

City Council Meeting Transcript - 11/1/2012

[10:06:06]

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[10:10:03]

[audio problems, please
stand by]
the following items are
pulled off the consent
agenda.

6 pulled for a
brief presentation by the
law department.

Item 7 will be pulled to be
heard -- at the same time as
56, which would be
after 4:00 p.m.

Item 13, is pulled by
councilmember spelman.

Item 19 is pulled for
[indiscernible] bylaw.

And 39 is pulled by
councilmember martinez.

The following items were
pulled off the consent
agenda due to the number of
speakers signed up.

Those are items 2 and items
27 and 28, to be heard
together.

That's already pulled to be
[indiscernible]

and those are all of the items that I have pulled.

Any additional items to be pulled by councilmembers?

[Audio problems]

>> Mayor Leffingwell:
Hearing none, we have two speakers signed up to speak on the consent agenda.

They will be allowed three minutes each.

The first speaker is
[indiscernible]

>> [indiscernible]
[audio problems, please stand by]

>> you have three minutes total.

[Audio problems, please

[10:12:00]

stand by]
I think you are signed up on
[indiscernible]
10 and 13.

>> Annexing some property here in southern travis county.

I-35 south and i-35, it's only 114 acres, which may not sound like a lot, near slaughter lane, but I see a bad trend here in the city of annexing territory

outside, becoming this big conglomerate.

So you know the original city of austin when it was laid out, the original plat by edwin waller, who was actually the first mayor of austin, actually [indiscernible] edwin waller laid it out.

[Indiscernible] east avenue, later becoming i-35, cesar chavez, first street, then up to what is today one [INDISCERNIBLE] 19th Street.

It's a bad trend.

This causes taxpayers [indiscernible] this causes taxpayers to foot the bill for increased utilities.

As well as just more government.

So we don't need this annexation.

And I may have been signed up also on [indiscernible] consent, but [indiscernible] 3 minutes on however many items really limits me there.

So I just instruct you as my representative and every one of you to vote no on item 10.

Thank you very much.

>> Mayor Leffingwell:
Second speaker to speak on
the consent agenda is
michael whalen.

[Audio not transmitting]

[10:14:03]

>> [indiscernible] zero
waste -- [indiscernible]

>> I believe, I can't speak
for staff, but staff does
agree specifically to
restrict the [indiscernible]
to provide services to
property not currently
served by the austi
resource recovery.

>> Cole: That's the
language in the backup?

>> I believe that is the
language in the rca but the
purchase would be tied with
that language which is what
staff, I believe has
occurred to.

>> Cole: [Indiscernible]

>> Mayor Leffingwell: He's
here.

>> Bob getter, austin
resource recovery.

>> Cole: Can you speak to
the language that is in the
backup, the direct
recommendation?

>> Yes, we have an extended conversation away, in the October SWAC meeting.

[10:18:10]

>> Bob is already here.

Whalen suggested that there were good reasons for suggesting that the private sector could reduce the carbon footprint and reduce the costs of picking up brush, relative to the city's doing it because we are paying a lot more money for this equipment than the private sector would have had to have done.

I wonder if you could address that.

>> Yeah, the actual intent of switching over in equipment achieves those goals.

Our annual savings in switching over, it's a system, it's a series of boxes and trucks.

I look at a system cost for the -- this is a residential service for brush collection.

And annual savings is projected to be \$380,000.

We will save 115,000 miles annually.

And the rotation of our trucks out on the roads with this new system.

And that's a 33% savings in carbon footprint based on this particular system that we're proposing.

So I feel I'm addressing those issues with this changeover.

>> Will the trucks that you are talking about here be 75 feet long?

>> The trucks, the lineup of the existing truck is a crane and three tractor-trailers back to back on a residential road that lines up to 175 feet.

We're trying to reduce that.

We will be significantly lower.

If we use the box trailers and boxes on the same street back to back, it's 120 feet instead of 175 feet.

Still lengthy, still a little bit of space.

There was mention of the -- of the braces that's the street braces for the crane.

The existing system uses those braces.

So that's not a change.

We're simply trying to be

[10:20:02]

more nimble with a different type of equipment that will generate a carbon footprint savings.

whalen suggested that our cost by buying that equipment through the buy board was going to be 50% higher than his costs if his client bought it on the open market.

I wonder if you could address that.

>> We specified instead of -- the market boxes that are out there available to private haulers, we specified stronger rims on the boxes, we specified a larger wheel base and a rubber base on the edges for the purpose of not tearing up the streets.

You will note that in a rolloff situation in a parking lot like a grocery store or a large retail store, the rolloff boxes tear up the asphalt.

We are trying to prevent that so this is a special order.

>> Spelman: A special order comparing apples to mangos if we try to follow

your numbers --
[indiscernible]

>> again, you have no
concerns about the swac
language?

>> No, sir.

>> Spelman: Thank you,
sir.

>> Mayor Leffingwell:
Okay, that's all of the
speakers that we have signed
up on the consent agenda.

And with the confirmation
make items 23 and 25 will
remain on concept, but with
the swac language, I will
entertain a motion to
approve the consent agenda.

>> So move.

>> Mayor pro tem so moves.

Second by councilmember
morrison.

>> Mayor?

>> Mayor Leffingwell:
Mayor pro tem?

>> Cole: [Indiscernible]

>> Mayor Leffingwell:
That's been changed.

All in favor say aye.

>> Aye.

>> Opposed say no?

Passes on a vote of 7-0.

Go to item 6.

Pulled for a presentation by
the law department.

[10:22:03]

Good morning, mayor, mayor
pro tem and councilmembers,
my name is lynn carter with
the city attorney's office,
I am recommending settlement
in the amount of \$250,000 to
resolve jasmin ramirez's
property damage claim and
her personal injury claims
in regard to an automobile
accident that occurred on
MAY 9th, 2012, WITH A CITY
Of austin vehicle.

We discussed this
recommendation in executive
session on october 18th of
this year.

And the settlement agreement
will require that there be a
payment of a total of
\$250,000, are which will
deduct the amount of the
property damage that has
already been paid, so the
total amount will be the
250,000, which the city --
is the maximum amount that
the city would be liable for
under the tort claims act.

In exchange for these
payments, the city would
receive a release of
liability.

So with that understanding,
the law department
recommends settlement in the
amount of \$250,000.

For resolution of this
claim.

Any questions?

>> Mayor Leffingwell:
Questions?

I will entertain a motion on
item no. 6.

Councilmember spelman moves
approval.

Seconded by councilmember
morrison.

Discussion?

All in favor say aye.

>> Aye.

>> Opposed say no.

Passes on a vote of 7-0.

Take up one more short item
before we go to our
presentations.

19 is also -- also
a law department briefing.

Good morning, mayor,
council, jacquelyn kellam on
behalf of the city
attorney's office.

This particular item has
been pulled for the council

to select a bidder who is not the lowest bidder, but comes with the statutorially authorized amount for you to

[10:24:00]

select one other than the lowest bidder, that being a local company.

>> Mayor Leffingwell:
Councilmember martinez?

>> Martinez: Thanks,
mayor.

Yes, I'm going to move that we authorize the award and execution of agreement with kbs electrical, based on the fact that the local bidder, which is kbs, offers the city the best combination of contract and price and in addition to economic development opportunities for the city, created by the contract award, including the employment of residents of the city and increased tax revenue.

I believe the difference in price was about \$3,000 and since it's a local company, I think we should take advantage of the opportunities that the legislature gave us.

>> Mayor Leffingwell:
Motion by councilmember martinez to approve the

second highest bidder --
second lowest bidder for the
contract.

Seconded by councilmember
spelman.

Is there any discussion?

>> Spelman: One last
point.

The difference in price is
\$268, which is basically a
tie.

>> Mayor Leffingwell: I
feel a lot better now.

All right.

[Laughter]

>> Martinez: Actually,
mayor --

>> Mayor Leffingwell:
Councilmember martinez.

>> Martinez: That is true
from second to third.

This is actually the third
place bidder.

So from third to first, it's
109,000 compared to 106,981,
is that correct, jacquelyn?

>> Mayor Leffingwell: So
we have to correct the way i
stated the motion then.

It is the third place --

>> Martinez: It is the third place.

>> Mayor Leffingwell:
Third lowest bidder.

And is that all right with you, councilmember spelman?

Your second still stands?

>> Spelman:
[Indiscernible]

>> Mayor Leffingwell: Did you have a comment on that?

>> Yes, mayor, just to be clear, the difference in the amount of the bid is \$2,732.

And that was the third lowest bidder, that's correct.

>> Mayor Leffingwell:

[10:26:00]

2,000?

>> \$732.

>> Mayor Leffingwell: 732, the difference between the motion, the company named in the motion and the actual lowest bidder.

>> That's correct.

>> Mayor Leffingwell:
Okay.

So we've got the official numbers now.

All right.

All in favor say aye.

>> Aye.

>> Opposed say no.

Passes on a vote of 7-0.

With that, council, we will go to our morning briefings.

I believe the first one is a briefing on the land development code, unless there's a preference to change that order.

..

>> Good morning, mayor and council, [indiscernible] assistant director of planning, development and review.

This briefing is a discussion we hope with you regarding a process to look at revising austin's land development code.

This is a funded project with the 2012-'13 budget that you approved.

This project came out of the imagine austin comprehensive planning process, but it's headed towards george adams' division, so we're jointly going to do this presentation.

So our presentation, mayor and council are structured around these questions, why does the code need a revision, what's a good time to do it?

What should be on the table initially to undertake this project and what strategy do we use to focus on the really important things that need to be changed?

Who should lead this project?

And how do we keep the public informed and engaged.

How will we approach this

[10:28:00]

project and finally how long might it take?

So why?

Why undertake this complicated and difficult project at this time?

You just approved a new comprehensive plan and it provides direction that can be used to consider revisions to the land development code.

It also-- the land development code is an important implementing tool for a comprehensive plan.

Our consultant team and our staff recently completed the best practices survey of big cities that had adopted comprehensive plan.

And out of that best practices survey, we find that successful implementation of comprehensive plans involved at least five -- five strategies.

You talked about a number of these at your februar retreat.

Continuous public engagement, looking at regulatory reform, making sure our regulations support the goals of the plan.

Using the plan to guide capital investments.

Internal alignment.

Very important.

Making sure all of the departments understand the plan and are using it to guide their decisions.

And finally, partnerships.

There's a whole range of partnerships that are needed in order to effectively implement a comprehensive plan that is as broad as imagine austin.

I want to stress that --
that this isn't a linear
chart.

This is simply a chart that
is trying to illustrate how
we gain momentum to
implement the plan.

In other words, we don't
not do any of these five items.

We do all five at once.

So with that, I would like
to turn it over to George to
talk about the code itself.

[10:30:01]

>> Thank you.

Good morning,
council members.

George Adams, planning and
development review
department.

I know a significant portion
of your council agendas are
devoted to zoning and land
development-related issues.

So you are very familiar
with -- with the complexity
of our code.

Its strengths and
weaknesses.

But we thought it was
worthwhile to -- to
highlight a few of the
indicators that point us to
the need to revise our code.

So for example the last comprehensive zoning code revision that we did was in 1984.

Which is now about 28 years ago.

It was at a time when the population of austin was less than half of what it is today.

Since 2005 we've had over 180 proposed code amendments move to one stage or another of adoption.

Which really points to -- to a lot of -- of issues with our code.

We have multiple overlay districts that can apply to any single property, this can make it very difficult to kind of unwind the requirements for developing on that property.

It's more the norm than the exception to have a -- have a somewhat customized zoning applied to individual properties, which also complicates the process greatly.

We also have multiple duplicative and conflicting requirements within the code.

Once again just makes it very challenging to sort

through what the specific requirements are.

In any particular case.

We have over 60 zoning districts within the code.

Many of which are rarely used, so a lot of those are a legacy from -- from many

[10:32:00]

years ago.

It's -- it also kind of -- kind of is -- is a way of perhaps slicing the pie much thinner than we need to in addressing land use issues.

It's not initial to have some difficult -- it's not unusual to have some difficulty finding a staff person who can in a timely manner come to a quick resolution on a question about the code.

Once again, that relates back to the complexity of our code.

All that greatly convolutes the permitting process, both for the folks trying to obtain permits through the process but also for those on the outside who are trying to understand the process and participate in it from another perspective.

It's not unusual for us to use some variances as kind of an item of or a -- a last resort to allow good projects to move forward when -- when there's -- when our code doesn't permit that.

And then finally, and perhaps most importantly, our code isn't user friendly.

It's -- it's very difficult to understand.

It's difficult to interpret and it's difficult to administer.

The good news is that we -- with the adoption of imagine austin, we have guidance for this process.

The comprehensive plan provides both context and direction for the code revision.

This begins with the vision statement and its focus on livability, sustainability, and complete communities.

There are over 70 policies and actions within the plan that -- that speak directly to the code revision and provide a lot of guidance in how we move forward on it.

Then finally, most specifically, we have

priority program 8 which recommends revising austin's

[10:34:00]

development regulations and processes to promote a compact and connected city and further it provides some of the goals for that process, so we want to -- we want to create complete neighborhoods and expand housing choices.

We want to ensure neighborhood protection of neighborhood character.

We want to promote household availability and environmental protection.

We want to make sure that we're providing efficient services and then finally we want to create a code that provides clear guidance in a user friendly format.

So what should be considered for revision as we move forward in this process?

As a starting point, we want to take a holistic look at all of our development regulations and processes to identify what works, what doesn't work, and what needs further study.

Once we have that analysis, we and the council can make an informed decision about

what should move forward in the revision process.

And Garner is going to talk in more detail about that specific element in a few minutes.

We've also had questions as to the type of code we anticipate coming out of this process.

First it's kind of worth noting kind of the major types of codes that are out there, we have Euclidean or conventional codes, which is really focused, you know, on the standard separating of uses into separate districts.

We have performance based codes, which rely on criteria or some sort of metrics to measure performance with the code.

We have form-based codes, which are really focused on the built environment and what's the product that we -- that's derived from the code and then we have hybrids, which are mixtures of one or more of these types.

And that's what Austin has

[10:36:00]

currently.

The hybrid code.

It's -- it's not necessarily a consciously developed hybrid, it's one that has evolved over the last 28 years.

Circling back to that original question of what type of code do we anticipate, I think the answer is we don't know at this point as we get further in the process, we'll have better definition of that.

But we know that we're looking for a code that is -- that is user friendly, is easily administered and one that helps us realize the vision of im austin.

So the next question, we're proposing is who will be leading the process?

The core team includes the city council, and the planning commission, a steering committee, staff team and consultant team and I'll talk in more detail about those last three in just a minute.

But I just want to point out that in addition to this core team, we'll have a -- a broad based, iterative public end imagement process aimed at key stakeholders and the general public that will provide multiple opportunities throughout the process for them to engage,

provide input and participate in this process.

So regarding the steering committee, we're proposing a -- an 11-member committee, we're proposing that council would appoint seven of those members, staff would identify four, and the steering committee would meet regularly and continuously throughout the entire process and they would participate in -- in all of the steps of the process that we'll dive into more detail on in a minute.

Just to note, on -- ideally the types of -- of steering committee members that we're looking for, hopefully someone that is familiar with the code understands how it's structured, how it works, kind of what the strengths and the weaknesses

[10:38:00]

of it are, we're looking for steering committee members who can work collaboratively and kind of reach across the aisle and then hopefully steering committee members who have the trust and confidence of -- of a variety of stakeholder groups.

So in terms of the staff team, we have three new positions within the planning and development

review department that were approved with our fy '13 budget.

Those include a division manager, a senior planner, and an administrative assistant and those three staff members will be dedicated exclusively to this project.

We'll also have staff support from multiple divisions within pdr and from other departments on an ongoing and as-needed basis throughout the process.

We also have once again as part of our recently approved budget, \$2 million for consultant services and related expenses.

57600
.. step 2 a.

Which is annotated outline.

When we started looking at this, I thought that -- i thought that the diagnosis and the annotated outline could proceed together.

[10:46:01]

There really wasn't a need to go through the process twice.

Talking to the people that have done this for a number of years, they have said you really can't mix the two

because you need that opportunity to talk about what's on the table, the diagnosis, before you start organizing the new code.

Until you have a green light for the diagnosis, meaning you all telling us what's on the table, you can't really organize the code.

So that's when we broke this into step 2 and 2.

Actually 2 a and b.

After that's complete, the consultant team would generate an initial draft of the code and it would go through the same process as the previous steps and then step 4 would be -- would be -- the -- the planning commission holding the formal public hearings and making a recommendation and the council adopting the new code.

So in summary, austin's development regulations and processes need a holistic view, review.

They -- they've kind of -- they've kind of accumulated incrementally, and that's normal for a fast-growing dynamic city.

I think all fast growing cities look at issues as they come up.

I think austin is different from other fast growing cities in this regard.

Periodically, there's absolutely a need to look at the entire accumulated code and how well it's working and how it should be reorganized to work better.

We think imagine austin provides an opportunity to do that.

We think it's important

[10:48:00]

that -- that the consultant team be given rich input and then allowed to do their work.

Because they are the ones that do this for a living.

We think absolutely the -- the step-by-step process is needed.

And that the planning commission and the city council needs to -- to endorse the step-by-step process.

The planning commission asked us when we got to them what would success look like?

So we tried to put some items together.

We think we need to stay on time and within budget.

If it bogs down, it probably won't be that successful.

Absolutely open to all, provide rich educational opportunities, engage people who use the code, focus on common ground, not make premature assumptions.

And don't let perfection get in the way of actually improving the code.

And then we -- success would be a clear, predictable, user friendly code that implements our community's vision.

So potential benefits, we would expect future development would be -- would more reflect the community's vision.

The permit process would be fair, clear, predictable and timely.

Property owners would know what they can do and can't do.

More people able to easily meet their daily needs with shorter trips.

That is the focus of our comp plan is to encourage development pattern that allows shorter trips to meet the daily needs.

Expanded housing choices and I guess to sum all of this up, it's an effort to make it easier to do the right thing and harder to do what we don't like.

So I set at the beginning -- I said at the beginning that

[10:50:00]

we would talk about a time line when this might all be complete.

The steering committee, if the steering committee is appointed by december, end of this year, and the consultant is on board by april 2013, and the [indiscernible] one listening sessions are finished summer 2013, and the diagnosis approved by city council by february 2014, the annotated outline approved by council on june -- at least summer of 2014, and then the preliminary draft approved march 2015 and we think this schedule is reasonable.

It can happen.

If there's great -- if there's a great deal of consensus that this is what we want to do, an adoption draft, could be complete by september 2015.

Now, let me -- let me add something to this.

Not knowing what changes,
it's hard to predict how
long the adoption itself
will take.

So with that, George and I
are open for questions.

>> Mayor Leffingwell: Any
questions?

Councilmember Riley?

>> Riley: Well, first I
for all
of their work on this.

It's an exciting venture to
launch into.

I know a lot of preparation
has to go into this, I
appreciate all of the
thought and effort that you
have put into it.

I want to ask just a couple
of questions.

First over on slide 14 with
respect to the committee
that we will be putting
together, the committee
will -- is proposed to
consist of 11 members,
council appoint seven
members and staff four
members.

That seems a little unusual
I don't remember a process
in which we had a committee

[10:52:00]

composed of a combination of staff appointees and council appointees.

Can you just give me some idea of the thinking behind that?

>> Part of the thinking was that there are seven of you and each one appointment is an easy number to arrive at.

There are also experts that bring subject matter expertise to the process.

Of the that need to be identified.

Whether those are identified and appointed by council or staff, I don't know if that's a big issue.

But that's sort of how we got to the seven and the -- and the four.

>> Riley: So you are picturing subject matter experts within the community and it -- would it be a matter of staff taking a look at who council has put on the table and then adding to that with some experts just to sort of round out the committee?

>> Yes, absolutely.

>> Riley: Okay.

Then on the best practices assessment, over on slide

20, I was -- I was pleased to hear about the -- about your expectations on -- on bringing folks here to have ongoing discussions about experiences in other cities and other matters related to best practices for -- for understanding how this sort of thing is done.

Could you just give me some idea of what else did you expect?

Do you expect that we'll have more speakers like chris lineberger coming to town, experience like in other cities, what do you anticipate that we'll be seeing?

>> Yes, both.

We have gotten some great suggestions from -- at the end of the lineberger event, we invited the community to identify additional subject matters and speakers, we have gotten some suggestions and we're busy recruiting some speakers that are going to start in january.

But we're calling that the

[10:54:01]

headliners.

The best practices were -- has two parts to it.

One is opportunities for people to really learn about the present code in-depth.

So we would provide those forums.

And we'll have that information in writing, also.

And secondly, we were hoping to invite some people that have recently gone through a similar experience, both -- both either councilmembers, planning commissioners, staff, consultants, community members, steering committee members, from other big cities, that have undertaken a similar effort and -- we were thinking, we're open to idea, but we were thinking about convening a panel and just letting the community interact with them.

And learn about their experiences.

>> Uh-huh.

>> Riley: So we could expect that to go on over the next year or so?

>> Yes, yes.

>> Riley: Great.

Then lastly I wanted to ask about the time line for actual approval and pledges

-- and implementation of the proposed code changes.

You have set out the proposed time line on slide 32 and that goes all the way through adoption of the draft code in september 2015.

That's preceded by a preliminary draft code approval in march 2015.

Of course that's a long way off.

This is a complicated process.

Would you anticipate that there might be some interim measures that could be approved sooner than that?

Or do you picture really doing this all as -- in one fell swoop in 2015?

>> It's an excellent question.

I'm not sure we have the complete answer.

There are a number of initiatives watershed has one, we have one larger initiative that are ongoing right now.

We are carefully looking at those efforts to see, to

[10:56:02]

make sure that they're coordinated with this project coming forward.

Whether those efforts need to be merged with this broader effort, I think is very much a question on the table for planning commission and y'all when we come forward.

Whether or not something in the code after the diagnosis is identified for an early win, I think there's a possibility of that.

Something that is just so obviously in need of fixing that doesn't have to wait two years.

>> In particular I wanted to focus on one particular issue that has been a matter of concern to many in the community, that relates to the time that we're taking for approvals on permitting.

Which is partly a result of the complexity of the code and the difficulty of reviewing applications for development.

There are many other factors as well, including staffing.

But to the extents that we can identify some -- some potential improvements that would help us address that issue, and get permits approved in a more timely

manner, do you expect that we may be able to get those done sooner rather than later?

>> I'm not so sure.

Most of those fixes are going to be -- done by an early code revision or whether they are done by the ongoing program of -- which greg guernsey can address.

With additional staff.

And -- and reorganization of our processes.

Which is -- which is intensely being looked at right now.

>> Riley: I just wants to emphasize that -- that that is a real and serious concern today and I don't want anyone to get the impression that we're just going to --

>> right.

>> Riley: Put off the solution --

>> oh, no, no, no, good point, not at all.

>> Riley: There is a real urgency to addressing issues related to permitting --

>> right, those don't need

[10:58:00]

to wait for the code revision.

>> Riley: Right.

Thanks again for all of your work on this.

>> Cole: [Indiscernible]

>> Martinez: Thank you, mayor pro tem.

Garner, I wanted to ask, we got an email from some of the affordable housing advocates specifically asking what would be in the as it relates to rewriting portions of the land development code and ensuring that the pros and cons of affordable housing are addressed.

More specifically, that affordable housing can be achieved through those rewrites.

The fear, obviously, is that density doesn't always and equate to affordable housing, if we're going to hire a consultant to help us, what are their qualifications, can they show us clear examples of what we can do moving forward and what are you all contemplating in that regard as well?

>> Well, the -- we're working on a draft rfq right

now and that issue has been highlighted.

As critical in the community as well as -- as a priority program in imagine austin.

So -- so it's emphasized throughout that rfq that we would be looking at -- at code revisions with that perspective.

>> So we'll be specifically inserted into the rfq as a qualification that is necessary for potential bidders?

>> Yes.

It is -- it is listed as an item that this process needs to address and we are looking for expertise in that area, yes.

>> Martinez: Thank you.

>> Cole: Councilmember Spelman?

>> Spelman: Thank you, mayor pro tem.

Garner, you are probably aware of this, but I wanted to put on the table so we are all sitting and thinking about it, that we have tried to do this before, the last time I remember us trying to do this was in 1999.

guernsey was
there sitting at the tail

with the assistant city manager and an art requisite board with all interest groups, all stakeholders at the table.

We actually walked through the land development code line by line.

And at the end of the several month process, we found we had not changed a single solitary word of the land development code.

And the -- the description for why, that I heard from the assistant city manager who was [indiscernible] the whole process was very frustrated was behind every single word in that code there was a story and somebody at that meeting knew the story, as soon as the story came out, people shook their heads and said we're not going to be able to change that one either.

We went on to the next one and never changed a thing.

I think it's much better to have this done by a consultant who, well, will not be intimately committed to the consults of each of those stories.

The results of each of those stories, but also a good idea that you have frequent check-backs between that consultants add the public

so that they understand what the story was in the first place.

They're going to need to know this.

The reason that I mentioned the story was because I was hartened and dishartened at the same time, the slide number of the perfect consultant.

You are saying that you want a consultant who is courageous and straightforward.

[Laughter]
this led me to have to look something up on line.

>> Is that an oxymoron?

>> Spelman: Courageous and straightforward is fine.

There are I'm sure courageous and straightforward consultants out there someplace, they just don't make very much money [laughter]
I was looking for a quote from minister, the older civil servant is advising the younger civiller rant as to how to handle the elected official.

And the older fella, named sir humphrey says if you want to make sure -- give the minister second thoughts about the question, tell him

that the decision is
controversial.

If you want to be really
sure the minister doesn't
accept it, you must say that
the decision is courageous.

The younger fella says,
that's worse than
controversial?

And sir humphrey says oh,
yes, controversial only
means this will lose your
votes.

Courageous means this will
lose you the election.

[Laughter]
I think the same thing could
be true here.

We hire a really courageous
consultant, he probably
won't stay our consultant
too long.

When you actually get to the
point of the inevitable
interview, talking to these
fellows, one of the things
we are going to be looking
is tact and diplomacy and a
lot of interest groups often
at odds with one another in
a tactful way.

It's good that they know to
tell us the truth.

Also good to know they tell
us the truth in such a way
that actually are actually
pre disposed to hearing it.

That said I like that you add the check back, in different places, 2 a and 2 b strikes me as a really good idea.

It does seem to me that you have your head screwed on straight with the idea that just because it comes back to the city council in the fall of 2015 doesn't mean that it will necessarily be adopted in the fall of 2015 because things happen when you get back to the elected officials as you have found in the last few months of your life.

I'm sure.

I also feel a need to mention that it is extremely likely that none of the people on this dais are going to be on the city council that ends up adopting this code on the fall of 2015 or afterwards.

If the charter changes, we are all going to be term limited out.

Councilmember tovo will not be term lated out but she's got a migraine headache so she's not here right now.

Those of us that are here could say great let's hand this off to the next city council.

I will be handing this off to the next city council with the assumption that they would be in the same situation as well and i would not want to hand this off in any other way to myself.

I think we're doing the right thing for the next generation of city council members.

>> Councilmembers, the 99 was more of a recodification of what we already had.

It wasn't really looking at new code or possibly changing a lot of the code i think at that time.

That was really, I think, looking back, a possibility of doing that, but I think it was more of a recodification.

I also want to mention for councilmember riley, we are looking at those issues of repermitting now.

I have already organized a portion of our residential review selection.

We are adding the staff that you were kind enough to grant me earlier in this year and I'm still using overtime and temporary employees to try to catch up and bring us back.

So we are meeting those deadlines that are stated in the code.

>> Spelman: We have to have a longer conversation about that at some point, too.

Thanks.

>> Cole: Councilmember morrison, a courageous councilmember?

>> Morrison: Are you talking about my prospects for reelection?

[Laughter]

>> Cole: No, your integrity and familiarity with this issue.

>> Morrison: Thank you, mayor pro tem, I appreciate that.

We did have a conversation with this, at the same time we had talked about how we didn't want to just do a code diagnosis and then send the consultant back and come back with a draft.

I gather what you have added here, tell me if this is a correct.

After the code diagnosis, before we move on, we'll start looking at alternatives.

We'll have a discussion about alternatives and then again during the code rewrite, could you just review that a little bit?

>> Yes.

Actually, we're proposing both.

We're proposing that -- that the steering committee engage with the consultant team to -- [indiscernible] approaches to the controversial issues that are coming out of the listening session.

Before they do the code diagnosis.

And then we're also talking about that -- that that conversation continuing after the diagnosis.

>> Morrison: Great, I appreciate that.

Because I think that that's going to help the productivity once it gets back to council because we will already have hashed through, we will have had at least some discussion about that.

I do want to follow-up on councilmember spelman's point about actually walking through the code line by line.

I don't want to go to the part about not having made any progress there.

But I believe we had a conversation, one of the -- one of the things that I understand the consultant or staff is going to help with, there will be concern about how do we know that we're not just dropping certain things out.

I understand that there's going to be some kind of tracking mechanism so that we can actually see where certain concepts that are in the code end up or not.

In the new code.

Is that correct?

>> Yes.

>> Consultant's job or --

>> it's critical for the --
[sound cutting out]
tradeoffs need to be made.

I'm not saying that the community will choose to keep every single item, or requirement.

>> Morrison: Correct.

>> But there needs to be a tracking so that people can see what happened to it.

>> I think that's going to help quite a bit.

Then I -- -- I believe there was some discussion at the commission levels and perhaps some other input -- about the idea of having the steering committee seated is finalized.

So that the steering committee could have some and i believe that that was a lot of that -- a lot of that discussion came as a lesson learned from -- from the comprehensive plan process that we just went through in terms of the task force being seated after we had the r.f.p.

Could you enter he to that a little bit?

Because that's not exactly what's going on there?

>> Yes, councilmember.

We did hear that at the planning commission.

I think that we also discussed it as the cpt meeting.

But the -- but the points that we tried to make there were -- were that the four-step process that garner just walked through is -- is essentially what we just presented as a broad outline of the rfq and so it's true that the steering

committee wouldn't come on until after we issued the rfq.

But they are involved in all of those steps and the definition of those steps.

In step 1, they are involved intimately in the diagnosis and outline process and then drafting of the code, so we feel like the details of those steps are not -- are not the details in the rfq, we have the opportunities to involve the steering committee in that in a very meaningful way.

>> Morrison: That's good.

I hope that we can have a little more that -- that are -- that our consultant selection process, maybe we've got some lessons learned that we can be a little more efficient than with the comprehensive plan.

And I think one of the things really is -- really is -- related to what councilmember martinez was talking about.

And that is are we going to be asking explicitly for tell us your experience in developing code that promotes affordable housing.

So that we've got specifics and I -- so that's one question.

But I would also like to say that we have several goals and vision, visions and priority programs, in the comprehensive plan, like a healthy austin and environmentally sensitive, so I think that -- that in terms of efficiency, you know, because we did a second round of questions to the consultant.

Consultant applicants last time.

I wonder if it would be possible just to make sure that we serve through the vision statements that we have and programs and specifically ask them if here you have a code that relates to the does is that we have.

That's -- we have -- I spoke with someone with the creative alliance, they want to be part of this discussion.

So I think it really touches all of the building blocks and codes.

So if we do that I think it will be a lot more efficient because I bet people are going to be asking that.

>> I think what we can do is send a summary forward, the rfq itself is confidential.

Until it's released.

But we certainly address all of those issues in our request.

So far in our draft.

I think that's well known because those are the issues in imagine austin.

Those are the priority programs.

I also -- affordability, creative economy.

So, yes, it -- they, it's not only in the rfq, but it's -- but it's stated --

>> Martinez: The foundation of our --

>> Morrison: The foundation of our going forward here.

As long as we get explicit responses I think that it's going to be real helpful and then just lastly, one of the reasons that you mentioned george that we are doing this is because of the multiple overlays that we have, all of that, when you were mentioning the cs 1 muvcomp, zoning that we might have, I was wondering if we might have a contest to see who can find the piece of property that has the most letters on its zoning.

I bet greg guernsey would do that.

Might -- nitrogen
rate a lot of enthusiasm for
this project.

>> Morrison: Exactly.

Might be the foundation of
our research.

As you can tell this is
going to be a lot of fun
[laughter]

>> Cole: We had this
presentation in a
comprehensive planning and
transportation, so pleased
to have it again to see you
tighten up a lot of the
items that we had comments
about.

The staff wanting to appoint
four subject matter experts,
I think that's a very good
idea.

I wasn't sure at what stage
in the process that you were
going to make those evident
to council.

I'm not sure, the idea was
that council would appoint
their appointments then we
would have a privity who
might be missing.

>> Okay.

I think councilmember riley
asked that.

Okay.

Thank you.

Any other comments or questions?

Okay.

We'll have the next briefing on the riverside corridor.

Thank you.

>> Good morning, councilmembers, my name is erica leak, with the planning development and review department.

This morning I'm going to provide you with a hopefully relatively short briefing on the east riverside corridor regulating plan that will be coming to city council next week for potential adoption.

And giving you the background on the process.

Through which we arrived at the regulating plan and some of the details of the regulating plan itself.

So -- so today I'll talk about the east riverside corridor context, why we feel like we needed a plan for the area in the first place.

What's included in the master plan vision that council adopted in 2010 and

is the basis for the regulating plan.

And then going to the regulating plan details and adoption process.

So I'm sure most of you are aware, the east riverside corridor is a gateway to austin between downtown and the airport.

It's an area that's actually fairly similar in size to downtown austin.

So -- so it's a pretty large area.

So east of 35 and south the lady bird lake.

It is identified as an activity in the comprehensive plan.

And the regulating plan will be one step to helping to implement the comprehensive plan in creating a more complete community in that area.

Potential urban rail corridor, that's also been obviously a part of the discussion.

Zooming in in a bit more detail, it overlaps with two neighborhood planning areas.

The east riverside oltorf combine neighborhood planning area and the

montopolis neighborhood planning area and it does have great parkland to the north of the corridor, with roy guerrero park and along lady bird lake, but you will notice that within the corridor itself, there's -- there's basically no small scale parkland.

So just to get into a little bit of the background of why council directed staff to begin a master plan process for the area in the first place, one of the reasons is that the corridor was -- was basically designed for cars.

[One moment please for change in captioners]
.. the type of environment that really encourages pedestrian access in the city.

The other main reason council directed staff was that change was on the way already.

And I want to be really clear on this point.

Displacement was starting to occur in the area before the planning process even started.

And it will continue if this plan were stopped.

And so I'll talk about what things the plan can do to help mitigate displacement,

but I just want to be really clear that if we do nothing the trend will continue.

It won't just stop.

So in terms of the master planning process itself, we had a very active community planning process in 2008 and 2009 and then as I mentioned council adopted the master plan as revision for the area in 2010.

These are some of the public input opportunities that took place during the master planning process.

So out of that process we arrived at the community's vision for the area and some of the things that came out of that process were really pretty basic.

Increased pedestrian safety and comfort.

More transportation options for people using a whole variety of different ways of getting around including bicycling, walking, et cetera.

Better and more neighborhood open space, especially really internal, the neighborhood.

More housing and housing types.

Right now in the area there is generally single-family homes.

Outside of the area and within the corridor itself pretty much the only type of housing that exists there at present is garden-style walkup apartments.

So it's a very limited housing type.

So just to give you an idea of what the area could look like in the future, this is a view of present and a rendering of what it could potentially look like in the future with new development that meets the regulations in the regulating plan.

Getting into just a few more concepts included in the master plan, one of the important concepts is that of the hubs or areas of concentrated development that really create neighborhood centers where a lot of people can live, work, you know, find a small park to sit in during their lunch hour, et cetera.

And this hub concept is really important because research shows that retail and commercial spaces do better when they are concentrated rather than located along a long linear path way.

And the other reason the hubs are important is that many of the concepts included in the master plan vision are really contingent on having a lot of people being able to live in close proximity to one another but also in close proximity to retail and commercial establishments to be able to support those businesses.

So the big question is how do we get from here as riverside is at present to there where we would like to see it in the future.

The master plan actually includes a number of implementation strategies to help move the vision along.

One of those is setting the rules for new developments.

And those rules are going to be in the form of what's called a regulating plan, which is basically a combination zoning and design tool.

It is tailored to meet that vision that the community created and it integrates both design and -- and use.

It also includes a development bonus tool to help insure that some of the needs of the community can be met in exchange for additional building entitlements.

So you may have seen a graphic, something like this in the past.

It's -- it's an illustration of the differences between conventional zoning and designer form based regulations and I believe George mentioned that earlier, there are different types of code and the East Riverside code is heading into the design based direction.

As I go through the details of the regulating plan, I'll be talking about three general areas.

Those are design and land use, the public realm, and the development bonus program.

In terms of design and land use, one of the things that the regulating plan does is it tries to create more clarity in terms of having people be able to understand the requirements for a particular property.

So on the -- what we're calling the subdistrict map, each subdistrict is identified by a different color and then those colors are carried through to other parts of the regulation to show what a -- what could be built on a particular piece of property.

So there are summary pages that talk about generally what uses would be allowed, building heights, their relationship to streets, things like that.

There are five different subdistricts.

The more intense ones are located near riverside drive and major intersections and then -- let me go back a couple.

And then the lighter purple and lighter blue are residential only subdistricts that serve to transition from the more commercial areas into nearby single-family neighborhoods.

This is the land use table that does go along with the subdistricts.

Again, color coded.

Although we feel like there is much more opportunity to have a mix of uses in those commercial areas, we did want to be clear about what is allowed and what isn't.

So that's still included in the regulating plans.

There are also design based regulations that help to create not only a more people-friendly environment but also can enable more eyes on the street to help

increase safety in the neighborhood.

There are particular areas, and these are generally in the hubs that I spoke of, where there are requirements for ground floor spaces that could be used commercially if or when the market is there to support those.

And so those are in place again to help really encourage mixed use environment so that people can have all their needs met in a smaller and, you know, potentially even walking distance.

We are proposing compatibility standards that are specific to the east riverside corridor.

They are intended to protect single-family homes and provide a buffer between single-family homes and more intense development while at the same time ensuring that we can get enough density and enough vibrancy in these hubs to really make them be the walkable places that we're hoping to achieve.

So this is what a building looks like, could potentially look like using the proposed east riverside corridor compatibility standards.

Connectivity is also a huge issue in the area because there are many very large parcels that are not currently broken up.

So the regulating plan includes a collector street plan that will ensure that as new -- new development comes in, that they will be expected to provide public streets to ensure there is at least somewhat of a street grid in the area.

There are also other site specific requirements to break up -- to break up large sites regardless of whether there's a recommended collector street on a parcel or not.

And again focusing a bit more on the public realm, one of the things that can create a more people-friendly environment is ensuring that the relationship between the buildings and the sidewalk is one where the building is designed so that people will go into it and directly from the sidewalk rather than having to walk across a block of asphalt parking area to get to the building itself.

So there are requirements for certain portion of the buildings to be built up to the sidewalks and then there are requirements for

improved sidewalks with street trees in some of the locations to make them be more pleasant places to be.

So you can see some of the differences between some of the sidewalks that we have right now and what we're hoping to see in the future.

In terms of open space, there are a couple of mechanisms for helping to provide future open space in the area.

One of them is a development bonus program.

Another one is encouraging -- site -- on-site parkland for the parkland dedication requirements.

And now moving into the development bonus program itself, the basis for the development bonus program is starting with the entitlement by subdistrict.

And these entitlements are very similar to existing zoning that's in the area at present.

So there's no major upzoning that happens through the regulating plan itself.

But if a property owner would like to build a taller or more dense building, then they would be required to

participate in the development bonus system and provide community benefits in exchange for that increased height or density.

And the development bonus is proposed to only be available for properties that are within these hub areas, and that's, again, to focus development near riverside drive and near major intersections to create that nexus of people and services.

One thing I wanted to quickly point out is that based on public input, there are different heights to which buildings could be built in the different hubs.

In the montopolis area, there are nearby single-family houses and there was less support for having taller buildings.

So buildings in that hub would only be eligible to go up to 120 feet or approximately 10 stories rather than in the hub at pleasant valley or the highway, which could potentially go up to 160 feet or approximately 13 stories.

So the proposed development bonus program is, you'll notice, similar in format to the downtown density bonus

program, and that is intentional.

We're trying to create more consistency across the various density bonus programs that we have in the city.

And so there are two required community benefits, those being affordable housing and open space.

And then there's a menu of other items from which a developer could choose.

And basically then they would accumulate bonus density through the provision of these various community benefits.

So to get -- zoom in a little closer on the affordable housing item, it -- a developer would have to basically earn 50% of their increased entitlement through the provision of either on site affordable housing or through an in lieu fee, and we've split that into two parts.

One is for buildings that would be under 90 feet in height, and that's because buildings that are generally under approximately 65 feet are generally less expensive to build because it's wood frame construction.

And so there's generally additional value that can be -- that can be given to affordable housing and still make projects be successful.

And so there's an on-site requirement for affordable housing for those -- for those shorter buildings.

We're proposing that for projects over 90 feet that there would be an in lieu fee.

We have a place holder of 50-cent per square foot in lieu fee but we feel it's appropriate to continue that conversation so staff and planning commission recommend we remove that for now and we will come back to council and talk about a new proposed method to figure that fee in lieu.

We don't think that having a set fee in there at present will be problematic because based on our analysis it seems very unlikely that there would be any buildings over -- well, really over about five stories built in the east riverside area in the near future.

Basically because they are just much more expensive to build and the rents that could be charged can't really pay for the higher cost of construction at present.

So that is one of the things that we'll propose to change.

However, the development bonus program is obviously only one potential tool to help deal with the affordable housing issue in the area.

So other ways that the regulating plan helps is by increasing the housing supply in the area.

There are a number of properties that are currently zoned commercial though they cannot be used residentially, so those will be rezoned to allow residential within them.

You know, we all know that it's a very difficult time to be a renter in austin when occupancy rates are at 96% or so, basically property managers can charge nearly as much as they want for apartments.

So increasing supply may to some extent help with that issue.

Another way that it helps is by creating transit-friendly neighborhoods, and that results in lower overall costs for a family because a family can spend less money on transportation.

And then obviously the development bonus program itself will help create affordable housing that will be there in the neighborhood for the foreseeable future.

In addition, there are citywide discussions about other things that the city needs to be doing to help create affordable housing throughout the city.

So obviously we have a vote going on now and next week about potential bond funding.

There has been discussion for quite some time about a geographic dispersion policy.

Also the potential for a preservation policy, relocation policy, tenant protection and land banking opportunities.

So what we'll be asking you specifically to do next week is to approve a new zoning category just called erc, and what it would mean is that properties that are rezoned to erc would be subject to the regulating plan and not to the general zoning standards for the city.

There are some properties that we are proposing to not rezone.

Those include h.u.d.

Properties, properties zoned p, public, and then there are duplex properties that were zoned -- that are currently zoned single-family, and there was discussion about those properties when the master plan was adopted and we decided not to rezone those as part of the property to help -- as part of the process, excuse me, to help ensure that there's continuing single-family in the area.

We'll also be asking the council to approve a change of the future land use designation to srd or specific regulating district.

This would basically point a developer to the regulating plan.

It identifies that there are different regulations in this area and that they need to go take a look at those.

The regulating plan has been developed through a public input process over the last two years, approximately.

The planning commission looked -- there was a planning commission public hearing about the draft regulating p
october 23rd and they

unanimously recommended adoption of the regulaing plan with a few discussion items that we'll probably get into next week unless you want to get into them today.

So to sum up, on november 8th we'll be asking you to consider the erc zoning and neighborhood plan amendment and we'll have -- we can get into some of the details of the planning commission recommendations at that point.

And I'm happy to answer any questions that you have.

>> Cole: Thank you.

Great job.

Questions?

Councilmember morrison.

>> Morrison: Thanks, erika.

I know this has been a long haul, in fact, I was trying to remember how long it's been.

I remember mayor pro tem at THAT time McCracken saying we need to do a [inaudible].

That might have been 2006?

>> 2007.

A good while ago.

>> Morrison: Thanks for sticking with us.

I have a couple of questions.

In terms of affordability, I appreciate you taking that into a different discussion so we can move ahead.

Is there a level of affordability already contemplated?

>> Yes, families making 60% of the median family income and be affordable for 40 years and that the for sale units would be affordable at 80% of the median family income for 99 years.

>> Morrison: So that's pretty much standard what we're doing, so that's good to hear.

Is there anything in it?

I know the neighborhood plan calls for encouraging and prioritizing having more ownership.

Is there anything in the plan that's going to help us with that, do you think?

>> That --

>> Morrison: It's a tough thing, I know, with the market.

>> I have not yet heard of a way that the city can actually require -- I mean i don't know if there would be any way we could encourage it through a development bonus, but I don't know if someone else wants to speak to this, but I don't believe we can actually require --

>> Morrison: Clearly we wouldn't be able to require it, but I just wonder if there might be ways we might be able to encourage this sort of to align this with the neighborhood plan priorities set.

And I know that's in the east riverside plan and i don't know if it's in the montopolis plan.

It might be different there.

>> I know -- greg guernsey, planning and development review.

When we did the east riverside plan, we actually left tracts out.

The question was going to be addressed perhaps by this corridor plan, but it was a very difficult thing.

We have an aging -- a great number of aging multi-family units that are down there.

I think part of it has to do also with the market back in '06 and '07.

We still had the potential of doing condominium development.

Those financing tools have dried up since the last recession or the ongoing recession that we have and they really haven't come about to allow that.

We continue to work with neighborhood housing on options and there is single-family product on the ground and I think that's still going on.

But it really is a difficult thing to do, regulatory way to somehow encourage that type of development.

I think really through the multi-family, the greater density in the long run along the corridor itself which is the subject of this if we can get those hubs.

It won't happen right away but I think further down the road you will see that happen.

>> Morrison: I do think it's an interesting question, and also having a variety of housing types is going to make for a healthy yes environment too.

Not shaking, but nodding, so we can continue that conversation.

How does this regulating plan interact with -- and maybe if there's no overlap.

Is there overlap with the waterfront overlay?

>> There is some overlap with the waterfront overlay and it's clearly stated that the waterfront overlay supersedes any requirements in the east riverside regulating plan.

In addition those properties won't be eligible for the east riverside development bonus program because the -- the plan is anyway that there will be development bonus provisions within the waterfront overlay ordinance.

>> Morrison: You can't double dip, so to speak.

>> Right.

>> Morrison: What about the somebody wants to do a planned unit development.

How does that play with being in the area, the corridor area?

>> Well, I'd love to be able to say that they are prohibited, but I don't think that's within -- i

believe, anyway, that it's council's prerogative to -- to potentially look at on a case-by-case basis.

If that's incorrect, I'd be more than happy to be corrected on that one.

>> Morrison: Because it's interesting because -- with this plan we're putting in place some good framework and structure and details about a density bonus whereas with planning and development it's a lot more [inaudible] and so we have so much discussion about these things, I just wonder how we can encourage people to [inaudible] guidelines and I think maybe greg [inaudible].

>> I think the idea is that we would try to put in the bonus provision so someone would not probably file a p.u.d.

They would opt to do the density program rather than coming in and trying to design unique regulations through a p.u.d. process.

So I think that's what we're trying to set up, make it actually easier than to go through an alternate route rather to go through the p.u.d. process.

>> Morrison: It has been at times lengthy and painful.

So that makes a lot of sense.

And also I guess it gives us guidance as council because if something is supposed to be superior to be a planned unit development and we have some -- we already have some clear definitions of why we would want to be bonussing something, if that's a word, that could provide some guidance there.

Then the last question about overlay is how does this -- greg, you might not want to go.

How does this -- how is this going to play in our new code?

Are we going to throw it all out or in this place and other it will just fit right in it.

>> Generally staff, as you heard earlier during the presentation, talk about densities or process, we're trying to make them so they are similar throughout the city as far as -- they may not be exactly the same but the practice would be similar.

It's easier to administer
the code, easier to
understand.

I think you will probably
see that in the future.

As I said previously about
the code rewrite, I think
everything should be looked
at.

We're not necessarily
throwing away anything,
we're not necessarily
keeping everything, but i
think we certainly take that
into consideration as we
spring forward airport, we
finish riverside, downtown,
when that comes around, i
think those topics will be
discussed again.

>> Morrison: And they are
all approached in a much
more modern fashion than the
code that was essentially
written in past --

>> there might be more of a
comfort level as we get to
the code rewrite as looking
at different things as
riverside airport and do you
want in the past because we
have examples we've already
been working on.

>> Morrison: Great.

And then I guess two more
comments.

One is in terms of
relocation and displacement

of tenants and all, the university of texas law school community clinic did a study over the past year and just recently released that study and there's some really good, great things coming out of it that i guess if you'll look at the agenda for next week you'll see that there are some followup work that we're going to have an opportunity to discuss all of that at the city because there's real improvement.

I think there's some real lessons learned from the two cases where we have [inaudible] and lake shore so I'm looking forward to that.

Lastly, could you give us a suggestion of what we might be hearing that's still controversial in the community?

>> Sure.

Absolute.

A few of the issues that came up at planning commission, one is actually that -- the question of whether the city should have density or some various minimums to ensure that we do get the type of density that is needed to help realize the vision.

The regulating plan already has a requirement for a two-story minimum in the corridor mixed use sub district, which is the most used subdistricts.

In the planning commission there was discussion about whether there should posteriorly be broader minimums and -- potentially be broader minimums so that's something they asked staff to look at and to bring forward to you all.

So we will have some recommendation on that next week.

So I will say it's a tricky issue because if you set the minimums too high, then it could make development of properties more difficult.

It could mean that some properties aren't -- aren't developed for quite some time until there's enough market to support that.

And so I think there are -- I think there are pros and cons with that.

So I look forward to more discussion about that one next week.

Another request that's come from the neighborhood that we're still looking into is a question about whether there could be notification

for alternate equivalent compliance applications.

And that's basically if -- if a development feels that they can't comply with particular regulations within the regulating plan, then they would apply for this alternative [inaudible] to -- to do something else that should theoretically be equivalent.

And where -- we're looking into that.

That one is a bit complicated because notification doesn't necessarily mean that there's a process for people to provide input, and then if there is a process for people to provide input, then it can extend the review time even more.

And as I've heard today, obviously the long review time is one of the concerns that we have with our current code.

So that's something that we're looking at and trying to figure out the pros and cons of that.

And those are really -- those were really the only two big things that came up.

There are a few property owners who would like different subdistricts and

things like that and i
imagine you will hear from
them.

>> Morrison: I appreciate
your work and I think you
mentioned for the most part
it doesn't change any of the
base zoning that's already
in place --

>> well, it doesn't change
the general entitlement.

>> Morrison: Of what could
be built there and I think
that's a great way to go
because it helps in terms of
acceptance and what people
can be comfortable with, but
also will be able to
maximize even in the benefit
to the community when they
do engage in the density
program.

So I appreciate your take on
that.

Thank you.

>> Cole: Any other
questions?

I have a question question.

Erika, I don't know if this
guernsey, the
development bonus as to
affordable housing, I was
really curious for the
areas, for this area.

Is there a set definition
for affordable housing?

>> Well, the definition is generally that a family can't spend more than 30% of their income on housing.

And so then based on whatever the sort of median family income is, then the amount they would be able to pay for housing would vary.

And I don't know if --

>> Cole: I guess I'm trying to make sure permanent supportive housing is included within that definition.

That we are awarding or potentially awarding in high density areas, that that is a possibility.

>> I'll do my best on that.

Permanent supportive housing is affordable housing by definition and so I'm not aware of anything that would preclude permanent supportive housing to be a eligible use for affordable housing because it is an apartment with a lease and all those things, all the permanent supportive housing the difference is the ability for an individual to have services, but it's not mandated the services being on site.

So basically permanent supportive housing is affordable house.

Coal cole I just usually
don't hear it connected with
our density bonus.

Okay.

Thank you.

Any other questions,
colleagues?

I would like to ask erika
and greg that you guys hang
around.

We had some councilmembers
who had to step out but i
think they have some
additional questions to
perhaps this afternoon we'll
follow up with those
questions.

Okay?

>> Sure.

>> Cole: Now we'll take up
item number 13 and I believe
clay dafoe you are
signed up as a speaker.

Councilmember spelman pulled
that.

>> Thank you, austin city
council.

Number 13 is approve an
ordinance excepting
\$1 million in grant funds
department of
justice, office of justice
programs, bureau of justice
assistance in amending the
fiscal year which was

already day adopted
2012-2013 police department,
operating budget special
revenue fund to appropriate
\$1 million from the federal
government for the austin
police department project
entitled city of austin
byrne criminal justice
innovation program.

I did not have the
opportunity to look at
backup.

I know councilmember
morrison likes a lot of
details and facts, but i
will say just the overall
trend of accepting money,
there's nothing wrong with
that, that's good.

The overall trend of
accepting a million dollars
from the federal government
is a huge mistake.

As we've spoken many times
before, austin needs to
become much more
self-sufficient as a city.

I think it is possible, you
guys can step up and say no
and I'm afraid maybe this
grant could be used as a
payoff to, you know, have
things like fusion centers
here in austin.

There were safeguards put on
those and we can revisit
that at a later date.

But I'm just afraid that
this money is going to be
used to have creeping
federal government
influence.

I want you, members of the
austin city council, to take
the power of the purse and
the sword away from the
federal government because
they are abusing their power
and you know it.

And you know, you guys,
america was founded on local
government.

And each sector of
government whether it's the
city level, the county
level, the state level or
the federal government is
autonomous to a certain
degree.

The feds just can't give you
the money and then you get
the money.

You actually have to vote on
accepting the money.

So that proves that you are
in some respects an
autonomous body when it
comes to this kind of
decision making and I urge
you to reject this
\$1 million grant which will
further bankrupt our nation
and lead to further
gentrification of austin,
further government spending.

It will hurt small business,
families, the poor, senior
citizens, and many others in
our community.

So please vote no.

I instruct you on item 13.

Thank you.

[Applause]

>> Cole: Thank you, clay.

Next we have ronnie
reeferseed.

>> Thank you, yes, I'm
ronnie refer side and i
wanted to make the point
that my articulate good
buddy clay dafoe has already
made.

And I echo clay's ideas and
his worries about this
creeping federal government
continual abuse of power.

And if you don't believe
that's happening, just think
about the whole idea of
homeland security where
people like me, concerned
citizens actively involved
in what's going on, we're
the enemies.

They've written it up, ron
paul supporters, boy, we've
got to look out for those
ron paul supporters.

Ron paul is the one and only
peace candidate for the last

presidential election cycles
to really be serious about
bringing an end to all that
senseless killing and all
that brings nothing but
hatred and future senseless
killing on us.

We've got to stop the
killing.

We've got the face the
facts, kiss off these slimy
budget deals that we get
because they are slimy.

There's a hidden cost to all
of us.

We have to give in to yet
more federal abuse of
powers.

As clay said our government
here, the federal government
was a creation of the state
government.

And instead it's totally
turned around now and these
couple hundred years later
we're so totally confused
that we're allowing the
mighty federal government to
just peer up and destroy our
constitution which is, in my
mind, the greatest
contribution our nation has
made to the history of life
on this planet.

It's what good government,
what leaders all around the
world pay attention to.

Wow, the constitution of the united states.

They put the people, it's the people who make these decisions, not the government, not any of you elected officials and all that.

It's the people.

We have the power with the constitution if we would just stick to it to keep out of these endless idiotic wars, keep out of these smarmg do gooders.

It's going to cost local businesses out the wazoo with these ideas like we want more windows on buildings.

That doesn't come cheap.

And these businesses are struggling, all businesses are struggling thanks to the ongoing depression, real depression that we're living through and we're down here making these smarmy, well, kind of sounds good.

No, we've got to think more seriously on behalf of the taxpayers, the businesses right here.

>> Cole: Thank you, ronnie.

[Applause]

>> Cole: Questions,
comments?

Councilmember Spelman.

>> Spelman: Thank you.

The only do gooderrism is
try and reduce crime in the
rundberg area.

I believe the deputy chief
is here and I would like to
ask him a couple question
you can talk to me
afterwards if you want to,
ronnie.

>> Assistant chief shawn
mannix.

>> Spelman: One is
increased police operations
in the rundberg area,
another is to increase
social services in the
rundberg area, and a third
is to research and
evaluation component being
supplied largely by the
university.

Is that roughly right?

>> That is correct.

>> Spelman: Okay.

My primary concern, it
sounds like a wonderful
grant, a terrific
opportunity and the fact it
is a grant I think is
important because that means
that the actions will be

directed by you and not by the federal government.

You take the million dollars and this is a largely hands-off transaction.

They give us a million bucks, we figure out what to do with it in order to reduce crime in the rundberg area and we say thank you very much.

Is that about right?

>> Yes, we're always excited when we can get some of the federal tax dollars back that our community contributes to the federal government.

To bring back to do some of these things.

>> Spelman: And if we don't get this byrne grant, somebody else will.

>> Yes.

And we have to give them anness a today.

>> Spelman: I hope we can give them an answer in just a couple of minutes.

I have one concern and this is based on what's happening at least a couple other cities that have received large grants to do something similar as what we're proposing to do here.

That is they receive a million dollars, they spend a million dollars on social services, on evaluation, on surveys, knocking on lots of doors and asking questions on police operations and they solve the problem.

Then the problem comes up someplace else in town and they think, well, we know how to solve the problem.

We got a million dollars in our pocket.

We haven't got a million dollars in our pocket, now we don't know what to do.

How are we going to address that issue, presuming we won't get another federal grant in two or three years to solve the problem.

>> We are going to look at what is successful, what isn't successful and those kinds of things.

It doesn't necessarily mean down the road we have to get another million dollars to replicate those things.

The research will have been done, we will have learned from best practices that have been adopted throughout the three years of the program.

So yeah, we think that we could take lessons learned

from what we do in this initiative and bring it to other places.

>> Spelman: So a lot of what we're doing is experimenting, some things will work, some won't.

The things that do work, we can verify will work.

The things that are cost effective, those are the ones we'll take elsewhere when we need them.

>> Absolute.

And the title of the grant program it's an innovation.

We are trying to experiment and find new ways of policing in different parts of the city.

>> Spelman: This is purely addictive, but I want to say I'm really happy that we're doing this.

I'm very happy that we're willing to experiment with -- with finding new ways of solving old problems.

Rundberg I think is exactly the right area to be to go this kind of experimentation and I'm particularly happy that you've engaged some people in the sociology who have been through this drill

at the university of
chicago, they have a pretty
good idea what you are going
to be doing, what the social
service agencies are going
to be doing, what procedures
are necessary to get a good
handle on what's going on
and how well what you are
doing is working.

So everything looks like
it's firing on all
cylinders.

I'm really happy that we're
working this that direction.

>> Thank you.

>> Spelman: Mayor pro tem,
I move approval of this
item.

>> Cole: Councilmember
spelman, this is an
ordinance and so we're going
to need five councilmembers
to approve it so I think
we -- on all three readings.

I think that we need to have
you withdraw your motion and
perhaps make a motion to
table.

>> Spelman: I move to put
this on the table and take
it up immediately after we
come back from recess.

>> Morrison: I have a
question before we table it
coal cole let's go ahead and
second the motion to table.

I'll second the motion and proceed with the question.

>> Morrison: We just won't vote on it.

>> Cole: Exactly.

>> Morrison: Great points by councilmember spelman and I just wanted to ask about one aspect of it.

I know that you all have said that you are going to work with city departments and really fill in the details and all and I think that's great because innovative solutions to this obviously need some holistic perspectives.

And I just wanted to note that we have several plans that have already been, you know, gone through by the community and -- for the areas and so I just wanted to get some assurance that those plans will be integrated into the mix and the conversation as the grant goes forward.

>> I'm not sure specifically what plans you are talking about.

>> Morrison: The neighborhood plans.

>> Okay, yeah, this grant is not meant in any way shape or form to supplant or change anything.

>> Morrison: I'm asking if they will be taken as sort of --

>> we [inaudible] that are within the area and we're going to use them.

>> Morrison: That is what I wanted to make sure that there's already been some work done, I want to make sure we leverage that work with the community.

Great.

Thank you very much.

>> Thank you.

>> Cole: Chief, I just had a quick question about how the charlie sector was chosen.

>> Well, that particular area we looked at under several different aspects.

High levels of poverty, disinvestment, unemployment and criminal activity.

From the police department standpoint, the criminal activity piece really jumped out at us in that particular operational area accounts for 11% of our violent crime and 7% of property crime in the city which is a very high percentage for such a small footprint.

>> Cole: Thank you.

Any other questions?

Okay, we'll leave this on the table.

Councilmember Spelman I believe we have to vote on the motion.

>> Cole: Motion made by councilmember Spelman to put this item number 13 on the table and seconded by councilmember Morrison.

All in favor say aye.

That motion passes on a vote of -- a unanimous vote with councilmember Martinez, Riley and Mayor Lee Leffingwell off the dais.

Next we'll have citizens communication.

00 noon and time for citizens communication.

Robert Morrow.

>> Hey there, council, Robert Morrow, resident of Austin, Texas.

Today I'll be speaking in opposition to central health prop 1.

Our water bills are going up.

Our electric bills are going up.

Toll road rates are going up.

Recently there was an article in the austin american-statesman said there had been massive drops in donations to the greater united way of austin and drops in disbursements from united way of austin because people simply can't afford to give.

Yet some fool thinks we need a massive property tax increase to fund a billion dollar med school boondoggle that may or may not ever get built.

[Applause]
folks, even as I speak the voters of travis county and austin, texas are projectile vomiting up central health prop 1.

This thing is radioactive.

I give it a 1% chance of passing and that's why I'm here to talk to the greater austin community.

Central health prop 1 was put on the ballot by nine unelected communists that nobody can remove by the ballot.

A recent article in the austin american-statesman [inaudible] records showed and one of those executives is a lady named amy shaw

thomas who is the wife of
robert thomas who is running
for state rep of the
republican party in district
48.

She makes a fluffy, puffy
salary of \$343,000 a year.

She's the vice chancellor of
health affairs at university
of texas.

She, amy thomas, amy shaw
thomas, the wife of robert
thomas, is one of the people
charged with bringing a med
school boondoggle to austin.

It's empire building on the
backs of travis county and
austin, texas property
owners, families and
citizens.

If central health prop 1
passes, it will be a
[inaudible] of a half
billion dollars over the
next ten years from every
single person in travis
county and it will be given
slackers, druggies, welfare
queens, illegal aliens and
the communist themselves who
are pushing this outrageous
property tax increase.

On top of all that, one of
the top spokesmen for the
people pushing central
health prop 1, mark nathan,
said this recently.

Let's disavow everyone of
that notion.

We agree proposition 1 will
not fund a medical school.

[Buzzer sounding]
says nathan.

>> Cole: Thank you,
mr. morrow.

[Applause]
mr. button.

Is mr. button here?

Jon button?

You can give it to
councilmember tovo and pass
it down.

Thank you, mr. button.

>> It's been a few years
since I've been here so I'm
trying to remember how
everything works.

Let's see if we can lighten
it up a little bit.

Where is the timer?

>> Cole: Three minutes.

>> I thought they had a
timer up here I could see.

Looking for help.

That's one reason I'm here.

I'm crying for help.

Lawyers, law firms, civil
rights groups, animal
rights, investigative

reporters, information on treating, call me at (512)538-7961, email jb killer and these phone numbers.

I would like to file charges of official oppression against animal control april moore, officer april moore.

I would like to sue the city of austin for no less than \$1 million for emotional and physical damages resulting from the wrongful death of a dog named tempo which april moore claimed was tempo alias rufus.

By perjuring herself about critical evidence that would have established kempo was a different dog.

Rufus had a chip which kempo did not.

She lied about the critical evidence to acquire a warrant from [inaudible] to pick up the dog from a san marcos veterinarian.

She lied about this evidence under oath saying a chip had never been placed in rufus and kempo was the same dog as rufus.

The dog was wrongfully labeled a dangerous dog by activity of april moore.

She tried to delete information of a chip that

had been inserted by
austin-travis county from
town lake computers.

I was here a year ago about
this.

I do suffer from
post-traumatic stress
disorder from the wrongdoing
done to me.

The holding of this dog for
39 days from december 6 to
january 18.

I have two [inaudible] that
the dog was not dangerous
and I was working on
completing a pill, I had
paid my money not to kill
the dog.

I also blame kenneth, the i
peels judge, chris perry and
oglesbe.

But april moore was the one
that did all.

This she was the one upon i
guess it was about 2006 in
my apartment some people
came in there, got nipped.

When she heard this she went
back to a lady four months
ago and claimed --
[inaudible] and that is
totally wrong, totally
corrupt.

She had it out for me
because earlier I told the
animal control department
they are harassing me.

There was some manipulation
of the system.

This is official oppression
and this led to the death of
an innocent dog and it led
to me being put on a
criminal category and the
dog that I lost which
happened to him.

It let to him being labeled.

I just want to say this, get
this out of my system.

You need to fire that bitch
april moore and that will
make her holler.

>> Cole: We don't have
that kind of conversation.

>> I was going to make it
funny.

I screwed that up.

She need to be investigated.

>> Cole: ronnie
reeferseed.

Your time is up.

Put her on a polygraph.

[Applause]

>> Cole: Ronnie
reeferseed, are you ready?

>> Yippee, yes, I'm ronnie
reeferseed echoing all of
robert morrow's great ideas.

And yelling at judge biscoe
wherever you are.

What part of the first
amendment has always been
protected here in the usa,
freedom of political speech.

Two days ago at
approximately the 200th
time and attended the weekly
travis county commissioners
court session, judge biscoe
for thers if time ever
decided to pull a
leffingwell on me.

He had his own hisy fit and
threw me out of the building
because he didn't like what
I had to say.

Remember leffingwell's hisy
fit was ruled to be wrong
and has been universally
scolded for his half baked
attempt to demy me my
constitutional right by how
I choose to pronounce my
name.

Tuesday judge biscoe threw
me out of the court session
because he didn't like what
I had to say about the
communist red chinese
regime's ongoing war on the
unborn and only the chinese
delegation feverishly
applauded.

For your information, red
china for decades now has
been brutally enforcing a
tyrannical state policy to
execute especially female

infants and no other nation
can even come close to this
barbaric policy to murder
babies.

Supposedly a final solution
to all our problems.

No killing totally innocent
babies is not a solution,
it's evil.

Stop the killing.

Love life, people.

Do not -- I believe you do
not have the right to kill
your babies.

No tyrannical governments,
you do not have the right to
kill anybody any time no
matter what religion other
people choose to practice.

And the other part of -- the
other part of the first
amendment is the freedom of
religion and that includes
islam and, of course,
rastafarianism.

Now I am proudly a parish
near of the bee creek united
methodist church that leads
the world by example, not
bombs.

Including cash, housing
et cetera, not only here but
my church has been for years
helping some poor people in
guatamala, demonstrating
appreciation for the love of
christ.

To learn more read your bible, read your koran, study the belief systems of others.

God's love for all living things including miraculous hemp marijuana plant.

It's in the bible.

Yes, I even love the sociopathic tyrants with all their brain dead tag alongs because they don't know what love is.

♪♪ You will a you need is love, love is all you ♪♪♪♪

>> Cole: Thank you, mr. reeferseed.

Next mr. dave kelly.

>> Thank you mayor pro tem cole and the rest of council.

I'll be pretty brief today because I know the council is aware of the problem in the city code as far as the length of time drivers can work, but I had to sign up for this two weeks ago.

So I want to make a few comments anyway.

Basically a code that allows drivers to work almost 24 hours a day is inadequate and I think the council is aware and will make some changes.

And I just wanted to point out the importance of this issue, especially with the 30 cab issue coming up.

I mean if these go out, that's even longer guys will work.

I think the impact study showed that we are working more and more hours, although it has its problems also.

When you come up with something as far as changing the code or I don't know how you want to handle this, but that's why you all is council and I am but a cab driver.

But it is important that this gets taken care of because -- and the bad part is as far as tda goes, in fact, I'm here speaking as a citizen, not as a represent of tdaa because to be honest they are split on it.

Some drivers want to work even more hours.

Personally I think it's pretty unsafe to go more than 12 hours average shift, but -- thank you.

[Applause]
thank you.

And I do think that safety should be our primary

concern, especially with driving our city streets.

They are dangerous enough as it is and we are out there a lot.

Whatever you come up, another key is enforcement.

Whatever the new christ is, it needs to be monitored and it needs to be enforced, not wait till we have a tragedy close to what we nearly had a couple weeks ago when the guy passed out after pushing himself too hard.

But anyway, I just urge the council to take action on this issue and let's get our streets a lot safer.

Thank you.

>> Cole: Thank you, mr. kelly.

[Applause]
next we have dave passmore.

>> Good afternoon, mayor pro tem, councilmembers.

Dave passmore, current president of the taxi drivers association.

And this afternoon I would like just to first thank you for allowing me to speak and giving me this opportunity to do so.

However, I would like to address the issue concerning the 30 permits that are on consideration on today's agenda.

We understand that some council are trying to work with the drivers and trying to resolve this issue.

Today I just have two things I would like to say to that.

The tdaa will accept the fact that if there is more time needed to look at the numbers that are coming out for october, the tdaa is more than willing and welcome to allow the council more time to do that.

However, it affects the driver's income if there is more cabs added to the street.

I think you have heard this long enough.

I don't want to take over all the time going over issues already discussed so we will accept either a no to the vote or delay to the vote.

Really appreciate your time.

>> Cole: Thank you very much.

Next we have carlos leon.

>> Thank you mile an hour
cole and I'm here to speak
for what's right.

You can put that quote up
there.

I'll get to it in a sec.

Chem trails have appeared in
our sky today even outside
city hall 30 minutes ago.

You know, these man made
sick geo aerosols continue
to poison our clear skies
and our clear skies are like
blank -- in the 2006 prolog
of the audacity of hope,
obama wrote I serve as a
blank screen of which people
of vastly different stripes
project their own views.

In 2008 news week
interpreted that quote to
mean obama was a screen on
which people project their
visions and hopes.

Now, let's decode this.

Notice he stands for nothing
in his quote.

He just wants you to project
yourself on to him.

That's how a coward behaves,
not a leader.

Second of all -- thank you.

Second of all, notice how
this is a cold psychological

trick he's playing on us
americans.

You see, if you project your
hopes and views on to him,
then when you look at his
horrible presidential record
the last four years and want
to reject him based on his
record, you are actually
forced to reject yourself.

That's sick.

That's psychotic.

Can we please go to the
second slide.

Now, donald trump hinted at
this in his recent statement
on facebook.

Because the sensors tried to
stop this information from
coming out you have to speak
in code.

He said if barack obama
agrees to give all his
records, he will give
5 million to a charity of
his choice.

Why done donald trump list
three examples of a charity.

Donald knows what a charity
is, so does obama, so does
the public.

This is code.

By innercity children, i
believe trump is calling
obama a child.

By american cancer society,
I believe that trump is
saying that he's a cancer,
that obama is a cancer to
american society.

And by aids research, i
believe he certainly saying
that obama is ill and sick
and needs help.

This is the kind of
censorship we have to fight
in today's world.

These last four years of his
administration.

It is wrong.

We have a first amendment
american right to be able to
speak what we want freely
without dealing with this.

You know, I'm reminded of
another quote as I look at
all this and that is thomas
jefferson.

I have sworn upon the alter
of god eternal hostility
against every form of
tyranny over the mind of
man.

[Applause]
now, perhaps that's why
obama keeps court female
voters because --

>> Cole: Thank you,
mr. leon.

>> Thank you.

>> Cole: Miss linda green.

Linda green.

There you are.

Good morning.

Can you read the title of my speech?

Usually the mayor reads the title.

>> Cole: Who is pugh and why are they hell bent on quashing and quashing and act I fluoride movement.

>> When we think of pew charitable trust found we think of public television and all the things they do for us.

There's some things good they do and there's some things that are down right dangerous to us.

And a year ago almost to this date libby doggett, who works for the benefit of the pew charitable trust and has been around a long time wrote the mike martinez on city council a letter which mike, I understand that a proposal that would require the austin utility department to place a notice on our consumer water bills is being raised during the public health and human services committee on october 18 meeting.

We were going to both city council, as you remember, and health and human services asking you all to put a warning label on our water bill urging parents not to use city water, fluoridated water in the baby formula and here comes libby doggett.

She says I strongly oppose the proposal putting a warning label on water bills is both unnecessary and misleading.

Ocontrare.

I think the pew charitable foundation and libby doggett are misleading.

She says you know I helped get the campaign up and going.

So -- then I wrote back her husband, I am in shock and dismay that your wife libby doggett sitting on the board of the pew charitable trust would urge city council to refrain from putting a warning label on our water bills and asked him to look instead at the 4,000 doctors, dentists and medical and environmental professionals who have been calling for an end to water fluoridation.

And before I get to the basics of the pew charitable trust who have been pushing

both portland, oregon and
wichita, kansas to floor
date their water, as the pew
trust is pushing -- in 29
days clean water portland
raised 43,236 signatures so
their citizens can vote on
this issue in november.

Also good news is that we
have fluoride free houston.

So maybe fluoride free
com and clean water
org and fluoride
com can all get
together and convince you
all of the --
[buzzer sounding]
-- sense of ending water
fluoridation.

>> Cole: Thank you.

[Applause]
thank you, miss greene.

Next we have charlene franz.

>> Hello.

How are you guys doing
today?

Okay, I'm here to give a
speech about the museum of
fine arts austin.

It needs a permanent
location.

We have been doing
international, national and
local art shows for 21
years.

We have shown at our state capitol, the driscoll, 823 congress and 50 other locations all over austin.

The city has supported the mexican-american cultural arts center, the carver and many other arts organizations.

We would like to work with the city's arts commission in accomplishing our goal.

We have requested peter macc, doctor gau from china and many local artist such as jeanine hicks and john corey and shown bluebonnet paintings and longhorns and please support the museum of fine arts austin.

We have worked very hard throughout the years.

Thank you.

[Applause]

>> Cole: Thank you.

Thank you, ms. franz.

We do not have any items to discuss in executive session and that's the end of our citizens communication so without objection I will recess -- oh, I'm sorry.

Carla harrison.

-- Paula harrison.

I didn't see caroline rose.

Are you here?

Okay.

Paula harrison.

I'm sorry.

I didn't look at page 2.

>> Okay, mayor and -- he's
absent, and city council.

I'm here to suggest the
closing of 6th street and
the buildings being
remodeled to be a junior and
senior high school.

An arts homeless shelter
become a randall remarkable
grocery store and the
structure on trinity and
cesar chavez in front of
lake side apartments become
a park with a playground and
equipment for children.

Also one of the buildings on
congress have a food court
with a pizza, egg roll and
taco counters and long john
silver's and a candy store
inside.

I'm happy the government can
focus attention to
[indiscernible] and the
state capitals sbc capitals
now that romney is soon in
the white house, governors
can pass a law called the
[indiscernible] law.

It will allow only the more
mormon race, sometime called
the white race,
[indiscernible] downtown
area and buy remodeled homes
in surrounding areas.

Also the government leasing
housing lease only to
mormans who are sometimes
ca the white race lake
side and downtown area.

All other citizens will have
to live in areas of the
suburbs and on farms or
ranches.

I have got support of
citizens now with the help
of my son vincent.

I a housing in
the lake side to live in the
downtown, to continue my way
for the passage of the
empirical law.

Thank you.

>> Cole: Thank you, miss
harrison.

Caroline rose.

I don't believe I see her.

Okay.

That is the conclusion of
our speaker citizens for
citizens communication.

Without objection, I will
recess this meeting until
2:00.

Eye

>> Mayor Leffingwell: We are out of recess and i understand that item number 13 was laid on the table just prior to recess.

So all the speakers have spoken so without objection we'll take item 13 off the table and gun with council begin with council discussion for a motion on that order.

>> Spelman: As you mentioned, we discussed this item to some extent and move approval on all three readings.

>> Mayor Leffingwell: Motion by councilmember spelman to approve on all three readings, seconded by councilmember morrison.

Discussion?

All in favor?

Opposed?

Passes on a vote of 7-0.

So without objection we'll go back to regular order for a while and take up item number 2.

Item 2 was pulled for speakers so we'll go directly to speakers.

Paul saldana.

Is carol hadnot here?

I don't see juan.

Aletta banks.

So you have up to nine minutes.

>> I have a presentation here.

>> Mayor Leffingwell: Great.

>> Good afternoon, mayor and councilmembers.

The name is paul saldana speaking on behalf of the minority trade association contractors alliance.

We've been here before to talk about this particular item so we wanted to present you some information.

First of all, I kind of wanted to give you an overview of the data related to the construction industry and more specifically the economic impact and contributions to the workforce.

So this is some data
census
bureau.

It's third quarter 2011 data.

And according to this data, a little over 40,000

employees work in the construction industry.

You've heard ERSO and, of course, you've read before that Austin continues to lead the nation in a wide variety of areas.

One, of course, is we continue to lead the nation in small business vitality rankings and so for the last three years consistently we've been ranked in the top five.

Most recently we've been ranked number 1.

There are about 40,000 small businesses in Austin and at least half of those are minority women owned businesses.

And below there sort of the characteristics and criteria that the business journal considers in ranking Austin's small business vitality.

To give you a national data profile about minority owned businesses, minority business ownership is increasing more than twice the national rate.

It's 45.6% to 20.1%.

You'll notice a commonality in Hispanic, African-American, women and Asian owned businesses and

that is a third or in some cases -- a quarter to a third, excuse me, are businesses that have -- are small business owners that have businesses in the construction or construction-related industry.

The city of austin currently has a little over 1,000 's and 's and nearly half are construction-related businesses.

You may recall that during the last city of austin disparity study which was conducted in '07-'08, these were the latest and are the latest minority and business goals for the four commodity codes.

The first column in red represents the m.b.e./w.b.e.

Goals for construction.

This particular chart here illustrates what the city's participation has been for the last three fiscal years or almost three full physical years, going back to '09 to '11.

Notice the percentages represented in red indicate the annual goals that have not been met by the city of austin.

And once again you will see consistently what the city has failed to meet the goals in the construction area for the last three fiscal years.

The next slide here basically talks about the payments that the city has issued on contracts for the last two fiscal years and you'll notice that in the last two fiscal years over 50%, one year 50%, the other 53%, there's been a great deal of contracts that were awarded with no availability and they were noncompetitive contracts.

If I can take my construction trade association hat off and put on my texas association of mexican chambers of commerce hat, I serve as the legislative chair for the texas association of mexican-american chamber of commerce where an hispanic chamber organization with over 30 chambers from the state of texas.

Earlier this year we partnered with the university of texas and ic squared where we performed a survey and study of hispanic owned businesses of the state of texas.

We had nearly 3,000 participants participate in that survey.

And one of the critical challenges that was pointed out by these hispanic owned businesses is that in order to keep consistent and sustain and grow that they have challenges and overcoming lack of training and management, communication skills, and really gathering -- gaining better access to markets.

One particular finding, austin was included in the survey, indicated they continue to have challenges and issues when it comes to government contracts like the city, county, the state, et cetera.

22% Of the firms that participated in this survey were construction-related businesses.

Now, with regards to the contract that's before you here today, one of the things I wanted to point out is essentially what egrso has done is negotiated on noncompetitive sole source contact.

Citing chapter 791.

We know the purpose of this chapter is supposed to be to increase efficiency and effectiveness of local governments.

One of the things we want to point out is they are

proposing in this particular 36-month contract for \$783,000 is that the hourly rate we will pay per class for the three-hour classes is \$916.66 an hour.

For the six-hour classes the hourly rate is \$458.33.

Going back to the purpose of this chapter, I don't think that's sufficient and i certainly don't think that's effective of the taxpayer dollars.

The other issue is the fact that the city of austin's current process, whenever a department wants to entertain an interlocal agreement, it's our understanding they go to the law department and basically they say we want to enter into a local agreement for these types of services.

The process we believe is subjective and doesn't include review and authorization by the purchasing department and smbr.

And our last point on this slide is the fact we circumvent the m.b.e./w.b.e.

Ordinance.

On monday all of our associations participated in one of biennial meetings and we asked what's the

process for departments
requesting interlocal
agreement for contract
services, and she basically
says, well, they just
contact the law department.

We asked does the purchasing
department have any
jurisdiction?

Do they review that process,
and her response was no.

Maybe there's somebody here
from purchasing department
that can clarify that.

I thought that was important
to point out to you all.

The services being
contributed in this proposed
interlocal agreement is not
inclusive.

It's not addressing the
needs of the m.b.e./w.b.e.

Businesses.

Going back to the previous
slide, this chapter 7091
speaks to the need to be
efficient and effective so
what we basically have is an
exclusive contract.

It doesn't represent the
needs of all small
businesses in austin.

As you heard us say before,
98% of the budget is coming
from austin energy.

And as you know, the EGRSO currently funds the chamber and greater minority chamber of commerce and part of that goes to develop organizational capacities for economic development activities, more specifically chambers are allowed to use this money to grow their membership, they are allowed to use this money to basically create greater.

Greater resources for doing business in Austin and develop opportunities and we would like to have that opportunity as well.

There continues to be disparity in the source of the funding for the minority trade associations.

The last point here that I wanted to make on this particular slide is that John suggested that we might pursue potential EDA federal grant money for a construction incubator, and while we certainly believe that's a great idea, it really doesn't address our immediate needs and more importantly it doesn't do anything to sustain the existing construction firms we have now in Austin.

And the last point is which is a good idea why didn't we

pursue the eda grants for these training classes.

I think that would be something that would be a good idea.

And finally the last slide here is that we're requesting that you vote no on this particular interlocal agreement and you direct our city manager to facilitate a to you comprehensive needs and study on the needs of all of our small businesses in austin, not just half of them, not just a quarter of them but all of them.

And that you direct the city manager to develop a fair and equitable funding plan for all small business service providers.

One of the things that's listed in the section 791 talks about the use of -- [buzzer sounding] -- austin energy fund.

I'll stop there.

I'll be happy to answer any questions.

>> Mayor Leffingwell:
Questions?

Councilmember tovo.

>> Tovo: I wonder if you could address your point

about austin energy funds if you think it's relevant.

>> Yes, ma'am.

Section 791 talks about if moneys are being used from a municipally owned utility organization that there should be -- there's an additional step, there has to be a study to quantify that that's a good use of money that's coming from the utility.

And so I don't know whether or not that process has taken plays with this so i wanted to just basically put that on the table.

I think that's a question we need to ask city staff.

Thank you, councilmember.

>> Mayor Leffingwell: Next speaker is clay dafoe.

Clay dafoe is not in the chamber.

Walter lake.

>> Hello, my name is walter leach and I'm president much leach financial group.

I'm here to -- first as a small business owner I've taken several course and left each class eager to implement what I had learned as soon as I arrived back in the office.

Second is instructor for the past three years, I've seen firsthand how the business owners' lives are [inaudible] by taking these classes.

A couple of examples.

Last night I received an email from a couple of former female students whose business plan I [inaudible] over a cup of coffee.

They told me after running their business by themselves for several months they had just hired their first two staff members and had begun serious discussion about opening a second site.

A former student who had been running a business for several years grilled me after class, thank you for the real world insight into running a small business.

I see now why I've been struggling all these years.

I wish I had taken this class before I had opened my business.

It would have prevented a lot of sleepless tonight's staring at the ceiling wondering how I was going to stay afloat and if I was going to lose my home.

I personally had the opportunity to attend

several former students' business openings including a high-end salon in downtown austin a few blocks from here, a business that provides nonchemical lice removal for school aged children, internet entrepreneurs and several others.

This is often quoted in business literature 80 to 90% of small businesses fail in the first five years.

In contrast there are studies that indicate that small businesses that are part an incubator program or where owners receive training such as provided by the city of austin [inaudible] 80 to 90% of those business entrepreneurs are successful after five years.

The main difference is the opportunity for entrepreneurs to get started on the right foot and learn how to be successful from instructors or successful entrepreneurs themselves.

I once had the privilege to interview austin prep richard garriet.

When I asked richard to sum up what made a successful entrepreneur, he said an entrepreneur is someone who sees opportunities where

everyone else sees only
obstacles.

He went on to say on a real
world basis, entrepreneurs
see a row of open doors
where most people see only a
brick wall.

This perhaps is the most
important thing we do as
instructors aside from the
technical training we
provide.

From our personal business
experiences we show students
that they really are open
doors at the sight of others
telling them what they are
looking at are brick walls.

I often read in fortune,
forbes and other financial
periodicals that austin is
ranked at the top of small
business development in the
country.

I believe that this program
and the dedication of city
staff are
what gives austin the great
reputation and urge you to
continue without delay.

Thank you.

>> Mayor Leffingwell:
Thank you.

Michael sullivan.

Donating time is
lilia benezola.

So you have up to six minutes.

>> Hello, I'm michael sullivan here today representing the leadership of continuing education at the university of texas at austin.

We have a staff of upwards of 250 people in austin and our main mission is extend the resources of the university into the community which we have done for over 100 years.

I'd like to briefly give an overview of some of the unique offerings we put forth, one of which is through our professional development center whose contract to provide for small business owners.

I would like to play a short one minute video from a couple of participants in the program offering testimony from their experience.

>> So when I decided to open my own business I had no knowledge how to do that.

So I got online and found the small business development center and once I started taking classes, I was really sold.

They were excellent classes.

>> Our business has been around ten years so one of the best things about being able to come to these classes it doesn't matter whether you are just starting a business or looking to expand a business, there's always something interesting you can learn as a business owner.

>> And all the instructors have years of experience.

That's so much better than the book or course online.

>> You get to meet people from all different walks of life, all the different businesses out there from pretty sophisticated business to coffee shops and all different people.

So it's nice you exchange business cards, you exchange knowledge.

>> Every day in our mailbox we get some piece of marketing literature from some company that wants to put on a seminar for 500 or 1,000 or \$1,500 a day to teach us the same things that we can learn in these classes offered by the professional development center for 35 or 40 or 50 dollars.

And taught by somebody who is already in that field.

It's hugely invaluable, yes.

>> So I know it a cliché but clearly in austin small business is big business.

>> That was actually the mayor.

>> Mayor Leffingwell: I recognize that guy.

>> Mayor leffingwell came to the ceremony [inaudible] completed the program and we're very grateful for that.

As you can see, we're very proud of our partnership with the city of austin on this vital program.

It's highly rated.

I think the satisfaction rating came in around 95% in the last survey that we conducted on it.

I've also brought along copies of our annual report which I've left up here with councilman riley and I hope he will pass them out to you.

It gives a good overview of the some of the other programs that we offer which provide a lot of good vital services to the community.

We have a migrant student program that has been around for 25 years which helps the

children of migrant workers
complete high school on time
while staying on the
regional migrational path
with their families.

The individual who is a top
performer in our migrant
program this year went on to
harvard university.

I would like to extend an
invitation to the
councilmembers to come to
the graduation ceremony next
spring.

I think you will find it's a
very powerful moment.

And it shows some of the
unique populations that
we're good at serving.

We have a program which
helps spanish speaking
students coming from mexico
transfer credits to texas
schools which help improve
on time graduation rate and
save school districts in
texas upwards of \$10 million
in otherwise replicated
funding.

We have a university of
texas charter school that
teaches special student
populations ranging from
students living in
[inaudible] homes to those
in drug and alcohol
rehabilitation centers and
children recovering from
neurological trauma.

We create safe places for these children to learn while they are in crisis and this also changes lives in the community.

We offer safety trainers for coal miners and oil workers as well.

We run a life-long learning program for senior citizens and also run popular informal [inaudible] classes you may have heard of.

Last week we participated in the texas conference for women where we provided interactive training for the visitors to our booth which helps women that are transitioning back into the workforce learn better interview skills.

We have programs for veterans that help them funding to complete some of our certificate programs that we offer.

Ranging from paralegal programs to farm tack to human lee sources to medical interpreter training programs.

These are a few of the programs that we offer that we feel enrich this great city and we hope that you will give our division at the opportunity to keep working with the city of

austin on this small
business development program
that we're discussing today.

That is our overview in a
nutshell and regardless of
how things work out in
general today we look
forward to working with city
of austin on future
collaborations and we hope
you will give this contract
some consideration today.

Thank you.

>> Mayor Leffingwell:
Thank you.

Jennifer chenowith.

Not here.

Ronnie reeferseed.

>> Thank you, yes, I'm
ronnie reeferseed and I'm
here to talk about the
unfortunate mixture of
public funds here on a local
level again with the -- the
huge cash cow called the
university of texas and for
us to be locked up in these
boondoggles of cash wasting
money.

We don't have the
taxpayer -- we're all poor.

Everybody I know the poor.

And we just don't have the
money for these peripheral
kind of expenses that are
not necessary and I totally

agree with our previous speaker there are so many other really valid programs that need to be well funded and there are good things to spend taxpayer money on.

This does not seem to be one of them in my estimation.

And so I didn't make notes of the myriad of great things he was talking about, but I know from my personal experience that we need to make more moneys available to all these poor people that live here and we really have to -- we are a rich city.

We're a rich country.

We are blessed to live in the rich nation state of texas.

And if we can instead of -- instead of wasting money here on these kind of programs, we should instead try to reinvest in our people who are really struggle and it's not their fault most of them.

And if any of them.

And so I know there are outlets that I'm proud to say the city of austin already has set up, things for helping poor people eat food and help them with housing and help people try

to keep up with these
ridiculous utility costs.

Like for example my company
that charges me is southwest
water company.

We should definitely
withdraw from giving them
any more money.

They just chose to quadruple
the price of water where i
live and then they stuck
fluoride in it which is a
crime.

I'm hoping you are all
learning about this, this is
poison and it's killing
people and gardens and pets
and babies.

It's nightmarish.

And austin has so many
wonderful resources, great
things about living here in
mayor, and as
you know, but putting
fluoride in the water --

>> Mayor Leffingwell: Can
we get back to the subject?

>> It's all related and i
don't know if you have the
proper authority to tell me
what I can say.

I mean I've got my time to
speak here and I'm not going
to go over my time and these
subjects are related.

Political speech is root of
all of our blessings.

It's what our founding
fathers knew above all else
to give to the citizens.

[Buzzer sounding]

>> thank you so much.

>> Mayor Leffingwell:
Those are all the speakers
that I have signed up.

dafoe, you were called
earlier.

Do you want to speak?

All right.

>> Thank you, mr. mayor.

You usually have a right to
speak on this case.

It's almost like a small
privilege.

Thank you.

I oppose this deal, as you
can guess.

It's a 36-month interlocal
agreement with the
university of texas
professional development
center to develop and
deliver training to small
business owners not to
exceed \$470,000.

You know, it's a good idea,
the ends it is trying to

reach is a great goal and one I agree with.

And this presentation that the gentleman gave, it's obviously they are doing good things, but what about the means.

Do the means justify the ends?

And I think robbing the taxpayers of half a million dollars to do this is not the right way.

I think a private charity or a company can do this.

I'd be happy to give a donation on my own dime, but instead we're being forced as john bush would say at the barrel of a gun to give this money.

And I don't think it's fair.

And you know, people are like, clay, why are you opposing this, this is for small businesses, for jobs.

I just did an interview with spelman about small business and development and yeah, I'm for small business, but I can't support this because it's from the taxpayers.

I'll leave with one last thing, I'll keep it short.

And this quote has often been taken out of context and applied to only foreign policy when it was meant to be a quote to apply around to everything.

A very wise man said it, barry goldwater said extremism in the defense of liberty is no vice.

In moderation in the pursuit of justice is no virtue.

Thank you.

>> Mayor Leffingwell:
Okay.

That's all the speakers that we have signed up.

Corinna james is signed up but not wishing to speak.

>> Martinez: I wanted to ask as I understand or cindy or veronica.

Good afternoon, cindy.

So I know we're heading into a disparity study.

The reason I know this is because the mayor and I have an item on next week to add in the disparity study a request by a veterans group to see if there's a disparate impact on veterans.

Do we have anything on the small business in the study?

>> Cindy crosby with the law department.

The disparity will look specifically at minority and women owned businesses and we can ensure there's a component that looks at small business separately, but the disparity study does look at the statistics of available minority businesses in the austin marketplace.

>> Martinez: I apologize.

I'm looking through this presentation right quick.

There's a specific request and I don't know if it would apply to the disparity study.

We're undergoing a needs assessment and study on the needs of all small businesses.

Do you think that's something that could be incorporated into the disparity study that we're doing or do you feel like that's a separate request?

>> It would be separate because the disparity study will be more of a statistical analysis of the businesses available, not necessarily looking at the needs.

The consultant that would be retained would do stakeholder outreach and talk to them and find out what their needs were and how it relates to the city procurement program, but it may not cover all of that.

>> Martinez: Okay.

So if we wanted to do that study, it would have to be a separate action item from council, not necessarily incorporated with the disparity study that we're doing?

Because the scope of work sounds like it's different in our disparity study [inaudible].

>> The focus and the end results are also a little different because the disparity study will help us defend the city's m.b.e.

Program divorce what I'm hearing is maybe looking at specific needs of the business community.

>> Martinez: Okay.

Thanks.

Thank you, mayor.

>> Spelman: If somebody from egrso could talk about what the small business community looks like.

>> Kevin Johns, director of economic growth.

There's approximately 43,000 small businesses in the city.

The small business development program focuses on citywide support for those businesses.

We have a -- a large amount of documentation of the 16,000 we work with on a regular basis.

At least 2,000 businesses participate, small businesses, the documentation of the success rate from the teaching courses.

Pretty good -- cities are mandated [inaudible]

>> Spelman: You are anticipating my next question.

Let me back you up.

I'll get to where you ended.

We have 43,000 small businesses in the city of Austin.

I presume they are in a wide range of different kinds of industries, different industrial sectors.

Do you have a sense of about what personal of them are in the construction business?

>> Yes, sir, I think you saw in paul saldano's presentation there were about 500.

>> Spelman: About 500 --

>> minority businesses.

I think his presentation showed there were about 10,000 minority businesses that were certified and about 500.

I think that perhaps veronica could tell you how many are in the actual membership of [inaudible]

>> Spelman: I'm less interested -- let me tell you why I'm interested.

We've got 43,000 small businesses and your charge is in part to give them assistance to become big businesses or at least profitable businesses.

>> That's correct.

>> Spelman: Some of those are in construction and what saldano talking about perhaps they were not getting the resources from the university of texas programs, perhaps they are, perhaps they are not but there may be specific needs

this the construction business.

I wanted to get a sense how big a construction business was relative to to small businesses that it's your job to take care of.

>> That's a very good question.

Because the dsmbr focuses on the construction industry and procurement of construction procurement, our department has not focused on that at all.

We're just not experts in the construction industry [inaudible] procurement.

That is entirely up to dsmbr.

So the documentation and the programs have been citywide and would not suffice for any type industry.

Some construction companies do come, but the course work which you have seen in the past is in some cases highly technical as to how to do social media marketing, how to expand to a second location, how to do business planning, which as i understand it is completely different from the training that's provided by the [inaudible] contractors.

>> Spelman: Sure.

Some of it, on the other hand, would be very broadly applicable.

How to write a business plan, which I imagine a construction contractor would need to know.

Small business accounting, quick books I want immediate I can't tell introductory, so on.

It's looking at the class offerings it seems there is a lot of stuff a construction contractor would find valuable.

Would that be a fair statement?

>> Yes, that would be a very fair statement.

I think [inaudible] construction contractor or retail or whatever the company is do need that set of skills.

And so it is the -- the course work from the university of texas of course does cover that [inaudible]

>> Spelman: Miss leafy, do you have something you need to tell me?

>> I just wanted to state that we do have construction firms that do attend the

business classes that we offer.

Our focus is developing businesses and not necessarily procurement, you know, helping them reach procurement and access government contracts.

>> Spelman: That would be a very specific nature, it would be extremely important to some businesses.

>> Very much.

57600
[captioning disconnect].

>> One is customer satisfaction and the other is in actual attendance.

And over the last three careers the customer satisfaction rate has grown from 92%, 94 to 96%.

We did open the contract for competition initially about four years or five years ago.

We were dissatisfied with the production as well as in the area of efficiency as well as effectiveness that the highest customer satisfaction rate that we received in those years was at 87% or 86%.

So that was one bucket.

The other bucket of performance measures we actually looked at was the usage, that is class attendance.

And we've experienced over the last three years a 73% increase in attendance in our classes.

We've grown from 581 participants in fiscal year '09 to more than 1,000 last fiscal year.

We were able to deliver more than 4500 training hours this particular fiscal year.

So we're anticipating with this interlocal that we will be teaching or reaching 1,000 students per year.

>> Spelman: Has anybody in your shop tried to go back to businesses after they've taken the class, maybe two or three months later to see whether or not they learned something which they were actually able to put to use?

>> Yes.

We go back every year we do an annual performance survey, if you will, and we ask them as a result of the -- as a result of the services that you use through sbet which includes the training did you experience what we label as productive growth.

And one of those things is
increase in the number of
people that you've hired,
did you use a new
technology, did you move
into a larger space.

In other words, anything
that our services that they
help you grow.

So we do that on a regular
basis.

We do that on an annual
basis toward the end of the
calendar year.

This group of people who
take the classes, they also
are surveyed.

We're going to be
trafficking more
specifically I think through
the african-american
resource commission has
asked us through
councilmember morrison's
office as well as she has
asked us to track
demographics in the
participants in the classes
which we're not currently
capturing, and we will be
capturing that data.

And we will also then be
tracing and doing more
intensive followup with
those particular individuals
to see, you know, what the
productive growth was
specifically on the
african-american community

and probably the minority businesses in the classes.

>> Spelman: This is a tantalizing thing that you are giving me.

You are telling me all the things you have done but you are not giving results.

Do we have results is this.

>> The results beside the fact the number of businesses have experienced productive growth?

>> Spelman: Tell me that.

I don't think I got that number.

Got lost somewhere along the line.

Maybe other people on the council got that.

I got 96% of the people saying they were really happy they attended the classes and attendance was way up.

Beyond that evidence of productive growth in terms of people, new technologies, new business sites, I didn't get that part.

>> I have it, I didn't bring my performance measure report back with me to council, but I can certainly give you that information.

>> Spelman: Could you qualitatively describe it for me?

Is it good?

>> Oh, it's very good.

How many jobs --
[inaudible].

About 200 or 300 jobs were created as a result of the services that we delivered through our sbdp -- I'm kind of at a quandary because i don't have my report with me.

>> Spelman: The exact number is immaterial relative to getting it right.

200 Jobs about right.

>> Small businesses owner that go through our services are generating jobs, people are starting businesses that come and use our services and they are also entering into new markets.

We had several of them that have started taking their markets globally.

We've had businesses that have come here that are u.s.

Businesses that are now expanding into global markets.

We've seen growth and activity.

>> Spelman: If we're talking just a very rough cut, half a million dollars, and we're getting 200 jobs out the other end for half a million dollars, that's \$2,500 a job.

Which is not bad for that one-time investment.

And that job presumably would continue for several years afterwards so we're not having to pay \$2,500 a year, we pay \$2,500 once for a class and get jobs out at the other end.

Sound very good to me.

Is that what you are talking about?

>>> 156,000 Per year.

The total.

>> Spelman: Okay.

And over what time period are we talking about 200 jobs?

>> In a -- I would say probably a year.

Our small businesses generate jobs annually.

When I said 200 jobs, that was one fiscal year.

>> Spelman: And this is participants in this program are generating 200 jobs.

>> Right.

>> Spelman: For \$150,000 we're getting 200 jobs.

That's less than \$100 a job.

That sound better than chapter 360 agreement.

>> Well --

>> Spelman: 380 Agreement.

>> For every \$25,000 of a sba loan they expect you to generate one job.

>> Spelman: That's good to know.

Except facebook was cheaper than that.

I'll give you that.

I have more questions but i always have more questions, mayor, I should probably be quiet and call the question.

I move approval.

>> Mayor Leffingwell: Councimember spelman moves approval.

Is there a second?

I guess I should ask if there's any objection to calling the question.

Hearing none.

Are you the second,
councilmember morrison?

And let me just ask one more
question about this.

[Inaudible] and those are
very good statistics, but
obviously satisfaction with
the program and I think I'm
on record a few minutes
earlier as saying how
important I think small
business is to the city.

But we've heard some
concerns and I would just
like to know if we have the
ability to go to the
contractor, the university
of texas in this instance,
and say we would like for
you to include a little
training on this or that,
whatever deficiencies might
be identified.

>> We can identify and
earmark a session or two or
have a session that would --
within the contract amount
specifically targeting
construction businesses.

>> Mayor Leffingwell:
Okay.

And I think we should always
be willing to talk to
people --

>> absolutely.

>> Mayor Leffingwell: --
who have complaints about
deficiencies and be willing
to change the program.

>> Yes, sir.

>> Mayor Leffingwell:
Thank you.

All in favor say aye.

Opposed say no.

Motion passes on a vote of
7-0.

So we'll go now to item 39,
if there's no objection,
pulled by councilmember
martinez.

There are no speakers.

>> Martinez: Item 39 is
regarding some of the
multi-family structures that
have integrity problems
forcing property owners to
shut down buildings and
folks to scramble for
replacement housing.

This item just directs the
city manager to help us as a
community and as a council
come up with a strategic
emergency response plan
moving forward.

When and if those incidents
arise.

As I mentioned at the last
councilmember meeting, a
DEVELOPER FROM THE '70s

Was really laying some
warnings to me that we will
see more moving forward
because of the aging
infrastructure and the way
that construction standards
EXISTED BACK IN THE '70s
AND '60s WHEN THESE
Properties were built.

What I wanted to do was take
it further because we know
that catastrophic incidents
don't just happen to
multi-family complexes, they
also happen to folks in
single-family homes.

And so we don't have, shall
we say, a hardship
application process.

A family recently lost their
entire life-long contents in
a house fire.

Children were in school,
lost all of their
schoolwork, really created a
disruption.

They had to find temporary
housing.

And then they had a house
that was about to fall over,
they needed to move forward
with rebuilding and, of
course, because of the
wonderful times that we're
having in terms of
development they were put in
a cue of a severe waiting
period just to demo their
house and to get started on

rebuilding their lives and
rebuilding their homes.

All I'm asking is for a
brief amendment.

You should all have a copy.

If you don't, pass one down.

It's one whereas and it says
whereas single-family
residences may be impacted
by catastrophic event such
as a fire or flooding.

Any new policy should also
help those residents get
back in their homes as soon
as possible and/or begin the
rebuilding process.

Then one other resolve that
in the event of a
fire, flood or other
catastrophic event,
homeowners should have the
opportunity to apply for
hardship consideration to
allow expedited permitting
and building.

Not every home that burns
down necessarily creates a
hardship.

It could be through
negligence, through some our
means that the event
occurred.

So I want to staff to help
us come up with the best
policy for that hardship
application.

That's the amendment.

I'll move approval and
hopefully the seconder will
see that it's friendly.

>> Mayor Leffingwell: I'm
going to take your motion to
say you move approval of
item 35 with the
modification that you
just --

>> Tovo: I'm going to
second it.

>> Mayor Leffingwell:
Seconded by councilmember
tovo.

I think it's item 39.

>> Mayor Leffingwell: Is
there any further
discussion?

>> Tovo: I just wanted to
ask staff about this.

I guess my first question
smart if
he's here.

>> Carl smart, director of
code compliance.

>> Tovo: Thanks for being
here and I know you had an
opportunity to talk with --
talk over the resolution
that's on today's agenda.

Does this amendment concern
you at all, extending -- as
I understand it, I think it
would just be tied to the

expedited demolition and building permit.

>> It does not.

We are already working with stakeholders and interdepartmental tasked teams to look at an effective tenant displacement policy.

Councilmember martinez is correct, we've been having some difficulties, issues with multi-family complexes where they have structural collapses that's been occurring.

And as a result a lot of the tenants are being displaced so we're having to take some immediate action, immediate response to deal with that.

So we are okay with the resolution.

guernsey
may be able to respond also because you are talking about hardship for expediting permitting for those particular cases.

>> Tovo: Thank you.

>> We're okay with it.

>> Tovo: guernsey, would you minue weighing in on the expedited permit if you think that's applicable.

>> Yes.

Right now we already offer an ex permitting dated permit review process where homeowners a catastrophe might occur, a gas leak, middle of summer and their air conditioning unit goes out.

They had a waterline break or a major sewer backup that would occur in the house or something structural.

It could be stairway in the house or if there is a failure, we already have provisions that are built in the code to do that.

I think what councilmember martinez is suggesting and we can certainly look into that and work and see what we can do to help those homeowners where there's probably more than just a simple loss, where the individual has to leave the structure and it's not a matter of fixing something in it, it's more probably rebuilding and taking and looking and see if we can come up with a similar provision for those I guess catastrophes that may occur through no fault of their own.

>> Tovo: Thank you.

And I just wanted to say i really appreciate the work smart and others in our other -- in various

other city departments have been doing to come up with a really well integrated response plan to meet the needs of the families who have been forced to relocate very quickly from the woodridge apartments and also los palmos and this is attempt to make sure we have community stakeholders speaking with staff and asking any feedback they have.

I have an opportunity to speak with several of them who had been assisting residents at both site and they had ideas and feedback for staff and I appreciate your willingness to -- you know, your responses and feedback on the resolution.

I think that the work that's already gone on is very good and extremely important, as councilmember martinez said.

Unfortunately, this is a circumstance we may see again in austin and it's really important that the city be able to respond appropriately and to make the disruptions in the lives of those tenants as little as possible to make the transition into more permanent safe housing as easy as possible for those.

Thank you.

>> Mayor Leffingwell:
Other comments?

All in favor say aye.

Opposed say no.

Passes on a vote of 7-0.

And council, before we take up the next items, which will be 27 and 28 together, at -- after the second reading on these items I suggested that the council, since we've heard the discussion and public comment, so many times in the last few months, that we would -- I was going to suggest that we limit discussion to 15 minutes per side on these two items combined.

So if there is no objection, you might want to huddle.

I don't think there's too much more than that scheduled, but if there's no objection, we'll allow 15 minutes for those for, 15 minutes for those against.

With that we'll go to those for first.

Henry gilmore.

And if you want, you can restrict your comments to either or both of these, but we are taking them -- public comment for both at the same time.

>> Yes, mayor.

Thank you.

Mayor, members of the council, I'm Henry Gilmore representing Lone Star Cab.

For the record, I'm supporting Lone Star with approval of item 28, but I'm also supporting item number 27, that item as well.

I understand that there may be some consideration of postponing this for another 30 days and respectfully, council, we would request that the council not postpone this for another 30 days.

And just approve this item on third reading today.

We have -- this item has already been delayed to Lone Star's detriment.

Council, when you approved 10 months ago awarding Lone Star 50 official permits last December in two phases, 30 permits in February and the remaining 20 in June, the first phase of 30 permits was delayed by a postmaster and didn't get finalized until April, which was after SXSW.

The second phase of the 20 permits was supposed to be awarded in June, well in

time for acl and the fl
race.

Because of significant
delays, lone star will miss
the benefit of having these
20 cabs on the street for fl
and acl and won't be able to
place the cars into service
before january 1.

Additional delays just work
to lone star's detriment.

Council, the reason this
item is before you is
because lone star was
underpermitted from its
inception.

Having three healthy
competitive taxi cab
franchises should be of
paramount concern to the
city.

Otherwise you are
encouraging a monopoly for
one franchise that not only
takes away choice for the
traveling public but
eliminate the choice drivers
have to work for another
franchise which may have
better equipment, better
management.

Lone star has been asking
for 75 additional permits
for over two years now
because it's been
underpermitted from the
beginning.

This item represent your
recognition that the city

didn't award lone star
enough permits from the
inception and represents a
one-time adjustment in order
to allow the company to
effectively compete in the
marketplace.

Council, this is an
expensive, bewildering and
frustrating process for a
small business like lone
star trying to compete.

Not only does lone star have
to compete with other
franchises, but it competes
with pedicabs who don't have
the insurance costs and
maintenance obligations,
compete with limo services
and capital metro bus
shuttle services and now
helicopter flight to and
from the f1 race.

Solomon is asking for a fair
chance to compete and even
though it's the smallest
franchise, lone star
channels into technology and
we've made a substantial
investment in the latest
technology where every new
vehicle is equipped with a
navigation system with audio
turn by turn direction.

This is state-of-the-art --

>> Mayor Leffingwell:
Sorry to interrupt.

That is three minutes.

Maximum of three minutes per person.

If you want to wrap up quickly.

>> Council, I just ask that approve this on third reading.

>> Mayor Leffingwell:
Thank you.

If you want to just start over with three minutes, I'll just keep track and add those up to 15.

So the next speaker is joan cabelli for and donating time berth means.

Is berth means?

There she is.

So you will have six minutes.

And that will be --

>> yes.

I'm in support of austin cab receiving 10 additional permits.

In order to meet the reporting requirements of the city and in order to improve our company's service not only to our passengers but also to our drivers, we are going through the process of making a costly investment

in a state-of-the-art
computerized system.

It turned out to be a much
more complex and costly
exercise than we could ever
have imagined.

And it's almost impossible
for us to plan and budget.

We've been waiting almost a
year since december of last
year to find out if we're
going to get the additional
permits.

In a way we're piggybacking
off of lone star because the
practice of the city has
been if the smaller
franchises [inaudible].

After all we've been in
business for almost 29
years.

And we've never had an
opportunity to be given
additional permits because
we have too few permits.

We started with too few and
we had too few for many,
many years.

And now that lone star has
this great opportunity, the
city has felt that, yes,
austin cab should have
additional ones at the same
time.

We shouldn't just stand
still and then eventually we
are even.

We've been working for many,
many years.

So the reason I'm saying
it's difficult to plan and
budget is that there's
certain things with this
computerized system that we
really need to purchase, but
if we know we have these 10
additional permits which has
been approved on first and
second reading and this is
the third, then we can say
yes, we can afford to add
this little feature which
will enable us to know where
our cabs are at all times.

A very important feature in
order to meet the city's
requirements.

And so hoping this would
come through, we've gone
ahead and have the software
purchased but there's
several other features we
need to purchase.

And if we know we're getting
these 10 additional permits,
then we can go ahead and
invest in those additional
features that will satisfy
the city and our own
requirements as well.

It's been a long time.

It seems we've come here so
many times.

And we were patient when
lone star had to redo its
first and second reading.

A few months ago we said, okay, we'll wait because we realized that we're getting additional permits because lone star is getting additional permits.

And both of us are in the same position, small companies trying to improve the technology.

In the city's case it's for reporting.

In our case it's so that we can get our drivers better contacts with the dispatch system so that our customers will be able to find out which -- we will know immediately which cabs they left their purse, their wallet, their cell phones.

I mean, there will be so many benefits for passengers as well as our drivers as well as our company and the city.

So it's been quite -- quite a long wait and we do hope that these additional permits will come along.

And I believe the last time I stood here, we found out that perhaps austin cabs has been short changed a little bit.

Perhaps lone star has been short changed as well because this is almost a year and we haven't even

looked at the need -- the need for additional cabs under the old system, the old formula.

And I remember somebody saying that, oh, yes, austin cab is a little behind, but I don't have the figures on that.

So, of course, that additional income can enable us to more quickly meet the requirements that the city is putting on us to improve our dispatch system.

>> Mayor Leffingwell:
Thank you.

There's a total of six minutes left on the for side so -- and I have a total of seven speakers signed up so only two more speakers are going to be allowed to speak.

casa, is there any objection to -- okay.

Go ahead.

You have three minutes.

And there will be three more after you.

>> My name is solomon [indiscernible].

Mayor and councilmembers, I'm speaking in support of

additional service to lone star.

I don't want to repeat what [indiscernible] and prepared to speak today but due to the lack of time we're going to keep -- true and genuine feelings lone star cab.

What lone star cab means to them and how the [indiscernible] changes their lives.

I would like to point out first the memo from transportation department indicated [indiscernible] materials are not included.

The driver income was in a positive way.

We all know without any doubt [inaudible] will significantly increase.

We can argue about drivers' income the whole day but we may not reach a [inaudible] because we don't know the number.

Our city has the lowest unemployment rate in the nation.

This is because of the great policies and direction we have given over years.

For lone star cab, the additional permits are about creating a job opportunity.

My second point is about [inaudible].

Lone star cab includes -- per week this year.

Mayor and councilmembers, you heard me saying that a company has give back thousands of dollars to drivers.

You also heard drivers' testimony.

As of today, each of those drivers of the 30 new permits received 1,800 which is total of 54,000 over the last four months.

The [indiscernible] and have stayed the same since then.

We also don't have any plans to increase for the next six months even though we made huge investment in technology.

The \$60 per week increase is absolutely [indiscernible] because we never had 190 settlement to begin with.

Last week I attended the 94th international conference of -- para transit officials.

That will take lone star cab service to the -- not only improve service but generate drivers' income.

The pilot program will begin next week on 20 vehicles for one month.

At the completion -- remaining will be made.

[Inaudible].

Critical to our operation.

[Buzzer sounding]
thank you very much.

God bless you.

>> Mayor Leffingwell: I'm just going to go in order.

If you want to pass, just give me a signal you want to pass in favor of somebody else, but there's only three more minutes of speaking time on the for side.

Next speaker is gabrielle anye.

He's going to take the three minutes.

And that will be all.

>> Good evening, council.

Gabrielle anya.

One of the beneficiaries you give to lone star cab.

Since you gave that my life has changed.

I have the rest of mind
because of the management
system.

The policy that allows us to
[indiscernible].

Also I have had good
compliments from customers.

Customers say we respond
more rapidly than any other
company in austin.

I think that lone star needs
more -- because they have --
looking for jobs.

I don't see why -- I've
driven for other companies
in austin but lone star has
been the best.

We need more permits also
because customers are not
getting cabs on time.

During the rush hours of the
morning, there will be a lot
of trips -- they need cabs.

The afternoon rush hour,
cabs.

Why can't they get more
permits?

[Inaudible] need jobs to
balance it I think we need
more cabs for customers.

Thank you.

>> Mayor Leffingwell:
Thank you.

Now, we also have more
speakers signed up against
and neutral than we have
time for.

And so if you want to pass
in favor of somebody else,
signal me, otherwise I'll go
in order.

I'll give you the names
first, thomas marksit,
joseph.

Ly, david kelly, dave pass
degrees more, daniel ija,
and virga de.

Demera and clay dafoe.

The first speaker is thomas.

He is passing.

Joseph ily.

And joseph, you'll be
allotted three minutes.

>> Good afternoon, mayor and
members of council.

I'm here as part of the taxi
drivers association of
austin.

I request that you vote
against the extra permits
for the fact that drivers
are working longer hours and
making less money due to the
impact study.

If not we request you
postpone and study the
the third would be for

austin city council to fix the problem created by the earlier council created with the unequal distribution of taxis by reducing the outstanding permits by 10% when the permits come at the end of the year.

Please consider the impact of your decision on working people in austin.

>> Mayor Leffingwell:
Thank you.

David kelly.

And you have three minutes.

>> Thank you, mr. mayor.

Members of council, I'll be brief.

Concerning the 30 extra taxi permits, the other day we got the impact study and all the data is clear, right?

Hardly.

It's a very complicated subject.

But there are a couple statistics that stand out and I would like to point them out.

One is the average income per taxi down almost 6%.

Almost equal to the extra amount of taxis put on the line.

The other is the taxi hours
on duty, which w
14.38%.

And no matter how or why
that this is off, I know the
festival was a different
month last year, but still
that's a 14, almost 15%
increase in time worked.

More cabs -- I mean will
always cause this percentage
to go up.

The more cabs there are, the
longer it takes to make the
same amount of money.

[One moment, please, for
change in captioners]
I'll bet you most of them would
say no.

As we have contended in the
past, the drivers, at 13-66 an
hour with 600 to \$700 in
expense, that is less than
minimum wage and we feel like
that happens at least half the
time.

The festivals are good, yes,
football games are good, but
those are only a few weekends
per year.

That's all I have for you today.

Please vote no against 30 extra
taxis.

Thank you.

>> Dave.

>> Good afternoon, may, I don't council members, city manager.

My name is dave fastmore, current president of the taxi driver's association.

Today I'm here before to you ask you, sir, please do not issue these 30 permits.

We are more than willing to wait for the council to get the additional numbers to come in so you can see what the numbers are actually reflecting.

Right now, based on the numbers show the driver's income is already down.

If you need the other numbers and you need the extra time, we are more than willing for you to wait to have the numbers so you can actually see the real impact that this is having.

Thank you so much for your time.

Have a great day.

>>Mayor leffingwell: thank you.

Not here.

Verga.

You will have three minutes.

>> Thank you, mayor and thank you, council members.

My name is verga, the taxi driver's association, and i stand before you today that you

will vote no against these 30 permits because, first of all, it would -- again, this is a formula, second of all, you, the council members set a goal of impact, the growth you set for yourself, and the impact study shows the growth for the drivers is down, so, for that reason, i think you should -- the council should stick to your rule to vote this thing down.

Another thing is you know, i hear a lot about minority business.

Yes, minority business help the drivers 900 -- over 900 drivers, a small minority drivers, which most of them are immigrant, they came here for, like, american dream like anybody else.

When you take the driver's income and add more permits on the street, that means you -- the council is reviving or making vibrant the few owners minority company and the cost of majority-minority driver's business.

So, I ask that you vote no to these 30 permits and I ask you to vote no again.

Thank you.

[Applause]

so, one more three-minute segment.

Left with the against, signed up neutral, you have three minutes.

>> Thank you so much, austin city council, thank you so much for being here, drivers, on both sides.

This is a very important issue in our city that the council has been mulling over now it seems like every two or three months there's more permits being considered or an appeal or something of that nature, which leads me to believe, which was my initial inclination when i first saw this topic on the agenda over a year ago that austin city council shouldn't be regulating permits at all.

These drivers are hardly making ends meet, and as they were telling me outside the chamber here earlier today, it is very difficult to make a living minimum wage even driving a cab in austin, texas, working 12 to 13 hours.

So, I think we need to listen to the working class people of this city.

I'm one of them and proud to be it because it is the backbone of america and they're being ignored in our government, local, state, federal.

I just wanted to add to the discussion that austin city council is creating these problems.

Now, these companies are franchisees of the city, as i understand it, why aren't they

their own business with their
own right to do what they want
it seems pretty change.

You don't see franchise
businesses serving ice cream.

Amy's ice cream isn't a
franchise service, maybe at
the airport, seems strange.

I would like to see the drivers
form their own companies and
their own small business, then
we could have 10, 15, 20 taxi
businesses have real competition
in this industry in austin
instead of this highly
monopolized, yellow cab enforced
duopoly, tripoly, whatever you
want to call it.

Look at pedi-cab, they're
regulating fair business, unfare
to the taxiways, even though
they have a cartel of their
known yellow cab, it is unfair
to them because these other
companies, electric cab, now the
bikes are going through the
ringer with the pedi-cabs and
that is wrong.

We should go back to the
founding fathers and what they
advised, let freedom work its
magic and maybe some of these
drivers can go out and form their
own companies and make -- form
their own companies and make a
decent wage and reinvest in the
city of austin.

Whether they build a house or
give money to another business,

that's how the economic growth works and that's what we want.

I want to see them succeed like they want and anybody else in any other business.

I think this is the wrong thing now to add more permits.

You need to go back to the entire permit scheme and reconsider whether this it s good for our city.

Thank you.

>> That's all the speakers.

There are a number of other speakers signed up before or against, either not wishing to speak or timed out so those are all the speakers we have.

And, we'll take them separately, separate motions.

Item 27 first.

Is there a motion on item 27?

Council member spelman moves approval on third reading, item 27.

Second by council member martinez.

All those in favor, please say aye?

[Chorus of ayes]
council member morrison.

thank you, I wanted to make comment because I was very interested in the discussion that we had at work session about looking at these numbers that had come out and the fact that we didn't have really an equal footing in the numbers we were looking at because we included the month of acl in 2011, but not in 2012.

And, so I was really going down the path of thinking that maybe it would make sense to delay and wait until that I would support delaying and waiting until we get octobers so we could look at that.

But, on the other hand, I really didn't want to do that because i know this has just been in front of us for to long.

, So I went back to see if i couldn't get some meaning out of the numbers.

Did I take a look at number -- i did take a look at the numbers again and looked at september and that's where we get thrown off.

When you exclude september, it is interesting, what we have, for instance, income per cab, the tdaa folks in their report said it had gone down by 20% but that's only if you look at september so that's not really something that makes sense to me to do right now because september is when there was acl in 2011 and not in 2012.

If you look at the staff, they report it went down by 6%, and that's when you include september.

If you look at just july and august, it is actually positive.

As I looked at all those numbers again, I decided it really does make sense to go forward today, you know, another month of waiting, another month of data, it just going to be more juggling around.

I think being committed to really the, as we discussed, the viability and strength of all three franchises, I will be supporting this motion today.

[Applause]

>> mayor.

I will just say that -- and I think I talked about this at the preview -- on second reading when we had a discussion period that I'm very concerned about the complaints that the drivers have, and i think we need to take another look at this and I personally am committed to saying I'm not going to address any more franchises or any more drivers for these franchises until we've sorted this out, and so i suggest that we get busy on doing.

In a year or so, this subject is going to come back again.

But, it will catch up, the numbers will catch up to where we are right now.

I know we're using some reserve positions and so forth, and i think it's something that we have to pay some serious attention to.

The other issue that we discussed some in the work session was we need to have some effective limitations on duty hours for cab drivers, and this is so the system can't be game, so someone can't work almost 12 hours and take short break and come back on again.

I think this is a safety issue we have to address that, as well.

>> May yor I have mayor, I have a couple questions.

mayor pro tem.

>>Cole: thank you, gordon.

I know this has been a long process but I just need to be clear on a couple of things.

The formula we are deviating from the farm la in these addition -- formula in these additional permits.

Can you give me an estimation what that formula is or educate us on the formula and how it would have worked.

>> As far as we're concerned, the formula still continues, is that I believe for this year the formula would have said 51.

We would have put some permits into reserve.

The other permits would have been available for the franchises.

We're currently above that curve and our recommendation to the council would likely be reduced until we get back to the curve, over the next, hopefully, year or two.

The data we have at this point with population growth and taxi operations at the airport would say that this year, it's not going to be anywhere near 51.

In fact, it will be pretty flat.

But, we still don't know what the impact is of formula one, what that kind of operation might do.

We certainly know there will be a lot of people flying in and potential taxi trips from the airport.

>> Well, when we originally came up with the formula, there was a rationale behind that to balance all these interests, and so now, to the extent that we're considering deviating from that, I'm trying to make sure that we haven't abandoned that in the process.

And we've heard from the drivers, and I'm very concerned about the issues they have raised and I appreciate the fact the acl has not been included.

Maybe if they were included maybe there wouldn't be as many of these problems, but still, the interest of the drivers and owners and the business and the new festivals that we will have to be considered in some type of systematic fashion, so you're still planning to use the formula to make the recommendations to council, is that correct?

>> Yes.

And we have a precedent because previously, when roy's taxi went out of business, we kept the formula.

We went above the line for a bit with the additional permits that were provided to austin cab, and then, we slowed the growth so that we got back on the curb itself.

so, the additional permits that we are considering issuing today are with your recommendation?

>> I'll say they're with -- they're in accordance with the council action of last december.

[Laughter]

>>cole: that's kind of scary.

I guess when I say with your recommendation, having been professional staff working with these issues and knowing that we have the concern of the drivers at stake but it was really due to taking that out of consideration that, in the future, as you balance the interests and you make recommendations to council, you're not feeling like the action we're taking today is in any way putting that in jeopardy?

>> I think we've heard throughout this discussion the last few months is the council would like to go back and look at the formula, how we derive the formula, how we use that in the future and we and staff are looking at that now.

what we and staff are --
I should ask it differently.

What we're doing today is not preventing from you looking at the issues thus far and they do need to be tweaked because we're still having some trepidation.

>> We understand that yes.

>>

>>cole: thank you.

>> Mayor.

council
member tovo and then council
member spelman.

I want to be very clear,
the formula would have issued 50
permits this year?

>> That's correct,.

>>Tovo:

>> So with the previous
allocation, austin received 15,
lone star received 30.

The formula would have yielded
19 and 19 in reserves so we've
taken some reserves and
allocated them to the two
franchises which was an action i
supported for the reason some of
the speakers today have
articulated because do we need
to have three viable cab
franchises, I think that is the
best interest of the community.

But, what we are contemplating
today, to get back to mayor pro
tem's question, takes us beyond
the number of permits that would
be released in the formula so
there's no confusion, that takes
us beyond the 53 that would have
been allocated this year through
the formula.

>> That's correct.

so we can say we're
going to follow the formula in
the future, look at the formula,
but the action today goes beyond
the numbers that would have been
released under the annual
formula.

And, again, I just want to
verify something we talked about

the other day, but in this period of time, we also had several rate changes, correct?

Rates per mile went up 10-cents?

>> Yes.

The fare was increased a couple of different elements in the fare, and we also implemented the council action to allow, during the evening hours, additional surcharge for passenger -- surcharge for passengers.

>>Tovo: thanks.

There no doubt this is a complicated equation to figure out but we know there have been some increases that should have resulted in cab drivers taking home more income per hour.

The numbers we have before us, flawed though they are because they don't have a/c, reflect that they're taking in less than they have in the past.

And we know they're working 14% 38% more, you know, and I'm not sure how that would be different by a/c, once the a/c numbers are factored in or not.

We all hope november is going to be a great month, but cab drivers have to work 12 months out of the year and not rely on a/c and things like formula one to make their payments.

And, I completely agree with the mayor's point, I think safety is a very considerable, a very important issue to consider and I'm not sure that we're enhancing safety when we are being presented with information that suggests that it is very difficult to make a living as a cab driver.

And, I don't think individuals out there working 16, 18-hour days are trying to game the system, I think they're just trying to feed their families and pay their bills and to do that requires them working in excess of what most of us would consider to be a normal day's work.

And, a safe, you know, a safe working condition.

So, I'm not going to support the motion.

I would, if I thought I would get a second, perhaps we at least take some time to see the next couple months of numbers and see if that makes any difference and allows us to have any -- well, I'll just make that as a substitute motion, we postpone this today and take a look at the next few months.

I understand and -- I understand it's a hassle for all of you who is v come out on this side of this issue multiple times and posting errors and timing issue that needed to be extended for lone star and matched up with

the permits and it has taken a long time to resolve this question but taking another month or two is important.

I'm going to move we postpone this meeting until december.

>> Substitute motion by council member tovo to postpone until the first meeting in december.

Let's see what that is.

That would be the 6th of december.

Second by council member riley.

Is there any more discussion of that?

>> Mr. mayor.

council member spelman.

I was going to hold but I may as well address the original motion and substitute motion.

I would ordinarily support a motion like that.

We would only have to wait about month, we will get information on this acl issue.

I wasn't sure the acl issue was figured out.

But almost exactly the same analysis council member morrison did, you should never allow two people who know how to do

calculus and statistics to sit next to each other.

We did the same thing independently and came up with the same answer which is that acl appears to increase the amount of paid mile, passengers, total fares between 25 and 30%.

We had that in september last year, we're having it in october this year, so in 15 days or thereabouts, we will get the information for october, which I'm pretty sure is going to show there was 25% increase in paid miles, passengers and fares, relative to october last year when we did not have acl.

That seems to be to be consistent with what we know about acl, what we know about cab demand, and I don't feel a need to wait a month for us to make a decision with that in mind.

Let me say one other thing, and this is actually a question since you're close by the mic, and getting closer by the moment.

The argument in favor of this is not because it is in the good of the cab drivers or the good of the cab companies, it is primarily because it is good for the public.

The public is going to get better service on having 30 more cabs on the street.

Lone star and austin will be able to afford a better dispatch operation.

If those 30 cabs just gets in line at the airport, we're not doing the public any good at all because nobody has to wait for a cab at the airport and all we're doing is adding to the queues and substantializing from income.

This those cabs are going to hotel cab ranks or picking people up around 6th street it might be the public's benefit because people won't have to wait so long for a cab, but if it is going to a radio dispatch, it is almost certainly for the public benefit because people aren't going to have to wait so long for a cab to pick them up.

What will happen to not necessarily these 30 cabs but how the lone star and austin cab operations have changed or will change with the addition of additional drivers.

>> We have some data, at this point.

We know from talking to the airport folks that only two of the additional lone star permits have signed up to serve the airport, so, the rest are finding trips elsewhere.

So, some of that will get secondary data to support that as we move forward with electronic dispatch and electronic reporting.

I think we will have a much better feel about where all the trip ends are and times of the day so we can start to craft, over the next year or so, some policies to make sure we got -- make sure we got service that matches up with the demand.

>> When will we have access to those electronic data?

>> Two of the companies currently and the third is moving towards that rapidly, so I think by the beginning of -- by January, we should be getting monthly reports that will have more detailed information that we can track things like special events and see the exact day-by-day activity.

>> Go ahead.

>> So, I think that better data and our better understanding of the operations will really help us to craft this in the future and strike that balance between the franchises, the drivers and the people who do need taxi trips in our city.

>> Let me ask you a real specific question.

Are you saying two of the three franchises are now providing electronic data?

I've got 252,000 trips, presumably paid trips, taken by cab in September 2012.

Is there a way of breaking down that 252,000 to figure out how many of them came out of the airport, how many of them came out of people flagging down a cab in the street or a cab rank and how many of them were dispatched?

Is there a way of finding that out?

>> I believe in the data and word changes in our data requirements and franchises so we can get that information.

>> Okay.

>> So, they should have it within their -- be able to gather that.

We're asking them a lot more specifics about time of day and method of the trip was originated so we can get that.

Because, as we know, you all want more data to be able to look at.

>> The reason I want more data is base because I want to verify, if we ever go here again, I can verify the public has benefited from any decision we make, whether it is more permits or fewer permits or moving them around and the only way I know to do that is look at the origin of those permits.

The airport, cab rank or dispatch.

We will have those data going forward but we do not have those data going backwards, never my first choice, but the evidence we've got from the lone star folks and the austin cab folks is sufficiently compelling to make sense to do this here now and we will be able to verify this is the right thing to do going forward.

Thanks.

and I'll just say that council member spelman makes an important point that I think bears repeating in that what this is also about, and really justification for it, is service to the public.

This whole initiative, and now i think this is -- we've heard public comment and had this item before us withins last year at least 12 times so I think the issues are framed but it has all along been about creating a viable third franchise.

The numbers, as you pointed out will catch up, in a year or two, back on schedule with three franchises and, as I've said, without justification that i don't know about right now, i would not support deviating from the formula again, whatever that formula might look like in the future, now that we are about to establish three viable franchises.

So, with that, the vote is on a substitute motion which is postponement to december 6.

All in favor of that, say aye.

Opposed say no
[CHORUS OF NOs]

>> That fails on a vote of 2-5 with martinez, myself, spelman, cole voting no.

And that brings us to the main motion which is to approve on third readings additional franchises for lone star cab.

All in favor of that, say aye
[chorus of ayes]
opposed, say no
[CHORUS OF NOs]

>> That passes on a vote of 5-2 with council member riley and tovo voting no.

[Applause]
now that takes us to item 28, same item, additional franchises for austin cab.

Council member spelman moves approval on third reading.

Second by council member martinez.

Any further discussion?

All in favor, say aye.

[Chorus of ayes]
opposed, say no
[CHORUS OF NOs]

>> That passes on votes of 5-2 with council members riley and tovo voting no.

And, so, we were through our morning agenda, except for item 77, which can't -- item 7, which can't be heard until after 4:00.

So, that takes us to our zoning cases.

>> Mayor and council, greg guernsey, planning, development rain view department.

I'll run through the items I can offer through consent today, the public hearings are open, possible action.

First I am I would like to offer for consent is number 43.

This is for the property located at 902 houston and 5527 sunshine drive.

The staff and the applicant are both asking for postponements of these items to your november 8 agenda.

Item number 44, the property located at 828 houston and 5527 sunshine drive, staff and applicant are requesting postponement of these items for one week to your november 8 agenda.

Item number 45, case c 01, prompt located at 5536 to 5540 north lamar boulevard, postponement request

by staff and am dance year
november 8 agenda.

Item number 46, the property
located at 19 and 10 1/2 wichal
lane.

Post is postponing to -- staff
is requesting postponing to the
november 14 agenda.

Item 47, property located at
2905 dell kurto road and 1814
light c road and -- excuse me, a
neighborhood request for
postponement to december 6 on
this item.

Item number 48, property
locating at 11003 fm 3333, to
grant the gr-co combined
district zoning with conditions.

Ready for consent approval on
all three readings, item 49,
prompt located at 416 west
11th street to rezone the
property to downtown mixed use,
central redevelopment district.

Planning commission's
recommendation was to
unanimously approve the downtown
mixed use combine cure zoning
district, ready for consent
approval on all three readings,
item number 50, property located
at 408 west 11th street.

Zoning case request to downtown
mixed use, dmu-cure, combined
district zoning.

Planning commission
recommendation was to grant the

cure, ready for consent approval on all three readings.

Item number 51, property located at 300 east 5th street.

Staff is requesting postponement of this item one week, we're still working with the applicant regarding issues regarding the restricted covenant so we will ask a one-week postponement by staff on item number 51.

Item number 25, the property located at 7600 wyne lane, rezone to family resident, sf-3 district zoning.

Zoning and platting commission recommendation was to grant the zoning.

I spoke with the applicant, he did sign in to speak but he is happy if you allow this item to go to consent and will wave speaking on this item.

The last item, item number 53, for the property located at 2707 hemphill is a discussion postponement item.

>> Council member morrison.

>> I do have some questions about 49 and 50.

I'm having a hard time figuring out which exactly is which and what the future holds for each one, so just in order to answer my questions, if we can pull those off consent, please.

>>Mayor leffingwell: okay.

So the consent agenda for the zoning items is to close the public hearing -- excuse me, postpone item 43 until november 8, postpone items 44, 45 until november 8.

To postpone item 46 until december 13.

Postpone item 47 until december 6.

To close the public hearing and approve item 48 on all three readings.

Postpone item 51 until november 8.

And, to approve item 52, close the public hearing and approve on all three readings, item 52.

Is that creditis that correct?

>> That's correct.

>> I'll entertain a moment to approve the consent agenda.

All in favor, say aye
[chorus of ayes]
opposed, say no.

That passes on a vote of 7-0.

So, council, we can now move to our -- to postponement discussion item, which is item number 53, and I understand that there -- staff may be requesting a postponement and the applicant opposes so we will hear -- I'll

give you three minutes to talk about the request for postponement and the applicant will have three minutes to discuss why he opposes postponement.

If we don't hear the postpone -- if we don't approve the postponement, we will hear the case tonight.

>> Good afternoon, mr. mayor.

Mayor pro tem, council members.

Historic preservation office planning and development review.

Staff is requesting a one-week postponement on item number 53 to the historic zoning case at 2707 hemphill park.

Just this week, we have heard from curby house school in the same general neighborhood they are interested in obtaining this house and relocating it to a property they own in the same neighborhood, on the corner of 29th and hemphill park, so about a block away.

The board members of kerby hall went through the house just yesterday, they are having a board meeting this weekend and staff is requesting a postponement to november 8 to see if we can work this out.

If this is, we would drop the historic zoning case upon the relocation.

So staff believe as one-week postponement will allow this to occur.

If this doesn't happen, we will proceed with the case on november 8.

>> Mayor?

council
member martinez.

I just wanted to ask, if they decide to take this, won't we have to deny historic zoning anyway for it to be moved?

>> Staff would change the recommendation, we will recommend relocation.

>> So why wouldn't we proceed today?

It has a valid petition, I don't believe it is going to be zoned historic, why wouldn't we proceed with the assurances nothing would happen to this house until after this week kirby house board meets.

>> I think it would be cleantory allow this association meeting to take place it just occurred starting monday, it is very new and thing would be a cleaner process to postpone the public hearing on this case for a week to see if kirby hall is actually able to accept this property or accept this house on its property.

>> I understand.

Can I ask the agent
representing --

>> he's going to make a
three-minute presentation
anyway.

>> So speak to that in those
three minutes.

>> Members of the council, I'm
here on behalf of the owner of
the house.

First, let me tell you this
process has been going on since
june.

The offer has always been out
there to allow somebody to come
move this house, and of course,
it as always happens, somebody
at the very last week says which
might want to do it.

Here is my client's commitment
to you.

If the vote today is to not zone
it historic, and we get our
demolition permit, we won't
exercise under that demolition
permit for at least 30 days so
that if the kirby lane folks
decide they want to do this,
they will have time.

Why is it important for us not
to postpone is because it is --
it balls up the whole system.

You're dealing with a fraternity
house, nonprofit it, they can't
do anything until they know the

outcome of this case and it balls up and keeps going and going and going and has since june.

In the case of a university use when you lose a week here, week there, it turns into a semester, and so the owner would like to get on with it.

I don't believe it's historic.

John has got a very good presentation to show why it shouldn't be zoned historic, the neighborhood doesn't think it should be zoned historic, we would like to be cut loose today with the commitment we won't exercise under the demo permit under the agreement that we won't do anything for 30 days if kirby lane decides they want the house.

council member martinez I think kind of summed it up, it doesn't make any difference if we hear the case today or we hear it next week, it's still got the -- the historic zoning still has to be denied if the house is to be moved.

>> That's correct.

that's correct.

So, I'm having a hard time seeing the conflict here.

>> I have a question for them.

I'm trying to speed through my e-mail here.

I thought that we had a request from one of the neighborhood associations.

I don't know if it was an official request from an association or just an individual who is part of a community development corporation within the area but have we received an official request from any of the neighborhood associations for postponement today?

I know several of the neighbors think it is going to be postponed and were supportive of postponing it.

>> Nothing beyond the e-mail you received from the central austin community development corporations.

>> Would you consider that to be -- I mean, I would consider that to be an official request for postponement from a neighborhood group, which we typically honor from a neighborhood group and I would suggest do we so today.

That awethat's true but either way you look at it, I think it should be granted.

suttle, I have a question for you.

Was your client aware when they purchased the property it was a 1915 structure?

>> I don't know the answer to that.

He knew it was old.

>> That I ask because --

>> it obviously was old.

I can tell you that -- I don't know the answer.

Do you know the answer?

>> We better get one of the guys up here.

we have to
get you on the record.

>> Kent collins, speaking on behalf of the purple owl house corporation.

The fraternity sold the land to the brown family in 1914 for them to build their house.

We've owned the surrounding properties that at one time went from 27th street to 29th street beginning in 1906.

>> Okay, thanks.

I think that says to me, more or less --

>> we purchased the property back from the them from 1995.

>> Thank you, mr. collins.

The reason I ask that question
suttle point the
out they've been in process
since june and I think that's
pretty consistent with what
happens if there is going to be
a historic zoning case and if
you purchase a house that is
almost 100 years old or
structure that is almost 100
years old, I think you all the
to expect that there lab city
process to consider whether or
not that house is historic.

It is one of the values we have
in our city, and you know, you
don't -- no one in the city has
right to automatically demolish
a house or a structure that is
that old.

So, I take your point you've
been in process a long time but
said say another week to allow
this piece to be figured out is
really appropriate and I would
honor the staff request to
postpone it a week, as well as
the comment that we received
from the central -- from the
individual associate with the
central austin community
development corporation asking
that we allow that dialogue to
take place before in essence,
enabling the release of a
demolition permit.

>> I second council member
tovo's motion.

>> Motion by -- did you make
motion to postpone until
november 8?

>> I didn't but I should have.

>> Spelman.

Let me just say, I'm not going to support this, and there are a lot of reasons.

One, I think there is general agreement there is a valid petition and this property is historic zoning is not going to be granted, and even if the property is moved to another location, historic zoning has to be denied.

There is also the fact that, on this, we have the rare concurrence with --s -- as I understand it, s adjoining neighborhood association.

I don't know if that has ever happened before but I certainly want to take advantage of this opportunity to exploit it if that's the case, so I won't be supporting a motion to postpone.

Mayor pro tem.

I would just like to say that it's not very often that staff comes before us and asks for a postponement and we routinely give a postponement at the first request of either side, so I will be supporting the postponement simply because it is for a seven-day period and I don't think that will be undue hardship and it is the first request for a postponement.

any
other -- council member
morrison.

the motion is to
postpone, right?

I'm not going to support the
motion to postpone because i
truly believe the so you can
going to --
the outcome is going to be the
same either way so it is
reasonable to move along with
that.

I appreciate the staff wanting
to be more formalized but we
know where to find you guys.

council
member riley.

>> I have a question for you.

A couple times I heard the
comment we couldn't move this if
it were historic.

Haven't historic homes been
moved?

>>

>> yes so we could move it and
we've done that before and no
reason we couldn't do that
again.

I wanted to get that straight.

I've heard to the contrary
several times.

I have a question for someone
representing -- it is not the

applicant, but the, I guess it's the owners.

>> I went by to look at this property this weekend, one thing is to consider the way the property relates to the surrounding area and then the extent to which it contributes to the surrounding area.

It was a little hard to see that, because when I went by, they were, as you know, there are vehicles that are parked immediately in front.

IN FACT, SUVs AND PICK-UPS
Parked occupying the entire space, not only the sidewalk area but jetting into the street.

So, if you're trying to walk down the street, you're forced by those vehicles out into the middle of the street just to get around this property it struck me as odd because eight vehicles parked in front in the way I've described, just looked around the side of the house, there are nine empty parking spaces around the back and the side of the house, just struck me as odd.

I guesses question I'm getting at is, just for my own peace of mind with respect to the future of this site, I just want to gauge, if this property were to go away, whether it's to be moved or demolished, could we expect that whatever replaces this building might overissue something of an improvement in

terms of a pedestrian environment or would the paternity continue to completely prevent any pedestrian activity in front of this site?

>> We're getting a little bit into the discussion of the case here instead of discussion of the postponement but you can relate it to the postponement, go ahead and answer.

>> Very briefly, there would be two levels of underground parking which is the reason why we're pursuing this addition, if and when you do hear the case regarding removal or demolition of the house, yes, the addition would contain much more, -- contain and have much more parking and we would have a sidewalk and open space, which doesn't exist today, you're right.

Pedestrians and others are forced into the street and it is a little bit of a dangerous curve right there because you have Guadalupe and the park and a bit of a blind area, especially for pedestrians.

>> Okay.

Well, mayor, I will say that I do have concerns about the case, I think we need to give it careful attention but I don't know that circumstance will be all that different one week from now so I think this case has been pending for some time and I understand the need for a timely

action on this, so I won't support the postponement.

>> So all in favor of the motion to postpone, say aye.

[Chorus of ayes]
and, those opposed say no.

[CHORUS OF NOs]
So I believe that motion fails on a vote of 4-3 with myself, council member martinez, council member morrison and council member riley voting no, so we'll hear the case.

Before we hear the case, it's 00, and I understand that there are a number of -- don't go too far away, this is going to be real quick.

There are a number of cases on 00 public hearings that are going to be withdrawn or postponed.

If we could go through those so that anybody that's waiting for those to go home, we'll go immediately back to this.

>> Thank you, mayor and council.

I can go through some of these.

Item number 54 and 55 both deal with cheer up charlie's, the owner, I understand they're out of town.

It is the property owner's first request regarding these two there was no date specified for the postponement.

You could consider your next meeting as a possibility based on, when I say I've been called out of town unexpectedly and respectfully request a postponement of items 54 and 55.

Tamara hoof every, owner of cheer up charlies.

council
member morrison, you have a question about that?

>>Morrison: I have a question.

Are there people in the audience now?

Are neighbors notified this was likely to happen?

john plyler
because he was the appel land only the other item laws laura morrison.

>>Morrison: okay.

if you have
objection to postponing that on consent, november 8.

Okay go on to the next.

>> Item number -- I can't.

Number 56.

Item number 57 is a public hearing.

Item number 58 is a postponement.

This is an item dealing with outdoor amphitheaters.

Staff is requesting postponement of this item to december 13.

I understand the planning commission is now back in the sub committee and they're discussing amphitheaters again.

Items number 59 and 60 speak to the university neighborhood overlay.

And staff is requesting postponement of both of those items to just next week, along with item number 60, which has to do with special exceptions.

So 59, 60 and 61 a postponement to november 8, and item number 58 postponement to december 13.

>> What was the last one?

>> Item number 58, postponement to december 13, item 59, 60 and 61 to november 8.

>> If we can, we can take all those in one motion to postpone items 54 and 55 until november 8, postpone items 58 and 59 -- excuse me, 58 until december 13, 59, 60 and 61 until november 8.

>> So moved.

mayor pro
tem so moved.

Second by council member morrison.

All those in favor, please say aye.

Opposed, say no.

Passes on a vote of 7-0.

Now we can go back to item 53.

>> I'll turn it over to our historic preservation officer.

>> Can we get our presentation up here, please?

This case is historic zoning case recommended by the historic zoning commission but not the planning commission.

It ises will realled by staff.

It is c14h-2012-0009, the leroy and josephine brown house.

There is a photograph of the house, built in 1915.

Good view of the side there showing the dutch or flemish gable on the side, which is one of the things which makes this house unique in the city.

I want to first talk about the process, because the process has been under question, at least at the planning commission and go through and make sure you all understand everything was done according to the book.

The demolition permit for this property was filed on june 4, 2012, under section 2011-213f.

An application has to be placed on the landmark commission agenda within 45 days after the date of filing.

Application was filed june 4.

It was placed on the plan mark agenda june 25.

The landmark commission initiated the historic zoning case with a vote of 5-0.

It would come back for a recommendation.

It came back july 30, 2012, but there was a question of a quorum in order to decide the case, and the case was postponed to august 27.

On august 27, the landmark commission recommended historic zoning by a vote of 4-0 with one member recuesing.

I knew that we were going to have a membership issue here, so I asked the law department to clarify this, and because the landmark commission has to take action on an application in 75 days, we were questioned whether we could go to a regular hearing on this or a special meeting.

The august 27 date is 63 days after june 25 so we're well within the 75 days that the landmark commission has to make a recommendation about the case.

Code requires a vote of two-thirds of the members of the

landmark commission and historic cases with opposition.

August 27 there was one recusal and two absent members.

The vote was four in favor of hills historic zoning and one recusal.

The recusal of cause reduced the number of the members of the hlc for purposes of determining the super majority requirement, so it was two-thirds and it was a legal vote.

The house is being recommended for its -- or is being recommended for designation because it meets two criteria.

The first for architecture, and I put the code language up on the screen for you.

The property with the distinguishes characteristics of a style, type of method of construction, displays high artistic value with folk art or construction or represents a rare example of an architectural style in the city.

Here is the brown house.

It is dutch colonial revival, these are the walls that go up and cover the chimney.

This form is a variant.

There are two forms, the first that we're all very familiar

with is a gamblo house, a two move story house with lam barn-like roof to it and that is the general interpretation of dutch colonial revival but this sort of architecture we see on the brown house is much more akin to the real dutch colonial from colonial times, architecture you find in new jersey, new york, pennsylvania and delaware.

And this featured shaped paparets, you can see one from the netherlands and one from belgium, this is a distinctive style ornamentation.

This architecture came over to the new world.

Another shot from curacao.

This is a house in new york built in 1662 and shows the flemish gable on the sides of the house.

The old princeton bank and trust company in princeton, new jersey, one of the most exunion pacific rant forms in the united states, and this is the only other house in austin that has a flemish gable, located at the corner of east 2nd and waller street.

You can see it is a brick house, one story of the flemish gable, the own one.

Clearly, the brown house meets the criteria of architecture.

A good example of its particular style, it is a rare form within the city.

As I said, these are the only two.

The owner of the property who filed the application for demolition talks about other examples of -- colonial revival in austin, but pointed out these gambrel roof houses, which are also dutch colonial revival but not the same variety.

Here is one on enfield road, miles road, parks avenue.

You can see it forms the side gable.

They have also said that it is not the only example of shaped parapet in austin but the only other examples we have in this city are on spanish colonial revival houses.

These are both landmark properties.

One is on bonnie road.

This is the only walsh house, definitely not the same sort of architecture, and the one on the bottom is at 30th and washington square, which everyone remembers to as the alamo house because of the shaped parapet.

But that does not make it dutch colonial revival, the two are not necessarily together.

Our other designation criteria involves historical association.

Again, I'll read from the code.

The property has long standing significant with persons, groups, individuals, businesses or events of historic importance that contributes significantly to the city, state or nation.

Talk about the long-standing association.

This house was built in 1915.

Leroy brown lived here until his death in 1966.

51 Years.

His wife had passed away in 1959.

She lived here for 44 years.

Here is a photograph of dr. brown.

Let me talk briefly about his career.

Dr. brown was born in indiana.

I have to get to my notes here.

And, joined ut's department of physics in 1912.

He was a very prominent professor of physics at ut until HE RETIRED IN THE 1960s AND HE Has two points that really make his life and contributions and

associations with austin and ut
extremely important.

Excuse me.

First of all, he established the
first radio station in austin in
1915.

And, it was known as kut and I'm
going to say right now and
repeat it, this is not the same
kut that exists today.

That was founded 10 years later.

But, the first radio station in
austin was known as kut, it was
on the university's campus.

As first, all they broadcasts
was crop reports and things like
that, but it was the infancy of
radio and the first commercial
broadcast station in austin, if
not all of texas.

Second of all, he invented a
high speed mechanical calculator
which he called the multi
harmonograph in 1939.

This high speed mechanical
calculator could perform
multiple mathematical operations
at the same time.

He designed it to solve
technical difficulties, with
telephone and radio networks,
and it could be used to
calculate seismograph
recordings.

Here is a clipping from
dr. brown's obituary in 1966.

You can see he gained worldwide recognition for building a high-speed mechanical calculator.

The machine was, in some ways, a forerunner of modern digital computers.

He serves as professor of physics until his retirement.

This is from the university of texas memorial resolution which the university puts out after professors pass away.

This goes into the fact that he built the first broadcasting station in austin, which was first known wcm, later known as kut, and also conceived and built the complex mechanical harmonic synthesizer and analyzer which led to the development of modern computers.

Finally, from the handbook of texas, which is put out by the texas state historical association, the entry on radio in texas, it says university of texas physics professor built radio equipment and began broadcasting radio and crop reports from a physics laboratory on the ut campus in 1915.

They used the call letters kut, it then went to the division of extension who used brown's radio equipment and then that would ut, ended up selling that radio station it then become know

which was broadcast from the top
of the norwood tower.

Then, kut as we know it today,
was founded in 1925.

I want to make sure there is no
brown
is associated with is not the
kut of today.

So, staff believes, as did the
landmark commission that this
house has the requisite
brown for
over 40 years, 50 years with
brown, over 40 with his
wife.

It is a very, very rare example
of this type of architecture in
austin.

It meets the two criteria that
are necessary for this body to
consider it for landmark
designation.

Staff and the landmark
commission both recommend
historic zoning for this
property.

>>Mayor leffingwell: thank you.

Before we hear from the
applicant, if there is no
objection, council, I would like
to lay this on the table just
for a minute to recognize some
visitors that we have from
germany.

Which is our sister city.

We had a little celebration on monday night recognizing the 20th anniversary of our city sister relationship with the city of koblin, executed by then mayor bruce todd, and I believe the burgermiddle easter is not here but the deputy is here.

Would you stand up so we can recognize you and appreciate your visit to austin.

[Applause]

>>mayor leffingwell: all of you.

Thank you.

Very long and mutually magnificent relationship that we've had with the city.

So, now we will hear from the applicant.

We normally get five minutes.

You got a donor so you can take up to eight minutes, if you would like.

>> Thank you, mayor.

we're not the applicant, I'm here on behalf of the owner.

>> You still get eight minutes.

>> Thank you, I hope not to use it all.

Here on behalf of the purple owl house corporation and fiji fraternity.

Let me say how thankful we are after being in this process in june and literally begging for someone to help work with us to find a relocation option for this structure.

We heard from council member riley's office, someone had gotten in touch with his office and put us in touch with the good folks at kirby hall school and we had a wonderful meeting with them yesterday.

We showed them the house.

We took them to see the lot -- I'm sorry, they showed us the lot that they are considering for the house which is at 29 hemphill park and it looks very promising.

Really, the only contingency is them doing their due diligence on their ability to, you know, make the financial investment in the structure, but we're very excited about it and looking forward to working with them on that.

Let me give you a little context on the case that is before you.

This is the registered texas historic land market that is home of the fraternity at 27th and hemphill park this structure was built in 1902 and it was purchased by the fraternity in 1908.

The reason we're here is because we need to relieve pressure off this historic structure.

This property was registered as a Texas historic landmark in 1972, that is before there was a city of Austin historic program, so the fraternity, which I think was a wonderful -- as a preservationist, is a wonderful move for them to protect their own structure.

If other fraternities had done that at the time, it was not a popular thing to do, it would really increase our inventory.

But, it speaks a little bit to why we're here.

We don't have the act to redevelop an add on to this property in the way that we would if we were not designated.

So, that's why we got into the permit process here.

The addition that we're talking about would be to the rear of the property, and it is consistent with the neighborhood plan, existing zoning and the neighborhood NCD district.

If we were to retain the structure, it would really make the act to do the addition, it would really take that away, and that is why you see neighborhood support for this.

There are components in this, including two levels of under

ground parking, 26 units for members of the fraternity to live, study halls ax party room for lack of a better word that is enclosed, which I think the neighborhood sees as improving the ambience in the neighborhood.

The texas his historical commission has looked at this plan because it is a registered texas historic landmark and they've approved the addition, stating their appreciations new facility would lessen the intensity of uses.

They're in support of the demolition permit as are neighboring property owners.

Over 650 individuals submitted letters and got in touch with either the historic landmark commission or pc in support of what we are' asking for, and today marks, I guess, the triple crown for us involved with these hearings.

Not a single person showed up in support of historic zoning at the historic landmark commission, at the planning commission and from miss gentry, I understand no one is here today in support of historic zoning.

>> I have mary engle signed up in favor.

>> Well, her letter on behalf of the neighborhood --

if she is
here, schedule her.

You're in favor of historic
zoning?

You're signed up in favor.

We'll correct that.

>> Thank you.

The triple crown is preserved.

Thank you.

[Laughter]
sadowsky made mention of the
vote at historic landmark
commission, and not to get
bogged down in legalities, just
to say this is the first
historic zoning case you've sign
since 2006 where we adopted the
provision you have four votes
sending it up.

Your planning commission
unanimously recommended against
historic zoning.

This is the -- this gives you an
item of how the lots are
configured.

The structure to the bottom in
orange is the historic
structure, and so the ability to
kind of redevelop or add to the
property in that area is
severely impacted by the
designation.

The hatched area at the top is
where the addition would go and

the red area is the brown structure.

There is a nonhistoric portion on the back, and that's in blue.

This is a shot, congratulations sadowsky for getting the shot without the cars.

It is typically double stacked with vehicles.

Another shot of the structure.

Again, it's a neat and interesting structure and certainly has character.

Here's side view.

You can see the nonhistoric addition there to the rear.

But, let's look a little more closely at the criteria.

The property designates significance in at least two of these.

sadowsky,
he is asking you to embrace both.

It is a rare example of dutch colonial architecture in austin.

I'm working off the report he submitted to the land mark commission and planning commission and to you in the back-up, so this is what the basis of the recommendation was made on.

Again, the code provisions says
it needs to be recognized
architectural style and rare
example in the city.

As he told to you, there are a
number of dutch colonial revival
structures already and they're
already protected they're within
your inventory.

That is 11 miles road, 1205
enfield and 217 sparks, which in
the back-up, -- back-up, when
that was adopted by council was
described as an excellent and
rare example of the dutch
colonial revival style of
architecture.

This is a picture of that house.

This is the schmidt house, just
a little north of eastwood park,
right by the law school on
sparks avenue.

This is the kind of
quintessential dutch colonial
revival structure with the use
of the dormers and the flaired
eaves and the gambrel roof.

This is another one here on
miles road which also shows
those --
[beeping]
-- provisions of those uses.

But, then, washington square and
the parapet on that.

I ran through eight minutes?

that was
your time.

Believe it or not.

>> Okay.

>> Mayor Leffingwell: thank you.

>> Okay.

unless miss
Engle wants to donate her time
now you want to speak for
yourself.

Mary Engle is the next speaker.

>> Good afternoon, council.

My name is Mary Engle and I'm
the token representative from
North University neighborhood
and it is always good to have a
neighborhood representative at
one of these types of hearings.

The neighborhood actually wrote
a letter of support for the
redevelopment of this property,
and notice I don't say
demolition of the property.

And we're really hoping it can
be relocated, however, we didn't
discuss that as a neighborhood.

That's something that kind of
turns out at the end.

But, as many of you know, or
maybe don't know, not everyone
in Austin has the good fortune
to live with a fraternity in its
midst and boundaries, its
neighborhood boundaries, and
this also presents some
challenges for those of us who
live with fraternities.

We feel that the proposed development for the fiji house will actually provide quality of life benefits, like under ground parking and parking is a big deal for us, and it will also have an indoor party room, which will mitigate some noise that we have problems with.

So, all in all, the benefits outweigh saving the structure as a historic structure in tact, however forecast it could be moved that would be most preferable, and I will say in defense of the city staff, yes, this is a unique structure, the architecture is unique, but is it a landmark?

And that's something that you determine the, architectural guidelines don't dictate, but you determine that.

I don't think it is a landmark but I think it is kind of cute and unique and it could provide somebody a great structure.

Thank you.

>>Mayor leffingwell: thank you.

Those are all the speakers that we have signed up.

All speakers were against, so I'll entertain a motion on this item.

Pro tem cole.

>>Cole: I had a question.

I believe you said that the the approved.

Can you basically tell us what happened there?

>> The texas historical commission is charged with looking at any addition to a registered texas historic landmark.

They didn't pass judgment on the brown house itself, but they recognized that there was really no other area for us to develop, except in that area.

So, they have review authority over anything that happens on that property.

okay, so they support your intentions?

>> Yes, ma'am.

>>Cole: okay.

council member riley.

just a follow-up on the question I was asking previously.

I just want to be very clear about this.

If the fraternity is allowed to redevelop this property, can you describe what kind of pedestrian environment we could expect to see there along that sidewalk?

And ski this because it is significant in terms of the affect on the neighborhood of losing that house and replacing it with something else, so i just -- I would like to get some clarity on that.

>> Yes, and I would like to ask ken collins to come forward who is more involved in the design aspects of this so he can speak to that.

>> Thank you.

Ken collins.

You saw the photograph of cars and cars that are double parked there just the nature of going through the site development process, we will be basically connecting a much more pedestrian-friendly sidewalk there with trees and the difference between the -- what you're seeing today at that very busy one-way street and what you're going to see is going to be much more positive, both for the pedestrians that are going to be traveling on the east side of hemphill park and also for the people that are using that.

And, we will have an additional 25 or 26 parking spaces so you will not have -- you will not have the option of having that parking situation that currently exists there now.

collins, one thing that puzzled me I saw this past weekend, if you just look down

around the side and back of the house in the area that he was showing in the slides, I counted nine empty parking spaces there at the same time that there were eight large vehicles on strutting all access across the front of the house, so I'm puzzled as to why the current users of the building would prefer obstructing the sidewalk opposed to making use of the yard down below.

The reason I consider that relevant is it speaks to whatever we might expect to replace this building.

>> First of all, there is not going to be a parking lot three that on the west side of the structure, but by custom, what happened is the employees park in that lower lot, and so probably you saw it at a time when the employees had either left or weren't there, and so -- and those front spaces are all taken up, and it's double parking that's done.

They all put their keys in a bowl in the front hallway so you can move someone else's car if you have to get out, so that's just bad custom of the way they do that, but just the limitations of the site development that's going to take place, they won't be able to do that.

>> You expect there will be a useable sidewalk that is clear of vehicles.

>> Right.

What's going on there in front of the house, that's not even a parking lot.

That was basically the front yard.

I mean, I think it might have been parking lot for the typing service, but most of their customers were walk-in.

>> And you do expect there will be a useable sidewalk there and clear of vehicles if the property is redeveloped?

>> Definitely.

>> Okay, thanks.

is there a motion on item 53?

Council member martinez moves to close the public hearing and deny the request for historic zoning.

Second by the mayor pro tem.

Further discussion?

All those in favor, please say aye
[chorus of ayes]
opposed, say no.

>> No.

>> Passes on a vote of 6-1 with
council member tovo voting no.

Or two, tovo and spelman voting
no, the vote was 5-2 in favor.

Thank you.

Without objection, counsel
shrill council will
now take up item 49.

49, All the speakers are in
favor.

Council member morrison.

I would be happy to
ask the questions of
mr. guernsey.

we have
four speakers signed up that
wish to speak.

oh that do wish to
speak.

>>Mayor leffingwell: yes.

They are fall favor but they
wish to speak.

If you would like to ask your
question first, go ahead.

I would appreciate
it if we can get an overview,
and particularly, do we have
the --

>> I think we have a map.

yeah, and I just
don't understand which property

is which and which the county is involved with and all of that.

So I just need a little orientation.

>> Mayor and council, I can offer both of these very quickly and give an overview.

Item number 49 is case c-14-2012-0103 at 416 west 10th street.

And, that's at the southwest corner of west 11th and san antonio.

The other case, which is item 50, case c-14-2012-0102 at 408 west 11th is the middle of the block on the north side which is directly next door, if you look at the exhibit, there is a green box and would be the other half of that and kind of a reddish-brown roof where subject tract points up to it is the smaller tract, but it is right next door and that is between guadalupe and san antonio on WEST 11th.

Both properties are part of properties that would be purchased by travis county for the expansion of their facilities.

Their courthouse and the criminal justice center are running out of room and they need additional space.

They are both recommended to you unanimously by the staff and

commission for dmu-cure zoning,
and there is a letter of support
from judge bisco, which is in
your back up.

Alsoss original austin
neighborhood association is also
in support with some conditions,
which are articulated in your
ordinance.

They have agreed publicly travis
county tax meet the great
streets standards.

I think that was done in a
public meeting before them.

blake tolette is also -- i
don't think he is speaking for
any association but he was also
in favor of this request.

So, portions of they are in the
capital view quarter, which you
can see, it is kind of the -- i
guess you could says highlighted
area that crosses this, so it is
already restricted.

Building heights, I think, would
only be allowed about 94 feet
height over the majority of the
land being rezoned.

The county not proposing any
change to the capital review
corridor with that, I think I'll
pause, if you have any
questions.

council
member morrison has a question.

so the dmu-cure is
going to take it to 6.5?

Is that right?

The far?

>> I believe that is correct on the property at 408 west 11th street.

The other property is also going to 6.5.

and I guess that was something that didn't quite make sense to me.

If it is limited to what you say, 90 feet or something?

>> That's correct.

The construction is going below grade, all the parking, i believe, is going to be under ground.

As I understand by the county.

So, you will not have an above-grade parking garage.

and do parking
?

>> No, they do not.

my question is, how 5 with a 90-foot height?

>> I believe that is part of the contractual arrangement between the property owner and the purchaser, the county.

It's going to be limited by the capital view quarters and the

height limits established by the ordinance, so if they're not able to achieve that, as long as they stay within the bounds of the other portions of the ordinance, then that will have no effect.

and I guess there was one thing that I understood maybe came out of a discussion at the downtown commission about this.

Are you familiar with the discussion they had there?

Because it was suggested that there might have been yet -- i don't have any problem with these, but there was a discussion there was a -- a suggestion there was another piece of property that was maybe just, there was just an interest in up zoning for the future, but there was no actual plan for it.

>> Council member, I'm not aware of that.

I know --
and the concern that has been raised is that --

>> the representative on the case is here and I think I might be able to address that better than i.

that will be great,
and I will let you know the concern that would have been raised with that was this is outside the downtown plan process, because we don't have

it implemented yet and there was concern about doing unnecessary zoning before we have the downtown plan in place.

>> The downtown commission, our original request was ddd.

It is currently dmu and they were looking at the project as a whole.

At the last minute we separated two tracts from a traffic impact analysis requirement.

so they were considering a cbd request.

>> At that time.

We met with staff and degreed to the dmu-cure.

>>Morrison: okay.

Thank you very much.

so, while you're up there, you are the applicant so you're entitled to a presentation if you need it.

>> That's correct.

Mike wilson with garrity and civil years.

>> We're on 49 and 50, by the way.

>> We started this process almost four years ago.

I've got jerry reid here to answer any questions, as well as

the executive director of texas
pta, kyle ward, and the
president of texas pka, karen
slay.

We started this about four years
ago.

Originally started out of office
lease but the county chose to
purchase the property instead,
and, at that point, we started
the rezoning request.

>> Mayor Leffingwell:
slay, I was just advised
by judge biscoe to make sure
that I called on you first
to tell everybody that you
came all the way down from
lubbock to speak on this
case.

So karen is giving up her
time as is jerry reid.

Is jerry reid here.

You're giving up your time,
is that correct?

There is no one issue signed
up wishing to she.

John white meyer is signed
up, but is not wishing to
speak.

Councilmember morrison.

>> Morrison: I would like
to make a motion that we
close the public hearing and
approve on all three
readings if we can do at
once.

>> Mayor Leffingwell: One at a time.

>> Morrison: On item 49, I'm looking forward to the county's development plans there.

>> Item 49, councilmember morrison moves to close the public hearing and approve on all three readings.

Seconded by councilmember martinez.

All in favor say aye oppose said no?

It passes seven to zero.

And on item 50?

Councilmember morrison moves to close the public hearing and approve on all three readings.

Seconded by councilmember martinez.

All in favor say aye?

Opposed say no.

It passes on a vote of seven to zero.

>> Mayor and council, that concludes the zoning items for today.

>> Mayor Leffingwell: Let's go to item number 56, and we are going to be hearing -- the public

hearing on 56 and we'll consider 56 and then item 57.

So go ahead.

>> Mayor and council, fred evans, economic growth redevelopment services office.

Item number 56 is a public hearing on the change of use of dedicated parkland at shoal creek beach and the legal findings for this are that there is no feasible and prudent alternative to the use of the dedicated parkland, which includes all reasonable planning to minimize harm to such lands.

The dates of the public notification in the austin "austin american-statesman"

were october 7th, 14th, 21st of 2012.

No mitigation is being requested for this in connection with this use.

We do have the related item 7 that would put in place a license agreement should this item be approved by council and that would set out the parties responsible for construction, operation, maintenance, repair and replacement of the planned improvements.

That concludes staff presentation.

>> Mayor Leffingwell:
Questions for staff?

Okay.

We have two speakers signed up in the public hearing, clay dafoe signed up against.

Clay dafoe is not here.

Clay dafoe is here.

Okay.

You have three minutes.

>> All righty.

This is 56 and 7 concurrently -- together, i mean?

>> Mayor Leffingwell:
Correct.

>> Thank you.

Yeah, this is to authorize negotiation and execution of a license agreement with the development partner seaholm power developments to install, operate, maintain, repair and replace the rainwater storage and water quality system for the seaholm power plant redevelopment project related to item 56.

I'm not going to read that one.

So we're trying to do an agreement with the seaholm power development company, and rainwater storage is a great thing.

Again, something I'm a complete supporter of.

I think it shows true sustainability instead of corporate sustainability, which is united nations agenda 21 style stuff that we see in a lot of the density development, the cure zoning and a lot of the things included in the imagine austin comprehensive plan, much like the 1928 comprehensive plan, which moved african-american people in austin, forcibly removed them from their homes and forced them to live in east austin.

We're going to see it done in a much more sly indirect way with the imagine austin comprehensive plan which this is related to because you're redeveloping seaholm area and it's going to be a huge chunk of downtown.

I know they're going to build hi-rise condos.

It will make life more expensive for the working class here in austin, texas.

And I'm opposing this deal specifically because it will aid and abet in the theft that's going on with seaholm redevelopment.

So I think if we really cared about the environment we really cared about parks, we wouldn't be tearing down wooldridge square, we wouldn't be tearing down waterloo park and pease park and be focused on creating seaholm and the new park of austin, texas.

And one thing I love about austin is all the green space.

When I was living in minnesota I was really bummed out because there were some lakes that were really nice, but there weren't really many parks.

And maybe we should consider making it a park.

I know you guys are already moving forward with the infrastructure to develop seaholm as a major area for high priced people that make, you know, 100,000, \$250,000 a year to live in.

Unfortunately I'm not in that club, but all power to 'em.

It's not that we're against making money, we're against the special deal which is

going to sellout our
city-owned territory to
developers, to trammell
crow, which you guys did
some months ago.

Unfortunately I was unable
to come that day.

Hopefully we can reverse
course here and vote no and
realize that the seaholm
redevelopment project is a
huge mistake.

Thank you.

>> Mayor Leffingwell: Next
speaker is ronnie
reeferseed.

>> I am ronnie reeferseed
and I struggle to keep up
with clay because he is so
articulate and on top of
these issues that I can't
top on what he's saying
here.

I agree that the rainwater
collection is a great thing.

We should encourage that
sort of thing on everybody's
part.

And I also have trepidation
about the imagine austin
kind of agenda 21
schemology.

We've got to fight that in
every way.

But from an economic point
of view as a poor person,

keep driving up the property
value is driving out people
like me.

And so I would hope that
y'all would just say no to
this for the sake of
preserving more truly
affordable housing.

In our city because it's a
wonderful place to live, but
gosh, if we just keep
jacking up the price, the
cost for every -- all
regular people, you know,
nonmedical mayor types to
make austin their home, it
will make our cultural
environment all the less i
think advantageous to
everybody.

Rich people are fine.

I don't have anything
against rich people or
development, per se, but
this is a good example of
where we can put our foot on
the brakes a little bit and
just say no, just say well,
maybe not this, maybe not
right now.

That's about all I have.

Thank you.

>> Mayor Leffingwell:
Okay.

That's all the speakers we
have signed up to speak in
the public hearing.

So we can take up item 56
and then consider 57.

Councilmember morrison?

>> Morrison: I do have
some questions of staff.

>> Mayor Leffingwell:
Sure.

>> Morrison: I appreciate,
evans, I know you've
been answering a lot of
questions because this is a
really interesting project
that we're looking at here.

And I wonder do you have
this map?

Could you put this map up?

>> Certainly.

>> Morrison: So we could
just get a brief overview of
what we're talking about
here?

>> Yes.

The affected parkland areas
in the graphic, this is the
southwest quadrant of
downtown, lady bird lake on
the bottom portion and then
the shoal beach park at town
lake is pictures 8ed along
there.

-- Pixel 8ed along there.

And then we have the seaholm
power plant on the
right-hand side of the

tracks and the two parkland areas affected are the area between cesar chavez and the water intake facility and then a portion of the shoal beach at town lake park that is in front of the gables park plaza redevelopment.

>> Morrison: Can you say what's going to happen?

You're capturing the water from seaholm and it's going into the decommission --

>> I have some other slides.

This is showing the site again, the seaholm power plant and the shoal beach and the water tank facility.

This is the most current rendering of the proposal.

This is showing the historic powerpoint and the new development behind it.

The green area to the right along cesar chavez is what we call the south lawn.

And so this planned view is looking at that south lawn with the seaholm power plant on the north side and cesar chavez below t the seaholm power plant when it was in operation relied upon lake water for cooling purposes, which was piped underground from the water intake facility to seaholm power plant.

There's a series of pipes and weirs under the great lawn area, including 42-inch pipes that extend still across cesar chavez and into the water intake facility.

Part of our request would allow us to use the water intake facility to release the air that would be forced out of the pipes as they're filled up with rainwater and allowing us to extend over there would allow us to increase the capacity on the system by about 42 percent from 223,000 gallons to about a little over 317,000 gallons.

So that's the first component of our -- of the request would be to utilize the water intake facility to increase the capacity of the storage system.

More just to be clear, the water intake, the pipes will be capped off.

The water won't flow into the lake.

>> And I have a picture.

They are currently capped off from the decommissioning.

And are just visible inside the I am take structure.

All of these are really excited about the potential.

The water intake allows for adaptive reuse that supports the parks.

We're trying to be careful not to do anything in this process that would inhibit the park's ability to move that along.

So what we're proposing has no impact on the exterior of the building or on the grounds of the building.

This is a shot from the water intake facility below where the pipes are into the facility.

They've been capped off with the metal plates.

Since they are at the high end of the straw that forms the pipes, as they're filled up with water we need to be able to release the air out of the top end so that they can fill up.

So what we're pro is what we think is a minimally invasive addition of pipes that would connect together the intake pipes to another pipe that already exists in the building that would allow the air that would otherwise be trapped to exit the pipes and get out of the building.

The schematic shows them in red.

They wouldn't have to we think that their positioning creates the least interference in the structure, but we what the future of the structure is.

And one thing that the developer will be agreeing to is that should the future adaptive use of the facility conflict with these pipes that they would be responsible for revising the piping to accommodate the future use.

We were asked if they could put those vents out exterior.

They would result in a series of five of these kind of candy cane tops, which would either be in the seaholm south lawn if stopped there or would be in front of the intake facility and that would involve some trenching and digging around the trees and also would put new improvements in an area that might be needed for the redevelopment.

The second component is-- has to do with this field, this open field area in the sand beach -- the shoal beach park.

This other would be used to release excess rainwater.

The system that we were looking at -- excuse me.

The system we were looking at serves two purposes.

First to collect rainwater for water conservation purposes to remove the project as much as possible from use of drinking water for irrigation.

The second part is water quality to provide the code required water quality for the new and impervious cover on the site.

And to satisfy that it not only needs to be captured, but also filtered.

So the second component of our request is to allow us to pipe water from the rainwater collection over to the shoal beach park and distribute there for filtration through the parkland rather than filtering it on site and then taking it straight to lady bird lake.

The reason we would have water that would need to be discharged as a water quality structure, the code requires that if it was topped out during a rainfall that within 72 hours there would be enough water released from this system to be prepared to accept the next rainfall.

So the proposal would be to allow us to type over to the shoal beach park f to a sprinkler system that would distribute any water that needs to be released from the system and we would be doing that during curfew hours on the parkland so as not to impede recreational uses.

>> Morrison: If I could break in right there, that's one piece that I don't quite understand.

If it fills up, but it's not completely filled up, and so we are not forced to release it, how else is it going to be -- is it going to evaporate eventually?

Where does the water go?

>> The water that is retained in the system will be used for irrigation on site for the landscaping, both in that south lawn as well as we have about a one acre public plaza, much of which is a green roof and other landscaping around the project, street trees and others that will receive -- will be using the rainwater in lieu of drinking water.

>> Morrison: And as i understand it, it will also be irrigating the shoal beach at town lake park, is that correct?

>> Yes.

>> Morrison: Okay.

How is that -- it's my understanding that that's actually the responsibility -- irrigation right now is the responsibility of the gables as part of their agreement to be -- we let t do the bio filtration piece on parkland.

>> That's correct.

That current parkland is irrigated with drinking water.

Gables has responsibility through the public-private agreement to maintain and pay the utility bills.

The release from your system would be in a separate pipe system, purple pipe, since it's not drinking water, and the controller on that system would be tied to gables such that they wouldn't run at the same time.

And what our system would do is essentially extend a rain event on the parkland and reduce the need for drinking water irrigation.

>> So you're saying that in general it won't be used for irrigation, our system, of the town lake at the shoal

beach, it's just going to be released there if there's a big rain event.

>> Correct.

It would just supplement the existing system that's on the site.

>> Morrison: So gables is still -- that was sort of a big picture deal that was made with gables.

They still are going to have the need to be irrigate irrigating that land.

>> That is correct.

>> Morrison: And then -- okay.

So that helps me understand it quite a bit then.

And I do -- I guess I do want to just comment if i could just break in here, because I think maybe we've gotten a big enough picture here.

But it is a really creative reuse of some old -- of some old pipes.

As I understand it, there are some additional benefits too in that they will be capturing rainwater from some of the public streets on here?

>> That's correct.

>> Morrison: So that's actually a positive.

Could you also talk about i understand that there's actually some concern about maintenance and the risk of damage or repair requirements that might come up because of the pipes that are old and the developer, as I understand it, is taking that responsibility?

>> Yes.

The pipes that I showed you that went under cesar chavez, if this application is not approved, they would be capped there at the property line and those that go south across cesar chavez to the intake building would be left unused and unmaintained and uninspected.

And when we met with the public works department they were very pleased with the idea that some party would be responsible for ongoing maintenance, inspection and repair of those -- that infrastructure so that it wouldn't did he grade our roadway in the -- degrade our roadway in the future.

That was another benefit in that the private developer in carving that into a system that they have responsibility for will also maintain.

>> Morrison: And as you mentioned, the developer understands that we're not quite sure what the facility is going to be in the future, but it's a really cool facility and hopefully that it can be something.

And so they understand that -- and in the agreement that they will accommodate whatever it is that we want them to.

>> That's correct.

>> Morrison: And lastly, one other thing, there's no impact to surface -- the surface, any of our parkland?

>> It will extend the rain event, but we are limiting the distribution of that water to curfew hours, so during non--- when the park is open, the sprinklers would not be going and we do not believe -- based on the permeability tests that have been run we do not believe it would adversely affect the park use.

>> Morrison: Thank you.

I guess I just want to say that I'm supportive of this.

I think it's a -- sometimes with chapter 26 hearings there is an exchange of money.

And there isn't any in this case, as I understand it.

So it's more a matter of looking at what are the benefits, the more holistic benefits we're receiving and it seems there are very several exciting and creative ones, so I'm very supportive of this.

>> Mayor Leffingwell:
Councilmember Spelman.

>> Spelman: Quick question.

Briefly we're taking water from the seaholm site and we're using to to irrigate seaholm site and also to irrigate the site next door.

>> Its primary purpose would be for irrigating the seaholm site.

It's only when there's excess water in the system that needs to be released that it would be pumped over to the parkland.

>> Spelman: Approximately how much of it will be pumped over to the parkland?

Do you have a sense for how many gallons?

>> Let's see.

I have that, I believe.

I also have my engineers here in case I don't.

But the required volume is a little over 21,000 cubic feet and that is the maximum amount that would be -- if the system was topped out that's the maximum amount we would have to release to free up that required volume for the next rain event.

>> Spelman: That's the total amount that's in all of those pipes.

>> No.

The -- we have over 300,000 gallons.

With approval of this request we would be able to increase the capacity of the system to 317,000 gallons.

>> Spelman: What I'm really getting at and you may not know the answer to this question, but under ordinary operations given what our usual climate looks like, how often it usually rains, what this would do is allow us to either supplement the amount of water that is used to irrigate the park next door or alternatively to irrigate the park next door with rainwater -- with rainwater that would be drained off from these pipes rather than with drinking water.

>> Correct.

>> Spelman: Do we have a sense for how much drinking water we would not need to use because we have the rainwater available next door at seaholm?

>> I have not seen that calculation.

>> Spelman: Has anyone done that calculation?

Don't hold up approval of this extremely interesting item for that, but if somebody's done the calculation I would like to know.

Perhaps more out of morbid curiosity than anything else.

>> Jonathan mckee, gary partners with the civil engineers with on the project.

As far as how much we would actually save, I don't know that we have a daily irrigation numbers from the gables, who is currently operating that system.

The total volume that would be pumped thereafter a rain event is the 22,000 cubic feet, which is -- multiply 5, whatever the gallons is.

So that theoretically is what you would be saving as far as rain is concerned.

>> Spelman: That's the maximum amount we could save anyway.

>> Correct.

>> Spelman: If you have an opportunity to do that calculation, I'll tell you're I'm interested is because one of the great values of this thing from my point of view is that it allows us to not have to use drinking water to irrigate a public park.

That's always something which I'm interested in and if we could put a number to it and get a sense for how much drinking water we were able to save and continue using for its primary purpose, which is potable water, I would like to know that number.

But I don't need to know it now, mayor.

I move approval -- to close the public hearing and move approval of item 56.

>> Mayor Leffingwell: Councilmember spelman moves to close the public hearing and approve the resolution, item 56.

Seconded by councilmember martinez.

Councilmember riley?

>> Riley: I'm going to support the motion, but can I just ask a couple more questions.

Where is the rainwater being collected from?

Is it the entire seaholm side or the plant itself?

>> It's within the development area as well as the adjoining right-of-way areas.

>> Riley: Throughout the development area.

So that will include --

>> well, the area that we're having seaholm power construct for us.

It isn't picking up -- you might recall on the gables park plaza we had to pick up -- we had the capacity to pick up the contributing area outside the contributing areas.

It's picking up the water that it's our development site as well as the surrounding roads that they're putting in.

>> Riley: Okay.

So it will be some from the rooftops, some from the grounds, it will be quite a mix.

And it will be used -- i know when there's excess rainwater it will be used on shoal beach next door, but be available for irrigating the seaholm site itself?

>> Correct.

That's the -- from a water conservation standpoint that's the primary purpose was to provide the irrigation water on-site.

Because of the water quality requirements and the next rain event, that's the release that we're talking about going to the parkland.

Rail I'll I appreciate you showing the photo of the venting pipes at the lower level of the intake facility, but where will it actually vent out to?

>> There is an existing pipe -- I'm going the wrong direction.

If you look at the shot on the lake side about halfway -- about in the middle of the building and you see pipe protruding, that's the existing pipe that we would be tapping into that already exists --

already protrudes through the exterior.

>> Riley: And last question just relates to what we can expect from this.

The rainwater when rainwater is stored for some period, especially if it's combined with some organic material, it can actually generate some smells.

I say that based on experience with my own rainwater system.

I know it can get smelly when the water sits there over time.

So I just wanted to make sure that considering the volume of the storage system that we're talking about, which is very significant, would you expect that either trail users or future users of this -- of the intake building or anyone else in the area might be noticing any particular smells generated by this system?

>> I have not had that discussion, but I would invite the engineers back up to address that.

>> I'm greg strmisky, one of the principal partners.

I think the turnover rate on water that we would collect

is often enough that you wouldn't experience that.

The main events will be discharged over the parkland as we discussed within 72 hours or somewhere in that range.

The rest of it would be turned over frequently enough that you wouldn't have that type of issue.

>> Riley: Great.

Great.

So you don't expect the rainwater to be stored for any significant length of time so smells should not be an issue.

Great.

Okay.

With that I'll be glad to support the motion.

>> Mayor Leffingwell: Let me just say I think we've kind of gotten diverted a little bit.

This is really a storm water capture system that we're talking about that's required on all development.

It just is a side benefit, serendipitous benefit, that we're able to get rid of this rainwater instead of discharging it into lady

bird lake periodically after it's captured, after the rain event has stabilized, we're able to get rid of it in a better way.

So it's not technically a system that's designed to capture rainwater and irrigate, it's a system that's designed to capture storm water, which is something we've had in place for a very long time.

The second thing is I just want to reiterate again that the structure, the intake structure is not part of the seaholm development.

We specifically excluded that when we approved the seaholm project so that it would be available for some kind of other public -- as another public amenity.

So I just wanted to make those two points.

All in favor of councilmember spelman's mowing say aye much opposed say no.

It passes on a vote of seven to zero.

And item 7?

Councilmember spelman moves approval.

Seconded by councilmember martinez.

All in favor say aye.

Opposed say no?

It passes on a vote of seven to zero.

That takes us to the last item, item 57.

Or do you want to come back after 7:00 and take this up.

>> I think now sounds good.

Mary and council, I'm Larry Rusthoven with the planning and review department.

Item 57 is to create a new definition called pedicab storage and dispatch.

This case was initiated by the landmark commission.

The reason this case was -- by the planning commission.

The reason that this was initiated was a couple of years ago there was a red tag of a pedicab storage place in east Austin.

Staff was asked to determine what land use it was.

Contrary to common sense we determined that it was the automotive rental land use, which of course is not automotive or rental, but to defend the decision, because I made it, the reason we called it that was in the

definition of automotive rental it used automotive taxi stand.

If you think about it it is like an old-fashioned taxi cab stand.

People go there, pick up the vehicle and leave.

To avoid calling it automotive rentals which made nobody happen, staff initiated this amendment.

It's allowed in lr, less restrictive districts and will be in cbd and dmU.

It's recommended by the of course and I'm available for any questions.

>> We have one speaker signed up.

Ronnie reefersseed.

Three minutes.

>> Thank you.

Yes, I'm ronnie reefersseed.

And I wanted to say -- demonstrate here I'm kind of mellowing out.

I'm really -- I'm kind of in favor of this all of a sudden and I don't see any real problem with it.

So I just want to be happy and go along with it.

It's not, you know -- it rubs me the wrong way in some ways, but just being that way, but I really don't see any point in being against this.

This is good for everybody, I think.

I'll cut my time short.

>> Mayor Leffingwell:
Okay.

Thank you.

So those are all the speakers that we have signed up in this public hearing.

I'll entertain a motion to close the public hearing and approve the ordinance.

Councilmember martinez so moves.

Seconded by councilmember riley.

And this is on all three readings.

All in favor say aye say aye.

Opposed say no.

It passes on a vote of -- did you have a comment?

Okay.

It passes on a vote of seven to zero.

So it would appear that we have no more items on our agenda.

So without objection, we stand adjourned at 5:20 p.m.

We do have live music and proclamations to go.

>> Hello, everyone.

We have a bit of a dance floor here.

Right about there.

And you're all welcome to dance.

And you in the back, we want to see you clap.

>> Rattle your jewelry.

>> Morrison: Okay.

Welcome, everybody and welcome to the eggmen.

We're very fortunate to have them here today.

Joining us are john cuomo, nigel, davis and basil, collectively known as the eggmen.

Originally formed in 1992, this year marks their 20th anniversary of the eggmen.

Voted number one for nine years in the best cover band category in the austin chronicle music poll.

The eggmen see themselves as
the keepers of a
particularly important
claim, live performance of
the greatest music of this
century in their opinion.

[Applause]
the band treats the
composer's musical ideas
with a respectful rendition
of the original piece,
playing live versions of
music from the beatles, the
who, the kinks, the rolling
stones and more.

The eggmen researched
musical instruments of the
60's to find their sound and
they haul vintage guitars,
afterwards and drums to
every gig.

They understand how
important the instruments
are in capturing the sound,
tone and feel of that 60's
thing and their liver -- how
do you say this word?

Accuse vents and vocal
ability abilities are
without equal.

Please help me welcome the
eggmen.

[Applause]

>> everyone clap along.

Oh, you're already started.

Here we go.

♪♪♪♪
♪♪♪♪
♪♪♪♪

[cheers and applause].

>> Thank you.

Thank you very much.

>> Eggmen.com.

>> Are we allowed to do
that?

Can we say that?

>> Morrison: We have a big
gig coming up.

Do you want to tell us about
that?

>> The 20th anniversary
concert and celebration,
that's what we're calling
it.

This sunday, just in a few
days.

It's at the scottish rite
theater at eight p.m.

com if you want
to find out more about it,
but that is the show to go
to.

We'll have a string section,
horns an special guests and
food and cake, perhaps.

>> Cake.

>> There will be cake.

>> Come for the cake.

>> There will be a party and a lot of fun.

So please come.

>> We'll see you in 10 more years.

>> Morrison: And what about b if they want to get some of your music into our homes?

>> We're coming out with an original cd, a new single coming out on sunday hopefully.

If it comes through.

[Laughter]

>> depending on u.p.s.

>> It was manufactured in new jersey and we're just going to give them a break.

com is the place to go.

com and we'll answer all your questions.

>> Morrison: That's terrific.

And just to close up I have a proclamation here.

It says be it known that whereas the city of austin, texas is blessed with many creative musicians whose

talent extends for virtually
every musical genre and
whereas our music scene
thrives because austin
audiences support good music
produced by legends, local
favorites and newcomers
alike.

And whereas we are
especially pleased to
recognize austin's premier
beatle tribute band as they
celebrate their 20th
anniversary.

Now therefore i, lee
leffingwell, mayor of the
live music capitol of the
world, do here by proclaim
NOVEMBER 1st, 2012 AS THE
Eggmen day in austin, texas.

[Applause]
#.

>> Thank you.

>> Mayor Leffingwell:
Ladies and gentlemen, I'm
austin mayor lee
leffingwell.

I want to welcome you to the
city of austin public
service employee memorial
ceremony for timothy james
louviere.

♪♪♪
(bagpipes playing).

>> Mayor Leffingwell:
Ladies and gentlemen, please
rise for the presentation of

the colors and the pledge of
allegiance.

Present the colors.

Please join me in the pledge
of allegiance.

I pledge allegiance to the
flag of the united states of
america.

And to the republic for
which it stands, one nation,
under god, indivisible, with
liberty and justice for all.

Retire the colors.

Please be seated.

Today the city of austin
celebrates the life of
timothy james louviere and
recognizes his invaluable
service to the citizens of
austin.

Tim was a senior pipeline
technician with the austin
water utility and had worked
for the utility for 22
years.

He passed away march 2nd
of this year in an accident
in the barton creek
greenbelt area, and today he
he will be inducted into the
city of austin public
employee memorial.

The city established this
memorial in may 2011 to pay
tribute to all employees who
have lost their lives while

serving with dedication for
the city of austin.

And now please welcome city
manager marc ott.

Mayor, councilmembers,
ladies and gentlemen, the
city of austin is dedicated
to honoring the lives and
service of our friends and
colleagues to this public
service employee memorial.

The memorial contains unique
carvings created by retired
police captain john vasquez.

He's been inspired to embody
the spirit of those
individuals whose lives were
taken all too soon while
providing service to our
city.

On behalf of the city i
extend our heart felt
condolences to tim's family,
I appreciate your presence
here today as we pay tribute
to an outstanding public
servant and remember his
impact on our community.

I also thank you for sharing
your memories and stories of
tim's life so that his
contributions and service
may never be forgotten.

Finally, thank you to the
departments and staff who
have worked on this project.

Your efforts are truly
appreciated.

At this time I invite austin
water utility director and
the austin utility director
george calhoun here for the
unveiling of the figurine
for timothy james louviere.

This likeness will be placed
in the memorial along with
tim's biography so that
future generations may learn
about this honorable
employee who personified the
term public servant.

Gentlemen?

Now we'll have a few words
from director mazorus.

>> Is an honor to be here
representing all the great
men and women of austin
water, and particularly
tim's family.

I know I spoke today and met
again with his father, his
brothers and sisters, his
wife sandra, their children,
grandchildren and all the
other relatives.

As I look upon the figure of
tim I'm struck not only by
its resemblance to him, but
how it reminds me of the
character and attributes he
brought to austin water.

When you think about tim you
think about hard work, about
quality work, about
commitment, about his
compassion.

Tim never left a customer in the lunch.

He never left a customer without water.

He stayed to finish the job.

He knew the essential services that we provided and he was always committed to that.

Not only committed to that in himself, but he expected that of his co-workers, his managers, his directors, city managers, mayor and council.

He made all of us a better public servant.

I can tell you on several occasions tim didn't hesitate to tell me when i wasn't working hard enough.

[Laughter] but that's what we loved about him.

He aspired to higher heights and had us all aspire to higher heights.

Our customers were better off of it, our community was better off for that.

Certainly his dad taught him the hard work of working in the sugar cane fields, that hard work ethic, that was passed on to your son.

You should be proud of that.

He carried that with him his
whole life.

What we think about the loss
of somebody like tim,
certainly the premature loss
of them and we're all
diminished.

All of austinites are
diminished with his loss.

Our water utility won't be
quite as customer service as
it was.

Our water system won'ting
repaired quite as high
quality or as fast as it
was, and the list goes on
and on.

Tim added value to all of
our lives everyday, day in
and day out.

And we'll miss him terribly.

We grieve for you.

Austin water, our family
lost a family member just
like you lost a family
member too.

We'll remember tim always.

We'll remember not only his
tough exterior and his hard
work, but his tender heart.

I was sharing with george
calhoun and he told me a
story, george knew tim for
many, many years and told me
a story about how one time

he went out to a job site
and there was tim working, a
cold, wet winter day and tim
was working without his
jacket.

And george taking an
opportunity to give tim a
hard time, said tim's
where's your jacket?

And tim really wouldn't give
him an answer and said you
know, it's basically none of
your business where my
jacket is.

I'm working without a jacket
today.

[Laughter]
well, later it came to
george's attention a
co-worker shared that on
wait to a job site tim saw a
young lady walking down the
road in short sleeves in the
cold wet winter day and he
couldn't bear it.

He stopped his truck, pulled
over, gave her his jacket
and went on to work without
his jacket that day because
she needed it more.

And that was the tender
heart that he showed.

He would never admit that,
he would never tell his boss
that's what happened to his
jacket, but that was what
was in his heart and you all
know that too as his family.

These are all the things
that we'll miss from him,
and we'll remember him
always.

This memorial will always be
there for others in the
future to remember tim and
the high standards he set as
a public servant.

So we honor all of you
today.

Thank you so much.

[Applause]

>> Mayor Leffingwell:
Thank you, greg, city
manager.

And now I would like to
invite interested members of
the family to come join me,
behind me at the podium here
for the reading of the
distinguished service award.

Followed by photographs.

So if you would like to,
please come up.

It's my privilege to present
this distinguished service
award.

This certificate is
presented in recognition of
timothy j louviere of the
water utility for his
dedicated service for the
city of austin and its
citizens and above all for
having given his life inhe

performance of his duties on
MARCH 2nd, 2012.

The city established its
public service employee
memorial in may 2011 to
honor all men and women who
have lost their lives while
serving faithfully in their
capacity as city employees.

To celebrate the life of
louviere and to honor
his great personal sacrifice
on behalf of the citizens of
austin, timothy louviere has
been commemorated on this
day in the city of austin
public service employee
memorial presented this 7th
day of november, the year
2012, signed by myself,
mayor lee leffingwell and
the city manager marc ott.

Congratulations.

Who will accept the award?

[Applause]

>> Mayor Leffingwell: Once
again, thank you to tim's
family and friends for your
presence here today.

The city of austin will
always be indebted to you
for tim's commitment to
public service.

And thank you to all city
employees who dedicate their
lives to serving the
citizens of austin.

Thank you very much.

This concludes our ceremony.

[Applause]

>> some of you may not know that the city council directly hires, fires and supervises a handful of employees.

Among those are the municipal court clerk and the municipal court judges.

Judges are appointed now for four years, and we have a number of them that do great work for the city of austin under sometimes trying circumstances.

So the proclamation reads as follows.

Be it known that whereas more citizens come into contact with municipal courts than any other courts in the state, so the public's impression of the entire judicial system is largely dependent on their experience in the municipal courts, and whereas personnel in the austin municipal court and the downtown austin community court have pledged to be ever mindful of their neutrality and impartiality, rendering equal service to all and conforming to standards set by the canons of judicial conduct, and

whereas being we're pleased to recognize our court personnel, including eight full-time judges, 13 substitute judges, and one 131 operational and support personnel, and to salute their critical role in preserving public safety, protecting the quality of life for area residents, and deterring future criminal activity.

Now, therefore, i, lee leffingwell, mayor of the city of austin, texas, do hereby proclaim november 5 through the 9th, 2012, as municipal courts week in austin, texas.

So congratulations to you, judge.

This is all yours.

Thank you for your service.

[Applause]
and you have the podium.

>> Well, I'd like to thank the mayor and council for giving us this proclamation.

Our mission statement at municipal court is to be the most effective of, efficient and impartial municipal court in the state of texas, and there are many, from large cities like houston to very small cities like manor.

Our court is one that i
think our citizens should
rightfully be proud of.

Our 165 or so personnel that
work there, including the 20
judges, are -- they're
dedicated.

We know that most people who
come to see us are not happy
to do that, but we try to
make the experience as
efficient and as least
wasteful of your time as we
can.

And so we work very hard for
that.

00 at
night, monday through
thursday.

We close at 6:00 on friday.

We have two substations, one
north and one south where
citizens can conduct their
business.

And so we are looking
forward to our new
courthouse, one of these
days.

[Laughter]
and we appreciate the
recognition that the council
and the mayor have given us.

Thank you.

thank
you.

[Applause]
take a picture?

>> Good evening, I'm kathie toafy, council member in place 3 and I'd like to welcome those who are here to be recognized for austin adoption day to come up.

We're going slightly out of order so I apologize for the short notice.

So november is national adoption month, and this provides our community with a great opportunity to educate ourselves and our community about the thousands -- hundreds of thousands of children throughout our world, and many of them here in the united states who await permanent families.

Some of you may know that my husband and I have been blessed to become parents through adoption, so this is a topic very close to my heart and I'm so grateful that we are in austin really blessed with having so many individuals and so many organizations who help children find families through foster and adoption, and also provide services to adoptive families who live here.

Today we are recognizing those who have been involved in a very special event that

took place this morning
called austin adoption day,
and this is a collaboration
that involves our judges
here, several nonprofits,
and I'll name some of those
groups here in a minute.

And today you see -- you'll
see the faces of several
children who are awaiting
permanent families, and
we're grateful for the hart
gallery of texas for making
these available today to
emphasize and to illustrate
to our community just a few
of the many, many children
who are awaiting permanent
families.

So on behalf of the whole
city council I'd like to
extend our best wishes to
the families and children
who have begun their new
lives together this morning
and a great thanks to the
organizations who are
involved in making that
event possible.

And also to those
organizations for the great
work they do every day for
families and children in our
community.

So to the folks behind us i
would like to present this
proclamation.

Be it known that whereas
there are 100,000 foster
children nationwide and
close to 158 in travis

county awaiting adoption through child protective services, with many more entering the foster care system each year, and whereas the austin bar association, the texas department of family and protective service, gardner bets juvenile justice center, the adoption coalition of texas, casa of travis county, travis county office of child representation and travis county children's protective services board encourage more families to give these children the safe and permanent homes they deserve, and whereas, these groups sponsor an annual austin adoption day to celebrate and encourage foster care and adoption, and whereas 29 central texas children joined their forever families today and participated in a special celebration to finalize their adoptions.

Now, therefore, i, lee leffingwell, mayor of the city of austin, texas, do hereby proclaim november 1, 2012 as austin adoption day.

Thank you.

[Applause]
and I'd like to -- and I'd like to -- I'd like to invite judge andy hathcock one of our travis county

judges to come up and say a few words, please.

>> Thank you, council member tovo.

My name is andrew hathcock, I'm an associate judge for the travis county district judges, and with me here is marie chanow and sally campbell from the adoption coalition of texas.

Denise hyde, who is the chair of the austin adoption day planning committee.

She put all this together and helped get everybody organized and she's done this now for 11 years.

This was our 11th annual celebration, and it was just wonderful this morning and this afternoon.

We helped create permanent families for 28 children.

And I personally had the honor to preside over the creation of five of those families.

Also with me today is keith richardson from casa, travis county, and stephanie white with the department of family and protective services.

And this is -- this was the 11th annual austin adoption day held in conjunction with

national adoption day, and we really gathered to celebrate and honor those families who choose to adopt, and also to illustrate the need for adoptive families and foster families for children.

In this state there are over 6,000 children who are still waiting to be adopted, and in this community 158 children are still waiting for their forever families.

28 Found theirs today, but we still have -- are searching for families for 158 more, and some of those children you see here pictured.

The hart gallery of central texas enlists professional photographers who volunteer their time and talents to photograph each of these children and to bring out their personality, and for many of these kids this is the first time they've ever had a photograph of themselves, a portrait like this.

And so it's something very special for them, and it helps communicate something of who they are to prospective families.

So I would certainly encourage you to visit the hart gallery of central texas web site for more

information about these kids.

Five of the kids that were adopted today were teenage boys, and several of those were in the hart gallery of central texas.

So again, thank you to mayor and council members for recognizing this worthy celebration today.

Thank you.

[Applause]

I am very pleased to stand before you today to give certificates of appreciation for some very, very thankless work that has been done, but we're going to thank them today and let the community know about that.

This summer irit, ann and sharon approached council member tovo and morrison and I about safe sleep shelter facilities for women, because it had become an emergency problem.

The conditions on our streets are were simply unsafe.

The murder of a homeless woman in a park earlier in the year highlighted the vulnerability that is placed on women on the streets.

By working with six different churches who generously opened their buildings overnight they began to provide a safe place to sleep.

The city in turn provided security for this effort.

I often talked about the need for collaboration between governmental entities, faith-based community and social service providers.

This is truly evidence of that and a very forward step for our city.

I also want to thank all of the service providers that have been involved and the faith-based organizations and everyone who stepped up to the plate.

The city recently approved a state grant to pay for renovations for the salvation army's downtown shelter that will provide 32 beds for women, and while that goes a long ways towards providing shelter, it will not completely do the job.

So we are thankful for the work that you have agreed to continue, and next week council member tovo and i will be bringing forth a resolution to further facilitate these efforts.

And I want to thank council member riley for also standing fast with us as we try to work on this issue.

So right now I want to ask all of you to come forward, and council member tovo to come forward if she has any comments.

there's very little I want to add except just to say a big thank you for making us aware of this need and for working together to meet the needs so beautifully and to help educate our community about what needs to be done in the future.

So thank you for being here today.

we have certificates of appreciation for the nonprofits, and I'm only going to read the first one, and then I'll name the others.

The city of austin distinguished service award, presented to erit emanie in appreciation of your work with the safe sleep shelter for women.

Thank you for being a part of the solution to assist single homeless women in the austin area.

We are grateful for your
commitment to serve those in
need.

[Applause]
and this certificate is --
where did she go?

This certificate is
presented to you again in
appreciation for your work.

>> Thank you.

Thank you.

[Applause]

>> this is a certificate to
david gomez.

Oh, he's not here.

Okay.

Well, he's still got a
certificate.

David evans, I didn't see
him.

There you are.

Please come forward.

A distinguished service
award for you and all you do
with salvation army.

[Applause]
susan, did I see susan?

There you are.

You're no taller than me.

[Laughter]
a distinguished service
award for you for all your
work.

>> Thank you.

[Applause]

>> thank you.

next we have -- do
you want to bring those --
distinguished service awards
for the churches.

St. david's, billie tweety.

[Applause]
and also vicki knipp.

We want you to get all your
papers.

[Laughter]
we want to recognize from
university united methodist
john elford pastor susan
sprag and marianne tyson.

[Applause]
and first baptist, we want
to recognize tommy chito and
anita gordon.

[Applause]
thank you for your work.

You all have been doing some
heavy lifting for the city.

This is for first united
methodist, pastor kathie
stone, and libby -- there
you are.

Come on up.

[Applause]
martin's lutheran,
pastor pete sandoval, pastor
jennifer teaman, connie
growslop and jason galip.

[Applause]
and I also want to recognize
university baptist church,
olan clemons.

And we'll get that to him.

And then for the -- from the
foundation for the homeless,
sharon lowe.

We also want to recognize
their work.

[Applause]

>> cole: okay.

Are you all ready to take a
picture?

This is the best part.

[Laughter]
kathy, are you ready?

Okay, let's go.

>> I want to just say, first
of all, thank you to
everybody for this -- who
put this effort together,
and I think we should become
a case study.

Never doubt what a group of
citizens can go when they
put their minds together to

work as one, and we actually changed a situation of homeless women in austin by working.

All service providers were called together to make sure -- everyone was at the meeting.

Churches came through, the city came through, and when we all put our mind into making a change, change happens.

So thank you all, and thank you.

[Applause]

>> cole: thank you guys.

>> Greg, do you want to come down and any other members of the workers defense project?

We have come to recognize that in austin, as we prosper, we are often becoming seen as two a very prosperous austin and a not so prosperous austin.

The workers defense project has worked tirelessly to make labor a part of the equation and the amount of salaries and working conditions that labor receives.

And this is their 10th anniversary, and for all the

work that they do I wanted to present them with a proclamation.

Be it known that whereas the workers defense project was founded here ten years ago with a few volunteers helping at an east austin homeless shelter, and now is a statewide organization working on behalf of the rights and well-being of low-wage workers, and whereas, workers defense project provides training and services to thousands of low-wage austinites while also advocating for policies that will create pathways to good jobs for our disadvantaged residents, and whereas, workers defense project work inspired council to pass an historic rest break ordinance for construction workers and for living wages and job training to be required on a variety of construction projects, and whereas workers defense project is dedicated to ensuring that our city development is safe, sustainable and provides opportunities for all austinites.

Now, therefore, i, lee leffingwell, mayor of the city of austin, do hereby proclaim november 2012 as workers defense project 10th anniversary.

[Applause]

>> thank you.

Well, we just want to thank all of council and also especially mayor pro tem cole for not forgetting that while austin grows and we know austin is such a fun bustling city, that buildings have to get built and buildings have to be cleaned and we really appreciate that the council has not forgotten that we need to make sure that we have jobs in austin, but also good jobs, jobs that people want to keep because they can provide for themselves and provide for their families and have a path upward, and so we appreciate you all remembering that and taking that into consideration, and for listening to us so that we can sort of remind everybody else about that too.

And I'll have one of our worker members give a little thanks as well.

>> Well, thank you very much for this important reading to bring workers in llano to the council and many members -- people, also on the city.

The -- see the situations are outside, like low wages, and how dangerous they are, and thanks for working the project to help us to pick

up all these wages and thank
you, council, for letting us
apply for these members, and
this is only the beginning.

We plan to do more and bring
everybody else on safe
workers and making sure
everybody is safe.

Thank you.

[Applause]

[♪♪ music playing ♪♪]
ecl)