressing the ordinance itself today. This is only a resolution directing the manager to come back --

I probably didn't so i probably shouldn't have been up here speaking. [Laughter] well, no, actually, you should be, because I think it's a very appropriate time to voice your concerns so that possibly these could be considered in any kind of ordinance recommendation. I just wanted to make sure you understood that.

I appreciate that, mayor. I didn't know whether i should come or I shouldn't, but I said maybe I ought to go get my feet wet and tell you how they feel and we can go on from there. But thank you for letting me share. i appreciate it. Council member morrison? womack, i wanted to let you know that I had gotten the similar concerns raised by another golf advisory person, you can probably guess their name, mary arnold, and --

yes. were you also she mentioned that there were questions that she thought needed to be answered and information at hand, and we did get those questions from her, and i passed them on to our director, sara hensley, who's in the back, as well phil wong, our medical director, who is part of the discussion about the smoking ban, and my hope is that we can gather as much of that information as possible and have it available at the parks boards when they discuss this, because what we decided was let's just kick off a discussion. It should be at the parks board at their next meeting, so we'll make sure -- if we could just make sure -- staff obviously keeps everybody informed about that timing. So there will be a fuller discussion then.

Thank you very much.

Morrison: all right.

Martinez: mayor? council member martinez. I would also like to ask staff if at all possible if they could also present their findings to the golf advisory board so that they can also chime in if they want to further when it comes back to council. So hopefully whatever information they have, they'll also present it to you all and let you guys deliberate it and you can make recommendations to us as you see fit.

We can do that. We certainly will.

Martinez: thank you. i think those are good suggestions and I think there's a rational case for separating out golf courses, personally.

Thank you very much. i don't know -- austin high maroons, state champions, a few years ago?

I'm not quite that old. That was in the '40s. [Laughter]

and that was -- I did play on two teams that were runner-up state championship.

Mayor leffingwell: okay. Okay. That's what I was thinking of.

Thank you, mayor leffingwell. thank you. So signed up for is gail ?eden. Gail? Not here. Ashley hunter? Ashley hunter? Is not here. Anna hughes? Anna hughes not here. Jennifer conroy? Jennifer conroy. She's here? Oh, welcome. Signed up for and you have three minutes.

Thank you, mayor, council. I am signed up in support of item 55. I am an austinite, grew up here, went to ut, graduated from there three times. I'm also a doctor in public health and have worked in tobacco control and prevention for a number of years. I just wanted to remind you guys of a couple of important statistics. I think we've got about an 18% smoking rate in austin right now, maybe 17 to 19. About 90% of people who smoke started and got addicted before the age of 18. I like to think of our parks as a place that's really safe for children. I don't like to think of our parks as a place that kids go to learn to smoke. I'm also a park user, love to get out. I'm also an asthmatic, and so I have experienced many times going to the park on a beautiful day like today and being affected by folks who are smoking around me. Another important number is that of the 18% of people who smoke, studies show that about 75% of those who smoke want to quit, and so I think that if we can keep those numbers in mind, that the population, the universe of smokers -- I'm sorry, the universe of people to the universe of smokers, to the universe of people who really want to be smoking is actually quite low and I'm sure they're quite vocal and we want to protect everybody's rights, but there's also important rights for people to breathe clean air. Tobacco, as we know, causes fires. It's a huge danger for us right now. It causes dearns, emphysema, cancer, cardiac disease, cerebral vascular disease. It's the number one killer. One of my favorite things to do is take my dogs to the river or down to one of the creeks and I can't tell you the number of cigarette butts that I find. It's really a turn-off and i think that austin, which is so well-known for our parks -- I hate to think that we have such a huge litter problem because of cigarettes, and I would love to see that problem contained. Let's see. I think that's about it. Thank you for listening. thank you. Those are all the folks signed up as speakers. Signed up against but not speaking, stacy rudolph, sabino rent rea, clay did he foe and lorri rent rea, signed up against not speaking [inaudible] signed up for not speaking jessica ho angela hoop. Those are all speakers. Entertain a motion on item 55. Council member martin moves approval. Council member morrison seconds.

Morrison: I'd sect. I'd like to make -- propose an amendment actually you brought up, council member martinez, and that is in the be it resolved we explicitly asked that the city manager provide the recommendation to the parks and recreation board for review, and I'd like to add also to the golf advisory board for review there. for amendment from the second let's see, maker, accept that. The maker accepts. Council member spelman. I have another friendly amendment. I understand and agree with everything in the resolution with respect to people having a right to breathe clean air and also i recognize, however, that there are two classes of places where this may be dropped or at least must be balanced against the cost of enforce him. One of those is on the golf course. If you're on a golf course you have small parties of people, golf clubs and small balls, surrounded by lots of green space, and if you're smoking, the only people who are likely to be breathing the air on the golf course itself are the people in your party. If they don't want to you smoke and you smoke anyway, you're going to have an enforcement problem with the other members of the party, which is going to be a lot more persuasive to you than any ordinance that we pass here. If they're not persuasive to you you probably won't be golfing

with them again. The other is austin special events, or auditorium shores or [inaudible] where we have a lot of visitors, [inaudible] expensive to do. I don't know exactly what would be the right means of balancing the enforcement costs versus the prohibition benefits but would suggest that this is something that ought to be considered when we're drafting the ordinance. So I have the following, i hope, friendly amendment. To insert a second-to-last whereas, which states, whereas, the need to balance the benefits of smoking prohibition against the costs of enforcement may require that exceptions be made, particularly for special events and designated smoking locations. And the second part of the friendly amendment would be to insert the line -- to change the first two lines of the be it resolved to that the city manager is directed to write adorns directing austin parks including any recommended decisions, provided the parks and recreation board and so on. maker accept that? Second. Those are both accepted.

Those would not mandate but would give the parks [inaudible] flexibility. Flexib flexib ility. Right. Council member morrison? if I could, i just want to clarify that i have sort of foreseen that the ordinance recommendation that comes forward from staff may or may not have exceptions. I just wanted to make it clear that I think that if we're going to consider exceptings, we should consider them explicitly and not leave them to the discretion of the parks board. I just want to make it clear that that's what we're talking about, if they want to bring forward something exclusive [inaudible].

Mayor? council member tovo. I just want to clarify the amendment from council member spelman. I think I heard you say -- do you have it in writing, council member?

Spelman: I do. pass it down and pass it to the clerk. you haven't specifically called out golf courses. Is that correct? You just said there may be exceptions. there may be exceptions. I thought i understood that but wanted to verify. I offered golf courses as an example but i leave it to wiser heads to decide if that's part of the recommendation or not.

Tovo: thank you. all right. All in favor of the motion say aye as amended by two friendly amendments. Say aye.

Aye.

Mayor leffingwell: aye. Opposed say no. Passes on a vote of 6-0. de foe, I'm going to ask you one time to cease waving your arms. So you've been advised. Item no. 56. A number of folks signed up to speak. Trevino fernandez. Donating time -- you don't have any eligible donators of time so you have three minutes.

Good evening, council, my name is trevino fernandez and I'm coordinator with [inaudible] lulac district director 12. I want to once again make our last pitch, if you will, in us receiving mitigation funds to support our education summit that we're proposing in march the 3rd at east side memorial high school. The majority of the children that attend east side memorial live in the east -- the holly neighborhood area -- neighborhood targeted area, and thus, in my opinion we feel comfortable -- we feel that our proposal merits and fits the qualifications for funding of holly mitigation funds. In the list that you put out, council member martinez, there is some -- some allocations that are not specifically identified, and I would suggest that 50,000 of the cip and 50,000 of the enrichment program be allocated to help fund this education summit for parents in our community. We have the university of texas at the table, dr. vincent gregory. kerr stofson at aisd at the table. We have the associations at the table. We have lulac national at the table. We're supposed to be meeting with the county, and all we ask is that the city join into this effort. Education is one of the -- you know, one of the qualities that has shortfalled in our community. We -- yesterday I went to johnson high school. They had a program of the choir, and only four parents out of 600 showed up. Only four parents. So this is a very great issue and a very strong challenge that we have in our community, and that's getting our parents involved in the education. These funds, when they were initially, you know, put up, like I mentioned to many of you all, had it not been for our neighborhood we wouldn't be speaking about these funds and how they should be spent. This is a

program, this is an effort that's being driven by the neighborhood, by the landowners, because we face a crisis of academics, when you have 30% of Johnson high school students not graduating and being a [inaudible] community it is going to affect us. I see a lot of the programs that are being funded. I kind of question some of them. But in the spirit of working with everyone together, I cannot see -- I cannot even imagine or understand why you would not want or not allocate any funds to help support this endeavor. Like I mentioned, it is putting money in it by having their staff. Aisd is putting money into it by having their staff available. So we're asking that you follow the trend in regards to also funding mets elementary school for the host program. So again, we ask you to help us fund this program through these funds that are made available for our neighborhood. thank you, gavino.

Thawed -- advocated. Thank you, mayor. [Applause] questi questi on for you, gavino. Question from council member tovo. fernandez, did you submit an application?

No, what -- the part of the funds that we're asking for were not funds that were required -- required an application of the 125,000 that the list was put out and you had to submit it in april. The monies that I'm requesting that be made available for the summit are the monies that speak to the million dollars overall, which is the 125 for culture, 125 for program, and I do want to thank you anyway. When I'm here -- 550 went for the home repair. So these are -- these are funds for the cip and we also have the police beat. We talked to you all were we've been doing police beat for the last eight years. This is another resource of funds that could be targeted to the financial request, and this was not -- our request is not one that required us to submit an application. We're asking for these funds out of the funds that mike martinez laid out, council member, that has 50,000 for cip, 50,000 for enrichment program. So 125 are -- that he also put out, those were ones that you needed to submit an application to go for those funds. and then you mentioned that aisd and ut will be partners in this effort. What are the -- I mean, we d a letter from gregory benton.

Right. I don't have it in front of me but I didn't read that understand that actually making a financial commitment.

They're having financial commitment by having staff attend our planning meetings and by having staff research information to the summit. So we basically have a staff vincent gregory's office working with us in the planning process as we go through this whole endeavor. so kind of an in kind contribution.

In kind, yes, it is.

Tovo: okay. I don't -- hopefully council member martinez can clarify for us the application process. I'm not completely understanding what you're saying about -- about the application. But thank you for -- thank you for verifying that you hadn't applied for the funds that require an application. marcus de leon? And marcelo also? Marcelo tafoya not here. Leon davilla. Leonard davil t here. Ri vair a both signed up for joanie -- you have three minutes.

Thank you thank all the council members because it's my understanding you've been really hit up, probably more than any project for this 125,000. It's taken up a lot of your time. I'm going to speak first and wear my good witch of the east side hat and hope you support our \$800 to help feed the 80-plus ut volunteers that help us conduct this halloween block party. We're in our 21st year, and on a good day we have about 2,500 kids. And the new hat I'm going to put on is as the crime and safety chair for the east cesar chavez enabled. We have a real problem going on with that \$100,000. That 100,000 was allocated because four children were molested, not sexually but molested physically walking to sanchez elementary school because we had five -- up to 500 people a day using the soup kitchen. And a lot of those people only use the soup kitchen because caritas and the salvation army work with the police and, you know, work with the most wanted and things, and so the people that come to the soup kitchen, a lot of them are have warrants and are severely mentally ill, and now that the apd moved my neighborhood into the downtown sector, george one, the central east cops don't want to give us the money. So we're dealing with two area commands. And it was our neighborhood that lobbied for that

money and that money was used for overtime patrol, while sanchez elementary is in session, sometimes during the summer when it's a summer school site, and when it's not being used in the summer they use it to do the drug and prostitution sting in that neighborhood where have the methadone clinics and all the other can recycling and day labor problems. So we need that 100,000 moved from central east over to george one, and, you know, the metz community doesn't have the kind of problem that we have at metz elementary, like we do at sanchez. So I've tried to work with assistant chief mongia, but he said unless I can provide some kind of evidence, and all my memos back when chief knee was there, they were done on loats word and I've fried five computers since then. Then. I'm still digging through my records but I would ask councilman martinez, since you're the lead, if you could get apd to put that money back where it was intended, which was ter razz os library, the de facto day shelter for homeless people and the day kitchen when sanchez is in school. Thank you very much.

Spelman: mayor pro tem? Lori?

Council member spelman. mayor pro tem pro tem. Lori, I wasn't -- I wasn't there when the money was cated in the first place, but I understand your ern --

you were on council, though, when we came and lobbied. was it that far back?

Yes, sir. It's always been a transfer, ever since we got the holly good neighbor program going. there is an off chance I've got a piece of paper in a file back there someplace. Now I know to look for one. From your point of view, would it be equitable if some portion of that was returned to george -- is it george one?

Yes. and some of it were kept on the east side -- some of it were kept on -- what is it, charlie?

Yeah, the problem is -- most of the problem with the homeless and the crack heads and the prostitutes is between chacon and i-35, in that entire area is george one.

Spelman: okay.

And we need the help. I mean, the new cops we have are great, you know, but we need those resources because, you know, downtown takes up a lot of resources for that area, for that area command.

Slman: I understand. And they're having --

I mean, in the spirit of cooperation like gavino said, we can talk about, you know, sharing some money to deal with the prostitution stings and the drug stings, because apd does those as mobile at that particular time cals tack ti cals. Those are not necessarily assigned to command. 00 00 when those kids at sanchez are walking, we need that overtime, those patrol resources there.

And it's your understanding the problem is not only much greater west of chacon than it is east of chacon, but it's fundamentally -- fundamentally almost all of the problem is on your side of the street?

Correct. And we have the methadone clinic, we have the two can recycling, we have the tb clinwe have the 24-hour psychiatric emergency dropoff center at east avenue next to sanchez, we have the 500 person a day soup kitchen, and we also have a thousand people now coming to the east side drive-in for a big shoreline ministries program. So we're really, really -- and with all the hipsters coming, you know, we're seeing our robberies, aggravated robberies, have gone nuts. The prostitutes, the hookers are, you know, just -- we're a big magnet, and when those 26 cameras the da 8 paid for go live in red river, guess where they're all coming. So we need that resource to deal with those cameras that's going

to push even more crime to our area. Thank you. I see your point. Thank you, ma'am.

Thank you.

Mayor Jefferingwell: okay. Claire dancy? Claire dancy signed up against. Not here. Elizabeth walsh? Elizabeth walsh signed up for. Is Bruce Curtis here? Bruce Curtis? Not here. So you have three minutes.

Hello. Thank you. As a homeowner in the Holly neighborhood and resident and active participant in the Holly neighborhood coalition and a leader in the Holly Neighbors Helping Neighbors initiative, I'm delighted to be here today and to see the full diverse range of 14 remarkable programs that are proposed to be funded. It's not often that we take a time-out to celebrate the tremendous collective capacity of the Holly neighborhood, and I'm here to thank you for investing in those 14 programs. They range in savings homeowners utility bills, those that cultivate local agriculture, pass on music and dance traditions, some that are just helping neighbors to get to know one another, others that nurture leadership and love for learning in our youth. So thank you for recognizing all of those. Our community's needs aren't singular and it's wonderful this gives support to the diverse range of needs we have. The pictures that are floating through the -- oh, you can't see them, can you? All right. There is pictures from the first Holly Neighbors Helping Neighbors initiative, one of the initiatives that you funded. I'm really excited that you gave support to that program. It's a new partnership with one house at a time, great Austin nonprofit. And we had our first -- first pilot workday on August 13, and the pictures going through are of our first event, where we helped three low income elderly neighbors with some much needed home and yard improvements. We worked on some roof repairs, stair replacement and a tremendous amount of debris removal. We got to know each other. Everybody met someone that they hadn't met before. We had a great time and are looking forward to helping more families with much needed repair and ultimately reducing the energy bills in the broader community as we work one house at a time. If you have any questions I would be delighted to entertain them, and thank you again for supporting our neighborhood. Thank you. Ben Seewert? Ben Seewert signed up for. You have three minutes.

Mayor, council members, thank you for allowing us to speak today. I want to kind of continue where Elizabeth left off that the 14 items that [inaudible] represent a significant impact to the neighborhood. In that first project, that was completed by Holly Neighbors Helping Neighbors, was brought together by community donation. So by actually funding the first item that's in there and partnering up with meals on wheels and more, who is actively in the community all the time, identifying these families in need and [inaudible] world, we're going to be able to take what was already a great success helping flea families - - helping three families and expand it and make it even more of a success this year, and hopefully as a pilot program we can bring back those results, report those results and expand it for following years to come. That's all I've got to say. Thanks. Thank you. So signed up for but not speaking, Alberto a mosquito. Sabino rent or re a, Suzanna Al Mons A, Cortisone rent or re a. And Neutral not speaking clay defoe. Those are all the speakers we have. Is there any motion on 56?

Martinez: Mayor? Council member Martinez. I'll move approval. Council member Martinez moved approval. Council member Riley seconds. Discussion? Mart at. Council member Martinez.

Martinez: Thank you. I want to get back to the point. Council member Tovo had a question, was asking for clarification about what Fernandez was asking for in terms of funding. So if you look through the resolution, it's \$1 million, 550,000 is allocated in this resolution to the neighborhood housing and community development department for the Holly Home Rehabilitation program. And then, of course, today's item takes 125,000 for the grants assistance program with 14 items that have been mentioned by the speakers, which leaves 125,000 for cultural arts, 100,000 for the police walking beat that Lorri was talking about, 50,000 for school enrichment program and 50,000 for CIP projects in the community. Those last items, those last four that I mentioned, the 50,000, 50,000, 100 and 125, would total the amount that is being requested by the Lulac group, which is \$325,000. So we basically -- if we were to fund their request for \$325,000, we'd eliminate this ten-year history of funding cultural arts, some police

services, school enrichment programs and cip projects, and that's certainly up to this council to decide. This merely allocates it in those same manners as we have in the past, and this council ultimately will decide if it's to remain in those catechs or be spent otherwise. But there is 50,000 for school enrichment problems already allocated through this resolution, so I just wanted to make clear that it's not -- it's not like we're not funding school programs, and as well as the 14 other items funded today, meals on wheels in the community, austin latino music association, valley east, the longest serving latino ballet company in austin, creative arts austin, which is the believe me program at metz elementary school, the has cel street halloween block party, the festival beach community guards, gen austin, which is the girls empowerment network, girl scouts of central texas [inaudible] which funds science, technology engineering and math, at elementary schools in the holly neighborhood, lupiarte, which is [speaking in spanish] is a latino performance art group. Metz recreation advisory board, mexic-arte museum, and [inaudible] then artist roll valdez who works out of the metz recreation center and does programming there as well. So, you know, all of these are -- many of these, if not all of them, are long-standing programs that we've funded in the past. We did receive about \$515,000 in requests for the grants assistance program, which obviously is well in excess of the \$125,000, and so they get processed through austin energy and then austin energy brings those to us, and we -- of course we look at some of the past programs that we have funded, ensure that they are spending the funds as they have requested, that it is going back to the community, and then we draft the resolution along with austin energy to bring it to the council. And so that's what it's for today. council member tovo. I appreciate that additional information, and if I understood fernandez properly, it sounds like the school enrichment and the cip projects do not include an application process. Is that -- or did they also apply through austin energy?

Martinez: I don't know. vice on that. Regardless of how they get funded I think they still have to -- file an application. yeah, they have to prove they spent the funds as requested.

Mayor and council, government relations. They do not in the sense that they're not part of that 125 that council member martinez is talking about, which has the process where we sent out a solicitation saying please submit. We give them a month. We did this past year i think in late may and said please return them by the end of june. However, though funds get allocated from resolutions through council, and generally the way it historically works is sometimes there are applications that weren't funded in the 125 that council member martinez, for example, and austin energy might consider as worthy, and perhaps fitting under another category, say, for example, girl scouts are funded here, the boy scouts submitted a request, maybe we'll consider funding them out of that 50,000 school enrichment programs. So he may receive or your office or another office may receive a request for funding and that's a way in which those monies might get allocated over time, during the course of the year.

Tovo: thank you. And I know we've all received a lot of email on this topic and a few have been requests that were not filed last spring, and so that provides some additional information to those organizations of how they might be considered for funding through those other pools of money. And council member martinez, I appreciate you talking a little bit about the organization, and I wonder if you could just sort of sum up some of the criteria that are used in making recommendations to the full council. I know you mentioned one, and that's kind of past performance in terms of receiving grants, how well they carried forward there. All right. go ahead, councilman martin. I don't want to get my head bit off. , You know, the criteria, as we mentioned earlier when this item came up, the criteria is very -- came up, the criteria is very broad and it's specific for that reason so that anyone and everyone can apply, such as the halloween block party. They're literally applying for \$800 for popcorn and candy and things to hold a halloween party, but then you see other organizations such as la puente learning center who had \$100,000 because they're providing programming to hundreds of spanish-speaking only preelementary age students. Again, it's -- the criteria for applying is literally unlimited. There is no set criteria, and, in fact, you don't have to be a nonprofit, nor do you have to be a business. So as an example, johnny degollado applies every year for \$5,000 to do a conjunto festival. He's not a nonprofit nor is he a business, but I daresay no one would say he's not a legend and what he provides in terms of hi conjunto festival is a cultural enrichment program that unfortunately -- it's not going to be here forever. He's getting up in age, and so we support him on an annual basis with his program because we believe it's something that's

worthy of the cultural artists funding. If you're asking is there a matrix, is there scoring? There is none of that sort. We simply take those applications, we take feedback from the community, from those folks that are seeking those funds. They come in and meet with us. And we draft a resolution based on what we believe is the most appropriate expenditure of those funds.

Tovo: thank you. And I assume based on the list that variety of programs is also a criterion because there is a good mix of kinds of programming and -- kinds of he wants being offered to the community. Community.

Martinez: we do. We look at just how many students will be impacted, which schools they'll be involved, which community groups they'll be partnering with, such as in the poder program, if you'll notice we're funding meals on wheels. Well, that is going to be a part of that but also poder is going to be a part of the housing repair program because the young scholars for justice under one of these grants applications are going to now go out into the neighborhood and educate them about the home repair and rehab program, which we've found historically is not being applied for for whatever reasons, and I'm not going to get into the arguments about that that we've had for ten years. But we have over 2 million in a fund that's available for housing repair and rehab, and we have a dearth of applications on an annual basis. So what we decided to do this year, and poi dare applied for it, they pitched a program to us that said we'll send out our young scholar for justice to educate the community and convince them this is a worthy program and you can get interest free loans and repair and rehab your loan. Second and subsequent to that, we have received some requests from the community as we have throughout the years on parameters to the program, and we've amended the program as time has gone on. One of the requests this year is releasing a lien in the event of a death of the person that the lien is applied to. I think that's a fair request, and I think that's something that we should explore. If a lien is placed on someone, how is that lien absolved if there unfortunately happens to be a death of that individual, who does that lien pass on to or is it absolved or relieved, and we're certainly going to entertain that as a rule change, but we would want to run that through the cdc and through a community input process so that we can make the appropriate decisions as it relates to the program. council member, I 100% support you on your idea or your notion to look at changing the lien requirements in case of death in the family. I'll look forward to presenting that.

Mayor? council member martinez. one last thing is -- obviously, this is the last year of the funding. This is it. For ten years the city council has funded this program, a million dollars a year, and so it's really important that folks know, who literally have been a part of this program for ten years, all these programs at metz elementary school, they're going to go away. If we don't find another way to fund them next year, they're gone. All of the arts and enrichment programs that come through, they're gone. The home repair and rehabilitation, weatherization, I mean, that -- we really need to understand the impact that it's going to have on this community. I'm hopeful that we can find a way to supplement or continue to fund some of these programs in another manner, but I'm absolutely aware that austin energy faces its own budget issues, but it's really important that these organizations and that the school district, for that matter, understand and know that this is our last year of funding unless this council takes another action in a different direction. But with that I'll continue to support the program in this last round and I'll be voting today aye. so you've inspired me to comment once more, council member. As far as I'm concerned, the most important energy conservation program with rebates that austin energy has to support is weatherization, and I would certainly hope that in the years ahead when this program is not able to be funded with holly money anymore, that austin energy will prioritize in their other conservation programs. So with that, any further comment? All in favor say aye.

Aye.

Mayor leffingwell: aye. Opposed say no. Passes on a vote of 6-0. Council, in the minute that we have remaining here, there are two items on the public hearing that will go very quickly. 85, there's a request for postponement, I believe from staff. Yes, mayor and council, greg guernsey, director of planning and development. 85 direct a public hearing amending ordinance 21-1 and 2, requiring modifications for

open space. This is requesting postponement to the november 10 agenda.

Mayor leffingwell: okay. I'll entertain a motion to postpone item 85 until september 10. before we do that, actually I'm very interested in this item and I'm going to be out of town on november 10. Do you have any leeway in that?

We could probably bring it back only in two weeks, on november 3.

Morrison: your choice. Few think you can get it done in that amount of time. Otherwise I know we're going to -- I don't know if there's any real critical --

we'll make an attempt to do that and if we can't accommodate that date then you can consider another date if we're not done by that date. and I'd like to talk with you more about it, because once it got on the agenda for real, it appeared there were other concerns that got raised, so it might be helpful if I could work through a couple of those.

Very good. mayor, I make a motion that we postpone it to november 3. motion by council member morrison to postpone this item until november 3. Seconded by council member spelman. All in favor say aye.

Aye.

Mayor leffingwell: aye. Opposed say no. Passes on a vote of 6-0. 86 I believe staff request for postponement -- I mean, withaw. 86as a request to appeal a music venue permit and the appellate has withdrawn the request. No action is required of council. so with that item 86 is withdrawn. No objection. Objection. So now we've reached the time for live music and proclamations. So without objection, council, we'll go into recess for approximately one hour. Approximately.

Almost ready to go.

Riley: okay. I'm council member chris riley and it's my great pleasure to have the opportunity to introduce our guest tonight. It's meggan carney, singer songwriter megan carney is no stranger to the spotlight despite her tender years. Born and raised in amy fa of troubadours making folks look up and listen has been an effortless endeavor for carney, who is a self-taught pianist at the age of 7 and has been playing on the stage since she was a tween. It's enchant I can, romantic and organic. A tender young woman's tales spun into a fearless web of psych electronic residence. She's been at momo's good place for songwriters and has a devoted fan base like dan dire and suzanna shovel. We're please to have her here today. Please help me welcome here. [Applause]

thank you so much. This song is called sich and it's fairly new. I hope you like it. It's fairly low key. I wasn't going to blow anyone's hair back or anything. But if you come out to momo's tonight you might get to experience that because we're playing at 10:45. ... [♪♪ Music playing ♪♪] [♪♪ music playing ♪♪] [applause]

thank you so much. It was a pleasure being here and I just hope everyone enjoys the day and the weather. well, thank you, megan. That was awesome. I have to ask you, do you have a cd.

I have a few physical copies of some self-manufactured cds currently at my house, but com and just search meggan carney, that's meggan carney, there's a bunch of my songs that i recorded myself. But it's not bad for solo productions, so check it out.

Riley: that's great. com and it's m-e-g-g-a-n.

Yes.

Riley: and c-a-r-n-e-y.

Yes, don't forget that extra g.

Right, m-e-g-g-a-n. That was so cool so on behalf of the mayor and the city council I want to read your proclamation. It says be it known that whereas the city of austin, texas is left with many creative musicians whose talent extends to virtually every musical genre and whereas our music scene thrives because austin audiences support music provided by legends and newcomers alike. We're pleased to showcase our local artists, now, therefore, I lee leffingwell, mayor of the live music capital, proclaim october 20, 2011 as megan carney day. [Applause]

thank you so. -- Thank you so much. it's my privilege to present a proclamation in honor of disability mentoring day. First I want to just say a couple words about this topic in general. 00 i joined a large group of folks on the south -- not the south steps of the capitol where I went the first time but at the south entrance to the capitol to commemorate white cane day, which I've been very privileged to do every year since I've been mayor. And it's always an emotional experience for me. I think it's so important, white cane day was actually first proclaimed by then president lyndon johnson from this area, so you know how long that's been going on. But I don't know for sure that he began the efforts, but he was certainly one of the beginners to start various kinds of efforts to tap the potential and the value of folks with disabilities into the general community. And this is another one of those efforts, of a disability mentoring program, and we're very proud of everybody that's here today, and I'm going to sonleitner speak in a minute on behalf of everyone behind me. First I'll read the proclamation. It reads, be it known that whereas more than a million people with disabilities have entered the labor force since the passage of the americans with disabilities act in 1990, enabling them to contribute to our society and to their own fulfillment of the american dream, and whereas disability mentoring day provides an opportunity for students and for job seekers with disabilities to shadow an employee at their workplace and gain insights into possible career options while enabling employers to recruit new talent for internships and employment, and whereas, we commend the team of local organizers working with the mayor's committee for people with disabilities who arrange the mentoring opportunities for disabled citizens and thereby help them realize their potential and encourage their full integration into the workforce. Now, therefore, I lee leffingwell, mayor of the city of austin, texas, do dohereby proclaim october 19, 2011 as the celebration of disability mentoring day in austin, texas. Congratulations and I'd like to present it to this young lady here. [Applause] oh, there you are right behind me.

Thank you, mayor. I do have a couple of students here that wanted to share a little bit with you about their experiences participating in disability mentoring day. I have matthew and amy and they're both going to say a few words before I speak.

How is everybody tonight?

Good.

Awesome. I have been to a [inaudible] lab, it's over there off of -- well, anyway, I can't think of where it is. It's by that goodwill, way up north. We -- what we did is I went in there, they were doing a voice-over session for cats, and it was just so awesome the way they stopped it, and he kept on doing it, and i was like, what is he doing? And it was just amazing how people can do that with so much going through their minds, and we ha a kid that does it and I'm like, how do you do that? One head phone thing and this and a big-ol' like headset thing in the other ear. And it's amazing how they do it. I want to thank them for letting me enjoy that opportunity. I want though thank steve and the guys at sound lab, and I look

forward to doing something else next year. Thank you. [Applause]

thank you.

Good evening. I'm not very good at speaking in public, but I'll work on it. My friend, victoria zakel and I got to experience -- we job shadowed at the aisd material living center, and we got to socialize with the animals, which were pet classroom animals. They were snakes, birds and efficiency and a tarantula. We got in -- [laughter] and I especially love the part when my friend victoria made me want to hold a snake. We had a lot of fun socializing with them and we cleaned their cages also, which was a really good honor that we got to do that, and we -- we got to socialize with them. We got -- socialize with them. We got to ask the ladies, the workers questions and how they did their jobs and we took the orders down for the schools who needed animals to check them out. And that's basically it. [Applause]

thanks, mayor leffingwell, for presenting a proclamation to us for disability mentoring day. You've done it every year and we are grateful. And also I do want to thank the students from it. sbbi. We had 30 students participate from texas school for the blind and visually impaired this year, and this was not all of them, and they had a wonderful time and I really want to thank them for coming tonight because they had disability mentoring day all day yesterday and then they had white cane day all day today and some of them are telling me how tired they are on their feet but they're still here because they know this is important. My name is denise sonleitner and I serve on the mayor's committee for austin people with disabilities, as a family representative, and i am also the local chair for disability mentoring day. This is the 9th year for us to host this national event locally in austin. I want to thank kathie tovo for coming to our reception yesterday and presenting the mayor's proclamation at the reception. This year we had 90 students participate in disability mentoring day. Nine years ago we started and we had 13. Nows we had 90-plus. We had students participating from austin 'ses, texas state university, texas school for the deaf, austin community college, texas school for the blind and visually impaired. Disability mentoring day is a really good experience for our students. It gives them a chance to explore careers -- I think it would be great for any student to be able to do this when they're in high school, just explore for a day a career that they think they're interested in exploring. We set that opportunity up for our students who all had disabilities. We really do want to give them a chance. You've heard the statistics of employment for people with disabilities, and we really don't want them to feel like they're going started with the odds stacked against them. So this is a really important event. Disability mentoring day also gives employers a chance about what it means to employ a person who has a disability. I work for the city of austin, and I do want it thank city of austin employees, several departments, for participating as mentors in our event. City of austin fleet services, building services, austin police department, austin history center, falk central public library, municipal court, the austin music office, they all participated. Some of the private employers I want to recognize are southpark animal hospital, junction point studio, who does gaming, which is very, very popular for high school students. I always want to thank american community care, doubletree hotel, some of our public and nonprofit mentors included the department of assistive and rehabilitative services, austin/travis county humane SOCIETY, SRAs OF TEXAS. Before I close we spend a lot of time trying to match our students with a career that they really do want to explore. We consider our group to be a dream team. We really want to make sure that they're going to experience a job that they want to look at. And a lot of the way we recruit mentors is going out and just doing cold calls, asking people, can you help us out? We have a student who wants to explore this career. And sometimes you get an employer, you call and, you know, we have a -- we have a student who is deaf and they want to look into automotive, and, you know, we have -- we have some very kind employers say, well, deaf people can't really do that kind of work. That's not the purpose of our event. It's to show - - is to show them what they can't do, it's to show them what they can do. In closing, I just want to thank some of our mentors, jackie marks with omni hotel, steve metz with the sound lab, who matthew talked about, and jen quarter field with kit school in particular, because when I called them and let them know our students wanted to job shadow there was no resistance. They just see this as an opportunity. Steve metz was saying blind people doing boys acting. This should be really interesting. They really seize this as an opportunity to see how they could work with a person with a disability and give them accommodations and opportunities to do the work that they love. So I think it's a good event and I want

to thank you you all for being here. [Applause]

the history, art and nature division of the austin parks and recreation department would like to take this opportunity to recognize several individuals, businesses and organizations for their outstanding contributions to the arts in austin. I would like to thank the honorable lee leffingwell, mayor of the city of austin, kimberly mcneely, assistant director of the austin parks and recreation department and la esparza for their assistance with this presentation. We would also like to remind all the recipients, nominees and presenters to join fisher house a photograph afterwards. .. the history art and nature division would like to recognize the zilker theater production, laura powell, board president and john faulk, community lee liaison, if you would come forward, please. Laura powell, president of the board of directors and john faulk, community liaison have once again contributed tens of thousands of dollars in private and in kind contributions to provide renovation for the zilker hillside theater. For the first time ever they have running water, a new air conditioner that arrived just in the nick of time, and just as we began to experience our hottest summer ever. Other renovations include a back deck for extra scenery, renovated dressing rooms and improvements for the electrical system. We would like to thank john and laura for all of the improvements that will benefit the entire austin community. Thank you very much. [

Applause] barrientos mexican-american cultural center would like to recognize rupert reyes and johanne carrion. Of the. [Speaking spanish] theater company. Rupert and joann are the founder of the troupe and they have worked tirelessly for more than 25 years to bring the latino, bilingual theater to life. Their passion and councilmember kim to acting, writing and exposing talent has been exceptional. They have partnered with the mexican-american cultural center to create an annual new plays festival by latino playwrights. In addition to the numerous independent productions they have presented, rupert is also a published playwright, actor and director. Johanne is also a producer and director and has year after year carried the success of the theater with her skills in marketing and production. Thank you for so many years of expanding our cultural awareness and sharing your inspired point of view. [Applause] the daugherty arts center school would like to recognize janie ruiz. Are you here? Yes. Principal of gullet elementary school, catherine mitchell, principal of oak hill elementary. And lisa robertson, principal of travis heights elementary school. These three educators and the administrators have shown an unwavering commitment to the education and future development of our children. Each has supported the daugherty arts center's creative club with donation of time and space at their respective schools. Through their generosity, hundreds of children have received instruction and experienced in the visual and theater arts. Please accept our sincere thanks for your dea nation and your inspired leadership. [Applause] the daugherty arts center school would also recognize to recognize anita risel, the youth coordinator for the austin public library. Anita has cooperated with the daugherty arts center in presenting theatrical rendition of children ooze books at the austin library. She's also had the literature live puppet shows produced by the public libraries at the daugherty arts center. These programs have reached hundreds of austin's children and challenged them to develop their imagination, experience the traditions of other cultures and share the joys of learning. Thank you anita for your diligence, creativity and vision. [Applause] the elizabeth ney museum would like to recognize the environmental corps at american youth works, chris sheffield, director. The environmental corps at american youth works provided invaluable assistance on the restoration of the elizabeth ney museum's carriage drive and prairie. Helping expand the museum's educational programming to the community. Thank you -- sis 17 thanks to chris and his associates at the environmental corps. The liz beth ney museum would also like to thank the austin green team and pro energy consultant. Austin green team -- the austin green team and pro energy consultant went over and above all expectation to creating an in-depth energy audit for the elizabeth ney museum. The team had to overcome difficulties and find solutions to address the considerable concerns that come with evaluating a 119-year-old structure. The audit was funded by a grant from the national trust for historic preservation. Accepting for the austin green team and pro energy consultant is trent reveal. [Laughter] [applause] henry museum is recognizing steve buque of book people. Book people has been an integral to the success of the o. henry museum. Book people has for the last two years provided space free of charge for the museum to host its annual writing club for youth reception. Book people has also supplied books to the museum for author events, often under tight deadlines. Without book people's generosity, flexibility and responsiveness, the programs henry museum would not be such a success. Thanks to book people and steve burque. [Applause] the joseph and susana dick inson happenneck museum would like to recognize patty arn, ruth cunningham,

peggy george and margaret jacob. Here we go. The pioneer quilting bee has been meeting weekly for one and a half years. In that time these four women have been volunteer quilters using their skills to hand piece and hand quilt a beautiful quilt that will become an historic artifact of the museum. Called the alamo descendents signature quilt, this living testament has been signed by family members of those who served at the battle of the alamo and defend -- as defenders, courier or scout. It has signatures of 22 alamo families, including signatures of susan and almaron diks inson. It is dplaid at the museum and right behind me and will be an important part of the museum's quilt exhibit BEGINNING MARCH 2nd, 2012, Texas independence day. Thanks to all of you for your generous efforts. [Applause] again, the austin parks and recreation department would like to say a loud thank you to all the generous organizations, people and businesses that have made austin the arts and cultural rez nation that it is today. I would like to invite all to join us for a photo. [Applause] thank you and good afternoon.

Mayor Leffingwell: Mayor the 2011 code professional of the year award is to be presented by lawrence crowe of the building officials association of texas and accepted by dan mcnabb, planning department development review department, city of austin. And I also see greg guernsey. Are you involved in this? One of your guys. Okay. Congratulations to you, greg. So I will turn it over to lawrence.

Mayor and ladies and gentlemen, thank you for having me. As he said, I'm lawrence crowe, president of the building officials association of texas. The building officials association of texas for those who don't know, is a professional group that represents building officials throughout the state of texas. Building officials are those who really implement the building code and the fire code and those type things. So that buildings such as you see today are see. You see the exiting, all those things, are very well thought out and reviewed by folks such as our honoree, mr. neck nab today. -- McNabb today. They often say in our business it's really, really difficult to get recognition for building officials and building staff and building departments in general. And the idea is when we do our jobs well, nothing happens. If there's not a fire here, if there's not a fire in another building. If fire has effectively been prevented, we did our job well and nobody knows we did our job. So this is an opportunity for us to come and recognize the code professional of the year, who so happens to come from your city, the city of austin, who really in our judgment -- we've got thousands of people statewide, and we try to recognize the very best of the best. And dan mcnabb is our honoree this year. And I'll go a little bit off script here because effectively as we got here a little bit early, we broke into the building next door. We didn't know we broke into it. They ran us out. But effectively when you sit down and you visit with people, and we've had the opportunity to visit with a lot of his staff, a lot of the people that he works for, a lot of people that he works with, there's no greater praise than really being recognized by the people that you work with. I mean, if they think that well of this guy, then we really, really, really know we've made the right choice. We don't pass out awards lightly. We take our business very seriously. Effectively 30, 40 years ago the number one job of a fire department was to fight a fire. And because of prevention through both firemen -- fire prevention specialists and code specialists, building inspectors, plumbing inspectors, electrical inspectors, plans examiners, building officials, that's not what firemen do as a primary job anymore. Guys prevent the fire in the first place. You don't realize that your staff of I think 50 people have probably and we'll never know until another time, but have saved hundreds and hundreds of lives just by the diligence of what they do. So on behalf of the building officials association of texas and kirk casssen, sitting in the audience there, it's my pleasure to present the code professional of the year award to dan mcnabb for his outstanding contribution to the building profession and his community. We're honored to do this, sir, and we're very proud of you. [Applause]

thank you very much. I really appreciate the recognition. And really it's a recognition of [inaudible] and staff, building inspection staff, which i have some of the best people in the audience. Julie kirby, leon (indiscernible), greg guernsey, and everyone that I work with in the development process and the planning and development review, and I just want to end my saying it's an honor to -- end by saying it's an honor to provide the service to the city of austin. And thank you very much. [Applause]

good evening, I'm austin city councilmember chris riley. And it's my great pleasure tonight on to have an opportunity to recognize an individual that had a profound effect on our city's treatment of animals. We're very proud here in austin of the progress we've made towards become agriculture no kill city. The

truth is that the city itself never would have made the progress that it has without the active support, encouragement and involvement, continual involvement of people out there in the community who care deeply about the welfare of our animals and have been determined to make sure that we do right by them. And it's a particular individual that we're here to recognize tonight. Her name is peggy jennings. Peggy, I'm very sorry to say recently lost a hard fought battle with cancer. We think it's especially important at this time to recognize the contributions that she made towards our efforts and we're pleased tonight to have with us, peggy's husband, charlie jennings, and her friends to make austin a no-kill city. I want to read the proclamation recognizing peggy and then we'll hear a few more words about her. The proclamation is from the whole city council and it the distinguished service award. And it reads as follows, in mexican-americanism. Efforts to improve the quality of life for austin's animals, peggy jennings was deserving of public acclaim and recognition. Recognizing that pets are a vital component of our city's -- vital component of our city's unique character and contribute to our quality of life. Peggy worked quietly, but effectively and unwaveringly to make austin a no kill city. She provided input to the city's animal advisory commission and also did agility and burial training for dogs. We join the austin animal community in honoring and expressing our appreciation for peggy jennings' hard work and dedication on behalf of animal rights with this certificate presented the 20th day of october, 2011. Signed the city council of austin, texas and actually signed by our mayor, lee leffingwell. I want to present this to peggy's husband charlie. [Applause] ryan, would you say a few words?

It's an incredible honor that councilmember riley, the mayor and the city councilmembers, and I think councilmember morrison here too, and I appreciate you being here, have been a great tribute to our great peggy, the distinguished service award for her contribution to animal welfare and also the no kill efforts in austin, texas. This city council has been exceedingly supportive of animal welfare in austin. They were the first city council in the united states to mandate the implementation of urban programs and policies to become a no-kill city, meaning that 90 percent or more of all the impounded animals would be safe at our city shelter. They are no longer the only. Several city councils have now followed along in our city council's footsteps and we're very appreciative of our city council in exercising such, impressive and successful leadership on this effort. In fact, austin has become among the safest cities in the world for our lost or homeless pets that are impounded at the shelter. And it is on pace to become the largest city in the united states to save 90% or more of all of the animals that enter the city's shelter. That would not have happened without peggy. Peggy jennings was a relentless advocate for companion animals and for no kill reform in austin. She was a long time rescuer and lover of her favorite breed, cattle dogs. Who are often impounded at shelters. Peggy unilaterally and personally rescued and rehomed almost 100 cattle dogs on her own. She was a national champion obedience trainer of her own cattle dogs and she was the co-founder and treasurer of our no kill advocacy group, fixaustin.org. We also like to say that peggy was the heart and soul of our organization. hutton, she didn't speak much, but when she shows to speak, we all stopped and listened. And we are forever grateful for her contributions to our organization and to the larger animal welfare community. I want to thank you councilmember riley, I want to thank the city council and the mayor, councilmember morrison, for this opportunity to recognize peggy's role and essentially the transformation of animal services in austin. And I want to thank you, charlie, for sharing had your loving wife with us and the austin community. We're forever grateful. [Applause]

Riley: I want to recognize my appointee on the animal advisory committee, lisa mcclain.

I wanted to say one additional thing. Peggy has been honored down at austin pets alive for her agility training skills with an agility center. So if anybody wants to see a living testament to peggy, head down to austin pets alive and you can see dogs on a daily basis having the benefit of peggy's great work. Thank you. [Applause]

it's my honor to present this proclamation for those of you that don't know, monday, right, is the world food day. National food day. And so we're going to have some events here in austin, and I want to read this proclamation and allow marla camp to say a few words on behalf of national food day. The proclamation reads be it known that one in five children in the austin area 8% of texas households struggle to afford food in 2010 according to a just released center for public policy priorities report. And

whereas reducing obesity and diet related diseases by promoting safe and healthy diets is a critical factor in improving citizens' overall health and whereas supporting sustainable family farms and local agriculture benefits the local economy and helps to create an environment that makes access to food and eating healthy food an easy choice for all who live here. And whereas food day provides an opportunity to raise awareness about city programs, food banks and other food and health focused nonprofits and to promote educational activities regarding school lunch programs, community gardens, nutrition and food-related topics. Now therefore i, lee leffingwell, mayor of the city of austin, texas do here by proclaim october 24, 2011 as food day in austin. [Applause]

I want to thank the mayor and councilmember martinez and on behalf of eaters everywhere in austin and central texas, we're so excited to have the support of the city in this proclamation. We are having a host of events that will be happening all over austin. I think there are over 20 events in austin and over 20 in texas. So we're doing a good job here in our neck of the woods to support sustainable agriculture, healthy eating, making healthy sustainable food accessible to all. We have everything from community garden conference on saturday. We have a flash mob down at the farmers market downtown on saturday. We have various cooking demonstrations going on. We have a food fair on sunday. We're celebrating during veef is a la vida fest on saturday with healthy cooking demonstrations produced by edible austin. We've got all kinds of opportunities for the citizens of our area, everyone who lives here to come and give us input for the sustainable food policy board on sunday at 504 -- 5604 -- this is rhonda from sustainable food center. At any rate, starting at 00 we'll have a food fair at 5604 manor. And then we'll have a food chat interactive opportunity to give us input. And then we have a sustainable food policy board community meeting starting at 2:30 to 4:30. So we invite everybody to please come down and let us know how you feel about food and how we get it in our area. And the importance of knowing really where it comes from. And that's not even food day yet. Food day is on monday the 54th. I'll invite you to go to org and you will get the full schedule for the austin area events there. Thank you. [Applause]

Morrison: So this is domestic violence month and I'm learning that nearly one in four women are raped or physically assaulted by a current or former spouse and millions of children are exposed to violence either directly as victims or as witnesses. And so I'm grateful for these folks that sponsor domestic violence awareness month because it helps to educate everybody in the community to remember the victims and to celebrate the survival so that the survivors, with hopes that we can some day in the near future have a community that is free of domestic violence. We're here to recognize with a proclamation. This is diane rhodes that I'm going to be presenting it to. Be it known that whereas domestic violence is a serious crime that affects the lives of more than four million americans of all races, ages and income levels each year. In 2010 apd and the travis county sheriff's office reported a combined total of 11,997 family violence calls. And whereas children who grow up in violent homes are at risk of being abused and neglected at a higher rate than the national average. And whereas domestic violence costs the nation billions of dollars annually in medical expenses, police and court costs, shelters, foster care, sick leave, absenteeism and nonproductivity. And whereas we urge clients to learn more about this issue and to assist their friends and neighbors who may be experiencing violence behind closed doors. Now therefore i, lee leffingwell, mayor of the city of austin, texas, do here by proclaim october 2011 as domestic violence awareness month in austin, texas. Thank you very much for being here. [Applause]

I'm here on behalf of safe place, the community organization nonprofit where we provide services for survivors of domestic and sexual violence. Joining me here are [inaudible] whorks both victim services. And there's no way in the world that we would be able to do the work that we do at safe place without our friends at a.p.d. So I'm very happy to have them here as our allies. Quickly one of the things i want to say is that october is national domestic violence awareness month and all across the country there are sthes stick violence programs. And at safe place we just know how fortunate we are to be in a community where our entire community is recognizing this month. The city council, there are folks down on town lake doing something at the moment. There are films being shown. There's a celebration tomorrow afternoon. It is an amazing community to be in and we never feel like we're doing this work alone. Together I think we can make a real difference. If there are folks who need any of our services we encourage them to call the hotline, 267-safe. And for the rest of the folks out there, if you're

interested, we're asking people in our community to take the pledge to be courageous bystanders. And we would invite you to go to our website and take the pledge. And that's www.safeplace.org. Thank you again. [Applause]

my name is time bailie and I'm a graduate student at the school of social work. I'm here on behalf of ending homelessness or echo you know it. I first became familiar with oako last academic year as i was an intern, and I am partnering with echo in year for the classrooms community collaboration on two projects, specifically with the 100 homes campaign. My continued involvement in the area of homeless services only strengthens my commitment to the sometimes forgotten misunderstood and overlooked populations in our community. I applaud the previous actions of this council in resolving to provide 350 properly supportive housing units in the austin area. I also thank council members riley and martinez for their sponsorship of the resolution that's before you today, reaffirming the city support of the 100 homes campaign and directing the city manager to provide resources to ensure success of this initiative. According to the 2011 austin/travis county point in time homeless count report, there are an estimated 2300 homeless individuals on the streets in emergency shelters or in transitional housing. Individuals who are incarcerated in mental health and health facilities or temporary living with others or motels are not included as part of this count. Therefore the actual number of homeless individuals and families in our area most likely is larger than reported. There is a significant increase, 21%, in the number of single adults captured in this year's count over the 2010 findings. Given the current economic environment that has led to an increased number of foreclosures and high unemployment rates, more individuals and families are at risk of becoming homeless now. The realities are both federal and state budget deficits result in dwindling budgets and scarce resources for our service providers and they're left to manage larger case loads with decreased funding and reduced staffing, put considerable strain on their ability to effectively serve our community. I understand the complexity of this social issue with interaction with social service and homeless individuals. There's no remedy but continued support through program development and resource allocation will serve as a catalyst for long-term. Will through 100 homes campaign the provide homes and services to the most vulnerable homes and families in austin. I offer my gratitude to the council for considering this resolution. I urge the council to continually support permanent supportive housing initiatives. It is imperative that we remain steadfast in our efforts to serve those in need around us and through perseverance we'll ultimately end community homelessness. Thank you. thank you, william, and thank you for your patience. Gus pena? I don't see gus pena. Also not speaking, lore rent re a those are all the speakers. Martinez moves approved second by council member riley. I wanted to say a word, school social work and others that have been involved in this effort. It is a very exciting initiative that brings austin in alignment with communities across the country that are involved with the 100,000 homes campaign. If you're interested you can read about it at hundredkhomes.org. It is an initiative to identify -- survey and identify our most vulnerable in our communities to address their needs by finding housing for them. Locally the main part of this effort initially will be a survey that will be undertaken november 7 through 9. Volunteers will survey and identify austin's most needy and homeless individuals. Will be putting faces and names to those in our community who truly need to be housed immediately. I really hope that this is going to be a very helpful step in our long-term effort to work with all of our governmental and nonprofit entities to better align all the funding to meet the housing needs in the community. I'll be out there early the morning of november 7 participating in the count. It is a very exciting effort and an important part of the council's effort to make progress on homelessness. So thank you all for all your efforts. With that said, again, I'll --

mayor leffingwell: okay. Motion on the table? All in favor say aye.

Aye.

Mayor leffingwell: aye. Opposed say no. Passes on a vote of 6-0. Item no. 60. Has two people signed up. Gus pena, not here. Galvino fernandez is also not here. Heather eberly is also signed up for not speaking. So I'll entertain a motion on item 60. Council member morrison moves approval, second by council member tovo. Discussion? All in favor say aye.

Aye.

Mayor leffingwell: aye. Opposed say no. Passes on a vote of 6-0. Now brings us to item 84, and we will consider item 84 and 4 together. There are no speakers signed up. So the reason for delaying it, because 84 calls for a public hearing. time certain. So is there anyone here who wishes to speak on item 84?

Mayor? council member spelman. I move to close the public hearing on 84 and approve item 4 on all three readings. motion by council member spelman to close the public hearing on 84 and to approve item 4 on all three readings. Is there a second? Council member morrison. Discussion? All in favor say aye.

Mayor leffingwell: aye. Opposed say no. Passes on a vote of 6-0. Item 87.

Good evening, mayor, and council, leon barber, building official. Item 87 is an amendment to the 2009 international building code, and I want to just kind of highlight a couple areas for you we're proposing tonight. We created a definition for bed and breakfast occupancy, and we also added language that clarifies the life safety requirements when converting from a single-family dwelling to a bed and breakfast occupancy. The key date on this is january 1 in 2006, and I i rain why explain why we picked that date. The 2000 version of the ibc triggers heavy-duty requirements for bed and breakfast occupancy. Our proposal tonight allows for an exception to this requirement as long as they provide an automatic -- usually would require an automatic sprinkler system. We're allowing a automatic smoke detection system that's monitored, and there's a couple other requirements in there. I want to let you know we received a call earlier this afternoon who is a stakeholder who currently owns a bed and breakfast. He was concerned we were giving too much away to anyone who purchased a property before 2006. He did ask if he could continue the discussion with us so tonight I'm proposing that we approve this amendm this on a first reading only. Any questions? Questi questi ons? Council member morrison? barber, you said that you included a definition of occupancy. Is that for bed and breakfast or in general?

For bed and breakfast.

Morrison: okay.

That was a combination of the dictionary and we looked at the land development code and was further refined by the building code appeals. that's great when the dictionary helps. so there are no speakers signed up on this item, so entertain a motion to close the public hearing and approve on first reading. So moved by council member spelman. Second by council member morrison. Discussion? All in favor say aye.

Aye.

Mayor leffingwell: aye. Opposed say no. Passes on a vote of 6-0. 88 is an amendment to the 2009 uniform mechanical code. It's a very simple amendment. We're just modifying that amendment to create consistency with our electrical code. item 88 has no one signed up to speak on it, so we'll entertain a motion to close the public hearing and approve that on all three readings. So moved by council member martinez, second by council member spelman. Any discussion? All in favor say aye.

Aye.

Mayor leffingwell: aye. Opposed say no. Passes on a vote of 6-0.

Item 89 is actual adoption of the 2011 national electrical code, or nec as we call it. It will replace the

2008 nec. As some of you may know the codes are updated every three years and we're trying to stay up-to-date with our code adoption. I do want to thank some of the staff who worked on this. These things take a long time for us to review and analyze as we get these new codes. They're usually about a couple inches thick. This time we had the help of a couple board members, our chairman randi pomacall helped us with this and vice chairman bobby smith helped us with this. We also had another member that's not here today but he was a big help to us. That's david johnson. He's with the independent electrical contractors association, and I would like to thank him. I wanted to go over just some of the highlights. It's in your rca but I'll go ahead and read those to you. We defined uses permitted for time mm cable. Most of us know that as romex cable. We provided precise language for locations of service disconnect. We reduced the requirements of wiring methods in some applications and provided language for concrete encased electrodes that allow contractors flexibility in the installation of grounding of electrodes. Due to the high rate of thefts on certain types of materials. We used to ground with copper. [Inaudible] with the rebar that's in the slab. So that saves them a little bit of money. And finally we did add a special inspection program. This allows us to provide timed inspections. We're sort of working on trying to get the resources for that but it's a good program that we implemented with mechanical plumbing but we provide timed inspections and those are the main highlights of our proposal. thank you. No one has signed up to speak on item 89, must have done a good job to get the revised ordinance. So entertain a motion to close the public hearing and approve the changes to repeal and replacement on all three readings. So moved by council member spelman, second by council member martinez. Discussion? All in favor say aye.

Aye.

Mayor leffingwell: aye. Opposed say no. Passes on a vote of 6-0. No. 90. 90 is an amendment to the 2009 uniform plumbing code, and we created consistency with our water heater installations, we added an exception for the installation of [inaudible] rainwater, and we have always prohibited the use of potable water for through cooling on commercial equipment. We just left the language out in the last local amendment we did so it's in there now. We clarified the code language concerning elevator discharge requirements, and we are requiring self-closing metered faucets to improve water conservation. Questi questi ons?

And the motion would be to close the public hearing. There are no speakers signed up. And approve the ordinance/amendment on all three readings. So moved by council member tovo. Second by council member martinez. Discussion? All in favor say aye.

Aye.

Mayor leffingwell: aye. All opposed say no. Passes on a vote of 6 who 6- -- 6-0.

Thank you. thank you. Council by my count those are all the items we have on our agenda for today, so without objection we stand standadjourned at 7:16 p.m.