

Closed Caption Log, Council Meeting, 02/03/05

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Mayor Wynn: GOOD MORNING, I'M AUSTIN MAYOR WIL WYNN, IT'S MY PLEASURE TO WELCOME N. JORDAN MKWANAZI, REVEREND WILL LEAD US IN OUR INVOCATION, PLEASE RISE.

MOST GRACIOUS GOD, HUMBLE PEOPLE WHO DWELL UPON THE EARTH, WE BESEECH YOU FOR YOUR GUIDANCE OF THIS GREAT CITY, THAT THEY MAY ALWAYS INCLINE TO YOUR WISDOM, BLESSES THEM WELL IN THEIR DELIBERATIONS. WE PRAY, OH, GOD, THAT THEY -- MAY BE DEDICATED TO THE ADVANCEMENT OF YOUR GLORY, THE GOOD, THE SAFETY, THE HONOR AND THE WELFARE OF OUR CITY. DIRECT OUR GOD THIS COUNCIL IN ALL OF THEIR DOINGS, WITH YOUR MOST GRACIOUS FAVOR AND FAVOR THEM WITH YOUR CONTINUED HELP IN ALL OF THEIR DELIBERATIONS. YOU MAY BE GLORIFIED. CONTINUE TO GRANT THEM THE VISION OF OUR CITY. WE SHALL PRAY FOR OTHERS, A CITY OF PLENTY, WHERE POVERTY IS NOT ALLOWED TO FESTER, A CITY OF BROTHERHOOD WHERE ALL SUCCESS WILL BE FOUNDED ON SERVICE AND HONOR SHALL BE GIVEN TO NOBLENESSE ALONE. A CITY OF PEACE WHERE ORDER SHALL NOT REST BUT ABOVE ALL, THESE AND ALL OTHER NECESSITIES FOR THIS COUNCIL AND OUR CITY, WE HUMBLY ASK IN YOUR NAME. AMEN.

Mayor Wynn: THANK YOU, REVEREND.

Thomas: MAYOR, IF YOU DON'T MIND, ON BEHALF OF MAYOR WILL WYNN, WE WELCOME THE PASTOR AND HIS WIFE TO

OUR LOVELY CITY. THEY HAVE BEEN HERE JUST A SHORT PERIOD OF TIME AND I KNOW METROPOLITAN IS LOOKING FORWARD TO WHAT HE HAS ENVISIONED FOR THAT GREAT CHURCH ON THE EAST SIDE OF AUSTIN, TEXAS.

THANK YOU, COUNCILMEMBER. OKAY, THERE BEING A QUORUM PRESENT AT THIS TIME I WILL CALL TO ORDER THIS MEETING OF THE AUSTIN CITY COUNCIL. IT IS THURSDAY, FEBRUARY 3rd, 2005, WE ARE IN THE COUNCIL CHAMBERS OF THE CITY HALL BUILDING, 301 WEST SECOND STREET, IT'S APPROXIMATELY 10 MINUTES AFTER 10:00 IN THE MORNING. AT THIS TIME I WILL READ THE CHANGES TO THIS WEEK'S POSTED AGENDA. ACTUALLY, FIRST -- WE HAVE NO CORRECTIONS. I TAKE THAT BACK, SORRY. ON ITEM NO. 15, WHICH RELATES TO A DESIGN BUILD AGREEMENT AT OUR AIRPORT, THIS ITEM WILL BE POSTPONED INDEFINITELY. ITEM NO. 15. OUR TIME CERTAINS FOR TODAY'S MEETING, AT NOON WE WILL BREAK FOR THE GENERAL CITIZENS COMMUNICATION, 2:00 TWO BRIEFINGS, FIRST ITEM NO. 41 RELATES TO TRANSIT ORIENTED DEVELOPMENTS IN OUR CITY. ITEM NO. 42 RELATES TO A SOLID WASTE RECYCLING PILOT PROGRAM. AT 4:00 WE BREAK FOR ZONING HEARINGS AND APPROVAL OF ORDINANCES AND RESTRICTIVE COVENANTS. THOSE SHOW TODAY'S ITEM Z-1 AND Z-2. AT 5:30 WE HAVE LIVE MUSIC AND PROCLAMATIONS. AND AT 6:00 P.M. WE HAVE PUBLIC HEARINGS AND POSSIBLE ACTIONS, THOSE SHOW ON TODAY'S AGENDA AS ITEMS 43 THROUGH 46. OUR ITEMS PULLED FOR DISCUSSION OFF THE CONSENT AGENDA THIS MORNING, ITEM NO. 2, HAS BEEN PULLED BY COUNCILMEMBER ALVAREZ, THIS IS REGARDING TO THE -- THE LEASE WITH THE INTERNATIONAL CENTER OF AUSTIN. ITEM NO. 9, TECHNICALLY WILL BE TAKEN OFF THE CONSENT AGENDA AS IT RELATES TO ITEM 41 OUR PUBLIC HEARING AND 43 OUR -- OUR BRIEFING AT 2:00. ITEM NO. 32 WILL BE PULLED BECAUSE -- 31 WILL BE PULLED BECAUSE WE WILL TAKE THAT UP IN EXECUTIVE SESSION. THAT RELATES TO OUR EVALUATION OF OUR CITY MANAGER. COUNCILMEMBER DUNKERLY?

Dunkerly: EXCUSE ME. I HAVEN'T BEEN HERE ENOUGH TO USE THIS. I WOULD LIKE TO REQUEST A POSTPONEMENT OF ITEM NO. 8 THE BRANDT ROAD ANNEXATION AND THEN LATER IN THE DAY THE RELATED ZONING CASE. WE ARE -- THE

PARTIES ARE STILL IN THE NEGOTIATION AND WE HOPE BY TOMORROW AFTERNOON THAT WE'LL HAVE SOME AGREEMENT. I WOULD LIKE TO BRING IT BACK NEXT WEEK.

Mayor Wynn: THANK YOU, COUNCILMEMBER. WHAT I WILL DO THEN IS AS I'LL READ THE CONSENT AGENDA, ITEM NO. 8 WITHOUT OBJECTION, COUNCIL, WE WILL -- WE WILL -- THAT MOTION WILL INCLUDE A POSTPONEMENT OF ITEM NO. 8 UNTIL FEBRUARY 10th.

Dunkerly: FOR ONE WEEK.

Mayor Wynn: FEBRUARY 10th, 2005. OKAY. SO -- SO COUNCIL, ANY ITEMS TO BE PULLED OR PUT BACK ON THE CONSENT AGENDA? COUNCILMEMBER ALVAREZ?

Alvarez: MAYOR, ON NUMBER 2, ACTUALLY, I -- I THINK IF WE CAN JUST APPROVE IT FOR NEGOTIATIONS, I THINK THAT I CAN JUST GO AHEAD AND PUT IT ON CONSENT IF THAT'S ACCEPTABLE. THIS IS ONE WHERE WE ARE PARTNERING WITH THE INTERNATIONAL CENTER TO ALLOW THEM TO USE SOME SPACE IN OUR CONVENTION CENTER GARAGE AND THERE ARE SEVERAL RELATED ORGRGRGRGRGT ARE -- THAT WILL CO-LOCATE AND I -- AND I PERSONALLY HAVE BEEN WORKING WITH THE MEXICO TRADE CENTER PROGRAM THAT -- THAT THE HISPANIC CHAMBER OF-- CHAMBER HAS, I WANT TO SEE IF THERE'S AN OPPORTUNITY TO CO-LOCATE THAT PROGRAM THERE AS WELL, BUT THAT'S SOMETHING THAT, YOU KNOW, MAYBE CAN BE FURTHER DISCUSSED. YOU KNOW IIME BETWEEN NEGOTIATION AND EXECUTION --

THANK YOU, COUNCILMEMBER. MY UNDERSTANDING, HOWEVER, I THINK -- THE IMPRESSION WAS THAT TIME WAS SOMEWHAT OF THE ESSENCE IN THIS IN THAT A NUMBER OF GROUPS THAT ALREADY ARE CO-LOCATED HAVE BEEN IN A SMALL SPACE OVER AT THE AUSTIN CHAMBER OF COMMERCE. AND SO I KNOW THAT THEY WERE TRYING TO GET OUT OF THAT SPACE AS QUICKLY AS POSSIBLE. BUT -- BUT I DON'T KNOW IF IT'S PRACTICAL TO HAVE IT BE EXECUTED WITHIN A WEEK ANYWAY.

JOHN, CAN YOU COMMENT, MAYBE GIVE US A LITTLE

UNDERSTANDING OF HOW THE LEASE IS WORKING, MAYBE THAT CAN HELP IN THE DISCUSSION?

THE -- COUNCILMEMBER, WE HAVE ESSENTIALLY NEGOTIATED ALL OF THE TERMS OF THE LEASE, I THINK. AND ARE READY TO GO WITH IT NOW. AS RELATES TO THE MEXICO TRADE CENTER, I BELIEVE, MY UNDERSTANDING IS, THEY ARE IN DISCUSSION WITH THE INTERNATIONAL CENTER ABOUT SPACE IN THERE AND CERTAINLY WHEN THEY REACH AGREEMENT WITH THAT, THAT'S AN APPROPRIATE USE OF THE SPACE AND THE CITY AS LANDLORD -- WE ANSWERED A -- AN AGENDA QUESTION YESTERDAY BUT I THINK THE ANSWER WAS SOMEWHAT MISLEADING. I THOUGHT IT WAS IN THE CONTEXT OF RETAIL SPACE, BUT -- BUT BECAUSE THE ANSWER SAID THAT -- THAT THEY COULD NOT SUBLET. THAT'S TRUE, THEY CAN'T SUBLET WITHOUT THE LANDLORD'S PERMISSION, BUT CERTAINLY IN A -- IN A CASE LIKE THIS WHERE THAT WOULD BE CONSISTENT WITH THE MISSION OF THE INTERNATIONAL CENTER, WE WOULD GRANT PERMISSION FOR THEM TO EITHER SUBLET OR USE THE SPACE AS APPROPRIATE.

JOHN, ISN'T IT, THOUGH, ALSO TRUE THAT PART OF WHAT THE LEASE IS INTENDING TO ACCOMPLISH AT THE INTERNATIONAL CENTER IS GOING TO DO IS PROVIDE SPACE FOR OTHER ORGANIZATIONS WITH SIMILAR MISSIONS? NOT JUST THE MEXICO TRADE CENTER, BUT OTHERS?

YES, IT IS. THAT'S -- THAT'S EXACTLY THE PURPOSE OF PUTTING EVERYBODY IN THIS SPACE, TO PROVIDE AN OPPORTUNITY FOR -- FOR PEOPLE WHO HAVE BEEN SCATTERED BEFORE AND SO THERE ARE -- THERE ARE NOW, FOR EXAMPLE, A NUMBER OF ORGANIZATIONS THAT ARE -- THAT WILL BE WITH THE INTERNATIONAL CENTER. THE CITY OF AUSTIN INTERNATIONAL PROGRAM, THE SISTER CITY PROGRAM, WITH CITY EMPLOYEES. THE WCIT WORLD CONGRESS ON INFORMATION TECHNOLOGY, THE AUSTIN U.S. EXPORT ASSISTANCE CENTER, TEXAS CAMINO REAL DISTRICT EXPORT COUNCIL, THE INTERNATIONAL HOSPITALITY COUNCIL OF AUSTIN AND THE --

WOULD ONE SOLUTION, COUNCILMEMBER, BE TO SIMPLY GIVE US DIRECTION ON THIS ITEM? TO INCORPORATE IN THE

EXECUTION OF THE LEASE SPACE FOR THE MEXICO TRADE CENTER IN THE LEASE?

Alvarez: I -- I DON'T BELIEVE WE ARE INCORPORATING ANYTHING ABOUT THESE GROUPS IN THE LEASE SPECIFICALLY. SO ARE YOU SAYING JUST AS A DIRECTION OR -- AND NOT A LEASE TERM?

Futrell: GIVE SOME ADVICE ON HOW WE COULD DO IT.

WE CAN TAKE DIRECTION TO MAKE SURE THAT WHETHER IT'S EXPLICITLY STATED IN THE LEASE OR NOT, THAT THERE IS AN ARRANGEMENT MADE FOR THAT.

SURE.

Alvarez: I THINK OBVIOUSLY THAT'S -- THAT'S A DECISION FOR THE HISPANIC CHAMBER TO MAKE IF THEY CHOOSE TO CO-LOCATE. I JUST WANT TO MAKE SURE THAT THE OPPORTUNITY IS OPEN FOR THEM TO -- TO GET THE SAME KIND OF TERMS AND CONDITIONS THAT THESE OTHER GROUPS ARE GETTING. BECAUSE I THINK THEY ARE PRETTY FAVORABLE AND SO I WOULD JUST LIKE THAT OPPORTUNITY TO BE AVAILABLE IF THAT'S SOMETHING THAT'S POSSIBLE, YOU KNOW, THIS IS NOT SOMETHING THAT'S COMING FROM THE -- FROM THE HISPANIC CHAMBER, JUST SOMETHING THAT I WORKED ON PERSONALLY AND IT WOULD BE NICE AGAIN FOR ALL OF THESE ACTIVITIES THAT RELATE TO INTERNATIONAL, YOU KNOW, WHAT'S HAPPENING INTERNATIONALLY HERE LOCALLY BE IN THAT SAME LOCATION.

COUNCILMEMBER, BRENDA HALL, THE EXECUTIVE DIRECTOR FOR THE INTERNATIONAL CENTER IS HERE, IF YOU WOULD LIKE FOR HER TO COME TO THE PODIUM AND -- AND ADDRESS THAT SHE'S AVAILABLE.

Alvarez: YEAH, IF SHE WOULD LIKE TO SPEAK TO IT.

Mayor Wynn: WELCOME, MS. HALL, AS I READ THIS, COUNCIL, TECHNICALLY WE ARE -- WE WILL BE EXECUTING A LEASE, HAVING THE CITY MANAGER EXECUTE A LEASE WITH JUST THE INTERNATIONAL CENTER OF AUSTIN. BUT THEN

OBVIOUSLY THE INTENT WITH THE ENTIRE SPACE IS TO HAVE IT AVAILABLE TO REALLY EVERY ORGANIZATION IN TOWN THAT IS HELPING AUSTIN WITH THIS INTERNATIONAL PRESENCE, EVERYTHING FROM SISTER CITY'S, WCIT, MEXICAN TRADE CENTER IS ESSENTIAL APPROPRIATE AS A PARTNER. MAYBE YOU CAN EXPLAIN THE PROGRAM AND WHAT THE OPPORTUNITIES ARE.

THANK YOU VERY MUCH. I WOULD LIKE TO SET EVERYONE'S MIND AT EASE THAT THE MISSION FOR THIS SPACE IS EXACTLY WHAT WE HAVE BEEN TALKING ABOUT. IT'S TO EXPAND AND EMBRACE ALL OF THE INTERNATIONAL ORGANIZATIONS THAT ARE IN THIS CITY AND BRING THEM TOGETHER. SO THAT WE'LL -- WE'LL BUILD ON THAT SYNERGY AND GROW THE FOOTPRINT AND THAT'S EXACT. SO -- SO THE -- THE HINDRANCE TO THIS POINT, WHY WE WANT TO GET INTO THIS SPACE IS EXACTLY, COUNCILMEMBER ALVAREZ, AS YOU BRING OUT. WE DON'T HAVE ENOUGH ROOM AND WE, MARY MARTINEZ, FOR EXAMPLE, IS ON OUR BOARD OF DIRECTORS, AND JANUARY SMITH IS THE HEAD OF THE BUSINESS AND EDUCATION COMMITTEE WITH MEXICO TRADE CENTER. SO WE -- WE EMBRACE THAT, WE ARE LOOKING FORWARD TO -- TO BEING ABLE TO FULFILL THE VISION AND MISSION OF THE INTERNATIONAL CENTER BY INTEGRATING ALL OF THESE GROUPS. DOES THAT HELP YOU?

Alvarez: I TOTALLY AM SUPPORTIVE OF WHAT WE ARE DOING HERE. I JUST IN SEEING THE GROUPS THAT WERE INVOLVED DIDN'T REALLY SEE ANYONE, YOU KNOW, SORT OF REACHING OUT TO MEXICO OR LATIN AMERICA AT LEAST IN THE LIST OF GROUPS THAT ARE CURRENTLY KIND OF IN DISCUSSIONS HERE. AND SO -- SO I JUST THINK THAT IT'S REAL IMPORTANT THAT WE HAVE -- WHEN PEOPLE DO COME TO AUSTIN, INTERNATIONAL CENTER, THAT WE DO HAVE THIS -- THE DIVERSITY OF ORGANIZATIONS INCLUDED THERE AND -- BECAUSE I HAVE BEEN TO THE INTERNATIONAL CENTER, I'M NOT SURE WHAT EXACTLY THEY CALL IT IN SAN ANTONIO. BUT WHERE THEY HAVE ALL OF THE VARIOUS ENTITIES UNDER ONE ROOF. IT'S ACTUALLY VERY IMPRESSIVE FACILITY. SO IT WOULD BE GREAT, AGAIN, IF WE COULD USE THIS AS AN OPPORTUNITY TO -- TO DO -- PROVIDE THE SAME KIND OF SERVICES IN THE VERY

CENTRALIZED WAY. CERTAINLY VERY SUPPORTIVE. THAT'S, YOU KNOW, IF THERE IS AN ABILITY SORT OF TO INTEGRATE THEM SOMEHOW, ASSUMING YOU KNOW TERMS ARE ACCEPTABLE TO ALL OF THE PARTIES, I JUST DIDN'T KNOW IF EVERYONE WHO HAS ALREADY SORT OF GOT THEIR FOOT IN THE DOOR, WHETHER THE AMOUNT OF SQUARE FOOTAGE IS ENOUGH TO SAY, WELL, WE CAN HAVE MORE GROUPS PARTICIPATE OR NOT AND THAT'S REALLY WHERE -- WHERE MY QUESTION ARISES NOT SO MUCH THAT WE DON'T SUPPORT WHAT'S HAPPENING HERE, BUT JUST KIND OF TRYING TO GET A BETTER UNDERSTANDING OF HOW MUCH - - HOW MANY OTHER GROUPS POSSIBLY COULD GET HELP AND THAT PARTICULAR PROGRAM I THINK WOULD BE AN ASSET TO -- TO WHAT'S HAPPENING. SO I --

THAT'S VERY FAIR. WE WILL HAVE AMPLE ROOM AND THE -- THE ONLY GOAL THAT I WOULD HOPE THAT WE HAVE IS THAT WE OUTGROW IT IN A COUPLE OF YEARS AND NEED MORE ROOM. BUT WE'LL BE FINE FOR A WHILE. WE'RE MOVING FROM APPROXIMATELY 2,000 SQUARE FEET TO THIS 10,000 SQUARE FEET. SO WE HAVE -- WE HAVE LOTS OF ROOM FOR GROWTH TO EMBRACE NEW PARTNERS.

Alvarez: OKAY.

OKAY?

Alvarez: WELL, GOOD, THAT SATISFIED SORT OF MY QUESTION AND SATISFACTORY RESPONSE. I JUST WASN'T SURE HOW MUCH ABILITY THAT WE HAD TO INCORPORATE OTHER ENTITIES. WITH THAT, I'LL KEEP IT OPEN FOR NEGOTIATION AND EXECUTION.

Mayor Wynn: THANK YOU, COUNCILMEMBER, VERY APPROPRIATE COMMENTS. THANK YOU, MS. HALL. COUNCIL WITH THAT THEN, IF THERE ARE ANY OTHER ADDITIONS TO THE CONSENT AGENDA OR ITEMS TO BE PULLED, I WILL READ INTO THE RECORD OUR CONSENT AGENDA THIS MORNING NUMERICALLY. ITEM NO. 1, 2, 3, 4, 5, 6, 7, 8 FOR POSTPONEMENT TO FEBRUARY 10th, 2005, 10, 11, 12, 13, 14, 15, FOR INDEFINITE POSTPONEMENT, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28,, 29, 30 WHICH ARE OUR BOARDS AND COMMISSIONS APPOINTMENTS, I WILL READ INTO THE

RECORD NOW: TO OUR IMPACT FEE ADVISORY COMMITTEE, RICHARD CALLERMAN, HANK KIDWELL, WILLIAM MOORE ALL CONSENSUS REAPPOINTMENTS. TO THE MEXICAN AMERICAN CULTURAL CENTER ADVISORY BOARD, PATRICIA MENDOZA A CONSENSUS REAPPOINTMENT. GREGORY SEFFIR COUNCILMEMBER MCCRACKEN'S REAPPOINTMENT. THOSE ARE THE BOARDS AND COMMISSIONS APPOINTMENTS, ITEM NO. 30. CONTINUING ON, 32, 33, AND 34. I WILL ENTERTAIN A MOTION ON THE CONSENT AGENDA.

Goodman: MAYOR, BEFORE WE DO THAT?

Mayor Wynn: MAYOR PRO TEM, YES.

Goodman: DID YOU ALL HAVE A CHANCE TO LOOK AT C.A.N.'S LEGISLATIVE AGENDA THAT WAS SENT TO YOU? JOHN SAID THAT HE DIDN'T THINK ANY OF IT WAS ADVERSE TO ANY OF OUR ISSUES AND THAT WE --

Futrell: JOHN, COME SPEAK TO THIS FOR THE MAYOR PRO TEM. YES, WE DID HAVE A CHANCE TO --

IT IS -- IN THE ITEM YOU ARE APPROVING SUPPORTING THE COMPLETE C.A.N. AGENDA. IF YOU LOOK IT THE LAST TWO PAGES ARE C.A.N.'S LEGISLATIVE PROGRAM.

Goodman: OKAY. JUST WANTED TO LET THE C.A.N. PEOPLE KNOW. THANK YOU.

Mayor Wynn: THANK YOU, MAYOR PRO TEM. AGAIN I'LL ENTERTAIN A MOTION ON THE CONSENT AGENDA AS READ.

MOVE APPROVAL.

Mayor Wynn: MOTION MADE BY THE MAYOR PRO TEM, SECONDED BY.

UNCILMEMBER MCCRACKEN TO APPROVE THE CONSENT AGENDA AS READ. FURTHER COMMENTS? COUNCILMEMBER MCCRACKEN?

McCracken: WE HAVE A HAPPY ENDING FROM SOMETHING THAT HAPPENED LAST YEAR THAT'S ON THE AGENDA TODAY,

THAT IS THAT WE WILL HAVE A TEXAS INDEPENDENCE DAY PARADE AND RUN THIS YEAR, WHICH WE DIDN'T HAVE LAST YEAR AND SO I THINK WE -- IN THE SPIRIT OF HAVING GREAT RESULTS AND WE WILL HAVE ONE THIS YEAR. IT'S PARTICULARLY IMPORTANT FOR ME, IT WILL BE FORD MCCrackEN'S FIRST BIRTHDAY ON TEXAS INDEPENDENCE DAY, ALSO SOME OTHER FOLKS, I KNOW KERRY TATE, MATT GRIER, JAY HALEY'S DAD AS WELL, A GREAT EVENT FOR AUSTIN, TEXAS SO I'M GLAD WE'RE DOING IT.

THANK YOU, COUNCILMEMBER. IF I CAN BRIEFLY, ITEM NO. 33, I APPRECIATE THE CO-SPONSORING SUPPORT OF COUNCILMEMBER THOMAS AND SLUSHER, OF COURSE THE FULL SUPPORT OF COUNCIL, WE ARE HELPING WITH THE 2005 ROSEDALE RIDE, WHICH IS ONE, ANOTHER HIGHLIGHTED EVENT BY THE MAYOR'S FITNESS COUNCIL TO HIGHLIGHT ACTIVITIES AROUND TOWN. FRANKLY PRETTY LOW IMPACT ACTIVITIES THAT CAN CONTINUE OUR DRIVE TOWARDS A MORE FIT CITY. BUT SPECIFICALLY, THIS RELATES TO THE ANNUAL FUNDRAISER FOR THE ROSEDALE SCHOOL WHICH AS MANY OF YOU KNOW IS AISD'S CAMPUS FOR KIDS WITH PHYSICAL AND MENTAL DISABILITIES. AND WE HAVE THE PRINCIPAL OF ROSEDALE SCHOOL, DAVID FOYT IS HERE, DAVID, WOULD YOU MIND APPROACHING THE PODIUM. JUST A FEW COMMENTS ABOUT THE SCHOOL AND FUNDRAISING RIDE.

GOOD MORNING, IT'S MY PRIVILEGE TO SPEAK TO YOU JUST A LITTLE BIT ABOUT THE SCHOOL. WE HAVE ABOUT 80 STUDENTS WITH THE MOST SEVERE, SIGNIFICANT, PHYSICAL, MEDICAL, COGNITIVE DISABILITIES, SO THIS FUNDRAISER ALLOWS OUR STUDENTS MANY -- THE PROCEEDS ALLOW THEM MANY OPPORTUNITIES TO DO THINGS IN THE COMMUNITY, COOKING ACTIVITIES, SHOPPING ACTIVITIES, TO GET THEM OUT AND REALLY IN ESSENCE TO GIVE THEM AN EVERYDAY LIFE EXPERIENCE. SO THANK YOU FOR THAT ON BEHALF OF THE STUDENTS AND STAFF AND FAMILIES, CAREGIVERS, THE STUDENTS AT ROSEDALE AND WE LOOK FORWARD TO SEEING YOU ON APRIL 2nd AT SAMSUNG FOR OUR EVENT. THANKS.

Mayor Wynn: THANK YOU, 830 A&M, CORRECT?

8:30. A.M. THANK YOU VERY MUCH, GLAD THAT YOU ARE HERE. FURTHER COMMENTS ON THE CONSENT AGENDA? COUNCILMEMBER ALVAREZ?

Alvarez: ITEM 9 IS NOT ON THE CONSENT AGENDA, THE HOUSING RESOLUTION PERTAINING TO -- TO THE ORDINANCE? THEN I HAD A QUESTION ABOUT THE BRIEFING, MAYBE IF IT'S A LENGTHY DISCUSSION WE COULD TAKE IT UP AFTER THE WE VOTE REGARDING WHETHER WE SHOULD HAVE THE BRIEFING AT 6:00 INSTEAD OF HAVING THE BRIEFING AT 2:00 WITH NONE OF THE INTERESTED PERSONS HERE, HAVING THEM HERE AT 6:00. AT LEAST EITHER RUNNING THROUGH IT AGAIN OR MAYBE PUTTING IT OFF UNTIL 6:00. BUT I DON'T KNOW THAT THAT'S -- THAT NEEDS TO BE ON THE CONSENT AGENDA. BUT -- RELATES TO NUMBER 9.

Mayor Wynn: GOOD POINT. IF YOU DON'T MIND COUNCILMEMBER LET'S TAKE UP THAT COMMENT AFTER THE CONSENT AGENDA. BECAUSE IT'S -- IT IS A GOOD --

Alvarez: ITEM 9 IS PULLED UNTIL 6:00?

Mayor Wynn: CORRECT. ITEM 9 IS NOT ON THE CONSENT AGENDA, IT RELATES TO THE TRANSIT ORIENTED DEVELOPMENT BRIEFING AND PUBLIC HEARING. OKAY, COUNCIL, WE HAVE A MOTION AND A SECOND ON THE TABLE TO APPROVE THE CONSENT AGENDA AS READ. FURTHER COMMENTS?

[INDISCERNIBLE]

Clerk Brown: 33.

I THINK THAT WAS MR. FOYT THAT WE JUST HEARD FROM. YES, MR. FOYT, THANK YOU. FURTHER COMMENTS, COUNCIL? HEARING NONE, ALL THOSE IN FAVOR PLEASE SAY AYE.

AYE.

Wynn: OPPOSED? MOTION PASSES ON A VOTE OF 7-0. THANK YOU ALL VERY MUCH. SO, COUNCIL, COUNCILMEMBER

ALVAREZ DID BRING UP A GOOD POINT. I GUESS THE AGENDA OFFICE STRUGGLED WITH THIS CONCEPT A TIME OR TWO. WE TRY TO KEEP 2:00 OPEN FOR BRIEFINGS. SO THE LARGE NUMBER OF STAFF CAN BE HERE AND PRESENT AND IN THEORY FOLKS HAVE THE ABILITY TO -- TO, YOU KNOW, TO BE HERE FOR THAT AND/OR WATCH PERHAPS. BUT THEN WE GENERALLY DON'T TAKE PUBLIC COMMENT UNTIL AFTER 6:00 P.M. TO ALLOW MORE FOLKS TO COME DOWN HERE AFTER WORK, PRESUMABLY TO COMMENT. BUT COUNCILMEMBER ALVAREZ IS SUGGEST THANK WE CONSIDER PERHAPS -- SUGGESTING THAT WE CONSIDER, PERHAPS, NOT HAVING THE T.O.D. STAFF PRESENTATION UNTIL SUCH TIME AS WE HAVE THE PUBLIC HEARING. ANY COMMENTS?

Futrell: IF I COULD OFFER THIS, THE SAME STAFF THAT WILL BE HERE FOR THE BRIEFING WILL HAVE TO BE HERE FOR THE PUBLIC HEARING. SO IT WILL NOT BE A BURDEN FOR THE STAFF SIDE. WE REALLY HAVE THE SAME STAFF THAT WILL BE HERE FOR THE BRIEFING HERE FOR THE PUBLIC HEARING, SUPPORT OR QUESTIONS DURING THE PUBLIC HEARING. SO FITS THE COUNCIL'S DESIRE, WE CAN ON OUR SIDE WITHOUT A PROBLEM MOVE IT. JUST UP TO THE COUNCIL'S DESIRE.

Mayor Wynn: COUNCIL, WE HAVE A -- COUNCILMEMBER ALVAREZ?

Alvarez: JUST, YOU KNOW, HAVING SPOKEN WITH SEVERAL COMMUNITY MEMBERS OR INTERESTED PERSONS, IT SEEMS LIKE THAT THERE'S A -- THERE'S MAYBE SOME -- A LACK OF CLARITY ABOUT WHERE WE ARE WITH THE PROPOSAL, WHAT'S ON THE TABLE FOR DISCUSSION AND THAT'S WHY I THOUGHT BEFORE WE TAKE ALL OF THE INPUT THAT WE TRY TO LAY OUT OKAY THIS IS WHERE WE ARE, THIS IS WHAT THE COUNCIL IS GOING TO BE TALKING ABOUT VERSUS MAYBE FOLKS COMMENTING ON EARLIER DRAFTS OR EARLIER VERSIONS OF SOME OF THESE TOD MATERIALS. SO THAT'S REALLY WHAT -- WHERE I'M COMING FROM BECAUSE I HAD TO EXPLAIN TO JUST -- TO SOME CONSTITUENTS THAT SOME OF THOSE THINGS HAVE ALREADY BEEN CHANGED THAT THEY WERE EXPRESSING CONCERN ABOUT.

Mayor Wynn: I TEND TO AGREE WITH COUNCILMEMBER ALVAREZ. IN LIGHT OF THE FACT THAT WE ALSO HAVE A RELATIVELY LIGHT AGENDA TODAY, VERY SMALL ZONING HEARINGS, COULD VERY WELL BE THAT WE ARE THROUGH WITH ZONING EVEN BEFORE 6:00 P.M., SO THE 6:00 P.M. PUBLIC HEARINGS WON'T BE HELD UP BY SOME LENGTHY ZONING CASES. SO I DON'T HAVE ANY OBJECTION ABOUT -- ABOUT WAITING UNTIL 6:00 P.M. TO HAVE THE STAFF BRIEFING OF THE TOD ORDINANCE. SO -- AND TECHNICALLY WE ARE POSTED FOR A TIME CERTAIN AT 2:00 P.M., JUST MEANS WE CAN'T TAKE IT UP BEFORE 2:00 P.M. SO 6:00 STILL DOESN'T CONFLICT WITH OUR POSTING OR EVEN OUR ANNOUNCEMENTS EARLY EARLIER TODAY. IF ANYBODY IS WATCHING CONSIDERING COMING DOWN FOR THE 2:00 P.M. BRIEFING, NOTE THAT WE NOW WILL TAKE THAT UP AT 6:00 P.M. THANK YOU ALL VERY MUCH.

THANKS, MAYOR.

Mayor Wynn: WELL, COUNCIL, I DON'T THINK WE HAVE ANY DISCUSSION ITEMS NOW BEFORE OUR CITIZENS COMMUNICATION. THE ITEM NO. 8 HAS BEEN POSTPONED, NUMBER 2 WAS APPROVED ON THE CONSENT AGENDA. AND NUMBER 9 WILL -- WE'LL WAIT FOR OUR PUBLIC HEARING AND BRIEFING ANYWAY. AND ITEM NO. 31 NEEDS TO BE PULLED DUE TO EXECUTIVE SESSION. SO WITHOUT OBJECTION, WE WILL NOW GO INTO CLOSED SESSION PURSUANT TO SECTION 551.071 OF THE OPEN MEETINGS ACT TO TAKE UP POTENTIALLY AGENDA ITEM 36, 36 AND 47, WE MAY ALSO TAKE UP PURSUANT TO SECTION 551.074 AGENDA ITEM NO. 40 RELATED TO THE PERFORMANCE AND EVALUATION OF THE CITY MANAGER. WE ARE NOW IN CLOSED SESSION, I ANTICIPATE US COMING BACK AT NOON FOR OUR GENERAL CITIZENS COMMUNICATION. THANK YOU. THANK YOU.

Mayor Wynn: WE'RE OUT OF CLOSED SESSION. IN CLOSED SESSION WE TOOK UP AGENDA ITEM 40 PURSUANT TO SECTION 5951.074 OF THE OPEN MEETINGS ACT. WE WILL CONTINUE THAT DISCUSSION AFTER GENERAL CITIZEN COMMUNICATION. AT THIS TIME WE'LL GO TO OUR NOON CITIZEN COMMUNICATION. OUR FIRST SPEAKER SIGNED UP IS MR. ROBERT THOMAS. WHO I DON'T SEE IN THE ROOM.

ROBERT THOMAS? WE'LL HOLD THAT SPOT FOR A FEW MINUTES. LESLIE COCHRAN. WELCOME. YOU WILL HAVE THREE MINUTES.

WELL, I WANT TO THANK THE CITY COUNCIL FOR ALLOWING ME TO SPEAK. I THANK THE CITY MEETINGS OFFICE FOR INITIATING THE ACTION I ASKED FOR LAST WEEK, THANK YOU. NOW, I STILL HAVEN'T HEARD BACK FROM THE PEOPLE, BUT WE'RE WORKING ON IT. I WANT TO CONTINUE TALKING ABOUT THE AWFUL POLICE DEPARTMENT OR THE AUSTIN POLICE DEPARTMENT, WHICHEVER. AND BECAUSE I'M GETTING A LOT OF ILLEGAL THINGS THAT THEY'RE DOING TO ME INTERFERE WITH MY CONSTITUTIONALLY GUARANTEED RIGHT TO PROTEST. I WAS ARRESTED SOME TIME AGO FOR A MISDEMEANOR FOR OBJECT OBSTRUCTING THE SIDEWALK OR THE PASSAGEWAY WHEN I WAS STANDING ON SIXTH AND CONGRESS. I SPENT SOME TIME IN JAIL BEFORE I GOT A PR ON THAT. THEN I GOT ANOTHER -- THEN I PARKED MY BICYCLE AND TRAILER IN A PARKING SPACE, THEY ARRESTED ME FOR CAMPING. THEN WHEN THEY TURN AROUND AND LEAN ME UP AGAINST THE WALL, THE COP CAME RUNNING ACROSS THE STREET AND CLAIM I WAS PI. THEN THE NEXT THING, I HAD A LITTLE WAGON TO REPLACE THE CART THEY DESTROYED THE FIRST TIME, I WAS WALKING WITH THE CART, PULLING MY HAMMOCK BEHIND ME ON WHEELS, IT'S A SMALL ONE, THEY ARRESTED ME FOR OBSTRUCTION OF THE SIDEWALK AGAIN. ALL THIS HAS BEEN -- NOW, THREE OF THOSE CASES HAVE ALREADY BEEN THROWN OUT OF COURT. THE LAST ONE WHEN I WAS WALKING DOWN THE STREET, I SPENT FIVE WEEKS IN JAIL BEFORE THE JUDGE WOULD GIVE ME A PR BECAUSE OF ALL THE OTHER FALSE ARRESTS THAT I HAD RECENTLY GOTTEN. AFTER FIVE WEEKS OF SPENDING IN JAIL THEY GAVE ME A PR. AND A COUPLE OF WEEKS LATER WHEN THE CASES CAME UNDER REVIEW, THREE OF THESE CASES WERE THROWN OUT OF COURT BECAUSE THEY WERE SO WORTHLESS THAT THEY COULDN'T GO TO TRIAL ON THEM. NOW, BEING HOMELESS IN THIS CITY, THE CITY HAS BEEN WAGING WAR ON THE HOMELESS. IN A SIMILAR FASHION THAT GERMAN DID -- THAT GERMANY DID TO THE JUICE IN THE CONCENTRATION CAMPS. BEFORE THEY STARTED PUTTING THEM IN CONCENTRATION CAMPS, THEY WERE

MAKING LAWS THAT PARTICULARLY ATTACKED THAT GROUP. ONE OF THE EARLIER LAWS THAT THEY DID TO ATTACK THE HOMELESS WAS THEY CLOSED OUR PARKS AT 10:00 O'CLOCK. NOW, CLOSING ALL PARKS AT 10:00 O'CLOCK, WE DON'T HAVE A CRIME PROBLEM, SO THEY MADE IT A CRIME PROBLEM TO BE IN THE PARKS AT 10:00 O'CLOCK BECAUSE THAT'S WHERE THE HOMELESS PEOPLE WERE SLEEPING. THAT WAS RUNNING THE HOMELESS OUT OF AUSTIN, TEXAS. IT DIDN'T WORK. WHAT THEY DID ACCOMPLISH, THOUGH, IS BY CLOSING PARKS AT 10:00 O'CLOCK WERE THE GOOD' PEOPLE OF AUSTIN GO TO THE PARK -- [BUZZER SOUNDS].

Mayor Wynn: PLEASE CONCLUDE.

OKAY. NOW WHEN THE GOOD PEOPLE OF AUSTIN GO AND THEY SEE AN EMPTY PARKING LOT AND THEY WANT TO STRAIGHTEN OUT THE TIME WITH THEIR CHILDREN OR TALK BUSINESS, THEY PULL INTO A PARKING LOT, THE THE COME IN AND -- THE COPS COME IN AND GIVE THEM A TICKET FOR BEING A THE PARK AFTER DARK. IT MAKES MONEY FOR THE CITY. THIS IS ONE LAW THAT WE NEED TO RESCIND. THERE WILL BE MORE NEXT WEEK. THANKS.

Mayor Wynn: THANK YOU. NEXT SPEAKER IS CARTER BREED. WELCOME, CARTER. YOU WILL HAVE THREE MINUTES AND YOU WILL BE FOLLOWED BY DEBBIE RUSSELL.

MR. MAYOR, THANK YOU FOR YOUR TIME. I WILL PROBABLY HAND BACK -- YIELD BACK THE BALANCE OF MY TEAM IF I CAN. I'VE HAD A CONVERSATION WITH BRUCE LIPPY OFF LINE WHEN I HEARD MY NAME BEHIND ME, TURNED AROUND AND LOOKED AND WE STARTED UP A CONVERSATION THAT APPEARS TO BE VERY FRUITFUL AND HE'S TAKEN SOME STEPS FOR SOME OF THE CONCERNS I WAS GOING TO RAISE BEFORE YOU GUYS. I THANK HIM FOR DOINGHAT AND THANK YOU FOR YOUR TIME.

Mayor Wynn: THANK YOU, MR. BREED AND MR. LIPPY.

DEBBIE RUSSELL. WELCOME. YOU WILL HAVE THREE MINUTE AND BE FOLLOWED BY JACK BENEFICIARYBISHOP.

THANK YOU, MAYOR AND COUNCIL. I WANTED TO POSE MY

PIECE WITH HOW MANY VOLTS DOES IT TAKE TO ARREST AN UNARMED, SUBDUED CITIZEN? THE AUSTIN POLICE DEPARTMENT IS OVERUSING TAISERS AND I WOULD LIKE TO GIVE YOU SOME FACTS AND FIGURES ON WHY I THINK THE CITY COUNCIL SHOULD CALL FOR A MORATORIUM ON THE USE OF TAASERS IN THE CITY. ACCORDING TO AMNESTY INTERNATIONAL, IF YOU'RE NOT AWARE, TASERS OF ELECTRONIC STUN GUNS WHICH FIRE TWO BARBED DARTS UP TO A DISTANCE OF 20 FEET GOING TWO INCHES INTO THE SKIN OR CLOTHING. LAST JANUARY THE STATESMAN PUT OUT A REPORT ON A.P.D. AND THE USE OF FORCE, ASKING IF THE COPS ARE DOING ENOUGH TO CURB FORCE AND CITING THAT THE MINORITY COMMUNITIES BEAR THE BRUNT OF THE FORCE AS WELL AS THE HOMELESS. IN CONCLUDING THAT THERE ARE STEPS THAT THE DEPARTMENT COULD TAKE TO ENSURE FORCE IS USED APPROPRIATELY. I WONDER IF THESE STEPS HAVE INDEED BEEN TAKEN. LAST NOVEMBER THE STATESMAN HAS FOLLOWED UP RIGHT CRITERIAING THAT USE OF FORCE IS INDEED UP AND GOING WELL INTO THE USE OF TASERS. IT SAID IN THERE THAT YOU HAVE LESS INCIDENTS, LESS USE OF FORCE INCIDENTS, BUT THAT MORE FORCE IS BEING USED IN EACH OF THE INSTANCES. THERE'S NO EXCUSE FOR THIS. THESE WEAPONS ARE SUPPOSED TO BE USED AS AN ALTERNATIVE TO DEADLY FORCE. THIS IS NOT WHAT WE ARE SEEING HERE. AND THE ACLU OF TEXAS SAYS THE ANSWER IS IN DISCIPLINE, NOT TRAINING. THAT THE SMARTEST PEOPLE IN THE WORLD ARE NOT GOING TO FOLLOW THEIR TRAINING IF THEY DON'T HAVE THE DISCIPLINE. THERE SHOULD BE CONSEQUENCES FOR OFFICERS WHO BREAK THE RULES. I WONDER WHAT THE RULES ARE. I HAVEN'T SEEN THEM YET FROM A.P.D., IF THERE ARE IN FACT ANY. I ALSO PROPOSE THAT WE NEED CONFLICT RESOLUTION SKILLS PUT INTO OUR TRAINING FOR A.P.D. THEY ARE NOW USING THESE WEAPONS AS THE FIRST POINT OF CONTACT WITH OUR CITIZENS. AND IT'S NOT JUST PEOPLE OF COLOR AND HOMELESS ANY MORE, IT IS PEOPLE GOING DOWN ON SIXTH STREET. I SAW A LETTER IN THE EDITOR JUST A COUPLE OF WEEKS AGO FROM A PROFESSIONAL SUBURBAN MAN WHO SAID HE'S SCARED TO BRING HIS VISITING FRIENDS AND FAMILY DOWN TO SIXTH STREET ANY MORE BECAUSE OF THE POLICE BRUTALITY THAT'S GOING TO THERE. LAST WEEK YOU MAY HAVE SEEN

THE AUSTIN CHRONICLE RAN A STORY OF GARY BLEDSOE'S STEPSON, THE HEAD OF THE NAACP, HE WAS TAISED AND PEPPER SPRAYED ON SIXTH STREET, GIVING THE AFRICAN-AMERICAN COMMUNITY YET ONE MORE REASON TO STAND OUT IN FRONT OF A.P.D. PROTESTING REGULARLY. HOW MUCH BAD PRESS CAN WE GET HERE BEFORE WE DO SOMETHING ABOUT THIS BRUTAL FORCE OF OURS IN AUSTIN. AMNESTY INTERNATIONAL REPORTS 74 DEATHS IN NORTH AMERICA IN THE LAST FOUR YEARS DUE TO TASERS ALONE. AND IS CALLING ALSO FOR A MORATORIUM. IN TEXAS SO FAR WE'VE SEEN THREE DEATHS AND IT'S JUST A MATTER OF TIME IN AUSTIN. I HAVEN'T HEARD OF ANY REPORTED DEATHS, BUT IT IS JUST A MATTER OF TIME. THE NUMBERS ARE THERE. SEVERAL U.S. STATES WHICH HAD FORMERLY BANNED ALL STUN GUNS HAVE RECENTLY CHANGED THE LAWS TO ALLOW POLICE AND LOCAL POLICE TO EMPLOY TASERS. THIS IS BIG BUSINESS. THIS IS ONE OF THE REASONS WE NEED TO TAKE STEPS -- TAKE A STEP BACK. WE ARE GIVING THESE PEOPLE OUR BUSINESS. AND I'D ALSO LIKE TO MAKE THE CONNECTION THAT THESE WEAPONS ARE ALSO BEING USED BY THE U.S. ARMY AND AIR FORCE, INCLUDING THOSE IN THE GRAVE ABUSES WE'VE SEEN IN ABU GRAIB. SO PLEASE LOOK AT THIS GLOBALLY WHEN YOU LOOK AT THIS LOCALLY. IS THAT MY TIME. I'LL HAVE TO SIGN UP AGAIN TO CONTINUE. AND I DO WANT TO ASK THIS COUNCIL AND MAYOR TO PLEASE PUT A MORATORIUM ON THESE WEAPONS BEFORE WE CAN -- SO WE CAN LOOK INTO THIS FURTHER. I HAVE SENT YOU BY E-MAIL INFORMATION. THANK YOU.

Mayor Wynn: THANK YOU. IN FACT, AFTER WE HEAR FROM OUR LAST THREE SPEAKERS WE CAN PERHAPS HEAR FROM THE ASSISTANT CITY MANAGER WHO CAN TELL US ABOUT THE STRUCTURE THAT A.P.D. HAS BEEN GOING THROUGH TO ANALYZE ALL USES OF FORCE, PARTICULARLY AFTER THE SERIES LAST YEAR AND HOW WE'RE DEALING WITH OUR TAISERS. JACK BISHOP. WELCOME. YOU WILL HAVE THREE MINUTES AND BE FOLLOWED BY ROBERT THOMAS, WHO I SEE IN THE ROOM.

HI. MY NAME IS JACK BISHOP. I'M A RESIDENT OF AUSTIN. I'M HERE TODAY TO ASK YOU TO PASS AN ORDINANCE THAT REQUIRES ANYONE IN THE CITY WHO OWNS A PIT BULL TO

CARRY LIABILITY INSURANCE. WHAT GOT ME STARTED ON THIS WAS ALMOST A YEAR AGO I GOT A CALL FROM A LADY, ALSO A RESIDENT OF AUSTIN, ASKING ME TO TAKE HER DOG TO AN ANIMAL HOSPITAL. SHE COULDN'T BECAUSE SHE WAS BEING LOADED INTO AN AMBULANCE. WHAT HAD HAPPENED WAS A PIT BULL FROM THE NEXT STREET OVER HAD GOT OUT OF THE YARD, WANDERED THE NEIGHBORHOOD, WENT INTO HER YARD, ATTACKED HER DOG, SHE TRIED TO INTERVENE, IT NEARLY TOOK HER FINGER OFF. TODAY NEARLY A YEAR LATER, AFTER MANY OPERATIONS AND REHAB, SHE STILL DOES NOT HAVE COMPLETE FUNCTION OF THE FINGER AND SHE NEVER WILL. HER DOG HAD TO BE PUT TO SLEEP. NOW, THE OWNERS OF THE PIT BULL, ALTHOUGH THEY WERE SORRY AND OH, THEY WERE SO SURPRISED THAT THEIR PIT BULL, WHICH HAD NEVER BEFORE SHOWN ANY SIGN OF VIOLENCE OR AGGRESSIVE BEHAVIOR, HAD DONE SUCH A THING. INOF COURSE, WHEN IT CAME TO THE THOUSANDS OF DOLLARS IN MEDICAL BILLS AND VET BILLS, THEY WERE SILENT. THEY WERE RENTERS, THEY WERE POOR, THEY DIDN'T HAVE ANY MONEY. I TOOK THIS UP BEFORE YOUR AUSTIN ANIMAL ADVISORY COMMISSION. THEY WENT THROUGH THE MOTIONS OF LISTENING TO ME AND THEN TOLD ME, NO, MR. BISHOP, EXISTING LAWS ARE ADEQUATE. THEY FURTHER LECTURED ME ABOUT HOW UNFAIR IT WAS TO SINGLE OUT PIT BULLS BECAUSE AFTER ALL, CHIHUAHUAS BITE PEOPLE TOO. NOW, IT DISTRESSES ME TO KNOW THAT THIS COMMISSION, WHO YOU PEOPLE APPOINT, SEEMS NOT TO KNOW THE DIFFERENCE BETWEEN A PIT BULL BITE AND A CHIHUAHUA BITE. THEY RULED THAT LAWS ARE ADEQUATE. YOU MAY KNOW THE COUNTY COMMISSIONERS ARE BUSY PROBABLY RIGHT NOW WORKING ON LANGUAGE TO TIGHTEN UP THE COUNTY LAWS IN THE WAKE OF THESE AWFUL ATTACKS. I'M SURE YOU ALL HEARD ABOUT THEM, THE DOGS THAT ATTACKED THE LITTLE GIRL, THREE OF THEM PIT BULLS, THE ONE DOG TERRORIZING A NEIGHBORHOOD, PIT BULL MIX. ACROSS THE COUNTRY INSURANCE COMPANIES ARE STARTING TO CHANGE THEIR RULES TO WHERE IF YOU OWN A DOG OF A CERTAIN BREED, THEY HAVE LISTS, AND THEY WON'T SELL YOU A HOMEOWNERS POLICY. THEY'VE HAD TO PAY TOO MANY CLAIMS. ALL LISTS AREN'T THE SAME. PIT APPROXIMATE BULLS ARE ON EVERY ONE OF THOSE LISTS.

AND BY THE WAY, YOU MIGHT INFORM YOUR COMMISSION THAT CHIHUAHUAS ARE NOT. YOU MIGHT LOOK INTO WHAT'S HAPPENED IN THE CITIES OF MIAMI AND CINCINNATI. MIAMI, FLORIDA, THEY'VE COMPLETELY BANNED OWNERSHIP OF PIT BULLS. THE CITY OF CINCINNATI STARTED OUT BANNING PIT BULLS. THEY RELENTED A LITTLE BIT. NOW THEY HAVE A LIST OF RULES IF YOU HAVE A PIT BULL YOU HAVE TO FOLLOW THEM. THE MAIN RULE IS REQUIRING INSURANCE. THE REST OF THE RULES ARE BASICALLY FOR IDENTIFYING THE DOG AND KEEPING TRACK. RIGHT NOW THE LAWS IN OUR CITY SAY ANYONE WHO WANTS TO -- [BUZZER SOUNDS] -- CAN OWN A PIT BULL. DON'T WORRY ABOUT PAYING DAMAGES. WE'LL LET THE VICTIM PAY. THAT'S NOT FAIR. PLEASE ENACT AN ORDINANCE TO REQUIRE THE PEOPLE WHO CHOOSE TO OWN THESE DOGS TO CARRY LIABILITY INSURANCE. THAT'S THE FAIR THING. THANK YOU. MY TIME IS UP.

Mayor Wynn: THANK YOU, MR. BISHOP. AND IN FACT, WE ALL ARE FOLLOWING THOSE ISSUES CLOSELY.

Slusher: MAYOR? I'D LIKE THE CITY MANAGER TO LOOK INTO THIS AS TO WHAT THE POSSIBILITIES OF WHAT THE LEGALITIES WOULD BE ON THAT KIND OF ORDINANCE HE SUGGESTS. I THINK I UNDERSTAND WHAT THE FOLKS AT THE ADVISORY COMMISSION ARE SAYING IS REALLY PROBABLY MORE IN HOW THE DOG IS TRAINED PERHAPS THAN IN THE PARTICULAR BREED, BUT ON THE OTHER HAND TO MY UNDERSTANDING, I'M NOT AN EXPERT IN THIS MATTER, THE WAY THE JAWS LOCK ON THE PIT BULL IS DIFFERENT THAN OTHER DOGS OR THAT PUTS THEM I THINK IN A SPECIAL CATEGORY AND IT DOES SEEM TO BE THAT CERTAINLY FROM WHAT I'VE SEEN THERE ARE MORE OF THEM INVOLVED IN THESE KIND OF VERY TRAGIC INCIDENTS. AND THAT PERHAPS THAT ALSO HAS TO DO WITH SOME PEOPLE DO GET THEM FOR FIGHTING OR BECAUSE THEY'RE REAL TOUGH DOGS, SO THAT WOULD SEEM TO BEAR OUT WHAT HE'S SAYING. AND IF INSURANCE COMPANIES ARE CHANGING THEIR POLICIES ABOUT THIS, I THINK THAT'S A SIGN THAT STATISTICALLY THERE IS CLEARLY A PROBLEM HERE. SO I WOULD LIKE TO SEE THAT BECAUSE IT'S VERY SCARY THAT SOMEONE COULD BE -- A KID JUST BE IN THEIR FRONT YARD AND GET MAULED BY ONE OF THESE DOGS. WE

CANNOT HAVE THAT.

Mayor Wynn: AGREED. THANK YOU, COUNCILMEMBER. MR. ROBERT THOMAS, WELCOME, SIR. YOU HAVE THREE MINUTES.

THANK YOU, MAYOR WYNN AND MAYOR PRO TEM GOODMAN AND HONORABLE MEMBERS OF THE COUNCIL. I AM HONORED TO SPEAK WITH YOU TODAY IN CONCERN OF THE ROSEWOOD PARK AND RECREATION DEPARTMENT. I AM ROBERT L. PARK OF THE LABORERS INTERNATIONAL UNION OF NORTH AMERICA, BUILDING AND CONSTRUCTION TRADES DEPARTMENT, CENTRAL LABOR COUNCIL. I'M WITH THE NATIONAL FOOTBALL LEAGUE, THE WORLD FOOTBALL LEAGUE AND AMERICAN FOOTBALL ASSOCIATION. I'LL ALSO THE ADVISORY COUNSEL FOR THE REVITALIZATION PROJECTS OF THE ROSEWOOD PARK AND RECREATION CENTER. I AM PLEASED TO ANNOUNCE ON DECEMBER THE 7TH, 2004 AT THE CONNALLY GUERRERO SENIOR ACTIVITY CENTER I WAS HOSTED BY TWO COUNCILMEMBERS, MY BROTHER DANNY THOMAS AND RAUL ALVAREZ IN CONCERN OF THE TOWN HALL MEETING OF THE CPR, THE COMMUNITY PRESERVATION AND REVITALIZATION SUMMIT PROPOSALS. IT WAS INITIALLY PLANNED FOR THE COORDINATION OF THE ECONOMIC DEVELOPMENT PROGRAM FOR ECONOMICALLY DISADVANTAGED AREAS OF THE CITY. BUT ASIDE FROM THAT I WOULD LIKE TO GO OVER THE ROSEWOOD REVITALIZATION PROJECT THAT WAS STARTED IN 1978 ON THROUGH TO 1997 FOR THE ADMINISTRATIVE OFFICE BUILDING. NOW, IT'S BEEN -- THE BUILDING HAS LEAKED FOR YEARS IN ROSEWOOD. THE BUILDING OF PROGRAMS AND THE ATHLETES ARE STRUGGLING TO SURVIVE THROUGH THE FRANCHISE ENTERPRISE THAT WE OPERATED. WHAT I WANT TO SPEAK ABOUT IS THE CONCERN OF CITIZENS THAT I'VE KNOWN THROUGHOUT THE AREA IN A SPAN OF ABOUT TWO DECADES AND HELP DEVELOP THE KEALING JUNIOR HIGH SCHOOL ACTIVITY CENTER, THE MILLENIUM YOUTH ENTERTAINMENT CENTER AND THE EAST SIDE FOOTBALL FIELD, WHICH BROUGHT SUCH BIG NAMES AS THOMAS HEN DOR SON FROM HENDERSON FROM THE COWBOYS. MYSELF WITH THE TEXANS. NOW, WHAT I BASICALLY WANT TO DO IS REDEVELOP ROSEWOOD. WE'VE GOT TO REDEVELOP THE ADMINISTRATIVE OFFICE BUILDING AND BRING IN A NEW ERA

OF RECREATION ADMINISTRATION. AND WHAT I TOLD THE PARKS AND RECREATION DEPARTMENT AND MIKE MCDONALD IS THAT WE NEED A REVISION, WE NEED TO MOVE THE OLD MANAGEMENT AND BRING IN OURS AND SHOW YOU HOW EFFECTIVE WE ARE IN BRINGING HIGH-TECH SPORTS TO ROSEWOOD. AND I'D LIKE TO TALK TO THEM SO WE CAN GO OVER WITH CHIEF MCDONALD -- [BUZZER SOUNDS]. SO WE WILL BE ARRANGING MEETINGS WITH THEM THIS YEAR.

Mayor Wynn: THANK YOU, MR. THOMAS. JENNIFER GALE, WELCOME. YOU WILL HAVE THREE MINUTES.

THANK YOU, MAYOR WYNN. MR. THOMAS, COUNCILMEMBERS, IT'S BLACK AMERICAN HISTORY MONTH AND THE U.T. UNION IS SHOWING MOVIES EVERY NIGHT ON WEDNESDAY AT 7. CITY MANAGER FUTRELL, MAYOR WYNN, COUNCILMEMBERS, MAYOR JACKIE GOODMAN AND DARYL SLUSHER, THANK YOU FOR YOUR WORK. COUNCILMEMBERS ALVAREZ, MCCracken AND THOMAS, AND WELCOME BACK TO A HEALTHY BETTY DUNKERLEY. I'M AUSTIN CITY COUNCIL PERENNIAL CANDIDATE, JENNIFER GALE. AT MARDI GRAS I'M ASKING EVERYONE FOR RUN AN EXTRA MILE EVERYDAY. TIME TO SPLURJ. AUSTIN POLICE ACADEMY IS STILL RECREWTING UNTIL VALENTINE'S DAY. AND YOU CAN CALL 974-2000. OUR HEALTH CARE SYSTEM IS BASED ON PEOPLE BEING ILL AND THEN SEEING THE DOCTOR. PEOPLE SHOULDN'T HAVE TO GET SICK AND THEN SEE A DOCTOR, ESPECIALLY IF THEY'RE SICK, THEY SHOULDN'T HAVE TO GO OUT AND SEE A DOCTOR. MY PROGRAM IS TO HAVE PEOPLE PROACTIVELY TAKE CARE OF THEIR HEALTH CARE. THE OBITUARIES ARE FILLED WITH PEOPLE OF POOR MENTAL HEALTH AND PHYSICAL NEEDS THAT HAVE NOT BEEN DIAGNOSED EARLY ENOUGH. WE NEED TO TAKE CARE OF THE MENTAL HEALTH BY CREATING A FACILITY, AS MARGO CLARK AS ALSO SUGGESTED. GREG KNOX TALKS ABOUT HOW ALL WE NEED IS \$2.61 FOR OUR CHILDREN'S HEALTH CARE AND CHIP, AND THAT MAKES A LOT OF CHECK SENSE SINCE WE WON'T BE SPENDING THE HUNDREDS OF THOUSANDS OF DOLLARS IT WILL TAKE TO MAKE THAT CHILD BETTER. WE LOOK AFTER OUR CHILDREN BY PAYING THAT AND URGING OUR MEMBERS OF THE LEGISLATURE TO DO SO AS WELL. U.T. DEMOCRAT REFORM HEALTH CARE

COMMITTEE ALONG WITH SEVERAL OTHER ONES. THEY MEET EVERY WEDNESDAY AT 8:00 O'CLOCK AT THE GRADUATE SCHOOL. WE NEED PROACTIVE HEALTH CARE. MEDICARE DOESN'T COVER COSTS. THE ELDERLY CAN'T AFFORD TO BE PUTTING THEIR MONEY TOWARDS DRUGS WHEN THEY'RE TRYING TO LIVE OFF THEIR SOCIAL SECURITY. TODAY IS FIRST THURSDAY. I'LL BE OVER THERE. I'M GOING TO HAVE A PRESS CONFERENCE AT 9:00 O'CLOCK HERE AT THE NEW AUSTIN CITY HALL ANNOUNCING MY RUNNING FOR PLACE 4. I'M AGAIN ASKING THAT WE NEED TO MAINTAIN GOOD HEALTH CARE. I WANT PEOPLE TO BE ABLE TO PAY IN ON A MONTHLY BASIS SO THAT EVERY YEAR, WHETHER THEY NEED IT OR NOT, THEY GET A GOOD DENTAL WORKUP, A FULL REAL PHYSICAL, AND AN EYE EXAM, SO THEY'RE NOT DYING TO SEE A DOCTOR THROUGH THEIR CO-PAY OR DEDUCTIBLE OR INSURANCE POLICY. I WANT PEOPLE TO LIVE TO BE 150 YEARS OLD. THANK YOU VERY MUCH.

Mayor Wynn: THANK YOU, JENNIFER. COUNCIL, THAT'S ALL OF THE CITIZENS SIGNED UP FOR GENERAL CITIZEN COMMUNICATION. AND WITH THERE BEING NO DISCUSSION ITEMS TO TAKE UP BEFORE OUR 2:00 O'CLOCK BRIEFING ON OUR RECYCLING PILOT PROGRAM, -- I'M SORRY, EARLIER I HAD ASKED ASSISTANT CITY MANAGER RUDY GARZA TO BE PREPARED TO AT LEAST TALK ABOUT IN A GLOBE AM SENSE HOW A.P.D. HAS BEEN RESPONDING TO AND TRACKING THE WHOLE USE OF FORCE ISSUES AND NOW RELATED TO SPECIFICALLY TASERS. WELCOME, MR. GARZA.

GOOD AFTERNOON, MAYOR AND COUNCIL, RUDY GARZA, ASSISTANT CITY MANAGER OVER THE PUBLIC SAFETY DEPARTMENTS. ONE THING I DO WANT TO ADDRESS AND BE VERY CLEAR ABOUT IS THAT THE TASERS ARE NOT CONSIDERED AN ALTERNATIVE TO DEADLY FORCE. IF A SITUATION ARISES THAT DEADLY FORCE IS CALLED FOR, THEN THAT FORCE WILL BE TAKEN. THE TASERS ARE USED ONLY IN A SITUATION WHERE THERE'S AGGRESSIVE RESISTANCE OR THE SAFETY OF AN OFFICER OR CITIZEN IS IN JEOPARDY. HOWEVER, SAYING THAT, THE POLICE DEPARTMENT HAS BEEN VERY PROACTIVE ON CONTINUING TO ATTEND CONFERENCES AND RESEARCH THE USE OF TASERS. IN FACT, A COUPLE OF MONTHS AGO

COUNCILMEMBER THOMAS ATTENDED WITH CHIEF KNEE AND ASSISTANT CHIEF COY A CONFERENCE IN SAN DIEGO WHERE THERE WAS A SERIES OF DISCUSSIONS ON USE OF FORCE IN GENERAL, AND SPECIFICALLY ON THE USE OF TASERS. OUR OFFICERS MUST BE CERTIFIED BEFORE THEY ARE ASSIGNED A TASER. AND IN FACT, THE USE OF FORCE COMPLAINTS HAVE ACTUALLY DECREASED OVER THE LAST PERIOD OF TIME, AND INJURIES TO OUR OFFICERS AND INJURIES TO OUR CITIZENS HAVE ALSO DID HE DECREASED THROUGH THE IMPLEMENTATION AND PROPER USE OF OUR TASERS. BUT AGAIN, I DO WANT TO EMPHASIZE WE ARE CONTINUING TO LOOK AT THAT. IF YOU RECALL SEVERAL MONTHS AGO WE HAD OUR REPORT, WHICH WE'LL BE COMING BACK WITH ANOTHER UPDATE IN ABOUT FOUR TO SIX WEEKS. THE ESPECIALLY EMPHASIS CONTINUES TO BE ON CONFLICT RESOLUTION AND PROTECTING OUR CITIZENS AND PROTECTING OUR OFFICERS.

Mayor Wynn: THANK YOU, MR. GARZA. COMMENTS, QUESTIONS, COUNCIL? IF NOT, THERE BEING NO CITIZENS TO REMAINING TO SPEAK BEFORE US, WE WILL GO BACK INTO CLOSED SESSION PURSUANT TO SECTION 551.074 AND CONTINUE OUR DISCUSSION OF THE PERFORMANCE EVALUATION OF THE CITY MANAGER. WE LIKELY WILL ALSO TAKE UP PURSUANT TO SECTION # FER 551.071 OF THE OPEN MEETINGS ACT, ITEM 36 RELATED TO A LAWSUIT AS WELL AS ITEM 47, ALSO LEGAL MATTERS. WITHOUT OBJECTION, WE ARE NOW IN CLOSED SESSION. THANK YOU.

Mayor Wynn: WE ARE OUT OF CLOSED SESSION, IN CLOSED SESSION WE TOOK UP ITEM NO. 40 PURSUANT TO SECTION 551.074 OF THE OPEN MEETINGS ACT, THAT IS ONGOING, WE ARE BACK OUT NOW TO TAKE UP OUR 2:00 BRIEFING ON OUR SOLID WASTE RECYCLING PILOT PROJECT. I DO WANT TO SAY EARLIER THIS MORNING, THIS MORNING, COUNCIL DECIDED TO DELAY THE 2:00 POSTED BRIEFING ON OUR TRANSIT ORIENTED DEVELOPMENT ORDINANCE UNTIL THE ACTUAL 6:00 PUBLIC HEARING THAT WE WILL HAVE ON THAT TOD. SO AT THIS TIME WE WILL TAKE UP ONLY ONE BRIEFING, THAT IS OUR ALL IN ONE RECYCLING PILOT PROJECT AND WE WILL WELCOME MR. WILLIE RHOADES.

GOOD EVENING, MAYOR, COUNCILMEMBERS. I'M WILLIE

RHODES, DIRECTOR OF SOLID WASTE SERVICES FOR THE CITY OF AUSTIN, I'M PROUD TO TALK TO YOU TODAY ABOUT OUR ALL IN ONE PILOT WE DID WITH THE CITIZENS OF AUSTIN. THIS IS THE FINAL REPORT AND RECOMMENDATIONS TO COUNCIL CONCERNING THAT PILOT. FIRST OFF, YOU WILL HAVE TO ASK WHAT WERE WE THINKING BEFORE WE WENT INTO DOING THIS PILOT? SOLID WASTE SERVICES WAS TRYING TO STUDY THE FEASIBILITY OF UTILIZING RESOURCES TO MORE EFFECTIVELY COLLECT RECYCLABLES AT THE CURB IN ORDER TO TONIGHT TO MAINTAIN A STABLE RATE FOR THE CITIZENS OF AUSTIN. WE ALSO WANTED TO SIMPLIFY THE MANNER IN WHICH CUSTOMERS CAN PARTICIPATE IN THE RECYCLING PROGRAM. WE THOUGHT WE COULD LOOK AT REDUCING INJURIES IN OUR PROGRAM, REDUCING PHYSICAL LIFTING AND EMPTYING OF CONTAINERS FOR OUR CREWS AND REDUCE THEIR EXPOSURE TO SPILLS OF LIQUIDS AND MATERIALS. WE ALSO THOUGHT WE COULD CONTROL PRAISAL COSTS BY GOING TO AN EVERY OTHER WEEK COLLECTION WHICH WOULD REDUCE VEHICLES AND WEAR AND TEAR ON THE STREETS OF AUSTIN. AND THE USE THE AUTOMATED AND SEMI AUTOMATED VEHICLES TO REDUCE PERSONNEL INJURIES. WE ALSO WANTED TO HAVE FEWERS ROUTES, FEWER TRUCKS, HIGHER PER HOUSEHOLD COLLECTION WASTE. WE ALSO THOUGHT THAT WE COULD INCREASE THE VOLUME OF RECYCLABLE MATERIALS BY INCREASED PARTICIPATION BECAUSE OF THE EASE OF COLLECTION AND THE ADDITION OF ADDING ADDITIONAL MATERIAL TO THE PROGRAM, IN THIS CASE BOX BOY, BOX BOARD IS THAT MATERIAL CEREAL BOXES, SHOE BOXES, THAT WAS ADDED IN THE PILOT. WE ALSO WANT TO INCREASE OUR RECYCLING AND THE PROTECTION OF THE RECYCLING MATERIAL FROM ADVERSE WEATHER SO PEOPLE CAN PUT IT OUT IN THE RAIN. THE OVERVIEW OF THE PILOT WAS CONDUCTED FROM JULY 2004 TO JANUARY 2005 AND FEATURED EVERY OTHER WEEK COLLECTION AND THE ADDITION OF BOX BOARD TO THE RECYCLING MIX. IF EACH CUSTOMER, WE HAD A 60-GALLON C.A.R.T. INSTEAD -- CART INSTEAD OF BIN, ELIMINATED THE NEED FOR CUSTOMERS TO SORT THE MATERIALS, ALSO ALLOWED FOR AUTOMATED AND SEMI AUTOMATED COLLECTION BY CREWS. IT HELPED IN REDUCING INSTANCES OF WIND BLOWN

LITTER. AUTOMATED COLLECTION PROVIDED REDUCTION IN THE NUMBER OF CREWS AND VEHICLES THAT WE NEEDED, REDUCED OUR NUMBER OF ROUTES AND REDUCED OUR CREW'S EXPOSURE TO INJURIES. EVERY OTHER WEEK COLLECTION HELPED US WITH REDUCING EMISSIONS INTO THE ATMOSPHERE, WEAR AND TEAR AND FEWER TRUCKS IN THE NEIGHBORHOOD. ADDING ADDITIONAL MATERIAL INTO THE RECYCLING MIX, BOX BOARD AND ADDED VALUE OF CUSTOMER CONVENIENCE WITH THIS PROGRAM. WE SELECTED FIVE AREAS AROUND THE CITY, REPRESENTING 5,000 HOMES FOR A ONE DAY A WEEK COLLECTION OF -- THE AREAS WERE SELECTED IN THE MANNER THAT WOULD PROVIDE A REPRESENTATIVE CROSS-SECTION OF THE CITY'S DEMOGRAPHICS AND TO ENSURE THAT STATISTICAL DATA WERE VALID. THE RESULTS OF THE PILOT. THE INDICATE TAKE WAS CLEARED TO DETERMINE OPERATIONAL EFFECTIVENESS AND EFFICIENCIES AS WELL AS CUSTOMER SATISFACTION. WE SURVEYED THE CUSTOMERS TWICE, PRIOR TO THE PILOT AND AT THE END OF THE PILOT. WE RECEIVED EXTREMELY POSITIVE CUSTOMER RESPONSE. THE PROGRAM RESULTS INDICATED A 91% APPROVAL -- 92% SPEAKERS APPROVAL RATE FOR THE CART SYSTEM. WE ALSO SAW NO INCREASE CONTAMINATION. WE WERE ABLE TO DEMONSTRATE INCREASED COLLECTION EFFICIENCY THROUGH AUTOMATED COLLECTION AND SEMI AUTOMATED COLLECTION. THESE CHANGES TO THE COLLECTION METHODS WILL HELP REDUCE EXPOSURE TO INJURIES TO OUR CREWS AND WE ALSO SAW INCREASED PARTICIPATION RATE RESULTING IN INCREASED VOLUME OF MATERIAL COLLECTED. THE NUMBER OF CUSTOMERS PUTTING OUT RECYCLING AT LEAST ONCE PER EVERY FOUR WEEKS INCREASED BY 7.9%. THE NUMBER OF CUSTOMERS SETTING OUT RECYCLING ON ANY GIVEN WEEK INCREASED BY 32%. HERE'S THE PARTICIPATION PAIR SON TO A DAY-TO-DAY BASIS FOR THE COLLECTION PERIOD. PARTICIPATION IS RATED BY THE NUMBER OF CUSTOMERS SETTING OUT AT LEAST ONCE DURING A FOUR-WEEK PERIOD. HERE'S THE SETOUT RATE. THE SETOUT RATE IS THE NUMBER OF CUSTOMERS SITTING OUT AT LEAST ONCE DURING A GIVEN WEEK. HERE'S THE VOLUME RESULTS. OF THE 554-TONS COLLECTED, 72% PAPER PRODUCTS, PAPER 60%, CARDBOARD 2%, THE REST OF THE MATERIAL, GLASS,

ALUMINUM CANS, STEEL, THE RESIDUAL APPROXIMATELY 2%, CONTAMINATED NOT SO MUCH THE RESIDUAL FROM THE SALE BUT FROM THE CONTAMINATION MATERIAL THAT WE ACTUALLY COLLECTED. THEN WE TRIED TO DO A COMMODITY COMPARISON. THE FIRST COMPARISON CONCERNED PAPER. THE [INDISCERNIBLE] STREAM WAS DONE IN BLUE ON THIS GRAPH. THERE'S NOT MUCH DIFFERENT BETWEEN THAT AND THE ANNUAL FOR THE DUAL. THE PILOT GAVE US 71% FOR PAPER COLLECTED AND THE CITY-WIDE IS A LITTLE BIT LESS THAN 71%. THE OTHER MATERIALS, GOING TO SINGLE STREAM, ALL OF THE OTHER MATERIALS SEEMED TO INCREASE. AND THE DUAL SCREEN MATERIALS ARE THERE. SEEMED EQUAL, YOU ARE STAYING EQUAL OR INCREASING. THE PILOT WAS A GOOD REPRESENTATION -- POTENTIAL CUSTOMER ISSUES THAT YOU MAY HAVE OR SOLID WASTE SERVICES MAY HAVE. THE CITIZENS THAT WE HAVE SURVEYED HAVE A FEAR OF WEEKLY VERSUS EVERY OTHER WEEK COLLECTION. THEY PERCEIVE THAT'S A REDUCTION IN SERVICE. THEY PERCEIVE IF THEY MISS A WEEK, OUT OF TOWN FOR THAT WEEK THAT THEY ARE COLLECTING, THEY COME BACK. THEY ALSO HAVE TO HAVE ADDITIONAL STORAGE SPACE NEEDED FOR A RECYCLING CART. THEY HAVE CONCERNS ABOUT A POSSIBLE RATE INCREASE BECAUSE OF THE COST OF GETTING INTO THIS PROGRAM. SO WHERE DO WE GO FROM HERE? OUR RECOMMENDATION FROM COUNCIL BASED ON THE REVIEW OF DATA DURING THE PILOT AND SOLID WASTE SERVICES MISSION FOR THE FUTURE IS THAT, ONE, WE ALLOW THE 5,000 CUSTOMERS THAT CURRENTLY PARTICIPATE IN THE PILOT TO CONTINUE RECEIVING SINGLE STREAM SERVICE. THIS IS BASED ON THE DATA COLLECTED AND 92% OF THE CUSTOMERS ASKING WE DO NOT TAKE THEIR CART BACK. WE ARE RECOMMENDING TO CONTINUE ON, WITH NOT THE PILOT PER SE, BUT CONTINUE COLLECTING IN THIS MANNER IN THOSE FIVE AREAS. WE ALSO RECOMMEND THAT WE HIRE A CONSULTANT TO STUDY THE FEASIBILITY OF IMPLEMENTING SINGLE STREAM RECYCLING CITY-WIDE. SEARCH FACTORS NEED TO BE BROUGHT INTO PLAY AS WE GO FORTH. ONE IS CART MAINTENANCE. WE HAVE EXISTING CART MAINTENANCE CREW THAT WE HAVE NOT CHANGED SINCE -- SINCE 1995. THE NUMBER OF PEOPLE IN THAT -- IN CART MAINTENANCE

PAM. HOWEVER, THE CITY HAS GROWN AND IF WE GO INTO SINGLE STREAM WE NOW HAVE TWO CARTS OUT FOR EVERY HOUSEHOLD IN THE CITY AND WE WILL ESTIMATE APPROXIMATELY 165,000 CARTS, NEW CARTS WOULD BE ADDED TO THE -- NEW CARTS WILL BE ADDED TO THE CUSTOMERS. FLEET PURCHASES. WE NEED TO TIME THE FLEET PURCHASES TO MAKE SURE THAT WE ARE NOT TRYING TO DO ANYTHING OUT OF THE CYCLE FOR OUR BUDGET, WE NEED TO MAKE SURE THAT WE DO THIS CORRECTLY. WE HAVE TO REPLACE SOME OF THE TRUCKS, MAKE SURE THAT AS WE REPLACE THE TRUCKS THAT IT'S AT THE CORRECT TIME PRIOR TO THE START OF THE PROGRAM. ALSO WE MUST GIVE TRAINING TO MY EMPLOYEES ON THE AUTOMATED TRUCKS FOR THE CITY. IF WE ARE READY TO MOVE FORWARD WITH THIS, WE ARE LOOKING AT AUTOMATING 65% OF THE CITY FOR SINGLE STREAM RECYCLING. THEN WE ALSO NEED TO TAKE A LOOK AT THE PROCESS AND THE MATERIAL. AS COUNCILS WHO ARE AWARE SOUTHWEST SERVICES OPERATES A RECOVERY FACILITY. THAT FACILITY IS NOT ADAPTED TO HANDLE A SINGLE STREAM COLLECTION PROGRAM. SO WE WOULD NEED TO TAKE A LOOK AT SHOULD WE DO THIS OURSELVES, THE CITY, SHOULD WE CONTRACT IT OUT OR SHOULD WE DO A COMPETITIVE BID WHERE THE CITY COMPETES AGAINST OTHER PRIVATE ENTITIES IN THIS MATTER. THOSE TYPE OF DECISION ARE THINGS THAT WE NEED TO TAKE A LOOK AT AND BRING BACK TO COUNCIL AT A LATER DATE FOR SOME ADDITIONAL RECOMMENDATIONS. THIS CONCLUDES MY REPORT ON THE PILOT FOR SINGLE STREAM RECYCLING AND I'M READY TO ANSWER ANY QUESTIONS THAT YOU MAY HAVE.

Mayor Wynn: THANK YOU, QUESTIONS, COMMENTS? MAYOR PRO TEM?

Goodman:..

SO THIS IS THE SAME SIZE AS THE BIG GRAY ONE, ONLY IT HAS A BLUE LID.

YES, MA'AM.

Goodman: SO IT SEEMS LIKE THE -- THE ONLY CONFUSION

THERE WOULD BE REMEMBERING WHICH WEEK WAS A RECYCLING WEEK AND ALSO I SUPPOSE WHEN IT'S FULL IT'S REALLY HEAVY WITH TWO WEEKS WORTH OF STUFF. DID ANYBODY GIVE YOU ANY INPUT ABOUT THAT? I KNOW WE HAVE SOME FOLKS WHO ARE ELDERLY OR HAVE DIFFICULTIES IN MOVING REGULAR BINS DOWN TO THE CURB AND BACK AGAIN. SO DID WE GET ANY INPUT LIKE THAT?

NOT TO MY KNOWLEDGE, BECAUSE OF THE CART SYSTEM CUSTOMERS ARE ABLE TO TIP IT AND MOVE IT DOWN TO THE STREET. WE DO HAVE A SPECIAL COLLECTION SYSTEM FOR CUSTOMERS THAT NEED THAT, IF THEY CONTACT US WE CAN PUT THEM ON OUR LIST. IF THEY ARE IN THE PILOT, WE HAD THAT ALREADY, WE RESIDE THAT SAME CUSTOMER CARE FOR THEM DURING THE PILOT PROGRAM.

Goodman: SO YOU WOULD JUST HAVE TO FIND A PLACE -- RELATIVELY SUBTLELY OUT OF SIGHT FOR TWO BINS RATHER THAN -- BUT FOR ME, I HAD WISHED THAT YOU STARTED IN MY NEIGHBORHOOD BECAUSE I SOUNDED LIKE RATHER THAN THREE TRIPS DOWN WITH SOMETHING THAT YOU HAVE TO CARRY TO THE CURB IT SOUNDED MUCH EASIER AND GREAT. BUT WHEN I'M OLDER, I'M NOT SURE IF I CAN HANDLE THIS. BECAUSE IN SOME INSTANCES OUR BIG BIN CAN TAKE ME FOR A RIDE.

WE DO OFFER SPECIAL COLLECTIONS FOR THOSE CUSTOMERS THAT HAVE THAT NEED AND WE HAVE APPROXIMATELY 1800 HOMES ON SPECIAL COLLECTION TO DATE.

HOW MANY BABY BOOMERS HAVE WE GOT IN AUSTIN WHO ARE GOING TO BE ROUNDING THE CORNER SOON?

YES. WE WILL PREPARE FOR THAT. IF THEY CONTACT US, WE WILL PUT THEM ON OUR LIST.

THANKS.

BUT YOU'LL -- I'M PLEASED TO NOTE THAT YOU ARE -- LIKE SEVERAL CUSTOMERS THAT WE HAVE TALKED TO, THEY WISHED WE HAD STARTED IN THEIR NEIGHBORHOOD. WE

SELECTED FIVE AND -- [LAUGHTER] -- THIS HAS BEEN A TREMENDOUS SUCCESSFUL SOLID WASTE SERVICES, WE WANT TO SEE IF WE CAN CONTINUE ON WITH THIS.

Mayor Wynn: FURTHER COMMENTS, QUESTIONS?
COUNCILMEMBER SLUSHER?

> SLUSHER: THANK YOU, MAYOR, THANK YOU, THIS IS IN MY AREA, TOO, I LIVE NOT TOO FAR AWAY, SEEMS TO HAVE WORKED VERY WELL. I WANTED TO NOTE WHEN I HAPPENED TO BE OUTSIDE WHEN THE FOLKS CAME TO COLLECT THE BLUE BIN AND PUT THIS ONE OUT, AND THEY WERE -- THE SPIRIT OF THE WHOLE THING WAS PRETTY GOOD. THEY WERE VERY -- THEY DIDN'T KNOW WHO I WAS, I DON'T BELIEVE. THEY WERE FRIENDLY, I SAID WHAT'S GOING ON. THEY EXPLAINED IT REAL QUICK. MOVED ON. SO I THOUGHT -
- I WANTED TO COMPLIMENT FOLKS ON THAT AS WELL. DO I HAVE A -- I DO HAVE A COUPLE OF QUESTIONS. ON THE 92%, WHAT WAS THE ACTUAL NUMBER OF RESPONSES OR AT LEAST THE NEIGHBORHOOD, IF YOU DON'T HAVE THE EXACT NUMBER?

I BELIEVE WE RECEIVED 1600 CARDS BACK FROM THE 5,000 THAT WE MAILED OUT.

Slusher: SO THAT'S A SIZABLE AMOUNT. THEN I'M WONDERING WHAT -- WHY DO YOU FEEL THE NEED TO HIRE A CONSULTANT TO STUDY WHETHER TO DO IT CITY-WIDE OR NOT? WHY NOT JUST PHASE IT IN?

WELL, PHASING IN I THINKS BAG TO THE MATERIAL FACILITIES PIECE OF IT, WHO SHOULD BE DOING THAT. IF WE HAVE A FACILITY NOW THAT WE MANAGE, OPERATING FOR THE PAST SEVEN YEARS, SHOULD WE PRIVATIZE OR HOW DO WE MAKE THAT COMPARISON? IF WE DID IT, IF WE WERE -
- IF SOLID WASTE SERVICES WOULD JUST MOVE FORWARD, WE WOULD BE LOCATED AT THE LOCATION AND MOVE FORWARD THAT WAY OR SHOULD WE GO OUT AND CHECK TO SEE WHAT THE MARKET -- MARKET PRIVATE SECTOR WOULD DO IT FOR. THAT'S THE REASON WHY WE THINK THAT WE NEED TO HIRE A CONSULTANT. TO MAKE SURE IF WE GO THROUGH THAT ROAD, GO DOWN THAT PATH, THAT WE ARE NOT PART OF THE -- OF THE PROCESS OF -- OF THE R.F.P.

AND THINGS LIKE THAT, THAT WE WON'T BE DOING RESPONSES AND THEY WILL BE RESPONSIBLE FOR ENSURING THAT WE HAVE A HANDS OFF APPROACH ON THAT.

Slusher: BASICALLY HOW TO HANDLE THE WASTE STREAM ONCE THE CITY GETS IT. NOT HOW TO ACTUALLY IMPLEMENT IT AT THE CURB.

NO. HOW TO HANDLE IT -- TO MAKE SURE THAT WE IN FACT DO EVERYTHING CORRECTLY, A CONSULTANT WOULD PROBABLY GIVE US A BETTER APPROACH FOR THAT. WE THINK WE KNOW WHAT WE NEED TO DO, BUT IT'S NICE TO HAVE ANOTHER PERSON LOOK AT OUR NUMBERS.

Slusher: OKAY. ALL RIGHT. ONCE AGAIN, I THINK YOU ALL DID A REALLY GOOD JOB ON THIS. APPRECIATE IT.

THANK YOU FOR THE -- FOR THE MENTION ABOUT MY EMPLOYEES BECAUSE I WANT TO SAY MY EMPLOYEES TRY TO DO A GOOD JOB EVERY DAY OF THE WEEK. WE HAVE 151,000 CUSTOMERS RESPONDING TO EACH WEEK, THESE TIMES A BEAK, WE TRY TO DO -- THREE TIMES A WEEK, EACH WEEK.

Slusher: WHEN YOU THINK ABOUT IT IT'S REALLY A HUGE OPERATION TO GO TO EVERY YARD OR DOOR IN THE CITY THREE TIMES, FOR THREE DIFFERENT REASONS EVERY WEEK.

YES, SIR, IT IS.

Slusher: REALLY IMPRESSIVE OPERATION THAT I THINK PROBABLY MOST PEOPLE TAKE FOR GRANTED.

Mayor Wynn: THANK YOU. FURTHER COMMENTS, QUESTIONS, COUNCILMEMBER MCCRACKEN?

McCracken: I AGREE. I'M VERY IMPRESSED WITH THE PROGRAM AND THE PILOT PROGRAM. I HAVE A SIMILAR CONCERN AS COUNCILMEMBER SLUSHER ABOUT THE CONSULTANT. DO YOU HAVE A COST ESTIMATE OF HOW

MUCH IT WOULD COST TO HIRE A CONSULTANT?

NO, COUNCILMEMBER I DON'T AT THIS MOMENT.

MAYBE IT WOULD BE A POSSIBLE TO GET A BRIEFING ON THAT. IT SOUNDS LIKE IT'S BEEN VERY WELL THOUGHT OUT IN THIS PILOT PROGRAM ABOUT HOW TO IMPLEMENT THIS SINGLE STREAM APPROACH. IF WE CAN SAVE THE TAXPAYERS' MONEY AND THE RATEPAYERS BY NOT HAVING TO HIRE SOMEONE FOR WHAT LOOKS LIKE A VERY GOOD START, YOU ARE ALREADY DOING IT, I THINK THAT WOULD BE A GREAT THING FOR THE CITY AS WELL.

WE WILL TAKE THAT UNDER ADVISEMENT AND MOVE FORWARD THAT WAY.

Mayor Wynn: FURTHER COMMENTS? I WANTED TO SAY MR. RODEO WHAT'S THE NEXT STEP OR DECISION? WELL, WILL A DECISION COME BACK TO COUNCIL?

WELL, I THINK RIGHT NOW WE ARE RECOMMENDING TO GO CITY-WIDE. WE ARE RECOMMENDING WE DEVELOP A TIME LINE TO BRING IT FORWARD FOR CITY-WIDE. WE DON'T THINK IT WILL BE WITHIN THE NEXT YEAR. IT WILL PROBABLY -- TAKING A LOOK AT IT YOU ROUGHLY, A TWO YEAR PROCESS TO TRY TO GET IT BECAUSE OF THE COST OF VEHICLE, ENSURING THAT MAKING SURE THAT WE PURCHASE THEM CORRECTLY, THE COST OF CARTS, MAKING THE DECISION ON THAT, PROBABLY TAKE A POSSIBLE TWO YEAR TIME FRAME. THE SINGLE STREAM [INDISCERNIBLE] WITHIN THE CITY OF AUSTIN, IF ANYONE WAS TO DO IT, THEY WILL HAVE TO FIND A LOCATION AND CONSTRUCT A SINGLE STREAM MURF. SAME THING FOR US, THOSE THINGS TAKES TIME. PROBABLY TAKES A GOOD TWO YEARS FOR US TO BE UP AND RUNNING FOR SINGLE STREAM RECYCLING FOR THE CITIZENS OF AUSTIN.

Mayor Wynn: OKAY.

Futrell: REALLY, WHAT WE WOULD WANT TO DO IS COST OUT WHAT THIS WOULD LOOK LIKE, BRING THOSE COSTS BACK TO THE COUNCIL BEFORE WE MOVE FORWARD WITH

IMPLEMENTATION.

CORRECT.

Futrell: THE NEXT STEP WOULD BE IF THE COUNCIL IS INTERESTED IN ROLLING THIS OUT CITY-WIDE, FOR US TO TRY TO PUT TOGETHER THE COST OF DOING THAT AND BRING THAT BACK AT A DECISION POINT FOR COUNCIL.

Mayor Wynn: WELL, GOOD, THANK YOU. LASTLY, I HAVE NOTICED OF MY E-MAIL ACCOUNT WE HAVE BEEN GETTING A HANDFUL OF CITIZEN COMMENTS ON THE PILOT PROGRAM. ARE YOU ALL, I KNOW THAT PI IS GENERALLY COPIED ON ALL OF THOSE E-MAILS. ARE YOU ALL TRACKING THOSE, HELPING US KEEP SORT OF A TALLY OF SOME CITIZEN FEEDBACK ON THE PROGRAM.

I I HAVE SEEN A FEW OF E-MAILS, I'M NOT SURE IF I HAVE SEEN ALL OF THE SMAILS.

Futrell: WHAT MIGHT BE HELPFUL FOR US TO DO THAT, IF COUNCIL GETS THOSE E-MAILS, IF YOU WILL FORWARD THOSE TO OUR PIO, WE WILL KEEP A CENTRAL AND ALSO DO A CENTRAL RESPONSE TO QUESTIONS THAT COME.

Mayor Wynn: OKAY. THANK YOU, MR. RHOADES. FURTHER QUESTIONS, COMMENTS, COUNCIL? THANK YOU VERY MUCH. SO, COUNCIL, AGAIN WE HAVE NO DISCUSSION ITEMS PRIOR TO OUR 4:00 ZONING. WE STILL HAVE A COUPLE OF ITEMS TO TAKE UP IN THE ZONING, INCLUDING THE DISCUSSION OF THE CITY MANAGER'S EVALUATION, WITHOUT OBJECTION WE WILL GO BACK INTO CLOSED SECTION PURSUANT TO 551.074 TO CONCLUDE OUR EVALUATION OF THE CITY MANAGER AND PURSUANT TO SECTION 551.071 TO TAKE UP 2 -- 2 POTENTIAL LEGAL CASES, ADVICE FROM COUNCIL. WE ARE NOW IN CLOSED SESSION. THANK YOU.

Mayor Wynn: WE ARE OUT OF CLOSED SESSION, OBVIOUSLY, IN CLOSED SESSION WE TOOK UP THE LAST ITEM NO. 40 REGARDING OUR CITY MANAGER, WE ALSO DISCUSS THE ITEM 47 RELATED TO A LAWSUIT, NO DECISIONS WERE MADE, BACK IN OPEN SESSION FOR OUR 4:00 ZONING

HEARINGS AND APPROVAL OF ORDINANCES AND RESTRICTIVE COVENANTS, WE WILL ENTERTAIN MS. ALICE GLASGO.

Glasgo: GOOD AFTERNOON, MAYOR AND COUNCILMEMBER, I'M ALICE GLASGO, OUR TWO ZONING CASES FOR TODAY ARE -- ARE ITEM NO. Z-1, CASE C 140184, GISS'S CAFE, THE PROPERTY IS LOCATED AT 6001 WEST WHEELCHAIR DRIVE. THE EXISTING ZONING IS L.R., WHICH STANDARDS FOR NEIGHBORHOOD COMMERCIAL. THE APPLICANT IS SEEKING A CHANGE TO GR, WHICH STANDS FOR COMMUNITY COMMERCIAL. THE ZONING AND PLATTING COMMISSION HEARD THE APPLICANT'S REQUEST AND GRANTED THAT REQUEST WITH A CONDITIONAL OVERLAY WHICH HAS A LIST OF PROHIBITED USES. IT LIMITS THE AMOUNT OF MORE TO AREA RATIO LIMITS THE IMPERVIOUS COVER, BUILDING COVERAGE AND ALSO REQUIRES TWO TYPES OF COVENANTS, A PRIVATE COVENANT THAT ADDRESSES THE SALE OF JUST BEER AND WINE, THIS IS AN EXISTING RESTAURANT THAT WOULD LIKE TO SERVE ALCOHOL, SO THE APPLICANT IS WORKING WITH THE TEXAS ALCOHOLIC BEVERAGE COMMISSION TO OBTAIN AN ALCOHOLIC BEVERAGE PERMIT AND BEFORE TABC CAN ISSUE THAT PERMIT, THE APPROPRIATE ZONING IS REQUIRED FOR GENERAL RESTAURANT, THAT'S WHY THE ZONING IS BEING SOUGHT. WE ARE RECOMMENDING THE CHANGE AND THIS CASE IS READY FOR ALL THREE READINGS. A PRIVATE COVENANT HAS BEEN EXECUTED THAT ADDRESSES THAT PARTICULAR REQUIREMENT THAT THEY ONLY SELL BEER AND WINE AS AGREED TO BY -- BY SURROUNDING RESIDENTS. THAT CAN -- THAT CAME UP AS -- AS DESIRE FROM SURROUNDING RESIDENTS. GIVEN THAT, WE PRESENT THIS ON ALL THREE READINGS. ITEM NO. Z-2, C14-04-2004, THIS IS THE -- C14-04-0204, THE BRANDT ROAD CROSSING CASE, STAFF IS REQUESTING A POSTPONEMENT TO FEBRUARY THE 10th, WE WILL BRING THIS BACK WITH THE ANNEXATION ITEM. MAYOR, THAT CONCLUDES MY PRESENTATION.

Mayor Wynn: THANK YOU, MS. GLASGO, COUNCIL, I GUESS WE CAN TAKE UP THE SIMPLE POSTPONEMENT REQUEST. ITEM NO. Z-2, REQUESTED POSTPONEMENT OF FEBRUARY 10th

2005. I WILL ENTERTAIN A MOTION.

SO MOVE.

MOTION MADE BY COUNCILMEMBER THOMAS, I'LL SECOND IT. AS PART OF MY SECOND I'LL JUST -- I DON'T KNOW -- I DON'T THINK ANYBODY IS HERE SPECIFICALLY, THEY MIGHT BE WATCHING AT HOME. BUT AS APPROPRIATE, BECAUSE THIS IS STATE LAND, WE ARE IN RECEIPT OF A LETTER TODAY FROM THE TEXAS GENERAL LAND OFFICE SUPPORTING WHAT WE HAVE BEEN TRYING TO DO WITH -- WITH THE ADJOINING NEIGHBORHOOD. THAT IS WORK WITH THE POTENTIAL FORD DEALERSHIP TO MITIGATE ANY POTENTIAL DOWN SIDE AND -- AND MAKE THAT DEALERSHIP AS COMPATIBLE AS POSSIBLE WITH THAT NEIGHBORHOOD. ALSO RECOGNIZING IT'S ON I-35 FRONTAGE ROAD. THAT AS PART OF THIS LETTER FROM THE STATE LAND OFFICE THE COMMISSION DOES POINT OUT THAT IF -- IF THE STATE ISN'T SATISFIED WITH THE ULTIMATE OUTCOME OF THIS CITY PROCESS, THEY DO HAVE THE RIGHT TO CALL AND TENDS TO CALL THE SPECIAL BOARD OF REVIEW, WHICH IS A PROCESS WHEREBY ALL OF A SUDDEN FRANKLY THE NEIGHBORS WOULD -- WOULD LOSE HAVING SEVEN ADVOCATES EMPATHETIC TO THEIR CAUSE AND IT WOULD GO TO A SPECIAL REVIEW WHERE THERE'S A NUMBER OF STATE OFFICIALS. I WOULD REPRESENT THE CITY AND JUDGE BISCOE WOULD REPRESENT THE COUNTY. BUT THERE'S A NUMBER OF STATE OFFICIALS BEING THAT THIS HAS STATE INTEREST. AND HISTORICALLY THERE'S -- THERE'S LESS EMPATHY ON THESE ISSUES AT THAT SPECIAL BOARD OF REVIEW. OUR HOPE IS WITH THIS WEEK'S POSTPONEMENT THERE COULD BE SIGNIFICANT HEAD WAY MADE WITH THE NEIGHBORHOOD AND POTENTIAL DEALERSHIP TO COME TO AGREEMENT WITH WHAT ARE MITIGATING CIRCUMSTANCES. I ENCOURAGE EVERYBODY TO STAY AT THE TABLE, WORK HARD TO REALLY SATISFY EVERYBODY'S INTERESTS. I THINK WE ALL RECOGNIZE THERE CAN BE A VERY COMPATIBLE LAND USE HERE. FURTHER COMMENTS ON THE CONSENT AGENDA, THE POSTPONEMENT REQUEST? HEARING NONE, ALL THOSE IN FAVOR PLEASE SAY AYE.

AYE.

Wynn: OPPOSED? MOTION PASSES ON A VOTE OF 6-0 WITH COUNCILMEMBER DUNKERLY OFF THE DAIS, THAT IS TO POSTPONE CASE Z-1 ONE WEEK TO FEBRUARY 10th, 2005. SO AT THIS TIME, COUNCIL, WE CAN TAKE UP ITEM NO. Z-1.

Glasgo: IT'S ALSO OFFERED FOR CONSENT APPROVAL ON ALL THREE READINGS.

I MISSED THAT. WE HAVE A NUMBER OF FOLKS SIGNED UP WISHING TO SPEAK. BECAUSE OF THE --

Glasgo: THEY REACHED AN AGREEMENT --

Mayor Wynn: WITH THE PRIVATE COVENANT AGREEMENT IN PLACE, THESE FOLKS, EVERYBODY REALLY IS SATISFIED WITH THIS ZONING CASE.

Glasgo: THAT IS MY UNDERSTANDING, MAYOR.

Mayor Wynn: EXCUSE ME, COUNCIL, I WILL ENTERTAIN A MOTION ON ITEM Z-1 TO CLOSE THE PUBLIC HEARING AND APPROVE ON ALL THREE READINGS.

Thomas: SO MOVE.

Mayor Wynn: MOTION MADE BY COUNCILMEMBER THOMAS, SECONDED BY COUNCILMEMBER MCCracken TO APPROVE ITEM Z-3, CLOSE THE PUBLIC HEARING, APPROVE ON ALL THREE READINGS, APPROVAL OF COURSE ON THE PRIVATE COVENANT AS OUTLINED BY MS. GLASGO. FURTHER COMMENTS? HEARING NONE, ALL THOSE IN FAVOR PLEASE SAY AYE. I AYE.

Wynn: OPPOSED? MOTION PASSES ON A VOTE OF 6-0 WITH COUNCILMEMBER DUNKERLY TEMPORARILY OFF THE DAIS.

THANK YOU, MAYOR AND COUNCIL.

Mayor Wynn: THANK YOU, MS. GLASGO. I BELIEVE THAT COUNCILMEMBER DUNKERLY WANTED TO BE BACK BEFORE WE TOOK UP ANY ITEMS RELATED TO THE PERFORMANCE

AND COMPENSATION CONSIDERATION FOR THE CITY MANAGER. SO AT THIS TIME WITHOUT OBJECTION, WE CAN GO BACK INTO CLOSED SESSION FOR PRIVATE CONSULTATION WITH OUR ATTORNEY PURSUANT TO SECTION 551.071 OF THE OPEN MEETINGS ACT TO TAKE UP AGENDA ITEM 36 RELATED TO WHAT'S KNOWN AS THE VIVIAN CASE. WE ARE NOW IN PRIVATE SESSION. THANK YOU.

Mayor Wynn: OKAY, FOLKS, SORRY FOR THE DELAY, WE HAD EXPENSIVE ATTORNEYS BACK THERE AND I WANTED TO SEND THEM HOME ON YOUR BEHALF. [LAUGHTER] NOW IT'S TIME FOR THE LIVE MUSIC GIG AT THE AUSTIN CITY COUNCIL, JOINING US TODAY IS ERNIE DURAWA. CRITICS AND FANS DESCRIBE HIM AS A NO NONSENSE ROCK STEADY DRUMMER. HIS CAREER HAS ALLOWED HIM TO WORK WITH DELBERT McCLINTON, THE TEXAS TORNADOS, JOHN LEE HOOKER AND MANY OTHERS. TODAY ERNIE IS A DRUM SET INSTRUCTOR AND WORKS WITH THE AUSTIN JAZZ WORKSHOP, WHO PERFORM AT MORE THAN 100 ELEMENTARY SCHOOLS IN THE AUSTIN AREA EACH YEAR, PLEASE JOIN ME IN WELCOMING ERNIE DURAWA. [APPLAUSE] [(music) MUSIC PLAYING (music)(music)] [DRUMMING] [(music) MUSIC PLAYING (music)(music)]

Mayor Wynn: ERNIE DURAWA [APPLAUSE]

THANK YOU. I WANT TO THANK MY BUDDIES, BRAD TERRY ON THE BASE AND [INDISCERNIBLE] WHO -- [APPLAUSE] WHO PART OF THE RHYTHM SECTION OF MY JAZZ BAND, THREE HORN PLAYERS HERE, THEY ARE JUST REALLY BUSY TEACHING TODAY OR SOMETHING. WE DIDN'T WANT TO BRING THE WHOLE THING IN, BUT THESE GUYS FOUNDATION, THANKS, GUYS, FOR HELPING ME OUT.

THANK YOU. [APPLAUSE]

Mayor Wynn: BEFORE YOU ALL GET AWAY, A SPECIAL PROCLAMATION THAT READS: BE IT KNOWN THAT WHEREAS THE LOCAL MUSIC COMMUNITY MAKES MANY CONTRIBUTIONS TOWARDS THE DEVELOPMENT OF AUSTIN'S SOCIAL, ECONOMIC, CULTURAL DIVERSITY AND WHEREAS THE DEDICATED EFFORTS OF ARTISTS FURTHER AUSTIN'S STATUS AT THE LIVE MUSIC CAPITOL OF THE WORLD,

THEREFORE I WILL WYNN MAYOR OF THE GREAT CITY OF AUSTIN, TEXAS DO HEREBY PROCLAIM TODAY, FEBRUARY 3, 2005 AS ERNIE DURAWA DAY IN AUSTIN AND CALL ON ALL CITIZENS TO JOIN ME IN THANKING HIM.

THANK YOU, MAYOR. [APPLAUSE]

Mayor Wynn: CONGRATULATIONS.

THANK YOU, APPRECIATE IT. THANK YOU VERY MUCH. INDEED, THIS IS AN HONOR FOR ME. I THANK EVERYBODY ON THE CITY COUNCIL AND MAYOR PRO TEM AND MAYOR AND CITY MANAGER. AND DARYL, I KNOW, SORT OF. AND RAUL. EVERYONE ELSE, I KNOW THAT I CAN'T REMEMBER ALL OF THE NAMES FOR EVERYBODY, BUT -- BUT I JUST THANK EVERYBODY AND I'M KIND OF AT A LOSS FOR WORDS. IT'S BEEN A ROUGH DAY. THIS IS FOR YOU, GINGER, I LOVE YOU. [APPLAUSE]

Mayor Wynn: THANK YOU.

Mayor Wynn: WHILE, ERNIE AND THE GUYS BREAK DOWN THEIR EQUIPMENT, WE WILL COME OVER TO THIS PODIUM, BE MORE EFFECTIVE WITH EVERYBODY'S TIME. AT THIS TIME I WOULD LIKE TO INTRODUCE ROY SAID WICK WITH -- SEJ WICK WITH THE ASSOCIATION OF FLOODPLAIN MANAGERS WHO IS ACTUALLY GOING TO PRESENT A OPERATION TO US, THE CITY.

THANK YOU VERY MUCH. THAT'S GOING TO BE A HARD ACT TO FOLLOW. THAT'S A GREAT BAND. GREAT SOUND. THANK YOU VERY MUCH. MAYOR WIN AND HONORABLE MEMBERS OF THE COUNCIL, I GUESS WE ARE ALL SCATTERED AROUND HERE AND GUESTS, AGAIN, MY NAME IS ROY SEDWICK, I SERVE AS THE EXECUTIVE DIRECTOR OF THE TEXAS FLOODPLAIN MANAGEMENT ASSOCIATION. BEFORE I TELL YOU A LITTLE BIT ABOUT THAT, I WANT TO TELL YOU ALSO SOMETHING ELSE ABOUT ME. I'M A BORN AND BRED NATIVE AUSTINITE. THERE'S NOT A WHOLE LOT OF US AROUND, I WAS BORN HERE IN 1944. AND I HAVE SEEN OVER 60 YEARS OF GROWTH SHAPE THIS CITY TO WHAT IT IS TODAY. AND SOME OF THOSE CHANGES HAVE BEEN GOOD; SOME OF THOSE CHANGES NOT SO GOOD. BUT I'M GOING TO TALK

ABOUT SOME OF THE GOOD THINGS THAT HAVE HAPPENED HERE. THE TEXAS FLOODPLAIN MANAGEMENT ORGANIZATION, OVER 800 PROFESSIONALS, ACROSS THE STATE DEALING WITH FLOODPLAIN MANAGEMENT AND HAZARD MITIGATION IN TEXAS. WE ARE ALSO A STATE CHAPTER OF OUR NATIONAL PARENT ORGANIZATION, THE ASSOCIATION OF STATE FLOODPLAIN MANAGERS, WHICH IS HOUSED UP IN MADISON, WISCONSIN, AND THAT NATIONAL ORGANIZATION DEALS WITH FLOODPLAIN ISSUES ALL ACROSS THE COUNTRY AND IS OVER 4,000 MEMBERS STRONG NOW. AND THAT'S ONE OF THE REASONS WHY I'M HERE TODAY. I'LL TELL YOU JUST A LITTLE BIT ABOUT THAT IN JUST A SECOND. BUT I WANT TO ENGAGE YOU FOR JUST A FEW MINUTES, TALK ABOUT A COUPLE OF THINGS TO LEAD UP TO THIS RECOGNITION FOR AUSTIN. IF I WERE TO GO OUT AND EVEN JUST ASK YOU IN THE AUDIENCE, MEMBERS OF THE COUNCIL, WHAT SETS AUSTIN APART FROM TEXAS CITIES, OTHER TEXAS CITIES, ALL OF YOU WOULD PROBABLY HAVE A PRETTY GOOD LIST AND MUSIC WOULD CERTAINLY BE ON THAT LIST AS THE LIVE MUSIC CAPITAL OF THE WORLD EVEN. BUT HOW MANY OF YOU WOULD PUT ON YOUR LIST WATER RESOURCES? THINK ABOUT THAT FOR A MINUTE. [LAUGHTER] THINK ABOUT IT FOR A MINUTE. MORE OF YOU WILL WHEN I TALK A LITTLE BIT. THE MIGHTY COLORADO RIVER, THE RIVER RUNS THROUGH THIS GREAT CITY. PRECIOUS BARTON CREEK. AND OUR CROWN JEWEL BARTON SPRINGS POOL. CAN YOU IMAGINE AN AUSTIN WITHOUT THAT? AND, OF COURSE, WE HAVE SHOAL CREEK, WALLER CREEK, WE COULD GO ON NAMING CREEKS ALL AROUND THIS CITY. AND OF COURSE WE HAVE THE HIGHLAND LAKES JUST TO THE WEST OF US. THIS GREAT RESOURCE IS WHAT MAKES AUSTIN, I THINK, ONE OF THE BEST PLACES TO LIVE IN THE WHOLE UNITED STATES. OF AMERICA. I BELIEVE IT. YET WHEN YOU THINK ABOUT IT, THESE SAME WATER RESOURCES BECOME VERY DEADLY AND DESTRUCTIVE DURING TIMES OF HEAVY RAIN. AND AUSTIN CERTAINLY HAS HAD VERY LONG HISTORY OF DEVASTATING FLOODS BOTH FROM THE MAIN RIVER AND FROM OUR LOCAL CREEKS. HOW MANY OF YOU KNOW THAT JUST RIGHT DOWN THE ROAD HERE, NEXT TO THE OLD FIRE TRAINING TOWER, THERE'S A LITTLE MONUMENT THERE THAT'S ABOUT THE SIZE AFTER TOMB STONE AND IT HAS

TWO OF THE HISTORICAL FLOODS ON IT. ONE IN 1869, ONE IN 1935 AND BOTH OF THOSE LEVELS WOULD HAVE PUT WATER UP ABOVE FIRST AND CONGRESS. THINK ABOUT THAT. IT COULD HAPPEN AGAIN. EVEN WITH THE DAMS UPSTREAM, IF WE HAD A HUGE FLOOD EVENT ON OUR WATERSHEDS UP THERE. TEXAS IS ONE OF THE MOST FLOOD PRONE STATES IN THE COUNTRY. WE LEAD THE NATION MOST OFTEN IN LOSSES, IN SPECIAL -- ESPECIALLY IN LOSSES OF LIFE DUE TO FLOODING. TO COMBAT THIS THREAT, OVER 1100 COMMUNITIES, INCLUDING AUSTIN, HAS JOINED THE NATIONAL FLOOD INSURANCE PROGRAM TO PROVIDE FLOOD INSURANCE AND TO GUIDE DEVELOPMENT IN THE CITY'S FLOODPLAIN. NOW, UNFORTUNATELY, MANY OF THOSE COMMUNITIES HAVE STOPPED AT THE ADOPTION OF THIS PROGRAM AND THE MINIMUM DEVELOPMENT CRITERIA THAT FEMA HAS ESTABLISHED, BUT OTHERS LIKE AUSTIN HAVE REALIZED THAT MINIMUM STANDARDS, MINIMUM CRITERIA, DON'T CUT IT. THEY ARE NOT ENOUGH IN A DYNAMIC, GROWING AREA LIKE AUSTIN AND CENTRAL TEXAS AND THEY ARE NOT ENOUGH TO PREVENT OUR FLOODPLAINS AND TO PROTECT US FROM THE DAMAGES. NOW, BEGINNING IN 1974, WITH THE FLOODPLAIN DEVELOPMENT ORDINANCE, FOLLOWED BY THE ADDITIONAL DRAINAGE ORDINANCES, CITY DRAINAGE CRITERIA, THE CITY IS TAKING MANY, MANY STEPS TO LIMIT DEVELOPMENT OF THE FLOODPLAINS. OF COURSE WE HAD THE S.O.S. ORDINANCE. AND OUR CITY'S PARTICIPATION IN FEMA'S COMMUNITY RATING SYSTEM HAVE ALL SERVED TO ADD EVEN MORE PROTECTION AND CAREFUL REGULATION. NOW, IF YOU ASK ANY PROFESSIONAL ENGINEER, MOST OF THEM WILL AGREE THAT ANY ACTION TAKEN IN THE FLOODPLAIN, SUCH AS FILL, BUILDING A HOME, BUILDING A BOX DEVELOPMENT, IS GOING TO PRODUCE A REACTION. ACTION-REACTION, UNFORTUNATELY WE HAVE SEEN IN MOST CASES THOSE REACTIONS ARE NEGATIVE. WE INCREASE THE WATER LEVELS, WE INCREASE THE VOLUME--VELOCITIES, WE CAUSE MORE EROSION AND WE PUT WATER ON OTHER PEOPLE'S PROPERTY. DOESN'T HAVE TO BE THAT AWAY, ACTUALLY SOMETHING IS BEING DONE ABOUT IT. THE ASSOCIATION OF STATE FLOODPLAIN MANAGERS DEVELOPED A NEW CONCEPT POLICY OF DEALING WITH THE FLOODPLAINS AND RAISES REDUCING THESE LOSSES. THIS

STRATEGY IS CALLED NO ADVERSE IMPACT. BASICBASICALLY A VERY SIMPLE CONCEPT. DEVELOP OUR FLOODPLAINS BUT DO IT IN A SUCH A WAY THAT NO ADVERSE IMPACT OCCURS WHICH THOSE ACTIONS HAPPEN AND WE DON'T PUT WATER ON OTHER PEOPLE. THIS IS WHERE AUSTIN HAS REALLY ARRIVED IN ITS APPROACH TO FLOODPLAIN MANAGEMENT. THE CITY OF AUSTIN WAS SELECTED BY ASFPM IN THE SPRING OF 2004 OF ONE OF ONLY 10 COMMUNITIES IN THE ENTIRE U.S. OF A TO BE PART OF A NO ADVERSE IMPACT, WE CALL IT N.A.I. CASE STUDY. HOPEFULLY AS THIS STUDY PROCEEDS, AUSTIN IS GOING TO BE ONE OF THE FRONT RUNNERS IN GUIDING OTHER COMMUNITIES ACROSS THE COUNTRY TO TAKE SIMILAR ACTIONS AND ADOPT A SENSIBLE APPROACH TO FLOODPLAIN MANAGEMENT. NOW, BEFORE I READ THE CERTIFICATE RECOGNIZING THE CITY OF AUSTIN FOR ITS NAI EFFORTS, I MUST FIRST, ALL OF YOU COUNCILMEMBERS, I REALLY WANT TO GIVE YOU CREDIT FOR WHAT'S HAPPENING HERE BECAUSE IT'S YOU THAT PASSED THE ORDINANCES THAT MAKE THIS HAPPEN AND YOU PROVIDE THE BUDGETS, TO FUND THE APPROPRIATE DEPARTMENTS AND STAFF TO IMPLEMENT THOSE ORDINANCES. AND OF COURSE YOUR STAFF DESERVES MUCH OF THE CREDIT FOR MAKING THE NAI MANAGEMENT APPROACH A REALITY. SO I WOULD LIKE TO RECOGNIZE A FEW OF THOSE PEOPLE THAT ARE UP HERE WITH ME. GEORGE OSWALT, MOPPY MITCHELL, RAY WIN SON, DAVID WALKER AND THERE'S ONE OTHER PERSON AND I CONSIDER HIM THE GOD FATHER OF AUSTIN DRAINAGE, CHARLIE GRAY IS OUT HERE, TOO. THESE PEOPLE ARE GIVEN TIRELESS EFFORTS TO PROTECT THE CITIZENS OF AUSTIN, LASTLY I WOULD LIKE TO RECOGNIZE BILL ESPY AND BRYAN REESE WITH THE ESPY FOR MAKING THIS NOMINATION POSSIBLE AND THE COORDINATION OF THE EVENTS. OF COURSE ALL OF THE CITY STAFF ARE CHARGED WITH ASSURING THAT THE CITY CODES ARE MAINTAINED AND ENFORCED. MAYOR, IF YOU WOULD LIKE, I WOULD LIKE TO READ THIS TO YOU AND OFFICIALLY PRESENT IT. UNFORTUNATELY, THOSE 60 YEARS HAVE TAKEN A TOLL ON MY EYESIGHT HERE. NO ADVERSE IMPACT CERTIFICATE. THE ASSOCIATION OF STATE FLOODPLAIN MANAGERS, ASFPM PRESENTS THE NO ADVERSE IMPACT CERTIFICATE TO THE CITY OF AUSTIN, WHICH THROUGH THE

WATERSHED PROTECTION AND DEVELOPMENT REVIEW DEPARTMENT HAS DEMONSTRATED THE WILLINGNESS AND COMMITMENT TO REGULATE AND MANAGE FLOOD PRONE AREAS ABOVE AND BEYOND MINIMUM REGULATORY REQUIREMENTS ESTABLISHED BY THE NATIONAL FLOOD INSURANCE PROGRAM. THEIR PROGRESSIVE PRACTICES ARE HEREBY ACKNOWLEDGED AND COMMENDED BY BEING SELECTED BY SFPM AS AN NAI CASE STUDY CITY FOR 2004. THIS IS SIGNED BY LARRY LARSON, EXECUTIVE DIRECTOR OF THE NATIONAL ASSOCIATION AND BY MYSELF AS EXECUTIVE DIRECTOR OF THE STATE ASSOCIATION. [APPLAUSE]

I THINK ROY TOOK MORE THAN HIS THREE MINUTES, I'M GOING TO TRY TO BE SHORT HERE. FIRST OF ALL, I WANT TO ACKNOWLEDGE WE JUST HAD FOUR STAFF UP HERE, THERE'S ANOTHER ARMY OF PEOPLE THAT ARE ENGAGED ON A DAILY BASIS ON ENFORCING THIS MAGNIFICENT CODE THAT WE HAVE, THAT'S OUR ONE STOP SHOP DEVELOPMENT REVIEW SERVICES, THEY NEED TO BE HONORED HERE TODAY. THIS JOURNEY STARTED FOR THE CITY OF AUSTIN 30 YEARS AGO. IN THE EARLY '70S, 1970, '71, '72, THERE WERE THREE MAJOR FLOODS, SIGNIFICANT LOSS OF LIFE AND A LOT OF PROPERTY DAMAGE. I WANT TO HONOR THE PEOPLE THAT HAVE HANDED THIS WONDERFUL CODE TO ME AND MY STAFF TO MAINTAIN AND INTO THE FUTURE. ON THE CITY COUNCIL AT THAT TIME THE LEADER WERE LOWELL LIEBERMAN AND BETTY HEMMELBLAUGH, DAN DAVIDSON, CHARLIE GRAVES WHO IS WITH US TODAY WAS THE DIRECTOR OF PUBLIC WORKS AT THAT TIME. HE HAD THE WUSM TASK OF DETERMINING -- THE WONDERFUL TASK OF DETERMINING HOW CAN THIS CITY GROW WITH WISE FLOODPLAIN MANAGEMENT PRACTICES. AS ROY STATED BASICALLY THE CITY REALIZED THAT FLOODPLAINS ARE HIGH HAZARD AREAS AND DEVELOP OF THOSE FLOODPLAINS SHOULD BE SEVERELY LIMITED. ONLY VERY SPECIAL CONDITIONS SHOULD ALLOW DEVELOPMENT IN FLOODPLAINS. SECONDLY, ALL DEVELOPMENT AS ROY MENTIONED DOES CHANGE THE WATERSHED CONDITIONS. THE CITY REQUIRES ALL DEVELOPMENT TO MITIGATE THOSE ADVERSE IMPACTS. IT'S SIMPLE TO SAY, OF COURSE, IT TAKES A LOT OF PEOPLE, INCLUDING ATTORNEYS, TO MAKE

IT HAPPEN. BUT OUR PROGRAM WAS DEVELOPED 30 YEARS AGO, IT WAS -- IT WAS INITIATED IN 1974 WITH PASSAGE OF WHAT IS KNOWN AS THE CREEK ORDINANCE. IT GREW FROM THAT POINT FORWARD, DR. BILL ESPY, WHO IS ALSO HERE, WAS INSTRUMENTAL IN THE DEVELOPMENT OF OUR DRAINAGE CRITERIA MANUAL. IN 1983 AFTER THE DISASTROUS FLOOD ON SHOAL CREEK IN 1981, JIM THOMPSON WHO WAS THE CITY ENGINEER AT THAT TIME CARRIED FORWARD A SET OF ADDITIONAL AMENDMENTS FURTHER STRENGTHENING OUR REGULATIONS. AND LET ME MAKE SURE THAT I HAVE ACKNOWLEDGED EVERYBODY HERE. MY MEMORY IS GETTING A LITTLE SHORT. THAT'S IT, THANK YOU VERY MUCH.

IF EVEN IN A CANALES AND -- IF INACANALES AND WARREN STRUSS CAN JOIN ME OVER HERE FOR OUR NEXT PRESENTATION.

THANK YOU VERY MUCH.

THANK YOU.

Mayor Wynn: COME ON. COME UP HERE AND JOIN US, STAND BEHIND ME OR TO THE SIDE HERE, I'M NOT SURE WHERE THE CAMERA IS. OH, GOOD.

FOLKS OUR NEXT PROCLAMATION REGARDS THE GRAND OPENING OF THE GEORGE WASHINGTON CARVER CAMPUS, WHICH WILL OCCUR THIS COMING SATURDAY MORNING. ACTUALLY IT'S ALL-DAY EVENTS, INVITE EVERYBODY TO COME OVER TO THE GEORGE WASHINGTON CARVER MUSEUM AND LIBRARY FOR A FUN TIME. JOINED BY LIBRARY, PARK STAFF AND OF COURSE THE FRIENDS AND STAFF OF GEORGE WASHINGTON CARVER MUSEUM AND LIBRARY. THIS OPERATION READS: BE IT KNOWN THAT WHEREAS THE CARVER BRANCH LIBRARY AND THE GEORGE WASHINGTON CARVER MUSEUM, THE CULTURAL CENTER, WERE INITIALLY HOUSED IN AUSTIN'S FIRST PUBLIC LIBRARY BUILDING, WHICH WAS MOVED TO EAST AUSTIN TO SERVE OUR CITY'S AFRICAN-AMERICAN CITIZENS IN 1933. WHEREAS IN 1980 THE HISTORIC BUILDING BECAME THE FIRST AFRICAN-AMERICAN NEIGHBORHOOD MUSEUM IN TEXAS. WHICH THE VOTERS APPROVED FUNDS TO EXPAND IN 1998. WHEREAS THE

NEWLY COMPLETED CAMPUS HOUSES ARTIFACTS AND ARCHIVAL MATERIALS ILLUSTRATING THE RICH HISTORY OF AFRICAN-AMERICAN IN OUR AREA AND OFFERS AN EXCEPTIONAL EXPERIENCE FOR CITIZENS OF AUSTIN, OF ALL RAISES, ALL OF TEXAS, TO ENJOY AND BE ENLIGHTENED BY. THEREFORE, I, WILL WYNN, MAYOR OF THE GREAT CITY OF AUSTIN, TEXAS, DO HEREBY PROCLAIM THIS SATURDAY, FEBRUARY 5th, 2005 AS THE GRAND OPENING OF THE GEORGE WASHINGTON CARVER CAMPUS DAY AND CALL ON WARREN STRUSS, DIRECTOR OF PARKS DEPARTMENT, TO COME TALK ABOUT THE PARKS ROLE, THEN WE WILL HEAR FROM LIBRARIES AND OTHER ADVOCATES. WARREN, CONGRATULATIONS AND THANK YOU ALL. PATIENCE IS A VIRTUE. THIS IS A GREAT ASSET FOR A GREAT COMMUNITY. THANK YOU ALL. [APPLAUSE]

AS THE DIRECTOR OF THE PARKS AND RECREATION DEPARTMENT, I GET MANY OPPORTUNITIES TO BE ABLE TO COME AND DEDICATE FACILITIES THROUGHOUT THE CITY. BUT I FIND THAT THIS IS PROBABLY THE MOST HONORABLE PRIVILEGE THAT I'VE EVER HAD IS THE ABILITY TO BE A PART OF THIS INCREDIBLE DREAM THAT'S ABOUT TO COME TRUE. THE OPENING AND THE DEAD DEDICATION OF THE -- DEDICATION OF THE GEORGE WASHINGTON CARVER MUSEUM AND LIBRARY AS WELL. TODAY WE HAVE SPECIAL PEOPLE WITH US, I WANT TO TAKE THIS OPPORTUNITY TO TURN IT OVER TO A SPECIAL LADY THAT HAS WORKED SO HARD FOR SO LONG AND HAVE HER COME UP AND GIVE YOU A FEW WORDS AND HER FEELINGS AND EMOTIONS ABOUT THIS SPECIAL TIME. I'VE KNOWN BERNADETTE PFEIFFER, SHE IS OUR NEW CURATOR, BUT ALSO THE ORIGINAL CURATOR. SHE CAME WITH US, BEEN WITH US FOR 15 YEARS, I'M GOING TO ASK BERNADETTE AT THIS TIME IF SHE WILL COME UP AND GIVE US A FEW WORDS ABOUT HER FEELINGS AT THIS SPECIAL TIME. BERNADETTE? [APPLAUSE]

THANK YOU. BEFORE I SAY A FEW WORDS, I THINK THAT -- I THINK IF YOU LOOK AT THIS LINEUP, THERE'S SOMEONE WHO IS MISSING. I WOULD LIKE FOR HER TO COME DOWN AND THAT'S MARIA SISARELLI. SHE IS VERY MUCH A PART OF THIS TEAM AND OFFICIALLY SHE'S MY BOSS, BUT SHE HAS BEEN THAT -- [LAUGHTER] THAT WING THAT PUSHES US

FORTH SO SHE NEEDS TO BE IN THIS PICTURE, TOO. THE FIRST THING THAT I WOULD LIKE TO SAY TO ALL OF AUSTIN'S CITIZENS, THANK YOU. IT IS FROM THE BOTTOM OF MY PERSONAL HEART AND THE HEARTS OF ALL OF AFRICAN AMERICANS IN AUSTIN, TEXAS. IN 1980, THERE WAS A DREAM. AND THAT DREAM CAME INTO VISION THROUGH WHAT WE CALLED THE LITTLE MUSEUM THAT HAD BIG IDEAS. THAT LITTLE MUSEUM WAS AUSTIN'S FIRST LIBRARY BUILDING. IT THEN BECAME AUSTIN'S FIRST BRANCH LIBRARY. AND THEN IN 1980 BECAME AUSTIN'S FIRST, THE STATE OF TEXAS FIRST AFRICAN-AMERICAN MUSEUM. WHAT A VISION AUSTIN HAS. YOU SAY DIFFERENT, WEIRD VISIONARIES. WE HAD VISIONARIES IN 1980 THAT THOUGHT THAT IT WAS VERY IMPORTANT. ESSENTIAL FOR THIS CITY TO CELEBRATE AFRICAN-AMERICAN HISTORY AND CULTURE. WE ESTABLISHED THAT ORGANIZATION. THERE ARE A NUMBER OF PEOPLE THAT I WILL MENTION IN A FEW MINUTES WHO STARTED WITH FRIENDS OF CARVER. THEY WANTED TO SEE THE ACKNOWLEDGMENT OF THOSE PERSONS OF AFRICAN DESCENT WHO HAD MADE A DIFFERENCE, WHO HAD CONTRIBUTED TO CERTAINLY THE FABRIC OF AUSTIN, BUT ALSO THE FABRIC OF THESE UNITED STATES. IT WAS IMPORTANT FOR THEM TO ACKNOWLEDGE THEM, IT WAS IMPORTANT FOR US TO TELL OUR STORY. THAT IS WHAT WE HAVE DONE FOR 25 YEARS IN THE LITTLE MUSEUM. UP COMES 1998. THANK YOU, AUSTIN, FOR THAT BOND. IN 1998 THE BOND ELECTION HAPPENED AND ON SATURDAY, THE 5th OF FEBRUARY, THE FRUITION OF THAT BOND WILL TAKE PLACE. WE WILL OPEN THE MORE THAN 30,000 SQUARE FOOT FACILITY. IT IS CALLED THE GEORGE WASHINGTON CARVER MUSEUM AND CULTURAL CENTER. I SAY THIS ALL THE TIME, IT IS A MUSEUM, IT IS A CULTURAL CENTER, THAT CELEBRATES AFRICAN-AMERICAN HISTORY AND CULTURE. BUT THAT MUSEUM IS FOR ALL OF US. IT IS FOR EVERY ONE OF US, TO TAKE ADVANTAGE OF AND BECOME A PART OF. IT IS REALLY A RELIC OF AUSTIN. I AM TRULY HUMBLLED BY HAVING THE OPPORTUNITY OF BEING THE WORK HOG THERE. A LOT OF PEOPLE JOKE ABOUT HOW MUCH I STAY THERE. BUT I STAY THERE BECAUSE I LOVE IT. I HAVE THE OPPORTUNITY OF CELEBRATING MY HISTORY AND CULTURE AND I THINK THAT IF YOU HAD THAT OPPORTUNITY YOU WOULD BE IN YOUR FACILITY, TOO. IN THE NEW

FACILITY, WHICH OPENS ON SATURDAY, 11:00, EVERYONE IS INVITED. I'M LOOKING AT ALL OF YOUR FACES AND EXPECTING EACH AND EVERY ONE OF YOU TO BE THERE. WE WILL DO THE DEDICATION AND HAVE THE DEDICATION OF THE FACILITY. THERE CERTAINLY WILL BE A SOLEMN TIME, THERE WILL BE A JOYOUS, JUBILATION OF WHERE WE CAME FROM AND WHERE WE ARE TODAY. AND WE WILL LOOK TO OUR FUTURE AND THE BUILDING THAT WAS ERECTED STARTED OUT BEING ERECTED AND IS AT ITS COMPLETION ON THE 5th. NOT ONLY I AM PROUD OF, BUT YOU, TOO, WILL BE PROUD OF, TO SEE IT, WHEN YOU GO THROUGH IT. WE ARE THE FIRST MUSEUM IN THE NATION TO CELEBRATE JUNETEENTH AS OUR CORE EXHIBIT. WE WILL CELEBRATE IT AND YOU CAN HAVE IT 365 DAYS A YEAR. THE HISTORICAL AND CONTEMPORARY VIEW OF JUNETEENTH. WE ALSO CELEBRATE 10 CONTEMPORARY AND HISTORICAL FAMILIES IN TWO OF OUR GALLERIES. WE KNOW HOW IMPORTANT FAMILY IS IN AUSTIN, DON'T WE? IT IS IMPORTANT TO THAT LITTLE HOUSE ON ANGELINA STREET AND I KNOW THAT IT IS IMPORTANT TO YOU, TOO. WE ALSO ARE FOR THE FIRST TIME ACKNOWLEDGING AN EXHIBIT THAT WE HAVE DEVELOPED IN HOUSE THAT IS CALLED SINCOFA SINGS. THE WORD SINCOFA IS AN INDICA WORD WHICH MEANS GO FETCH. THAT IS WHAT WE ARE DOING IN THE PRESENT NEW FACILITY. WE ARE GOING TO FETCH OUR HISTORY AND SHARE IT WITH EVERYONE. I COULD TALK AND TALK AND TALK AND TALK BUT I UNDERSTAND THAT THERE'S SUPPOSED TO BE A COUNCIL MEETING TONIGHT? [LAUGHTER] WELL, I'M GOING TO SAVE SOME OF MY LANGUAGE FOR THE 5th ON SATURDAY. I REMEMBER AND YOU REMEMBER THAT YOU ARE SUPPOSED TO BE THERE, TOO. BUT I WOULD LIKE TO ACKNOWLEDGE A FEW OF THE PEOPLE THAT ARE STANDING WELL, TO MY SIDE. AND THERE'S MR. GUS SWANE, THERE IS CORE A WRIGHT, ALL PART OF EITHER A SUPPORT GROUP OR THE TEAM AT -- AT PARK AND RECREATION. THERE IS OF COURSE MARIA SISSARELLI WHO WE HAD TO PULL DOWN HERE, MR. ART SOLS, AND DR. MACKEY. I AM VERY PROUD TO BE ASSOCIATED WITH THESE PEOPLE WHO HAVE HELPED CREATE THE NEW MUSEUM THAT WE HAVE TODAY. PLEASE JOIN US IN THE CELEBRATION. IT IS NOT ONLY MY CELEBRATION, BUT IT CERTAINLY IS AUSTIN'S CELEBRATION.

WE ARE GOING TO MAKE IT EASY FOR YOU, YOU KNOW, PARKING CAN BE PRETTY TIGHT AROUND AUSTIN. WELL, WE ARE GOING TO HAVE PARKING FOR YOU AT ONE OF THE STATE GARAGES AND THEN WE ARE GOING TO HAVE A BUS THAT WILL BRING YOU OVER TO THE CARVER MUSEUM. THERE'S NO EXCUSE. COME AND JOIN US. THERE MAY BE A FEW OR ONE OR TWO OF OUR FRIENDS WHO MAY WANT TO SAY SOMETHING, ADD A FEW WORDS WHERE I LEFT OFF. WOULD ANYONE LIKE TO SAY SOMETHING.

NO YOU SAID IT ALL.

YOU SAID IT ALL [LAUGHTER]

NOW, IS THAT A CLUE FOR ME TO LEAVE THE MICROPHONE? ANYWAY, I WILL SAVE SOME FOR SATURDAY. BUT PLEASE JOIN US. WE WELCOME YOU AND LOOK FORWARD TO SEEING YOU. THANK YOU. [APPLAUSE] OUR NEXT PROCLAMATION IS ACTUALLY A COMMUNITY SERVICE AWARD FOR AUSTIN HABITAT FOR HUMANITY. IT READS A COMMUNITY SERVICE AWARD, THE CITY IS PLEASED TO RECOGNIZE AND HONOR AUSTIN HABITAT FOR HUMANITY FOR IT'S DEDICATION TO THE ELIMINATION OF POVERTY HOUSING IN AUSTIN, FOR THE PAST TWO DECADES AUSTIN HABITAT FOR HUMANITY HAS BUILT 159 HOMES, HOUSED MORE THAN 720 PEOPLE, AND PLANS TO BUILD 20 MORE HOMES THIS YEAR ALONE. BUT HABITAT FOR HUMANITY IS MORE ABOUT -- MORE THAN JUST SIMPLY BUILDING HOMES. HABITAT BUILDS COMMUNITY, HOPE, A SENSE OF PRIDE WHILE BRINGING DEDICATED VOLUNTEERS AND STAFF TOGETHER WITH NEEDY FAMILIES TO PROVIDE AFFORDABLE HOUSING. THIS CERTIFICATE IS PRESENTED IN ACKNOWLEDGMENT OF THIS FINE SERVICE OF SUCCESSFUL COLLABORATION, ALL INVOLVED IN THIS PROGRAM AN INSPIRATION FOR THE POSITIVE IMPACT ON OUR COMMUNITY. HEARTFELT CONGRATULATIONS TO HABITAT FOR HUMANITY FOR ITS 20th ANNIVERSARY, PRESENTED THIS THIRD DAY OF FEBRUARY, 2005, BY THE ENTIRE AUSTIN CITY COUNCIL, THANK YOU FOR GRADUATING ME FOR ALL OF THE GREAT WORK THAT THEY DO, AUSTIN HABITAT FOR HUMANITY. [APPLAUSE]

DO YOU WANT TO SAY A FEW WORDS?

YES, I WOULD.

>THANK YOU, MAYOR, FOR THIS AWARD. IT MEANS A GREAT DEAL TO ALL OF US HERE AT AUSTIN HABITAT FOR HUMANITY, AS WE CONTINUE OUR MISSION TO ELIMINATE POVERTY HOUSING HERE IN AUSTIN. IN 20 YEARS WE HAVE WORKED VERY HARD TO MAKE IT SO THAT EVERY FAMILY IN NEED OF AFFORDABLE HOUSING HAS A SIMPLE, DECENT PLACE TO LIVE. WE SHARE THAT VISION WITH OUR PARTNERS. YOU. THE DONOR, THE VOLUNTEERS, CORPORATE AND CONGREGATIONAL CONTRIBUTORS. AND WITH THE THOUSANDS OF AUSTINITES WHO SO DESPERATELY HOPE FOR A SAFE AND DECENT PLACE TO RAISE THEIR FAMILIES. OUR VISION AT HABITAT IS SIMPLE, TO DO MORE. FOR 20 YEARS WE HAVE STRUGGLED TO FIND LAND AND FIND THE FUNDS TO BUILD EACH HABITAT HOME. THOSE STRUGGLES ARE FAR FROM OVER. WE HAVE TO DO MORE TO BUILD MORE HOMES. WE HAVE TO DO MORE TO RAISE MORE FAMILIES FROM POVERTY CONDITIONS. WE HAVE TO DO MORE TO RAISE THE AWARENESS OF THE PROBLEM OF AFFORDABLE HOUSING SO THAT TOGETHER WE CAN BUILD AN AUSTIN WHERE THERE ARE NO MORE SHACKS. THIS YEAR, AUSTIN HABITAT FOR HUMANITY INVITES YOU TO CELEBRATE WITH US OUR 20th ANNIVERSARY. AND MAKING HOUSING OPPORTUNITIES POSSIBLE HERE IN THIS CITY. WE ALSO INVITE YOU TO JOIN US IN A RENEWED VISION AS THE MAYOR SAID IN 19 YEARS WE HAVE BEEN ABLE TO COMPLETE 159 HOMES. OVER THE NEXT FIVE YEARS, WE WANT TO BUILD 100 BRAND NEW HOMES. WITH YOUR SUPPORT, THROUGH YOUR CONTINUED PARTNERSHIP OUR VISION WILL BE REALIZED. A VISION OF A LIVABLE AUSTIN. AN AUSTIN -- BECAUSE WE MUST DO MORE. AT THIS TIME I WOULD LIKE TO RECOGNIZE THE HABITAT SUPPORTERS WHO HAVE COME HERE TONIGHT, TO JOIN US FOR THIS AWARD RECEPTION, PLEASE STAND UP. GLAD TO HAVE THEM HERE. THANK YOU. [APPLAUSE] THESE ARE BOARD STAFF AND VOLUNTEERS, THROUGH THEIR EFFORTS THAT WE ARE ABLE TO GET SO MANY THINGS DONE. I WOULD ALSO LIKE TO INTRODUCE AT THIS TIME, OUR BOARD PRESIDENT ERIC SHEPPERD.

MAYOR, COUNCIL, HONORED GUESTS, ON THE INDICATION OF AUSTIN HABITAT FOR HUMANITY'S ANNIVERSARY, IT IS OUR PLEASURE AND MY PLEASURE AS THE BOARD PRESIDENT TO EXTEND TO YOU OUR SINCERE APPRECIATION FOR THE CONTINUING PARTNERSHIP AND ONGOING SUPPORT YOU, THE CITY OF AUSTIN AND THE AUSTIN HOUSING FINANCE CORPORATION HAS SHOWN AUSTIN HABITAT. SIMPLE, DECENT AFFORDABLE HOUSING SHOULD BE NOT FOR A LUCKY FEW. HABITAT FOR HUMANITY ENSURES THAT HOME BUYING OPPORTUNITIES FOR LOW INCOME FAMILIES WILL EXIST. IT ALSO ENSURES THIS OUR FRIENDS AND NEIGHBORS HAVE SOLID ROOFS OVER THEIR HEADS AND SAFE PLACES TO RAISE THEIR CHILDREN. YOUR SUPPORT OF AUSTIN HABITAT FOR HUMANITY DEMONSTRATES YOUR BELIEF THAT EVERY ONE OF US DESERVES A PLACE TO CALL HOME. THE SCRIPTURES REMIND US TO NOT GROW WEARY FOR AT THE PROPER TIME WE WILL REAP A HARVEST IF WE DO NOT GIVE UP. THANK YOU FOR 20 YEARS OF BELIEVING AND NOT GIVING UP. THANK YOU FOR 20 YEARS OF WELL DOING AND FOR DOING IT SO WELL.

THANK YOU SO MUCH. [APPLAUSE]

LAST BUT CERTAINLY NOT LEAST, WE HAVE A SPECIAL PROCLAMATION FOR CORKY ROBERTSON. IT READS BE IT KNOWN WHEREAS CORKY ROBINSON IS AN EXCELLENT MUSICIAN IN HIS OWN RIGHT, USED HIS KNOWLEDGE AND ABILITY TO TEACH CHOIR, BAND, ORCHESTRA STUDENTS IN AISD FOR 35 YEARS, WHEREAS MR. ROB SUN'S STUDENTS NOT ONLY EARNED NUMEROUS HONORS WHILE IN SCHOOL, MANY HAVE TOLLED IF THEIR TEACHERS'S FOOTSTEPS TO BECOME PROFESSIONALS WITH CAREERS AS MUSICIANS AND MUSIC TEACHERS. WHEREAS EVEN AFTER RETIREMENT, MR. ROBINSON CONTINUES TO TOUCH AUSTINITES LIVES THROUGH MUSIC, ESPECIALLY BY PERFORMING WITH HIS BANDS CORKY AND THE KEYNOTERS AT THE CITY'S SENIOR ACTIVITY CENTER. WITH JOIN WITH HIS FRIENDS IN ACKNOWLEDGING HIS CAREER AS AN EDUCATOR, HIS TALENT AS A MUSICIAN, HIS CONTINUING POSITIVE IMPACT ON THIS GREAT COMMUNITY. THEREFORE I WILL WYNN, MAYOR OF THE CITY OF AUSTIN, TEXAS DO HEREBY PROCLAIM FEBRUARY 11th, 2005, AS CORKY

ROBINSON DAY IN AUSTIN AND CALL ON ALL OF YOU ALL TO CONGRATULATE ALONG WITH ME A GREAT, GREAT GENTLEMAN CORKY ROBINSON.

THANK YOU VERY MUCH. [APPLAUSE]

THANK YOU, MAYOR WYNN, CITY COUNCIL. I WOULD ALSO LIKE TO THANK MY GOOD FRIEND AND FORMER STUDENT BILL CAMPBELL WHO SET ALL OF THIS IN MOTION. CONTACTED CASEY MONAHAN FROM THE TEXAS MUSIC COMMISSION WHO FOLLOWED THROUGH IT. I WOULD LIKE TO INTRODUCE MY SON, KEVIN ROBINSON AND MY LADY FRIEND MARION CAMERON IN THE AUDIENCE, I WOULD LIKE TO INVITE ALL OF YOU TO COME TO THE SENIOR ACTIVITY CENTER FEBRUARY THE 11th. IF YOU ARE NOT 50 YEARS OLD, YOU CAN COME AS A GUEST. WE WOULD BE DELIGHTED TO PLAY GREAT DANCE MUSIC FOR YOU. SO COME AND BE PREPARED TO DANCE. THANK YOU AGAIN.

THANK YOU. [APPLAUSE]

Mayor Wynn: THERE BEING A QUORUM PRESENT I WILL CALL BACK TO ORDER THIS MEETING OF THE AUSTIN CITY COUNCIL, EARLIER WE ENDED OUR DISCUSSION IN CLOSED SESSION. IN CLOSED SESSION WE TOOK UP ITEM NO. 36 A LAWSUIT KNOWN AS VIVIAN, NO DECISIONS WERE MADE. WE ALSO FINISHED OUR DISCUSSION AND EVALUATION OF THE PERFORMANCE OF OUR CITY MANAGER. AT THIS TIME MY UNDERSTANDING IS THAT THERE'S A POSTPONEMENT REQUEST FOR A COUPLE OF THE POTENTIAL PUBLIC HEARINGS TONIGHT?

DIRECTOR OF THE WATERSHED PROTECTION DEVELOPMENT REVIEW DEPARTMENT. ON ITEMS 45, 46, TWO PUBLIC HEARINGS, I UNDERSTAND THAT THERE'S SOME OUTSTANDING QUESTIONS THAT COUNCIL WANTS TO HAVE MORE INFORMATION ON. I BELIEVE COUNCILMEMBER DUNKERLY MAY HAVE SOME MORE INFORMATION ON THAT.

Mayor Wynn: POSTPONEMENT REQUEST FOR ONE WEEK ON ITEMS --

Dunkerly: MAYOR, I WOULD LIKE TO REQUEST THAT, PLEASE.

Mayor Wynn: MOTION MADE BY COUNCILMEMBER DUNKERLY TO POSTPONE THE PUBLIC HEARINGS 45 AND 46 FOR ONE WEEK TO FEBRUARY 10th, 2005. I'LL SECOND THAT. FURTHER COMMENTS? HEARING NONE, ALL THOSE IN FAVOR PLEASE SAY AYE.

AYE.

Wynn: OPPOSED? MOTION PASSES ON A VOTE OF 5-0 WITH THE MAYOR PRO TEM AND COUNCILMEMBER THOMAS TEMPORARILY OFF THE DAIS. IT'S ALSO MY UNDERSTANDING, COUNCIL, ITEM NO. 44, A PUBLIC HEARING REGARDING OUR CHILD CARE STANDARDS, CAN BE TAKEN UP RATHER QUICKLY AS WE HAVE NO CITIZENS SIGNED UP FOR THAT ITEM. ITEM NO. 44 IS TO CONDUCT A PUBLIC HEARING AND APPROVE AN ORDINANCE SETTING STANDARDS OF CHILD CARE FOR THE PARKS AND RECREATION DEPARTMENT FACILITIES AND PROGRAMS. THIS IS RECOMMENDED TO US BY THE PARKS AND REC BOARD.

WARREN, ARE YOU GOING TO TAKE THE LEAD ON THIS ONE?

OKAY. WE WELCOME MR. WARREN STRUSS.

GOOD EVENING MAYOR, MEMBERS OF THE COUNCIL, WHAT I WANTED TO BRING TO YOU TONIGHT IN ASKING FOR YOUR APPROVAL FOR ITEM NO. 44, THIS IS THE CHILD CARE, STANDARDS OF CARE FOR OUR RECREATION PROGRAMS IN OUR RECREATION CENTERS, THIS IS REQUIRED BY THE STATE FOR US TO BRING FORWARD OUR CHILD CARE ORDINANCES ON AN ANNUAL BASIS. WHAT WE WOULD LIKE TO DO IS BRING THAT TO YOU TONIGHT AND INDICATE TO YOU THAT WE ARE IN COMPLIANCE WITH THE CHILD CARE ORDINANCE AND THEY HAVE TAKEN IT TO THE PARKS BOARD, THEY HAVE APPROVED IT UNANIMOUSLY AS WELL.

THANK YOU, MR. STRUSS, QUESTIONS OF STAFF, COUNCIL? COMMENTS? IF NOT I'LL ENTERTAIN A MOTION ON ITEM 44.

MOVE APPROVAL.

Mayor Wynn: MOTION MADE BY THE MAYOR PRO TEM TO --
SECONDED BY COUNCILMEMBER MCCracken TO CLOSE
THE PUBLIC HEARING AND APPROVE THIS ORDINANCE ITEM
NO. 44 REGARDING CHILD CARE STANDARDS. FURTHER
COMMENTS?

JUST ONE.

MAYOR PRO TEM?

Goodman: I'M PROUD OF PARD, THAT'S IT.

Mayor Wynn: AGREED. ALL THOSE IN FAVOR PLEASE SAY
AYE?

AYE.

Wynn: OPPOSED? MOTION PASSES ON A VOTE OF 6-0 WITH
COUNCILMEMBER THOMAS TEMPORARILY OFF THE DAIS.
COUNCIL, FOLKS, EARLIER IN CLOSED SESSION WE SPENT
SOME TIME AS A COUNCIL DISCUSSING THE PERFORMANCE
EVALUATION AND POTENTIAL COMPENSATION ISSUES FOR
OUR CITY MANAGER. WE HAVE IT POSTED AS ITEM NO. 31,
THIS ITEM. I WOULD LIKE TO SAY THAT THIS COUNCIL AND I
BELIEVE THAT OUR CITY MANAGER HAS BEEN DOING A
REMARKABLE JOB. SHE HAS BEEN CITY MANAGER NOW FOR
TWO AND A HALF YEARS AND CHANGE. FRANKLY THE TWO
AND A HALF MOST CHALLENGING YEARS FOR AUSTIN IN THE
LAST DECADE OR SO, AT LEAST FROM A BUDGETARY
STANDPOINT. AND I'M PROUD TO SAY AS I'VE SAID IN
SEVERAL STATE OF THE CITY ADDRESSES OVER THE LAST
COUPLE OF WEEKS THAT THE STATE OF THIS CITY IS --
TODAY IS VERY STRONG AND GETTING STRONGER EVERY
DAY AND A LARGE AMOUNT OF CREDIT GOES TO OUR CITY
MANAGER AND HOW SHE HAS LED THE CITY ORGANIZATION
THROUGH SOME CHALLENGING BUDGET YEARS. THE -- THE
ITEM NO. 31 THE BACKUP, OR THE -- THE CORRESPONDING
ORDINANCE RELATED TO THE COMPENSATION HAS THREE
MAIN POINTS THAT I WOULD LIKE TO JUST DISCUSS BRIEFLY
NOW. WE AS A COUNCIL DISCUSSED THESE IN GREAT
DETAIL. THE THREE ISSUES ARE WE WILL FIRST REDUCE

HER DEFERRED COMPENSATION FROM ABOUT \$8,000 TO A YEAR TO ZERO, BUT NOT TO WORRY BECAUSE WE WILL CONVERT THAT \$8,000 A YEAR THAT WAS DEFERRED COMPENSATION INTO HER BASE SALARY. HER NEW SALARY WILL BE \$196,115.22 A YEAR. THEN THIRDLY, WE ARE GOING TO CHANGE HER CURRENT SEVERANCE PACKAGE, THE NET OF THE CHANGES, SORT OF WORDY, BUT IF SHE WERE TO LEAVE INVOLUNTARILY, BEFORE SHE WOULD HAVE ACHIEVED 23 FULL YEARS OF CREDITABLE SERVICES FOR RETIREMENT PURPOSES OR RETIREMENT CALCULATIONS, THEN THE SEVERANCE PACKAGE WOULD ALLOW THE CITY TO PURCHASE THE RETIREMENT SERVICE CREDITS IN ORDER TO SATISFY THAT FULL 23 YEAR CREDITABLE SERVICE STANDARD. I POINT OUT, BY THE WAY, THAT TOBY FUTRELL HAS ACTUALLY WORKED HERE AT THE CITY FOR 28 SOME ODD YEARS, SEVEN OF WHICH WAS IN OUR HEALTH DEPARTMENT AND AT THE TIME YEARS AGO WE HAD STATE, COUNTY AND CITY EMPLOYEES WORKING AT THE CITY IN HEALTH DEPARTMENT AT THE TIME. TECHNICALLY, TOBY WAS CLAY CLASSIFIED AS A STATE EMPLOYEE, ALTHOUGH SHE HAS NOW WORKED HERE AT THE CITY FOR 28 YEARS, A RASHABLE DEDICATED SERVICE TO THE CITIZENS OF -- REMARKABLE DEDICATED SERVICE TO CITIZENS OF THIS COMMUNITY. WITH THAT I WILL RECOGNIZE COUNCILMEMBER SLUSHER FOR A MOTION.

Slusher: YES, MAYOR. I WOULD MOVE TO APPROVE THE PANEL AND IF I GET A SECOND I WOULD HAVE A FEW WORDS.

Mayor Wynn: SECONDED BY COUNCILMEMBER DUNKERLY, TO APPROVE ITEM NO. 31 AS POSTED.

Slusher: I THINK THE MANAGER GETS SO EMBARRASSED WHEN WE SAY NICE THINGS ABOUT HER, BUT I WANTED TO SAY A FEW THINGS ANYWAY SINCE IT'S BEEN A YEAR AND A HALF SINCE HER EVALUATION. FIRST OF ALL ABOUT THE MOTION THAT IT DOESN'T INCLUDE A PAY INCREASE. IT'S COST NEUTRAL. THE REASON FOR THIS IS NOT THAT THE COUNCIL IS REFUSING TO GIVE HER A PAY RAISE. THE CITY MANAGER HAS ASKED TO NOT HAVE A PAY RAISE. THIS IS THE THIRD YEAR IN A ROW THAT -- THE FIRST TWO YEARS THE EMPLOYEES DIDN'T GET A PAY RAISE, SHE DIDN'T. SHE

STUCK WITH THE EMPLOYEES AND SAID SHE WAS TAKING WHAT THE EMPLOYEES GOT THIS YEAR SHE HAS NOT TAKEN ONE EITHER FOR REASONS I THINK ONE BEING THE -- THAT WE'RE DONE WITH THE EXECUTIVE SALARIES, BUT SHE IS NOT GOING TO TAKE ANY INCREASE, SO THE PACKAGE IS COST NEUTRAL EVEN THOUGH THE CITY EMPLOYEES ARE GETTING A 3.5% INCREASE THIS YEAR. AS TO HER TIME IN AUSTIN, I'M NOT GOING TO COVER THE WHOLE THING, BUT I WOULD SAY I THINK HER TOP ACHIEVEMENT IS THE BUDGET AND THE WAY THE CITY OF AUSTIN CAME OUT OF THE BUDGET CRISIS THAT ALL CITIES IN THIS NATION FACED, BEGINNING IN 2001 AND ACTUALLY RIGHT AT THE BEGINNING TO -- THE ECONOMY GETTING TO DIP A LITTLE BIT BEFORE THAT. BEGINNING TO. I THINK WE CAME OUT OF THAT STRONGER THAN ANY CITIZEN THAT I KNOW OF, I THINK PROBABLY STRONGER THAN ANY -- ANY CITY IN THE NATION. AND A HUGE AMOUNT OF THAT CREDIT, THE LEADERSHIP, WAS FROM TOBY FUTRELL, THE CITY MANAGER. I THINK ALL OF THE CITY EMPLOYEES DESERVE THANKS FROM THE CITY, FROM THE COUNCIL IN THEIR ROLES IN THAT. IT WAS TOBY THAT GUIDED THE CITY THROUGH THAT AND BROUGHT US INTO WHERE THE ECONOMY WAS STARTING TO PICK UP AGAIN AND THE CITY OF AUSTIN IS REALLY IN STRONG SHAPE. ANOTHER THING I APPRECIATE ABOUT HER THAT'S TIED TO WHAT WE HAVE ALREADY BEEN TALKING ABOUT IS THE WAY SHE STAYS IN TOUCH WITH THE EMPLOYEES. SHE GOES OUT VERY FREQUENTLY, HAS WHAT SHE CALLS TOWN HALL MEETINGS, WITH -- WITH VARIOUS DEPARTMENTS WHERE ALL OF THE EMPLOYEES IN THOSE DEPARTMENTS ARE INVITED TO COME IN AND TALK TO HER, HEAR REPORTS FROM HER AND THEN OFFER FEEDBACK AND A LOT OF -- AS A RESULT OF THIS, A LOT OF CITY PRACTICES HAVE BEEN IMPROVED. THAT WAS THE SOURCE OF A LOT OF BUDGET SAVINGS DURING THE LAST FEW YEARS OF HARD BUDGET TIMES. ALSO, SHE'S VERY RESPONSIVE TO THE CITIZENS AND -- AND I THINK THE CITIZENS FEEL BETTER ABOUT THEIR GOVERNMENT AND JUST TO -- TO FINISH UP, I THINK THE EMPLOYEES -- SHOULD NEVER ASK -- SHE NEVER ASKED MORE FROM THE EMPLOYEES THAN SHE WILL DO HERSELF AND I THINK AS A MATTER OF FACT SHE REALLY DOESN'T ASK QUITE AS MUCH FROM THEM, MAYBE, AS SHE'LL DO HERSELF BECAUSE THAT WOULD JUST BE DRIVING THEM

FAR TOO HARD. CITY MANAGER, THANK YOU VERY MUCH.

Mayor Wynn: THANK YOU, COUNCILMEMBER, MOTION AND SECOND ON THE TABLE TO APPROVE ITEM NO. 31, FURTHER COMMENTS? MAYOR PRO TEM?

Goodman: I THINK WE COULD ALL SPEND A A LONG TIME TODAY TALKING ABOUT ALL OF THE THINGS THAT TOBY FUTRELL HAS MANAGED ADMIRABLY FOR THE CITY. I WILL JUST SAY THAT I BELIEVE SHE IS CONSTITUTIONALLY UNABLE TO LET A PERCEIVED OR REAL NEGATIVE INFERENCE ABOUT THE CITY PASS UNADDRESSED AND UNCORRECTED. SO WE DO WELL. MARES THANK YOU MAYOR PRO TEM, FURTHER COMMENTS? COUNCILMEMBER MCCRACKEN?

McCracken: I GUESS THERE'S THE LINE THAT THE ONLY TIME THIS YOU EVER HEAR ANYTHING NICE ABOUT YOURSELF IS AT YOUR OWN FUNERAL, BUT -- BUT WE HAD THE GREAT FORTUNE TO SAY A LOT OF NICE THINGS THAT WE ALL MEAN ABOUT TOBY. THERE'S THE -- THIS IS NOT YOUR FUNERAL, ALTHOUGH I AM REMINDED OF WHEN JOHN MCCAIN WAS RUNNING FOR PRESIDENT HE WAS ASKED IF HE WOULD REAPPOINT ALLAN GREENSPAN. HE SAID YES IN FACT IF HE WERE TO DIE, IT WOULD BE LIKE A WEEKEND AT BERNIE'S I WOULD PROP HIM UP. WE FEEL THE SAME ABOUT TOBY, LUCKY TO HAVE HER. COUNCILMEMBER SLUSHER TALKED ABOUT THE PHENOMENAL SUCCESS OF THE BUDGET THROUGH HARD TIMES, BUT ALSO THE ONE STOP SHOP THAT'S BEEN CREATED, CONSOLIDATING 12 DEPARTMENTS INTO ONE. WE NOW HAVE THE FASTEST ROAD CORRECTION ON CITY STREETS THAT WE'VE EVER HAD, WITH LAMAR, CESAR CHAVEZ, THE CITY HALL CONSTRUCTION, AUSTIN HAS THE LOWEST TAX RATE OF ANY BIG CITY IN THE STATE, THE BEST BOND RATING OF ANY BIG CITY IN THE STATE. THE SECOND LOWEST CRIME RATE OF ANY CITY IN THE NATION. THE NATION'S TOP ENERGY PROGRAM. WE HAVE DONE ALL OF THIS EVEN WITH THE STATE PILING A LOT OF UNFUNDED MANDATES ON US. THE MUELLER CONTRACT, THE ROBINSON RANCH ANNEXATION. MOST OF THE TOWNS THAT I HAVE LIVED IN IN MY LIFE, TWO OF THESE WOULD BE CONSIDERED FRONT PAGE HEADLINES ACCOMPLISHMENT. HAPPENED IN THE LAST TWO OR THREE YEARS. WE WERE

EXTREMELY FORTUNATE TO HAVE SUCH AN OUTSTANDING CITY MANAGER, THE RECORD SPEAKS FOR ITSELF.

COUNCILMEMBER THOMAS?

THANK YOU, MAYOR.

I AGREE WITH WHAT EVERYONE SAID. ONE THING ABOUT MS. FUTRELL IS THAT SHE'S HARD WORKER. SHE DOES HAVE THE HEART OF HER EMPLOYEES, THE PEOPLE THAT ARE BELOW HER. BUT IF YOU LOOK AT HER SALARY A LOT OF PEOPLE THINK THAT'S A LOT OF MONEY. IF YOU LOOK AT THE MARKET FOR CITY MANAGERS THESE DAYS, WE ARE REALLY NOT PAYING OUR CITY MANAGER WHAT WE SHOULD BE PAYING HER. I COMMEND HER BECAUSE SHE WANTS TO MAKE SURE THAT HER OTHER EXECUTIVES ARE GETTING AN INCREASE THAT THEYMENT BE ABLE TO PERFORM BECAUSE AUSTIN, TEXAS IS ONE OF THE GREAT CITIES IN TEXAS AND IN THE WORLD. AND WE ARE GROWING CONTINUOUSLY GROWING. THERE ARE SOME TIMES WHEN SHE STANDS STRONG AND BOLD ABOUT HER DECISIONS. BUT SHE ALSO LISTENS AND THAT'S WHAT I LIKE ABOUT HER. ALTHOUGH WE HAVE SOME OTHER ISSUES THAT WE ARE WORKING ON, BUT SHE IS COMMITTED TO MAKE SURE THOSE THINGS ARE CORRECTED. I COMMEND YOU VERY MUCH. MS. TOBY FUTRELL. GOD BLESS YOU.

Futrell: THANK YOU.

Mayor Wynn: COUNCILMEMBER ALVAREZ?

Alvarez: THANK YOU, MAYOR. REALLY, JUST TO -- TO GIVE KUDOS TO OUR CITY MANAGER WHO IS JUST AN INCREDIBLE MANAGER. SHE IMPRESSES THE HECK OUT OF ME, WEEK IN, WEEK OUT WITH ALL OF THE ISSUES SHE'S ABLE TO TACKLE. SENSITIVE ISSUES SHE'S ABLE TO DIFFUSE AND -- BUT I REALLY AM AMAZED AT WHAT WE HAVE BEEN ABLE TO DO THE LAST THREE YEARS GIVEN THE ECONOMIC SITUATION THAT THE CITY HAS BEEN IN, I THINK THAT'S DUE IN LARGE PART TO YOUR LEADERSHIP, TOBY, SO THANK YOU FOR THAT, BUT SHE'S -- LIKE HAS BEEN SAID, AN INCREDIBLE WORKER, HARD WORKER, HER CAR IS OFTEN THE LAST ONE TO LEAVE AND SOMETIMES WHEN I COME IN ON THE

WEEKENDS HER CAR IS ALREADY HERE OR HAS BEEN HERE AND THAT SHOWS HER COMMITMENT. I HAVE SEEN HER OUT IN THE COMMUNITY A LOT TALKING TO FOLKS, TRYING TO FIND OUT WHAT'S GOING ON. WHICH SHE DOESN'T HAVE TO DO, DOESN'T HAVE TO DO ANY OF THAT. SHE'S ACCOUNTABLE TO US, BUT WE ARE ACCOUNTABLE TO THE PEOPLE AND SO -- SO I JUST REALLY APPRECIATE THE FACT THAT SHE'S ACCESSIBLE AND THAT SHE'S OPEN MINDED, SHE'LL HEAR YOU OUT WHATEVER YOUR ISSUE IS, SHE'S FAIR AND SHE'S A TOUGH NEGOTIATOR. BUT I THINK ALL OF THAT IS -- THOSE ARE ALL REASONS WHY I THINK WE ARE IN A VERY STRONG POSITION, JUST WANTED TO SAY THANK YOU.

THANK YOU.

I CAN'T GO WITHOUT ADDING A FEW WORDS. THIS IS A TIME TO EXPRESS SOME APPRECIATION. FREQUENTLY WE JUST DON'T TAKE THE TIME TO SAY THANK YOU FOR ALL OF THE WORK YOU DO, FOR ALL OF THE GOOD THINGS THAT YOU HELPED THE CITY ACHIEVE. I CAN TELL YOU THAT SHE'S THERE ALL THE TIME, VIRTUALLY ALL OF THE TIME WORKING ON BEHALF OF THE CITY. WHEN ALL OF THE REST OF US HARD WORKERS FINALLY GO HOME, YOU CAN BE ASSURED THAT TOBY'S LIGHT IS STILL ON IN THAT OFFICE UPSTAIRS. THANK YOU FOR ALL YOU DO AND WE APPRECIATE IT.

Mayor Wynn: BEFORE WE SPEAK, A MOTION AND SECOND ON THE TABLE, ALL THOSE IN FAVOR PLEASE SAY AYE? OPPOSED? MOTION PASSES ON A VOTE OF 7-0. NOW YOU ARE SAFE TO SPEAK, TOBY.

Futrell: I'M OVERWHELMED BY THE COMMENTS, I WASN'T PLANNING ON SPEAKING, THANK YOU, THANK ALL OF YOU FOR EVERYTHING THAT YOU HAVE DONE TO SUPPORT WHAT WE HAVE BEEN ABLE TO ACCOMPLISH BECAUSE TRULY ALL OF US OUGHT TO BE VERY PROUD OF WHAT WE HAVE ACCOMPLISHED OVER THE LAST TWO AND A HALF, THREE YEARS. IT'S INCREDIBLE. WHAT WE HAVE DONE. IN LIGHT OF THE ECONOMY. I'M VERY PROUD OF IT, I HOPE YOU ARE, ALSO, FOLKS PLEASE JOIN ME IN CONGRATULATING OUR CITY MANAGER,.

Y FUTRELL. [APPLAUSE]

Mayor Wynn: THANK YOU ALL VERY MUCH. COUNCIL, I BELIEVE THAT LEAVES US JUST WITH OUR PUBLIC HEARING, ITEM NO. 43. WHICH IS TO CONDUCT A HEARING REGARDING THE TRANSIT ORIENTED DEVELOPMENT ORDINANCE. WE WILL WELCOME A STAFF PRESENTATION. IF YOU REMEMBER, WE WERE POSTED FOR A 2:00 BRIEFING, THEN A PUBLIC HEARING AT 6:00 P.M. WE MADE THE DECISION EARLIER JUST TO WAIT AND HAVE THE STAFF BRIEFING NOW SO THE FOLKS WHO ARE HERE WHO LIKELY WANTED TO ADDRESS US CAN HEAR THE SAME INFORMATION THAT WE HEAR AS COUNCIL. I'LL WELCOME MS. LAURA HUFFMAN.

THANK YOU, MAYOR, MAY, MAYOR PRO TEM, COUNCIL, WE ARE BEFORE YOU TONIGHT TO TALK ABOUT THE TRANSIT ORIENTED DEVELOPMENT FRAMEWORK THAT WE ARE PROPOSING TO GO HAND IN HAND WITH THE MASS TRANSIT PASSED IN AUSTIN. IN JULY YOU ASKED US TO GO OUT AND RESEARCH OTHER T.O.D.S AROUND THE COUNTRY AND BRING YOU BACK THE FRAMEWORK THAT WOULD ALLOW YOU TO HAVE TRANSIT ORIENTED DESTINATION IN AUSTIN. WHAT YOU HAVE BEFORE YOU IS ORDINANCE THAT FOCUSES ON MIXED USE, PEDESTRIAN FRIENDLY KINDS OF DEVELOPMENT. THAT'S WHAT WE WOULD LIKE TO PRESENT TO YOU. WE HAVE BEEN THROUGH A -- THROUGH A FAIRLY EXTENSIVE PUBLIC PROCESS AND I JUST WANT TO TELL YOU SOME OF THE FOLKS THAT WE HAVE BEEN TALKING TO SINCE JULY. WE HAVE HELD THREE BROAD STAKEHOLDER MEETINGS, FOUR FOCUS GROUPS CENTERED AROUND AFFORDABLE HOUSING, REAL ESTATE, NEIGHBORHOODS AND SMALL BUSINESS,ING ALSO PRESENTED AND DISCUSSED THESE IDEAS AND THE ORDINANCES WITH THE AUSTIN HOME BUILDERS ASSOCIATION, CHAMBER OF COMMERCE, EAST CESAR CHAVEZ NEIGHBORHOOD ASSOCIATION, CRESTVIEW, WOOTEN, BRENTWOOD AND HIGHLAND NEIGHBORHOOD ASSOCIATION, THE AUSTIN NEIGHBORHOODS COUNCIL, THE DOWNTOWN AUSTIN ALLIANCE AND THE SALTILLO ADVISORY GROUP. THIS ORDINANCE HAS BEEN THROUGH A NUMBER OF BOARD AND ECONOMICS, THE ZONING AND PLATTING COMMISSION, DESIGN COMMISSION, URBAN TRANSPORTATION COMMISSION, AND THE PLANNING COMMISSION BEFORE

COMING TO YOU THIS EVENING. SO IT'S -- IT'S MADE ITS WAY AROUND BEFORE IT'S COME TO YOU TONIGHT, WE KNOW, HOWEVER, AND RECOGNIZE THAT THIS IS A RELATIVELY COMPLICATED PROCESS. IT IS ALSO NEW TO AUSTIN. SO WE WOULD LIKE TO TAKE SOME TIME TONIGHT TO TALK TO YOU ABOUT WHAT FRAMEWORK WE ARE PROPOSING. AND WHAT I WOULD DO IS JUST GIVE YOU THE BASIC FRAMEWORK AND THEN WE HAVE ASKED MS. GLASGO TO WALK YOU THROUGH EACH OF THE SEVEN PROPOSED T.O.D.'S SO YOU CAN SEE EXACTLY WHAT THE LAND USE PLANNING USES ARE BETWEEN EACH OF THOSE T.O.D. WE ARE RECOMMENDING A T.O.D. TWO STEP APPROACH. THE FIRST STEP WOULD ESSENTIALLY BE AN OVERLAY FOR THE SEVEN T.O.D.'S. FIRST OF ALL CATEGORIZES EACH OF THE SEVEN. WE RECOGNIZE THAT THEY ARE NOT -- NOT ALL DEVELOPMENTS WILL BE THE SAME, WE ARE GOING TO HAVE STATIONS IN THE DOWNTOWN BUT ALSO IN NEIGHBORHOODS. AND WE WANTED TO RECOGNIZE THAT YOU WOULD BE LOOKING FOR DIFFERENT KINDS OF LAND USE PATTERNS DEPENDING ON WHERE THOSE STATIONS WOULD BE. SO WE HAVE GOT FOUR BASIC CATEGORIES, YOU HAVE GOT NEIGHBORHOOD T.O.D.'S, TOWN SISTER T.O.D.'S, DOWNTOWN T.O.D.'S AND REGIONAL T.O.D.'S. WE WILL WALK YOU THROUGH EACH OF THE SEVEN AND DESCRIBE WHICH OF THOSE CATEGORIES THEY FIT INTO AND WHAT THAT MEANS IN TERMS OF LAND PLANNING. PHASE 1 OF THE OVERLAY ALSO ESTABLISHED PROHIBITED USES, THESE PROHIBITED USES ARE DESIGNED TO MAKE SURE THAT BETWEEN NOW AND THE TIME THAT ACTUAL STATION STATIONARY PLANNING OCCURS THAT WE DON'T GET A LAND USE PATTERN THAT WOULD BE COUNTER TO WHAT WE ARE TRYING TO ACHIEVE IN TERMS OF A PEDESTRIAN FRIENDLY MIXED USE DEVELOPMENT AROUND MASS TRANSIT. AND FINALLY, THERE ARE SOME -- SOME SITE DEVELOPMENT STANDARDS SETBACKS AND PARKING ARE THE MAJOR ONES THAT WE'RE ESTABLISHING IN PHASE 1. AGAIN THAT IS TO MAKE SURE THAT THE LAND USE PATTERNS THAT WE SEE BETWEEN NOW AND THE STATION AREA PLANNING OCCURS IN A WAY THAT'S CONSISTENT WITH THE VALUES THAT YOU HAVE ESTABLISHED IN YOUR RESOLUTION. IN STEP TWO, WHAT HAPPENS -- STEP TWO IS TRIGGERED WHEN CAPITAL METRO BEGINS IT'S DETAILED STATION AREA PLANNING. IN STEP TWO WE WILL TIE DOWN

ALL OF THE LAND USE ISSUES, ALL OF THE SITE DEVELOPMENT ISSUES. [ONE MOMENT PLEASE FOR CHANGE IN CAPTIONERS]

THE RELATIONSHIP THERE IS TO THE EXTENT THAT THE T.O.D. ZONING CREATES A NEIGHBORHOOD PLAN AMENDMENT, IN OTHER WORDS, A SIGNIFICANT CHANGE TO THE NEIGHBORHOOD PLAN, THE NEIGHBORHOOD PLAN AMENDMENT PROCESS WILL BE USED FOR THAT CHANGE. AND THAT ASSURES YOU THAT THE GOOD AND THE HARD WORK THAT GOES INTO THESE NEIGHBORHOOD PLANS IS USED AND THAT THE PROCESS THAT WAS PUT IN PLACE BY YOU TO ENSURE THE CHANGES ARE REVIEWED BY NEIGHBORHOOD PLANNING TEAMS, THAT PROCESS WILL BE USED FOR THE T.O.D.S. AND FINALLY, I MENTIONED YOU'VE GOT A CORRESPONDING RESOLUTION ALONG WITH YOUR ORDINANCE THAT ESTABLISHES OUR HOUSING GOALS. WE'VE GOT AFFORDABLE HOUSING GOALS FOR BOTH HOME OWNERSHIP AND RENTAL AND HOME OWNERSHIP. WE ARE LOOKING AT 80% OF MFI AND 25% IS OUR GOAL, SO 25% OF THE HOME OWNERSHIP AT 80% OF THE MFI. 25% OF THE RENTAL UNITS AT 60% OF THE MFI. THOSE ARE THE SAME HOUSING GOALS THAT YOU ESTABLISHED IN MUELLER AND ARE A LITTLE BIT MORE AGGRESSIVE THAN THAT WHICH YOU ESTABLISHED IN THE UNO, WHICH IS THE OTHER NEIGHBORHOOD PLAN WHERE WE'VE ESTABLISHED AFFORDABLE HOUSING GOALS. SO WITH THAT WHAT I'D LIKE TO DO IS TURN IT OVER TO ALICE GLASGO FIRST, WHO WILL WALK YOU THROUGH EACH OF THE SEVEN AREAS THAT HAVE BEEN DESIGNATED AS T.O.D.S AND WOULD HAVE THE FIRST STEP, AN OVERLAY. AND DURING STATIONARY PLANNING WOULD HAVE THE SECOND STEP, WHICH IS A T.O.D. ZONING DISTRICT. AND AFTER THAT PAUL HILGERS IS HERE TO TALK TO YOU ABOUT THE AFFORDABLE HOUSING GOALS THAT WE'VE RECOMMENDED TO YOU ALONG WITH THE T.O.D. ORDINANCE.

Mayor Wynn: WELCOME, MS. GLASGO.

THANK YOU, MAYOR AND COUNCILMEMBERS. I'D LIKE TO START YOU OFF BY WALKING YOU THROUGH THE SEVEN STATIONS THAT WE ARE OFFERING AS TRANSIT ORIENTED DEVELOPMENT. AS MS. HUFFMAN INDICATED, WE START OFF

WITH 10 STATIONS, AND THOSE ARE THE STATIONS THAT THE CITIZENS VOTED FOR. HOWEVER, WE'RE MOVING FORWARD WITH SEVEN SINCE THOSE SEVEN HAVE A SPECIFIC SITE IDENTIFIED FOR WHERE THE STATIONS WILL BE LOCATED. AND MR. EVANS IS PUTTING A MAP IN FRONT OF YOU TO SHOW THE GENERAL LOCATION OF THE STATIONS. I AM GOING TO MOVE OVER TO THE MAP SO I CAN WALK YOU THROUGH THE SEVEN STATIONS. IT IMPORTANT FOR US TO SHOW YOU THE AREAS, THE AERIAL PHOTOGRAPHIES THAT GIVE YOU AN IDEA OF WHY WE HAVE -- WE HAVE FOUR TYPES OF T.O.D.'S. WE CALL IS T.O.D. TYPOLOGY. I'M GOING TO WALK YOU THROUGH THE T.O.D. TYPOLOGY ON THE MAP.

Mayor Wynn: MISS GLASGO, CAN FOLKS IN THE BACK SEE THIS VISUAL?

IS THERE A WAY TOO --

I WAS HOPING THE CAMERA COULD PICK IT UP AND HOPEFULLY PROJECT THEM BEHIND YOU. I DON'T KNOW IF THAT'S POSSIBLE. WE DO HAVE IT UP THERE. THIS MAP SHOWS YOU THE SEVEN STATIONS. WE'LL START OFF WITH A CONVENTION CENTER STATION RIGHT HERE, SALTILLO PLAZA, MLK, LAMAR BOULEVARD AT JUSTIN LANE, HOWARD LANE, NORTHWEST PARK AND RIDE, THAT'S THE 10th STATION AND THAT'S THE ORDER IN WHICH THE MAPS ARE ORDERED IN YOUR ORDINANCE, ONE THROUGH SEVEN. THE MAP I HAVE IN FRONT OF YOU NOW IS THE AERIAL PHOTOGRAPHY OF THE CONVENTION CENTER TRANSIT ORIENTED DEVELOPMENT. WE STARTED OFF BY DEFINING OR LOCATING THE STATION AREA PLATFORM, AND FROM THERE WE CREATED A CIRCLE OF A 300-FOOT RADIUS, AND WE ALSO CREATED OR IDENTIFIED THREE ZONES WITHIN EACH OF THE TRANSIT ORIENTED DEVELOPMENT AREAS. SO THE CONVENTION CENTER, SINCE IT GOING TO BE THE MOST INTENSIVE ZONE, WE DID NOT REALLY APPLY ALL THE ZONES, JUST ONE ZONE. THE THREE ZONES ARE THE GATEWAY, THAT IS THE AREA WITHIN 300 FEET AROUND THE PLATFORM. THAT WOULD BE THAT CIRCLE. THE YELLOW CIRCLE WOULD BE WHAT WE CALLED THE GAYWAY ZONE IN MOST OF THE OTHER STATIONS EXCEPT FOR DOWNTOWN. THIS IS JUST TO SHOW YOU THE DISTANCE REALLY. FROM

THE PLATFORM THE RED SIGNIFIES 300 FEET FROM THE PLATFORM. THE YELLOW SIGNIFIES A QUARTER -- 1,000-FOOT RADIUS FROM THE RED CIRCLE. AND THEN THE GREEN IS YOUR QUARTER MILE. OUR RESEARCH SHOWS THAT PEOPLE WILL WALK A QUARTER OF A MILE TO A GIVEN LOCATION, AND NO FURTHER THAN THAT. AND THEREFORE OUR LAND USE DESIGNATIONS, OUR HEIGHT AND DENSITIES, WERE FACTORED BASED ON THAT TO ALLOW A SETBACK, IF YOU WILL, FROM THE STATION WHERE YOU'RE GOING TO HAVE THE MOST INTENSIVE LAND USES AS YOU GET FURTHER AWAY FROM THE STATION WHERE PEOPLE ARE NOT GOING TO BE WALKING TO, THAT YOU PROVIDE THE LAND USE FOR THAT INCLUDING THE DENSITIES AND INTENSITIES THAT GO WITH THAT. THE CONVENTION CENTER T.O.D. IS JUST GOING TO BE REALLY ONE ZONE. ALL IT'S GOING TO HAVE IS THE GATEWAY ZONE, WHICH UNDER OUR ORDINANCE, WHICH I'LL WALK YOU THROUGH, IS THE MOST INTENSIVE THAT HAS SOME MINIMUMS. SOME OF THESE MAPS ARE TALLER THAN ME, SO HARD TO GET UP THERE. THE PLAZA SALTILLO TRANSIT ORIENTED DEVELOPMENT DISTRICT IS CALLED A NEIGHBORHOOD CENTER TYPE OF T.O.D. AND THE NEIGHBORHOOD CENTER T.O.D. IS SUPPOSED TO HAVE LOWER INTENSITY THAN THE CONVENTION CENTER OR THE DOWNTOWN T.O.D. AND THE PLAZA SALTILLO IS OBVIOUSLY PART OF A SITE THAT'S OWNED BY CAPITAL. YOU ETRO. AS YOU GET FURTHER OUT YOU CAN REALIZE THIS IS A NEIGHBORHOOD CENTER BECAUSE YOU DO HAVE A NEIGHBORHOOD IN THE AREA. THE BLACK LINE HERE SIGNIFIES THE LAND THAT IS OWNED BY CAPITAL METRO THAT IS GOING TO BE GOING THROUGH THE SALTILLO DEVELOPMENT PROCESS THAT IS CURRENTLY UNDERWAY AND WILL BE COMING TO THE CITY COUNCIL FOR APPROVAL. IT IS APPROXIMATELY 11-ACRES, AND AS YOU CAN TELL, WE WENT AHEAD AND TRIED TO MAP THE INTENSIVE ZONES. THE GATEWAY, WHICH SETS OFF FROM PLAZA SALTILLO ITSELF, WE DID NOT GET A POSITIVE REACTION WHEN WE SHOWED THIS MAP TO THE RESIDENTS BECAUSE IF YOU TAKE THE RULE OF THUMB THAT YOU FIND YOUR STATION AND YOU KEY OFF YOUR INTENSIVES FROM THE STATION, THE MOST INTENSE TO LEAST INTENSIVE, THIS WAS NOT ACCEPTABLE TO THE NEIGHBORHOOD. AND WE AGREED, SO THIS SIGNIFIES THE IMPORTANCE OF HAVING A

STEP TWO WHERE YOU'RE ABLE TO SIT DOWN AT A LATER DATE AND LOOK AT ALL THE FACTORS THAT GO INTO A PARTICULAR STATION BECAUSE THEY'RE ALL SO DIFFERENT, TO THEN BETTER DEFINE WHAT THE NEEDS ARE, SO DO A NEED ASSESSMENT AND THEN CRAFT A PLAN THAT GETS YOU TO A POINT WHERE YOU CAN ADDRESS EACH AREA'S NEEDS. HERE THE RULE OF THUMB DOESN'T WORK BECAUSE YOU HAVE IH-35 RIGHT HERE, AND ON THE OTHER SIDE OF I-35 YOU HAVE THE CONVENTION CENTER T.O.D. ON THE OTHER SIDE YOU CAN SEE THE OVERLAPPING OF THE ZONES FROM THE OTHER SIDE, THE YELLOW AND THE GREEN. WHICH MEANS THAT WE STARTED NOT TO PROPOSE ANY OF THOSE INTENSIVE ZONES. WE JUST HAVE ONE ZONE FOR THE CONVENTION CENTER, MINUS THE SALTILLO PLAZA PLAN THAT IS BEING PROPOSED BY THE ROMA DESIGN GROUP. THE REMAINDER OF THE BOUNDARY OF THE T.O.D. WILL BE CALLED A TRANSITION ZONE, AND OUR PLAN IS AFTER YOU APPROVE THE ORDINANCE, WE WILL GO INTO STEP TWO WHERE WE'LL GO AHEAD AND DO A NEEDS ASSESSMENT, AND THEN WITH THE COMMUNITY'S INPUT COLLECTIVELY WE WILL DECIDE, THE STAKEHOLDERS WILL DECIDE WHERE THE GATEWAY ZONE WOULD BE, AND IT MIGHT CHANGE. AND WHERE THE INTENSITIES SHOULD BEGIN SCALING BACK. THERE WOULD BE THE REVERSE OF EVERYTHING ELSE, I BELIEVE, THAT YOUR MOST INTENSE ZONE WILL BE LOCATED CLOSER TO THE HIGHWAY AND THE SCALING BACKS ARE GOING TO GO BACKWARDS CLOSER TOWARD THE STATION. IT'S A LITTLE DIFFERENT AND THAT'S CR IT'S IMPORTANT FOR US TO WALK YOU THROUGH EACH STATION TO SEE THE DIFFERENT CHARACTERISTICS OF EACH AREA SO YOU CAN BETTER UNDERSTAND WHY YOU HAVE THE ZONES AND WHERE THEY OUGHT TO BE LOCATED AND THE NEED FOR A SECOND STEP WHERE YOU CAN FURTHER ASSESS WHAT THE NEEDS ARE AND THEN REFINE BASED ON THE ANALYSIS THAT INCLUDES AN ECONOMIC ANALYSIS, AN INCOME ASSESSMENT OF WHAT THE INCOME LEVEL IS OF THE AREA AND THEN DETERMINE WHAT YOUR HOUSING AFFORDABILITY DEMAND IS, AND WHAT TYPE OF HOUSING OUGHT TO ACCOMMODATE THAT DEMAND SO YOU CAN COME UP WITH A PLAN ON HOW THE HOUSING DEMAND AND PRODUCTION ARE TO OCCUR.

Alvarez: MAYOR, CAN I ASK A QUESTION?

Mayor Wynn: COUNCILMEMBER ALVAREZ.

Alvarez: IF YOU CAN LEAVE THAT UP, PLEASE. I WAS CURIOUS ABOUT THE SIZE OF THE TRANSITION ZONE BECAUSE IF YOU JUST LOOK AT THE RADIUS THERE THAT WITH I BELIEVE WHAT'S BEING USED TO DESIGN THE VARIOUS ZONES, THERE'S A LOT OF LAND OUTSIDE OF THAT RADIUS THAT'S BEING CALLED A TRANSITION ZONE, AND SO I'M JUST TRYING TO FIGURE OUT WHY -- TRYING TO FIGURE OUT WHY THAT IS.

LET ME TRY TO CLARIFY. ARE YOU TALKING ABOUT THE AREA OUTSIDE THE -- THE BLACK LINE IS THE BOUNDARY OF THE ENTIRE T.O.D., THE ENTIRE TRANSIT ORIENTED -- THE SAL SALTILLO PLAZA T.O.D. IS WITHIN THE BLACK LINE.

Alvarez: BUT HOW WAS THAT DETERMINED? BECAUSE I THOUGHT YOU WERE LOOKING AT WHERE IS THE STATION, LOOKING AT A RADIUS AROUND THE STATION, TRYING TO ENCOURAGE A CERTAIN AMOUNT OF DENSITY, BUT YET YOUR ACTUAL T.O.D. EXTENDS MUCH GREATER DISTANCE THAN THAT AND KIND OF AN ODD SHAPE.

EXCELLENT QUESTION. I HAVE AN ANSWER FOR THAT. I CAME PREPARED WITH MY MAPS. THE NEIGHBORHOOD PLAN HELPS US GUIDE, SO THE AREAS THAT WE HAVE PLANNED, THE GUIDING PRINCIPLE IS BECAUSE OF THE PLANS, WE ANTICIPATED COMMUTER RAIL COMING, I HAD ASSIGNED AND THE NEIGHBORHOODS DID AND YOU WORKED ON THE PLANS. WHEN I WALK YOU THROUGH STATIONS 2 THROUGH 4, 5 -- AND 4 AND 5, THIS IS THE COMPILATION OF THE NEIGHBORHOOD PLANS, A TOTAL OF I THINK EIGHT PLANS AFFECTED. THREE OF THE SEVEN STATIONS HAVE ADOPTED NEIGHBORHOOD PLANS, FOR A TOTAL OF I THINK EIGHT PLANS. YEAH, EIGHT PLANS. PLAZA SALTILLO. TO ANSWER YOUR QUESTION ABOUT HOW WE CAME ABOUT THE BOUNDARIES, WE PULLED ALL THE NEIGHBORHOOD PLANS AND LOOKED AT HOW THEY DEFINED THEIR MIXED USE CORRIDOR. THE PLAN WAS TO ANTICIPATE AND PLAN FOR A COMMUTER RAIL, THEY NEEDED TO DECIDE WHERE THE MOST INTENSIVE ZONING WOULD BE LOCATED. THAT WOULD

BE CS-MU, THE COMMERCIAL ZONING WITH MIXED USE COMBINING DISTRICT. THE BROWN SHOWS THE PLANS YOU ADOPT AT CITY COUNCIL, AND THE MIXED USE IS THE BROWN. WE LOOKED AT THE BOUNDARIES WHERE THE MIXED USE LAND USE WAS DESIGNATED ON THE FUTURE LAND MAP. THAT CREATED A GUIDING PRINCIPLE WITHIN A STATION AND THEN LOOKED AT THE DISTANCE, QUARTER MILE, HALF A MILE AND A MILE. AND WE OF COURSE LOOKED AT WHERE THE MIXED USE BEGAN AND WHERE IT ENDED AND DREW A LINE BASED ON SINGLE-FAMILY TO THE EXTENT POSSIBLE, SO IT WAS EASY FOR US FOR THOSE WITH AN ADOPTED NEIGHBORHOOD PLAN, WE FOLLOWED THE MIXED USE GUIDELINES WHERE THAT WAS DESIGNATED, AND AVOIDED SINGLE-FAMILY. YOU CAN SEE WHERE YOU HAVE YELLOWS, THE FUTURE LAND USE MAP, WHERE THERE'S SINGLE-FAMILY, WE WENT AROUND THAT. SO EACH T.O.D. STATION OR DISTRICT HAS A DIFFERENT BOUNDARY. IT MEANDERS BECAUSE WE DID THAT SPECIFICALLY. WE FOCUSED ON THE MIXED USE. ON THE SALTILLO WE LOOK AT ALL THE MIXED USE. A FEW RESIDENTIAL BECAUSE WE DIDN'T WANT TO DO AN AWKWARD SHAPE, SO YOU HAD -- THIS COULD BE MODIFIED AGAIN. THE DECISION MIGHT BE TO STICK TO THAT LINE AND KEEP IT THERE, THAT IS POSSIBLE. AND THEN OVER HERE TO THE NORTH, WHICH IS SEVENTH STREET, ALSO WE HAVE -- YOU HAVE MIXED USE TO THE NORTH OF SEVENTH STREET. AND IT MADE SENSE TO END TO THE NORTH OF SEVENTH STREET JUST SOUTH OF HUSTON-TILLOTSON -- THE CEMETERY, RATHER. AND THEN REFINE THAT LATER ON WITH MORE EXISTING INFORMATION. SO I HOPE THAT ANSWERS YOUR QUESTION AS TO WHAT HELPED US SHAPE THOSE BOUNDARIES.

Alvarez: I DO, BUT ON THE ONE HAND YOU TALK ABOUT HOW THOSE -- THE AREAS OF INTEREST OR A CERTAIN KIND OF RADIATE FROM THE STATIONS THEMSELVES. BUT YET WE DEFINE A BIGGER AREA THAT'S GOING TO BE AFFECTED BY WHATEVER THE REGULATIONS OR RESTRICTIONS WE'RE PUTTING INTO PLACE. AND I REALIZE THIS IS A TRANSITION ZONE, BUT HOW IS WHAT WE'RE DOING OR PROPOSING FOR THE GATEWAY ZONE OR MIDWAY ZONE DIFFERENT THAN WHAT WE'RE PROPOSING FOR THE TRANSITION ZONE.

YOU TAKE A LOOK AT THE LAND USE REGULATIONS, AND I

THINK THAT THE ONLY DIFFERENCE THAT OCCURS WITH THE ORDINANCE FOR STEP ONE, ABSENT THE TRANSITION ZONE, IS THAT IT REALLY CREATES -- IDENTIFIES WHICH USES WILL NOT BE ALLOWED. ANOTHER POSITIVE WAY OF SAYING IT IS WE GET TO IDENTIFY WHICH USES ARE ALLOWED UNDER THIS ORDINANCE. THE ORDINANCE -- THE SITE DEVELOPMENT REGULATIONS, EXCEPT THE ONES MS. HUFFMAN IDENTIFIED, THE MINIMUM SET BACK OR THE MAXIMUM SET BACK, AND THE FIRST FOUR GATEWAY ZONES ARE THE ONLY ONES THAT APPLY. EVERYTHING ELSE IS GOING TO BE GOVERNED BY THE EXISTING ZONING. SO THE EXISTING ZONING, EXCEPT FOR THOSE THREE SITE DEVELOPMENT REGULATIONS, WILL STAY IN PLACE UNTIL YOU, THE CITY COUNCIL, WHOEVER IS HERE, ADOPTS THE STATION AREA PLANS TO MODIFY THEM CONSISTENTLY WITH A NEIGHBORHOOD PLAN. AND I HAVE ANOTHER CHART TO SHOW YOU. AND I THINK, COUNCIL, WHAT YOU HAVE BEFORE YOU A CHART THAT LOOKS LIKE THAT. THIS IS -- THIS IS A CHART WHICH GIVES YOU THE EXISTING AND PROPOSED SITE DEVELOPMENT STANDARDS IN COMPARISON TO EACH T.O.D., SO THE CHART -- YOU ALSO HAVE A SHEET IN YOUR PACKET THAT WALKS YOU THROUGH EACH OF THE ADOPTED NEIGHBORHOOD PLANS. IT SHOWS YOU WHAT THE ZONING -- EXISTING ZONING IS AND WHAT IT ALLOWS UNDER OUR SITE DEVELOPMENT REGULATIONS. YOUR MINIMUM LOT SIZE, LOT WIDTH, MAXIMUM HEIGHT, MINIMUM HEIGHT UNDER THE PROPOSED T.O.D. ORDINANCE, SO YOU CAN COMPARE A COMPARATIVE ANALYSIS, IF YOU WILL, UNDER THE C -- UNDER THE EXISTING ZONING YOU CAN SEE YOU CAN GO UP TO 60 FEET OR FIVE STORIES TODAY. THAT IS NOT GOING TO CHANGE UNTIL THE CITY COUNCIL ADOPTS A STATION AREA PLAN AND THEN KICKS IN SOME MINIMUMS. WE SAY MINIMUM HEIGHT UNDER THE PROPOSED ORDINANCE, WHICH IS A FRAMEWORK, KICKING IN PHASE TWO WITH A STATION AREA PLAN. AND THAT'S WHAT -- THAT WON'T HAPPEN UNTIL YOU SAY SO. WHEN KVUE RETURNS WE COME TO YOU WITH A STATION AREA PLAN. THAT'S WHEN THE MINIMUMS WILL KICK IN. I WANTED TO CLARIFY THAT BECAUSE THAT'S BEEN A POINT OF CONFUSION FROM OUR STAKEHOLDERS AND FROM THE MEDIA THAT I'VE SPOKEN TO TODAY AS TO WHICH REGULATIONS KICK IN WHEN. THERE HAVE BEEN CONCERNS

ABOUT THE MINIMUM HEIGHT. THEY DON'T APPLY UNTIL YOU ADOPT A STATION AREA PLAN, AND IT IS IN THE NEIGHBORHOOD PLANNING AREA, THEN YOU WILL HAVE TO AMEND THE PLAN TO MATCH THOSE PLANS. SO NONE OF THOSE THINGS CHANGE, AND THE HIGHLIGHTED PARTS OF THIS CHART SHOW YOU EXACTLY WHAT THOSE CHANGES ARE AND WHAT IS NOW CHANGING.

Mayor Wynn: COUNCILMEMBER DUNKERLEY.

Dunkerley: WOULD YOU GO BACK TO THE MAP THAT SHOWS THE OUTLINE OF THE T.O.D. AND JUST POINT TO ME THE AREA THAT IS THE TRANSITION ZONE AND THE AREA THAT IS THE GATEWAY ZONE?

DO YOU HAVE ANY PARTICULAR -- ON THE ONES I HAVE IN FRONT OF YOU?

Dunkerley: YOU WERE GOING THROUGH THAT RECTANGULAR THING, IS IT ALL GATEWAY, ALL TRANSITION? HOW DO I KNOW WHICH IS WHICH?

THE TOP MAP IS THE SALTILLO PLAZA T.O.D. WE ARE ONLY -- EVERYTHING NORTH OF THIS BLACK LINE IS GOING TO BE THE TRANSITION ZONE. WE'RE NOT IDENTIFYING A GATEWAY, MIDWAY. THAT WILL BE DETERMINED IN STEP TWO OR THE SALTILLO PLAZA T.O.D.

Dunkerley: ONE FOLLOW-UP QUESTION. YOU SAID IF WE WERE TO ADOPT THIS ONE THAT'S TODAY THAT DESIGNATES CERTAIN HEIGHT MAXIMUMS AND MINIMUMS, AND IF SOMEONE -- YOU SAID THAT THAT WOULDN'T GO INTO EFFECT UNTIL WE CAME BACK WITH THE ACTUAL ZONING IN PHASE TWO OR DOES IT GO INTO EFFECT WHEN THIS IS ADOPTED?

YES AND NO. IF YOU ADOPT THE ORDINANCE TODAY, THERE ARE NO HEIGHT MAXIMUMS AS ALL, THEY'RE JUST MINIMUMS. THEY DON'T APPLY, IT'S A FRAMEWORK. IT'S A GRIEDING PRINCIPLE OF THEIR GUIDELINES.

Dunkerley: LET ME ASK YOU A SPECIFIC QUESTION. YOU HAD A LOT THAT'S UNDEVELOPED IN THAT TRANSITION AREA

RIGHT NOW. WE ADOPT THIS TONIGHT. COULD THAT SMALL LANDOWNER COME IN AND AND BUILD A SMALL RETAIL STORE THAT'S ONE-STORY HIGH IN THAT AREA WHERE THERE'S A MINIMUM OF THREE STORIES IN THIS DOCUMENT?

YES, THEY CAN.

Dunkerley: THEY CAN.

YES. BECAUSE THEY WILL BE BUILDING UNDER THE EXISTING ZONING, AND THAT'S WHAT CONTROLS UNTIL YOU, THE CITY COUNCIL, ADOPT A STATION AREA PLAN AND THEN KICKS IN THE MINIMUMS TO WHATEVER THEY ARE IN THAT ZONING, THEY'RE THREE STORIES, AND I'LL STEP BACK HERE TO SHOW YOU YOUR HYPOTHETICAL HEIGHT THAT YOU MENTIONED MAY BE ZONED LO-MU, AND UNDER THE EXISTING ZONING THEY CAN -- THEIR MAXIMUM IS 40 FEET. THEY CAN DO ANYWHERE UP TO THAT. UNDER THE PROPOSED -- UNDER THE T.O.D., YOU CAN SEE ON THE T.O.D. WE ARE NOT APPLYING ANY HEIGHTS TODAYMENT WE THINK THERE'S TWO WHEN THE STATION AREA PLAN IS CREATED AND ADOPTED, THAT WILL THEN TRIGGER WHATEVER MINIMUMS ARE GOING TO BE ESTABLISHED. THE ORDINANCE HERE HAS PROPOSED MINIMUMS. IF YOU ADOPT THE ORDINANCE WITH THOSE MINIMUMS, WHEN WE GO TO PLAN, THE STATION AREA PLAN, WE'LL USE THAT AS THE BEGINNING THRESHOLD. FOR DISCUSSION PURPOSES, DEPENDING ON THE INFORMATION OR THE ANALYSIS THAT IS DONE GIVEN THE NEEDS OF THE AREA, THAT MIGHT BE ADJUSTED UPWARD OR DOWNWARD AS THE MINIMUM. SO THEY DON'T TRIGGER UNTIL COUNCIL ACTUALLY SAYS THAT THIS IS IT. DUG DUNK THE --

Dunkerley: THE SITE PLANS COULD CONTINUE TO BE ISSUED FOR BELOW THOSE MINIMUM CRITERIA UP AND UNTIL WE COME BACK WITH THEPHIZE FAIZ TWO ORDINANCES?

ABSOLUTELY. AND WE ALSO HAVE EXCEPTIONS. IF A PROPERTY IS LESS THAN 8,0008,000 SQUARE FEET, THEY'RE EXEMPT FROM THE ORDINANCE FOR SMALL LOTS. THEY'RE NOT SUBJECT TO THE USE PROHIBITIONS -- THE USE PROHIBITIONS APPLY REALLY TO EVERYTHING FROM NOW ON. IF YOU ADOPTED THE ORDINANCE TODAY, TOMORROW

THE USES THAT ARE NOT ALLOWED, THAT ARE NOT PEDESTRIAN FRIENDLY OR TRANSIT FRIENDLY ARE PROHIBITED. THAT IS GOING TO STAY NOW AND IN PHASE TWO, STEP TWO. HOWEVER, THE HEIGHTS ARE GOVERNED BY THE ZONING THAT IS THERE TODAY. THE T.O.D. ZONING DOES NOT EXIST UNTIL YOU SAY SO IN STEP 2.

Dunkerley: THEN MY QUESTION IS WHY DID WE PUT THEM IN THIS ORDINANCE THIS TIME IF THEY'RE NOT GOING TO BE IN EFFECT UNTIL WE ACTUALLY DO THE PLAN? IT'S CAUSING A LOT OF CONSTERNATION, AND I THINK MISUNDERSTANDING. SO IF THEY'RE REALLY NOT IN EFFECT AND THEY DON'T MEAN ANYTHING, WHY WOULDN'T THEY COME BACK WHEN YOU DO THE NEIGHBORHOOD PLAN?

THE MINIMUM SERVES THE SAME THING AS THE PROHIBITED USES. IT'S TO MAKE EVERYBODY AWARE OF WHAT IS CONTEMPLATED OR WHAT SEEMS TO BE REASONABLE BASED ON OUR ANALYSIS OF WHAT MAKES T.O.D. SUCCESSFUL.

YOU HAVE TO UNDERSTAND I'M REALLY FOR VERY MUCH INCREASED DENSITY AROUND THESE T.O.D.S, BUT I THINK IF THIS IS A GOAL IT COULD MAYBE BE STATED THIS WAY SO IT WON'T CREATE ALL THE CONSTERNATION THAT WE'RE GETTING RIGHT NOW.

IT DOES STATE THAT. AND WE'VE HEARD FROM CITIZENS AND THOSE CONCERNS. AND FOR CLARIFY, IN THE ORDINANCE, PAGE 5, WHAT I CALL THE MOST IMPORTANT PART OF THE ORDINANCE, WHICH IS FROM LINE 7 THROUGH LINES 18, IT READS AS FOLLOWS: TRANSITION FROM OVERLAY DISTRICT TO BASE DISTRICT. UNTIL THE CITY COUNCIL APPROVES A STATION AREA PLAN IN ACCORDANCE WITH SUBSTATION C, WHICH IS A STATION AREA PLAN, A TRANSIT ORIENTED DEVELOPMENT DISTRICT FUNCTIONS AS AN OVERLAY DISTRICT, AND PROPERTY WITHIN THE TRANSIT ORIENTED DEVELOPMENT DISTRICT IS SUBJECT TO SUBPART B, WHICH IS THE INITIAL DISTRICT REGULATIONS, FOR THE USES THAT ARE PROHIBITED. AND OTHER SITE DEVELOPMENT REGULATIONS. AND RETAINS ITS BASE DISTRICT ZONING.

Dunkerley: LET ME ASK ONE LAST QUESTION AND I'LL BE QUIET. DOES THAT MEAN THAT THE ONLY -- ONLY REAL THING -- DEFINITE THING WE WERE ACCOMPLISHING RIGHT NOW IS SIMPLY ELIMINATING CERTAIN USES IN THESE AREAS.

CORRECT.

Dunkerley: THAT WE'RE DOING PRIOR TO THE NEIGHBORHOOD PLANNING PROCESS. THAT WOULD HAPPEN IMMEDIATELY UPON PASSAGE OF THIS?

THAT'S CORRECT. THAT WOULD BE IN THE STATION AREA PLANNING PROCESS. AND THE CHARTS HIGHLIGHT THAT THE OTHER SITE MINIMUM REGULATIONS -- THE MAXIMUM SET BACK FROM THE STREET. IF YOU WANT BUILDINGS IN THE GATEWAY ZONE TO BE CLOSER TO THE BUILDING, THEN WE HAVE -- LIKE IN UNO WE SAID YOUR BUILDINGS WOULD RELAX OR REDUCE THE MAXIMUM SETBACKS OR MINIMUMS, AND THOSE ARE THE ONLY THINGS.

Dunkerley: THANK YOU.

Alvarez: MAYOR?

Mayor Wynn: COUNCILMEMBER ALVAREZ.

Alvarez: I HADN'T QUITE FINISHED. BUT THANK YOU FOR REALLY HELPFUL INFORMATION THAT COMPARES SORT OF WHAT -- WHAT'S PERMITTED IN THE NEIGHBORHOOD PLAN SIDE BY SIDE WITH WHAT'S -- WITH WHAT WOULD BE PERMITTED UNDER THE T.O.D. DISTRICT. BUT I WAS MAINLY WANTING TO FOCUS THESE QUESTIONS ON THE ACTUAL BOUNDARIES OF NO CARRIER RING CONNECT 1200y□

THAT'S GOING TO COME TO YOU FOR APPROVAL, WITH CAPITAL METRO. SO 11 ACRES, YOU COULD CONSIDER THAT THE STATION AREA PLAN FOR THOSE 11 ACRES WILL BE COMING TO YOU IN THE NEAR FUTURE FOR ADOPTION, JUST THE 11 ACRES, WHICH MEANS IT WILL THEN GO BACK AND DO A STATIONARY PLAN FOR THE REMAINDER OF THE AREA AFTER YOU APPROVE THE ORDINANCE AND THEN AT THAT POINT WILL THEN WORK WITH THE NEIGHBORHOOD THAT --

ALL OF THE STAKEHOLDERS TO IDENTIFY WHETHER GATEWAY, MID-WAY, TRANSITION ZONE OUTING TO BE -- OUGHT TO BE MORE DWIB DEFINITELY AT THAT POINT. THAT'S THE DIFFERENCE BETWEEN SALTILLO BECAUSE OF THE SALTILLO PLAZA REDEVELOPMENT PLAN THAT IS CURRENTLY UNDERWAY.

Alvarez: BUT I THINK I DON'T KNOW UNION I'M NOT VERY COMFORTABLE WITH THAT LEAVING THAT -- THAT WIDE OPEN BECAUSE AGAIN LIKE I SAID, I THINK IT'S ALREADY REAL CLEAR WHAT -- WHAT THE INTENSITIES OF DEVELOPMENT ARE BASED ON WHAT WAS ADOPTED THROUGH THE NEIGHBORHOOD PLAN AND I THINK WE CAN BE AS SPECIFIC ON THIS AS WE WERE WITH CHESTNUT AND THE BRENTWOOD AND CRESTVIEW TOD'S BECAUSE AGAIN WE HAVE GONE THROUGH -- IN THE CESAR CHAVEZ CASE A FIVE-YEAR PLANNING PROCESS, THREE YEARS TO ADOPT A PLAN AND TWO YEARS TO DO THE ZONING, YOU KNOW, CONSISTENT WITH THE PLAN.

CORRECT.

SO I'M TRYING TO FIGURE OUT WHY WE'RE TRYING TO LEAVE THIS BIG QUESTION MARK, YOU KNOW, THIS -- THIS DOUGHNUT HOLE IN THIS T.O.D. WHEN AGAIN WE'VE ALREADY GONE THROUGH IN MY MIND FIVE YEARS WORTH OF PLANNING TO DECIDE WHAT THOSE INTENSITIES SHOULD BE AND NOT -- I JUST CERTAINLY DON'T WANT TO SEND A MESSAGE THAT THERE'S A QUESTION IN MY MIND WHETHER -- WHETHER THOSE ZONINGS -- THE ZONING WE ADOPTED IS GOING TO BE ADHERED TO BECAUSE I THINK THAT'S A COMMITMENT THAT WE MADE TO THE NEIGHBORHOODS. SO -- SO I JUST DON'T FEEL COMFORTABLE HAVING THAT BIG HOLE THERE. I'M SURE OTHER PEOPLE WILL SPEAK TO THAT. [ONE MOMENT PLEASE FOR CHANGE IN CAPTIONERS]

GEORGE WAS GOING TO HELP RESPOND TO THAT. HE'S BEEN WORKING ON THE PLAZA SALTILLO REDEVELOPMENT PLAN.

COUNCILMEMBER, WE ORIGINALLY DID DEFINE THE ZONES FOR THE ENTIRE T.O.D., INCLUDING THE 11-ACRE CAPITAL METRO PROPERTY. AND CONSISTENT WITH THE GENERAL

GUIDELINES THAT WE HAVE IN THE ORDINANCE DESCRIBING THOSE ZONES, WE SHOWED THE AREA IMMEDIATELY AROUND PLAZA SALTILLO AS GATEWAY ZONE. WHEN WE TOOK THIS MAP TO THE SALTILLO COMMUNITY ADVISORY GROUP, THERE WAS A LOT OF DISCOMFORT WITH THAT. THE FEEDBACK WE HAD BEEN GETTING FROM THEM OVER THE PAST YEAR OR SO WAS THAT THEY MIGHT BE FAVORABLY DISPOSED TO MORE DENSITY CLOSER TO I-35, BUT THEY PREFERRED THAT TO SCALE DOWN AS YOU MOVED EAST CLOSER TO PLAZA SALTILLO. AND SO BASED ON -- SIGNIFICANTLY ON THAT FEEDBACK IS WHY WE PULLED THAT AREA OUT OF AND DIDN'T SHOW IS DESIGNATION ON IT. THE OTHER PIECE OF THAT WAS THAT BECAUSE WE'VE BEEN GOING THROUGH THIS PLANNING PROCESS ON THAT 11-ACRE PARCEL FOR ABOUT A YEAR NOW THAT ESSENTIALLY WE'RE IN A STATIONARY PLANNING PROCESS FOR THAT. AND SO WE WANTED TO INDICATE THAT THAT 11 ACRES, EVEN THOUGH WE HADN'T COME UP WITH THIS TWO STEP PROCESS FOR TRANSIT ORIENTED DISTRICTS, THAT 11 ACRES WAS IN EFFECT IN STEP TWO. SO THOSE WERE -- THAT WAS THE RATIONALE BEHIND LEAVING THE DESIGNATION OF THAT PROPERTY. AND JUST ONE MORE POINT. NOTHING THAT WE'RE DOING HERE WITH THE EXCEPTION OF THE PROHIBITED USES AND A FEW MINIMAL CHANGES TO SITE DEVELOPMENT STANDARDS, IMPACTS THE EXISTING ZONING, INCLUDING THE MAXIMUM HEIGHT. ANYTHING -- ANY CHANGES IN THAT WOULD HAVE TO GO THROUGH THE STATION AREA PLANNING PROCESS AND POTENTIALLY THE NEIGHBORHOOD PLAN AMENDMENT PROCESS.

LET ME JUST TRY FOR A SECOND, THOUGH. GEORGE, DID THE 11 ACRES GO THROUGH THE NEIGHBORHOOD PLANNING PROCESS?

YES, IT WAS PART OF THE EAST CESAR CHAVEZ NEIGHBORHOOD PLAN.

Futrell: SO I THINK WHAT THE -- WHAT I'M HEARING THE COUNCILMEMBER SAY IS THAT HE MIGHT BE MORE COMFORTABLE HAVING TO GO ON AND SHOW RIGHT NOW -- OR AS WE MOVE THROUGH THIS PROCESS THE EXISTING NEIGHBORHOOD PLAN ZONING AND THOSE 11 ACRES. IT

LOOKS ON THE OTHER MAP TO BE SHOWN BLANK.

OKAY. I MEAN, THAT ZONING EXISTS. [MULTIPLE VOICES]

BUT IT'S BEING SHOWN BLANK WHEN WE'RE SAYING THAT NEIGHBORHOOD PLANS STAND UNTIL A CHANGE IS MADE. AND IS THAT THE GIST, COUNCILMEMBER?

Alvarez: I UNDERSTAND THAT EVEN IF WE PASS THIS ZONING THERE WILL BE AN EFFECT ON THAT ZONING. BUT TO ME IT SEEMS THAT WE'RE SENDING A MESSAGE THAT IT'S OKAY TO GO BEYOND WHAT THE NEIGHBORHOOD PLAN ALLOWS, AND I CERTAINLY DON'T WANT TO SEND THAT MESSAGE, GIVEN MY INVOLVEMENT WITH THAT PLAN. AND THE OTHER -- I THINK THE OTHER POINT IS THAT WE HAVE SPECIFIED IN ALL THESE OTHER T.O.D.S, IF THESE NEIGHBORHOOD PLANS, WHAT THE RESTRICTION, THE REGULATIONS ARE FOR THOSE ENTIRE T.O.D.S. WE'RE NOT LEAVING A BIG HOLE IN THERE. AND THERE'S A BIG QUESTION MARK ABOUT HOW MUCH DENSITY OR HOW MUCH DEVELOPMENT CAN OCCUR. AND SO I DON'T WANT THAT TO BE TRANSLATED AS THE SKY'S THE LIMIT AND WE CAN DEVELOP THESE AREAS AS INTENSITY AS WE WANT DEPENDING ON HOW MANY OF THE FOLKS ON THE KAG, WHICH IS EIGHT OR NINE PEOPLE, WE CAN PERSUADE. SO I THINK THAT THAT'S -- I'D RATHER SAY, OKAY, THAT AREA THAT'S UNDESIGNATED AS A GATEWAY SHOWN AS IT HAS THE SAME RESTRICTIONS THAT THE GATEWAY SHOANZ AND THE CHESTNUT PLAN AND THE GATEWAY ZONES AND THE BRENTWOOD PLAN AND THE GATEWAY ZONE AND THE CRESTVIEW PLAN HAVE JUST TO BE CONSISTENT.

ABSOLUTELY. WE WERE SIMPLY RESPONDING TO THE CONCERNS THAT WERE RAISED. AND OBVIOUSLY COUNCIL CAN DO THAT. THE PLANNING COMMISSION, SOME OF THE MEMBERS ASKED THAT, AND ONE OF THE MEMBERS ACTUALLY SUGGESTED THAT GIVEN THE DESIRE OF THE NEIGHBORHOOD THAT YOU TRANSITION FROM I-35 AS OPPOSED TO FROM THE STATION ITSELF, IF YOU DO THE REVERSE, THEN YOU COULD CONSIDER THE GATEWAY ZONE THE MOST INTENSE ZONE TO START OFF FROM I-35, FOLLOW THE BOUNDARIES AND END ON I THINK WALLER CREEK. SO FROM I-35 TO WALLER AFTER YOU HAVE IT GOING LINEAR

THIS WAY WOULD BE YOUR GATEWAY ZONE. AND THEN PROBABLY DO A MIDWAY. OR YOU COULD DO WITHOUT A MIDWAY ZONE AND GO STRAIGHT INTO A TRANSITION ZONE. YOU WOULD GO FROM I-35 ALL THE WAY TO -- HERE'S WALLER. SO YOU WOULD GO FROM HERE TO HERE, DOWN HERE AS YOUR GATEWAY ZONE TO BECOME CONSISTENT WITH EVERYBODY ELSE UNDER THE MAP, AND THEN FROM THERE, FROM WALLER DECIDE OKAY, WE CAN HAVE A MIDWAY ZONE. AND THEN FROM -- TO A CERTAIN POINT AND THEN GO BACK AND GO ALL THE WAY BACK TO HERE WOULD BE A TRANSITION ZONE. WE CAN DO THAT. IF THE COUNCIL DESIRES, YOU CAN OBVIOUSLY DIRECT US TO DO THAT, BUT WE WERE AGAIN BEING ACCOMMODATING AND RESPONSIVE TO THE NEED AND DESIRES OF THE NEIGHBORHOODS. AND SINCE THE NEIGHBORHOOD PLAN IS GOING TO BE CONTROLLING AND THE ZONING UNDER THE NEIGHBORHOOD PLAN UNTIL STEP TWO, THERE'S NO HARM HERE, SO THEY COULD THEN BE MORE COMFORTABLE DEFINING WHERE THEY WANT THAT ZONE, BUT WE CAN DO IT. THAT'S IT NO PROBLEM AT ALL, JUST A MATTER OF DECIDING WHERE WE START MEASURING THE GATEWAY ZONE FROM I-35 INSTEAD OF THE STATION.

Alvarez: MY POINT IS THE NEIGHBORHOOD'S ALREADY SPOKEN THROUGH THE NEIGHBORHOOD PLAN, AND THAT'S WHY I'M UNCOMFORTABLE TRYING TO LEAVE SOME UNCERTAINTY HERE ABOUT HOW THIS IS GOING TO BE TREATED. AND I JUST WANTED TO POINT OUT THAT THERE WAS THAT BIG DONUT HOLE THERE, AND THAT WE ARE TREATING THIS PARTICULAR T.O.D. DIFFERENTLY THAN OTHER, ANY OF THE OTHER T.O.D.S.

OKAY. WE UNDERSTAND. WE CAN CERTAINLY COME UP WITH THE THREE ZONES HERE VERY EASILY TO ACCOMMODATE EVERYBODY'S NEEDS.

Mayor Wynn: THANK YOU, COUNCILMEMBER. CONTINUE ON, MS. GLASGO.

Thomas: LET ME ASK THIS WHILE WE'RE STILL IN THAT AREA BECAUSE I THINK THERE'S BEEN A LOT OF PLANNING IN THE FOURTH AND FIFTH STREET CORRIDOR AND I WANT TO ASK THE COUNCILMEMBER WOULD HE BE AMEANABLE -- I

UNDERSTAND WHAT HE'S TRYING TO PROTECT AND I RESPECT WHAT THEY'VE PUT IN THE PLAN, BUT IT'S NO SECRET WHAT WE'RE TRYING TO DO IN THAT GENERAL AREA OF CAPITAL METRO. SO WHAT I'M ASKING IS IS HE GOING TO BE AMENABLE TRYING TO WORK TOGETHER TO DO THIS? BECAUSE THIS IS WHAT T.O.D. IS ABOUT, TRANSPORTATION ORIENTED DEVELOPMENT. SO I JUST WONDER WHERE IF WE CAN HAVE STAFF SIT DOWN -- I KNOW STAFF HAS BEEN WORKING WITH CAPITAL METRO. I THINK THAT'S WHY SOME OF IT IS STILL OPEN. I GUESS THE QUESTION TO MY COHORT IS IS HE GOING TO BE AMENABLE TRYING TO REACH THE GOES GOALS THAT THEY'RE TRYING TO REACH ON THAT WHEN IT COMES TO THAT?

Alvarez: SURE. I'M AMENABLE THE EXTENT THAT IT COMPLIES WITH WHAT THE NEIGHBORHOOD HAS ARTICULATED THROUGH THE NEIGHBORHOOD PLANNING PROCESS. AND SO IT'S VERY LARGE TRACT, IT CAN HAVE A LOT OF DENSITY GIVEN THE EXISTING RESTRICTIONS THAT ZONING PLACES ON THERE. SO ALL I'M SAYING IS LET'S JUST BE CLEAR THAT THOSE ARE THE RESTRICTIONS. AND A LOT OF DEVELOPMENT CAN OCCUR, AS WE'VE SEEN WITH THE PEDERNALES LOFTS, YOU CAN HAVE VERY INTENSE DEVELOPMENT AT BELOW 40 FEET, SO HERE WE'RE TALKING SOME TRACTS ARE 40 40 FEET, SOME ARE 60 FEET, SO I THINK A LOT OF DENSITY CAN ALREADY HAPPEN THERE, BUT I'M NOT SURE WHY WE'RE TRYING TO LEAVE THE DOOR OPEN FOR THERE TO BE EVEN MORE DENSITY, ESPECIALLY GIVEN WHAT WE'RE HEARING FROM THE NEIGHBORHOOD BY GENTRIFICATION AND WHAT THIS INCREASED DEVELOPMENT WOULD DO.

Thomas: WE'RE IN THE SAME BOAT TOGETHER. I JUST WANT -
- I JUST HAD TO MAKE THAT STATEMENT.

Alvarez: SURE.

Thomas: YOU CAN GO AHEAD.

COUNCILMEMBERS, THE DOOR ISN'T REALLY OPEN BECAUSE AGAIN THE EXISTING ZONING CONTROLS IN ALL THE AREAS COMPLETELY. AND UNTIL THE CITY COUNCIL SAYS OTHERWISE IN STEP TWO, NOTHING IS GOING TO CHANGE.

WE'RE JUST SAYING HERE'S A FRAMEWORK OF WHAT COULD BE CONTEMPLATED SO PEOPLE ARE AWARE THAT THERE IS A POSSIBILITY OF THOSE INTENSE -- THOSE HEIGHTS OR NUMBER OF STORIES OCCURRING AT A MINIMUM BECAUSE THIS IS THE REVERSE OF THE WAY WE'RE LOOKING AT A ZONING ORDINANCE TODAY. OUR ZONING ORDINANCE TODAY ESTABLISHES YOUR MAXIMUM. THIS IS HOW HIGH YOU CAN GO. THIS REVERSES AT A MINIMUM YOU NEED YOUR THRESHOLD TO MAKE THIS DEVELOPMENT VIABLE IN ORDER TO BE ABLE TO SERVE THE NEEDS OF COMMUTER RAIL AND TRANSIT ORIENTED DEVELOPMENT. YOU HAVE TO CREATE A MINIMUM. AND THAT IS WHAT WE HAVE LEARNED FROM OTHER CITIES NATIONALLY. BUT AGAIN, THAT'S WHY WE'RE SAYING DEFER THE DETAILS OF WHETHER IT REMAINS AS IS. WHEN YOU GO TO THE STATION AREA PLAN, THE ASSESSMENT OF THE ECONOMY, OF THE MARKET ANALYSIS AND THE HOUSING NEEDS MAY HAVE IT TO HAVE NOT A HIGHER HOUSING AFFORDABILITY HERE IN THE SALTILLO AREA, THEN WE MAY NEED TO INCREASE TO PROVIDE SOME INCENTIVES THAT PROVIDE FOR MORE -- SOME MORE DENSE DEVELOPMENT CLOSER TO THE HIGHWAY IN ORDER TO PROVIDE FOR THE HOUSING AFFORDABILITY THAT WE NEED AND THE TYPE OF AFFORDABILITY HOUSING OR HOUSING CHOICES IN THIS AREA. SO THAT'S REALLY ALL THIS WOULD LEAVE US OPEN FOR, IT'S THE CHOICES FOR HOUSING AND AFFORDABILITY AND THE AMOUNTS AND ALSO THE TYPES OF INCENTIVES THAT WE OUGHT TO OFFER OR EXPLORE AT THAT TIME FOR EACH OF THE T.O.D.S BECAUSE THEY'RE ALL VERY DIFFERENT AND THE NEEDS WILL BE DIFFERENT.

Alvarez: AGAIN, WHAT CONCERNS ME IS WHAT YOU SAID ABOUT FOR THAT PARTICULAR STATION THAT WE WON'T GO BEYOND WHAT THE NEIGHBORHOOD PLAN SAYS UNLESS THE COUNCIL SAYS SO. AND THAT'S THE PROBLEM HERE IS IF FOUR PEOPLE HERE DECIDE WE'RE GOING TO GO BEYOND THE NEIGHBORHOOD PLAN, WHAT THE NEIGHBORHOOD PLAN SAYS, THEN IT'S OKAY AND THEN YOU KNOCK OUT THOSE FIVE YEARS OF WORK THAT THE NEIGHBORHOOD DID. AND I REALIZE THAT THAT'S THE LAW LEGALLY, BUT I THINK WE'RE ASKING A LOT OF NEIGHBORHOODS TO JUMP THROUGH A LOT OF HOOPS FOR TWO, THREE, IN THE CASE

OF CESAR CHAVEZ, ABOUT A FIVE-YEAR PROCESS. I WAS THERE FROM DAY ONE OF THAT PROCESS. AND NOW WE'RE SAYING THAT EVEN THOUGH THIS IS OUR VISION THAT WAS ARTICULATED, THAT NOW BECAUSE LAIL PASSED ON -- LIGHT RAIL PASSED, WE'RE ABLE TO RECONSIDER THAT. I DON'T LIKE SENDING THAT MESSAGE BECAUSE WE'RE ASKING A LOT OF OTHER NEIGHBORHOODS TO GO THROUGH THIS PROCESS AND BELIEVE THAT THE COUNCIL'S NOT GOING TO COME IN AT SOME FUTURE DATE AND SAY, DO YOU KNOW WHAT, IN THIS PARTICULAR AREA WE DON'T REALLY THINK THAT WHAT THE NEIGHBORHOOD CAME UP WITH IS STRINGENT ENOUGH. THAT'S WHY I DON'T LIKE LEAVING THIS BIG DONUT HOLE HERE THAT'S A QUESTION MARK SAYING THAT WE WANT -- WE'RE GOING TO WAIT AND SEE WHAT THIS PLANNING PROCESS RECOMMENDS THAT COULD BE SEVERELY BEYOND WHAT OUR NEIGHBORHOOD PLAN THAT WAS ADOPTED BY THE CITY COUNCIL SAYS CAN HAPPEN. SO THAT'S WHY -- AGAIN, THAT'S WHY I HAVE CONCERNS ABOUT IT BECAUSE I DO THINK WE ARE SENDING A MESSAGE THAT SAYS, OKAY, THIS AREA THAT'S OWNED BY CAPITAL METRO, WE'RE NOT GOING TO DESIGNATE IT AS ANYTHING. AND WHATEVER COMES OUT OF THE PROCESS IS WHAT WE'RE GOING TO SUPPORT BECAUSE I THINK WE'VE ALREADY SAID THAT WHAT WE WANT IS DEVELOPMENT THAT'S CONSISTENT WITH THE NEIGHBORHOOD PLAN, AND THAT'S WHY I THINK THAT QUESTION MARK IS SUCH AN IMPORTANT THING THAT I WOULD LIKE TO MAKE SURE DOES IT REMAIN A QUESTION MARK GOING FORWARD FROM THIS POINT ON.

OKAY. COUNCILMEMBER, WE'LL COME UP WITH A PROPOSAL. WE'LL CRAFT A DRAFT AND SHARE THAT WITH YOU ON CREATING THE THREE ZONES TO BE CONSISTENT WITH IT.

Goodman: COUNCILMEMBER DUNKERLEY.

Dunkerley: ONE CLARIFICATION ON HOW TO USE THESE DOCUMENTS, MS. GLASGO. IF THE TRANSIT ORIENTED DEVELOPMENT RULES GO IN PLACE AND THOSE ADDITIONAL USES ARE PROHIBITED IN THOSE AREAS, THERE ARE A LOT OF THOSE PARTICULAR USES IN THE SALTILLO AREA, BUT MOST OF THEM HAVE ALREADY BEEN MADE NONCONFORMING BY THE NEIGHBORHOOD PLANS. AND IT

LOOKS LIKE THAT THERE WOULD JUST BE THREE TRACTS THAT WOULD BECOME NONCONFORMING IN THIS PARTICULAR T.O.D. WITH THE PASSAGE OF THIS ORDINANCE. IS THAT HOW IT'S SUPPOSED TO READ, THAT DOCUMENT?

ARE YOU READING THE CHART ON THE ON SITE REGULATIONS? WE HAVE TWO. DID YOU KNOW DUNK IT'S THE PAGE THAT SAYS TRANSIT ORIENTED DEVELOPMENT DISTRICTS AND IT HAS ALL OF THESE VARIOUS USES THAT ARE ON THE SIDE. IT JUST SHOWS THAT IN THE SALTILLO THERE WOULD BE THREE ADDITIONAL TRACTS THAT WOULD NOW BE MADE NONCONFORMING.

THAT IS CORRECT. THAT IS EXACTLY WHAT THIS ANALYSIS SHOWS YOU THAT WHEN YOU LOOK AT THE PLANS THAT YOU ADOPTED AND YOU LOOK AT WHAT THE NEIGHBORHOOD -- WHAT WAS PROHIBITED AND WHAT'S CONDITIONAL, IT GIVES YOU AN IDEA UNDER THE PROPOSED HEIGHT ORDINANCE HOW IT COMPARES. SO YOU ARE CORRECT IN THAT REGARD.

McCracken: I JUST WANTED TO SAY MY UNDERSTANDING IS REALLY ALL WE'RE DOING RIGHT NOW IS IDENTIFYING THE ZONES, WHERE THEY'LL BE. MAKING SURE THAT INAPPROPRIATE LAND USES THAT WOULD MAKE TRANSIT UNPROFITABLE, UNSUCCESSFUL DOESN'T OCCUR IN THE INTERIM. AND THAT THERE WILL BE PROFESSIONAL PLANNERS DOING THE PLANS FOR EACH OF THESE TRANSIT ORIENTED DEVELOPMENT ZONES, IS THAT RIGHT?

THAT'S CORRECT.

McCracken: I THINK EVERYBODY DOESN'T NEED TO WORRY TOO MUCH BECAUSE WE'VE JUST BEEN THROUGH A TRANSIT ORIENTED DEVELOPMENT PROCESS AND IT'S CALLED MUELLER NEIGHBORHOOD. THAT'S A TRANS ORIENTED DEVELOPMENT. IT WAS DONE WITH NEIGHBORHOOD SUPPORT. I THINK ALL WE NEED TO -- NOT RIGHT NOW. I'M NOT QUITE READY FOR IT YET.

WHICH ONE.

McCracken: THE ONE ON THE SCREEN RIGHT NOW. YOU CAN

TAKE IT DOWN. THANKS. I DO HAVE SOME PHOTOS I'LL SHOW IN A LITTLE BIT JUST TO SHOW THAT I'VE BEEN TO THREE TRANSIT ORIENTED DEVELOPMENTS AROUND THE COUNTRY THAT I THINK WILL MAKE EVERYBODY GO, OKAY, NOTHING TO WORRY ABOUT BECAUSE ON TWO OF THESE THERE WASN'T A BUILDING TALLER THAN TWO OR THREE STORIES AND THEY WERE SINGLE-FAMILY HOMES IN WALKING DISTANCE AND THERE WAS NO TRAFFIC. AND SO JIM ADAMS AND ROMA DESIGN GROUP DID A FANTASTIC JOB AT MUELLER. IT'S NOT A HI-RISE KIND OF NEIGHBORHOOD AND THEY'RE GOING TO DO A GREAT JOB ON SALTILLO AS WELL. AND WE'LL STILL GET TO VOTE WHETHER WE LIKE IT. THE NEIGHBORHOOD WILL STILL GET A CHANCE TO DECIDE. I THINK AS LONG AS WE MAKE SURE WE SET ASIDE THE ZONE NOW, THEN WE CAN FOLLOW PROVEN MUELLER AIRPORT PROCESS TO GET THE SAME RESULT AND WE'LL HAVE LOTS OF GOOD DEVELOPMENT AND WE'LL HAVE LOTS OF AFFORDABLE HOUSING AND WE'LL ACHIEVE OUR TRANSIT GOALS. IJ WE'LL BE IN GREAT SHAPE HERE. I WANT EVERY TO KNOW THAT WE'RE NOT DOING MORE THAN PEOPLE THINK WE'RE DOING RIGHT NOW.

OKAY. I'M GOING TO MOVE ON TO THE --

Mayor Wynn: QULUR DOING A GREAT -- YOU'RE DOING A GREAT JOB.

I KNEW THE AREAS WITH THE NEIGHBORHOOD PLANS WOULD HAVE THE MOST QUESTIONS BECAUSE YOU'RE FAMILIAR WITH THE NEIGHBORHOOD PLANS. SO I UNDERSTAND THAT. THERE ARE OTHER AREAS AGAIN. THIS IS THE MLK BOULEVARD STATION. YOU'VE HEARD OF THE FEATHER LIGHT TRACT AS THE SITE THAT WOULD BE AFFECTED. THIS IS AGAIN HERE, YOU SEE THIS IS THE POTENTIAL STATION RIGHT HERE. THIS WOULD BE THE RAIL LINE RIGHT HERE. AND THE RED AGAIN IS THE GATEWAY ZONE, THEN THE TRANSITION ZONE GOES OUT AND THEN THE GREEN GOES OUT TO THE TRANSITION ZONES. AGAIN WE'RE WE'VE GOT AN ADOPTED NEIGHBORHOOD PLAN AND IT SEEMS LIKE IT'S CONSISTENT, SO YOU HAVE THE ZONES IDENTIFIED AS WE SHOWED EARLIER. AND AGAIN, IT TRANSITIONS INTO THE NEIGHBORHOOD, YOU CAN SEE THE DIFFERENCES THERE. STATION NUMBER 4 IS THE JUSTIN

LANE AND LAMAR AREA. AND WOULD ALSO HAVE ADOPTED PLANS OVER HERE. AND AGAIN, WE HAVE THE HUNTSMAN PROPERTY IS LOCATED IN THE AREA, AND THAT'S ALREADY COVERED WITH THIS PLANNED DEVELOPMENT AREA SEEING. AGAIN, IT HAS THE ZONES FROM THE STATION. AND AGAIN, YOU CAN SEE THAT AS WE GET CLOSER TO THE NEIGHBORHOODS, WE ALSO MIRRORED THE ADOPTED NEIGHBORHOOD PLAN AS FAR AS WHERE WE DREW THE BOUNDARIES UNDER THAT PARTICULAR PLAN. AND AGAIN, FOR THE LAMAR -- OOPS. UNDER THE NEIGHBORHOOD PLANS FOR THE LAMAR AREA, THIS IS HOW THE BOUNDARIES MATCH WITH THE ADOPTED NEIGHBORHOOD PLANS. YOU CAN SEE AGAIN THE MIXED USE. THE HUNTSMAN TRACT IS IN PURPLE THAT YOU ALL ADOPTED RECENTLY. AND THEN THE REST OF THE AREA HAS YOUR MIXED USE DEVELOPMENT WHICH IS GOING TO BE DEVELOPMENT WITH THE PLAN ALSO. THE HOWARD LANE STATION, THIS FALLS WITHIN THE ROBINSON RANCH PROPERTY TO THE NORTH OF HOWARD LANE IS ABBOTT LABS, A MAJOR EMPLOYER. THIS IS A TOWNS CENTER T.O.D. AS YOU CAN TELL, IT'S WITHIN THE ROBINSON RANCH PLANNED UNIT DEVELOPMENT AND IT'S AT THE JUNCTURE OF HOWARD LANE AND BURNET ROAD. AND IT ONLY HAS TWO ZONES. THIS IS GOING TO JUST HAVE THE GATEWAY AND MIDWAY ZONES SIMPLY BECAUSE THERE ISN'T THAT MUCH LAND. AGAIN, EACH STATION IS DIFFERENT. YOU HAVE DIFFERENT CHARACTERISTICS AND IT ALL NEED TO BE TREATED DIFFERENTLY. THE NORTHWEST PARK AND RIDE IS LOCATED IN WHAT WE CALL THE LEANDER PLANNED UNIT DEVELOPMENT. THE STATE OWNED LAND. THIS IS ONE THAT WE WENT THROUGH THE STATE BOARD OF REVIEW TO GET APPROVAL. THEREFORE THE ORDINANCE WILL NOT BE APPLICABLE UNLESS AMENDED. THE P.U.D. WILL TAKE CONTROL, HOWEVER, WE HAVE IDENTIFIED AGAIN CAPITAL METRO OWNS APPROXIMATELY 20-ACRES IN THE AREA ALONG THE RAILROAD LINE NORTH OF 620 AND THE P.U.D. IS THE LEANDER PLANNED UNIT DEVELOPMENT AND THE TRANSITION ZONES APPLY AND AFFECT PROPERTIES THAT ARE NOT PART OF THE P.U.D. AGAIN, YOU CAN SEE THAT THERE IS NO DEVELOPMENT OUT HERE, AND YOUR PLANNING WILL BE, AGAIN, WHEN YOU ASSESS WHAT THE NEEDS ARE GOING TO BE FOR POWS HOUSING, THEY'RE

GOING TO BE DIFFERENT FROM WHAT YOU'RE GOING TO HAVE BY THE CONVENTION CENTER AND BY THE SALTILLO PLAZA SIMPLY BECAUSE IT'S NOT DOWNTOWN. IT'S IN SUBURB I CAN'T AND THE DEMANDS WILL BE DIFFERENT AND THAT EXPLAINS WHY YOU WANT TO DO A FURTHER ANALYSIS OF WHAT YOUR NEEDS ARE AT A LATER STAGE WITH DEFINITIVE INFORMATION.

Dunkerley: MAYOR, COULD I ASK ONE QUESTION ON THAT? THOSE LINES THAT GO STRAIGHT, ARE THOSE FOLLOWING MAJOR STREETS OR WHAT HAVE YOU? AND THEN YOU COME DOWN HERE AND YOU KIND OF BULGE OUT ON THE LEFT SIDE, LOWER LEFT SIDE. I JUST WONDER WHAT WAS THE THOUGHT BEHIND THAT DESIGN?

THIS ONE THE DESIGN OBVIOUSLY, WE KEYED OFF THE LEANDER P.U.D. BOUNDARIES. THE LEANDER PLANNED UNIT DOAMENT IS PROPERTY THAT IS ALREADY ZONED. PLANNED UNIT DEVELOPMENT THAT WAS ZONED BY THE STATE, BUT SOLD TO A PRIVATE ENTITY.

Dunkerley: OKAY.

THE OWNERSHIP IS SIMILAR TO THE BRANDT CROSSING THAT WE HAD ON FOR ANNEXATION TODAY WHERE THE STATE OWNS THE LAND AND SELLS IT TO A PRIVATE ENTITY, BUT AN AGREEMENT BY THE STATE GETS TO CONTROL WHAT THE LAND USES ARE. SO THAT HELPED WITH THE BOUNDARIES. IN ADDITION TO THAT, CAPITAL METRO ALREADY OWNS SOME LAND WITHIN. THERE'S A PARK AND RIDE THERE TODAY. AND THAT ALSO HELPS IDENTIFY THE STATIONS. AND WE KEYED OFF THE ZONES FROM THERE. THAT'S WHY WE HAVE THE BOUNDARIES SHOWN THAT WAY TO INCLUDE A LITTLE BIT MORE LAND.

Dunkerley: WHAT ABOUT THE LINE WHERE IT KIND OF DOESN'T --

THIS SIDE? THIS WAY YOU GO, THE BOUNDARY RIGHT HERE, THIS LINE RIGHT HERE IS THE P.U.D. BOUNDARY. WE DON'T WANT TO SPLIT THE PROPERTY, THIS PROPERTY UNTIL WE WENT OVER TO THE STREET TO PICK UP THAT PROPERTY. WE AVOIDED DIVIDING A PIECE OF PROPERTY INTO TWO

WITH THE BOUNDARY. SO WE FOLLOWED A STREET BOUNDARY AS THE BOUNDARY FOR THE UPPER BOUNDARY FOR THE T.O.D. THAT WAS WHY FOR THIS ONE. THE LAST STATION, NUMBER 7, THE NORTH I-35 PARK AND RIDE IS AGAIN NOT MUCH, ALTHOUGH YOU CAN SEE A FEW BUILDINGS, INDUSTRIAL DEVELOPMENT. YOUR DEVELOPMENT HERE, YOU CAN TELL IN THE FUTURE IT'S GOING TO TAKE A DIFFERENT CHARACTERISTIC FROM ALL THE OTHER STATIONS THAT WE'VE SEEN, GIVEN THE INDUSTRIAL NATURE OF THE AREA. SO AGAIN, WITH BETTER ANALYSIS AS TO WHAT THE NEEDS ARE AND THE FUTURE THAT WILL DRIVE THE DEVELOPMENT, THAT WILL HELP CREATE A PLAN. AND FINALLY, THE PRODUCT OF STEP TWO, WE ENVISION ONCE WE GET CONSULTANTS INVOLVED WITH THE ASSISTANCE OF CAPITAL METRO THAT WHAT WE INTEND TO HAVE AS A PRODUCT FOR STEP TWO IS SOMETHING THAT LOOKS LIKE THIS. WE ENVISION A STATION AREA PLAN WOULD LOOK CONCEPTUALLY LIKE THE SEAHOLM DISTRICT MASTER PLAN THAT WILL IDENTIFY THE LOCATION OF BUILDINGS, WHAT THE BUILDINGS WILL BE USED FOR GENERALLY. THE STREET SCAPE LOCATION, THE STREET CONNECTIVITY. YOUR PUBLIC PLAZAS AND WHAT HAVE YOU, SO THIS IS WHAT WE'RE LOOKING AT ACCOMPLISHING WHEN WE GET TO STEP TWO OF THE ORDINANCE. AND MAYOR, THAT CONCLUDES MY PRESENTATION UNLESS THERE ARE ANY QUESTIONS.

Mayor Wynn: THANK YOU, MS. DMAS CO-. QUESTIONS OF STAFF, COMMENTS, COUNCIL? COUNCILMEMBER DUNKERLEY.

Dunkerley: I'M SORRY, I JUST KEEP PLAYING CATCHUP STILL. ON THE ROBINSON RANCH ISSUE, THAT PARTICULAR T.O.D., DIDN'T WE HAVE SOME GUIDELINES WHEN WE ANNEXED THAT P.U.D.? HOW IS THAT AFFECTED BY THIS ADDITIONAL OVERLAY?

THOSE REQUIREMENTS WILL ALSO STAY IN PLACE. AND AGAIN, WHEN WE GET TO THE STATION AREA PLANS, IF THERE IS A NEED TO RECONCILE THEM, THAT WILL BE FINE. IF NOT, THEN THAT WON'T BE NECESSARY. BUT I THINK THEY WERE PRETTY GENEROUS AND THEY DID ACCOMMODATE OR ANTICIPATE COMMUTER RAIL, SO THAT WAS ALSO

PLANNED. THEY DO HAVE A T.O.D. PROPOSAL, AND THIS SHOULD NOT AFFECT THEM. THEY WERE PRETTY ACCOMMODATING.

Dunkerley: ON THOSE PROPERTIES THAT WILL BE MAKING NONCONFORMING USES, ONE, TWO, THREE, FOUR HAVE NO PROPERTIES THAT WOULD BE AFFECTED -- THAT WOULD GO FROM CONFORMING TO NONCONFORMING. AND YOU'VE GOT THREE IN SALTILLO, ONE IN MLK, BUT YOU HAVE 45 ON LAMAR. AND SO TO ME THAT'S PROBABLY GOING TO RAISE A LOT OF ISSUES THERE JUST WITH -- I'M JUST ASKING IF YOU ALL HAD A LOT OF DISCUSSION WITH THOSE NEIGHBORS THERE BECAUSE IT JUST SEEMS LIKE A HUGE NUMBER. AND I WOULD IMAGINE WE'RE GOING TO GET SOME CALLS AND E-MAILS OVER SOME OF THESE.

WE DID POST A MEETING WITH THE LAMAR PROPERTY OWNERS. WE HAD A SPECIAL MEETING FOR THE NEIGHBORHOOD REPRESENTATIVES. AND ALSO WE KNEW WHAT NONCONFORMING MEANS AND WE'LL DO MORE FOLLOW-UP AFTER YOU APPROVE THIS TO MAKE SURE THAT THOSE USES THAT ARE CURRENTLY NOT LEGAL THAT WE'LL WORK WITH THE PROPERTY OWNERS TO GO IN AND CREATE A LEGAL STATUS SO THAT THEY ARE GRANDFATHERED NO MATTER WHAT YOU DO. SO WE WILL WORK WITH THEM TOGETHER TO A POINT WHERE THEY ARE COMFORTABLE WITH ALL THAT.

Dunkerley: I UNDERSTOOD THAT, BUT WHEN I SAW THAT LARGE NUMBER I WAS HOPING YOU WERE GOING TO DO SOMETHING SPECIAL.

WE'VE ALREADY DONE THAT. WE'VE REACHED OUT AND WE WILL CONTINUE TO REACH OUT TO MAKE SURE THAT WE'VE TOUCHED EVERYBODY.

Dunkerley: THANK YOU.

THANK YOU, MAYOR.

Mayor Wynn: FURTHER COMMENTS OR QUESTIONS? WE HAVE A NUMBER OF CITIZENS OBVIOUSLY WANTING TO SPEAK.

COUNCILMEMBER MCCRACKEN.

McCracken: MS. COMPLAS GLASGO, CAN YOU GIVE US A FRAME FOR HOW SOON PLANNERS WILL BE HIRED FOR EACH OF THESE DISTRICTS?

I THINK -- THERE WE GO. THE SOUND IS BACK. WE WOULD ANTICIPATE TO BEGIN STATION AREA PLANS WITHIN SIX MONTHS UPON CONCLUSION BEFORE 2008. AND THEN WE WILL OBVIOUSLY WORK WITH CAPITAL METRO TO HIRE A CONSULTANT TO LEAD THE PROCESS, AND THEN WE'LL WORK ON THE STAFFING AS WE GO ALONG. WE'RE OBVIOUSLY USING THE STAFF IN-HOUSE SINCE WE ALREADY HAVE NEIGHBORHOOD PLANS IN THOSE AREAS AND WE'LL TAKE IT FROM THERE.

McCracken: I WOULD ASSUME, AND I TRUST THAT WE WOULD BE HIRING PROFESSIONAL PLANNERS WITH EXPERIENCE IN TRANSIT ORIENTED DEVELOPMENT TO DO THE SPECIFIC PLANS FOR EACH OF THESE DISTRICTS, JUST LIKE WE DO WITH MUELLER DEVELOPMENT? IS THAT THE IDEA?

THAT'S THE IDEA, YES.

HOW SOON WILL THAT BE THE PROCESS?

WE WILL BE PARTNERING WITH CAPITAL METRO. WE HAVEN'T DECIDED ON A SPECIFIC DATE AND WHEN TO BEGIN. I THINK THEY'VE BEEN LOOKING AT OTHER CONSULTANTS, BUT WE'LL BE WORKING WITH CAPITAL METRO SINCE WE'RE HOPING THEY WILL BE PARTICIPATING IN THE FUNDING OF THOSE, PAYING FOR THE CONSULTANTS.

McCracken: I THINK WE PROBABLY DO NEED TO PARTNER UP WITH CAPITAL METRO AS SOON AS POSSIBLE TO GET SOME DEFINITIVE TIME LINES BECAUSE I DO THINK THAT IS SOMETHING THAT HAS TO HAPPEN REALLY FAST TO MAKE SURE THE SYSTEM IS THERE. I'M GOING TO SHOW A FEW PHOTOS THAT PEOPLE KNOW WHAT WE'RE TALKING ABOUT FROM SOME OF OUR TRIPS AROUND THE COUNTRY TO LOOK AT TRANSIT ORIENTED DEVELOPMENT AND NOW I'M READY. THIS IS THE HIGHLAND PARK TRANSIT ORIENTED DEVELOPMENT. THIS IS IN A SUBURB IN ILLINOIS. YOU'LL SEE

RIGHT BY THE STATION HERE THERE IS ACTUALLY A TALL BUILDING THAT YOU WILL SEE HERE, AND THAT'S THE MAIN STREET AND THERE'S FOLKS BICYCLING, EVERYTHING IS NO TALLER THAN TWO STORIES. AND THIS IS A VERY SUCCESSFUL TRANSIT ORIENTED DEVELOPMENT FOR A COMMUTER RAIL STATION. YOU WILL SEE THEN THERE'S ONE OF THE PORTICOS AND THERE'S A LOT OF PEOPLE WALKING AROUND THE STREET. THERE'S PARKING RIGHT NEXT TO THE RAILWAY STATION AND THERE'S A FOUR-STORY APARTMENT BUILDING THERE. AND THAT'S THE TOWN ITSELF AND THEY'RE TWO AND A HALF STORIES TALL. NOTHING IS TALLER THAN THAT. AND THAT IS A BLOCK AWAY FROM THE TRANSIT ORIENTED DEVELOPMENT OF HIGHLAND PARK AND IT IS A SINGLE-FAMILY NEIGHBORHOOD THAT'S VERY, VERY QUIET, AND THEN YOU WILL SEE THAT THERE'S ACTUALLY A RETIREMENT HOME, ONE OF THE GREAT BENEFITS OF THE TRANSIT ORIENTED DEVELOPMENTS IS FOLKS WHO ARE AT SOME STAGE IN THEIR LIFE WHERE DRIVING IS A CONCERN, THEY DON'T HAVE TO DO IT. EVERYTHING IS IN WALKING DISTANCE. THEY'RE NICE, QUIET NEIGHBORHOODS ADJACENT TO THESE PLACES. I THINK WE CAN HAVE GREAT CONFIDENCE THAT SOME OF OUR TRANSIT ORIENTED DEVELOPMENTS WILL HAVE JUST THE SAME LEVEL OF QUIET NEIGHBORHOODS RIGHT NEXT TO THESE AREAS AS DO THESE OTHER DEVELOPMENTS THAT WE'LL SHOW. THIS IS LAKE FOREST, ILLINOIS. ONCE AGAIN THIS IS ANOTHER TRANSIT ORIENTED DEVELOPMENT IN THE SUBURBS OF ILLINOIS. YOU'LL SEE THERE'S NOTHING THERE, NOTHING THIS TIME IS TALLER THAN THREE STORIES. THAT'S A DEVELOPMENT THAT HAS SOME APARTMENTS ABOVE A WALGREEN'S THERE. [ONE MOMENT, PLEASE, FOR CHANGE IN CAPTIONERS]

: NOW ONCE AGAIN THAT IS AN ESTABLISHED SINGLE FAMILY NEIGHBORHOOD AND WHEN YOU ARE BACK THERE, YOU HAVE NO IDEA THAT YOU ARE NEXT TO A TRANSIT ORIENTED DEVELOPMENT, IT'S COMPLETELY QUIET. IT'S A PARK WHERE KIDS PLAY SOCCER, THERE IS NOT A SINGLE INTRUSION OF TRAFFIC OR ANY NOISE, I HAVE BEEN BACK THERE, IT'S PRETTY INCREDIBLE. THIS IS THE END. THIS IS A PROCESS THAT WE ARE GOING TO GET INTO, IF YOU WANT TO KNOW HOW IT'S GOING TO WORK, I DON'T THINK ROBINSON

RANCH IS THE BEST ANALOG OR SOME OF THE OTHER STUFF -- I THINK IT'S MUELLER. THIS WILL BE AS -- WE WILL GO OUT AND HIRE PLANNERS AND PLANNERS WILL DEVISE SOMETHING THAT IS APPROPRIATE FOR THE LOCATION, 100% NEIGHBORHOOD SUPPORT JUST LIKE WE DO AT MUIR. ALL THAT YOU HAVE TO DO IS FIRST IDENTIFY WHERE YOU WANT TO DO THE DEVELOPMENT. IN MUELLER WE KNEW WHERE WE WANTED TO DO IT, THAT'S WHAT WE ARE DOING NOW. YOU SET SOME PRINCIPLES. THESE PRINCIPLES GUIDE THE DEVELOPMENT AND HOW THE STRUCTURE THE FINANCING OF IT. THE MUELLER 25% AFFORDABLE HOUSING, WE GOT THAT, WE ALSO GOT DEVELOPERS WHO ARE GOING TO MAKE A LOT OF MONEY OFF OF THIS. THE BEST OF BOTH WORLDS. SET YOUR PRINCIPLES. THE PLANNERS DO IT. THEY BRING IN FINANCIAL EXPERTS, YOU FIGURE OUT A WAY TO MAKE A LOT OF MONEY TO PROVIDE A NICE PLACE TO LIVE, TRANSPORTATION GOALS, AFFORDABLE HOUSING -- AFFORDABLE HOUSING GOALS. THE MUELLER EXAMPLE PROVES -- BY THE WAY, NOTHING HAPPENS UNTIL THE PLAN COMES BACK TO CITY COUNCIL AND WE VOTE ON IT AND WE WILL EXPECT 100% NEIGHBORHOOD SUPPORT LIKE WE GOT WITH MUELLER, THAT WAS A SUCCESSFUL PROCESS. AND THE MUELLER DEVELOPMENT PROVED THAT YOU COULD BUILD A NICE PLACE TO LIVE WITH NEIGHBORHOOD SUPPORT, WITH DENSITY, WITH 25% AFFORDABLE HOUSING, WITH DEVELOPERS THAT IN A LOT OF MONEY, NOT LOCKING OURSELVES DOWN IN HERE IN THE NEXT COUPLE OF WEEKS, WE ARE SETTING GOALS AND ESTABLISHING A PROVEN PROCESS THAT IS -- THAT HAS ALREADY BEEN SUCCESSFULLY IMPLEMENTED AND MUELLER AND WE CAN ISMMENT IS AT -- IMPLEMENT IT AT THESE OTHER STEPS AT WELL.

THANK YOU COUNCILMEMBER. I THINK THAT YOU IDENTIFIED A HOUSING COMPONENT, PAUL HILGERS IS HERE.

MIR AND COUNCIL YOU HAVE ANOTHER AGENDA ITEM, ITEM NO. 9, A RESOLUTION THAT ESTABLISHES AN AFFORDABLE HOUSING GOALS FOR EACH OF THE TOD'S. OBVIOUSLY AFFORDABLE HOUSING IS AN ENORMOUS OPPORTUNITY WHEN YOU ARE CREATING TRANSIT ORIENTED DEVELOPMENT, COMMUNITY THAT'S HAVE WORKED HARD ON TOD'S HAVE INCORPORATE INTO THAT PLANNING

EFFORT, WE HAVE PAUL HILGERS TO TALK TO YOU ABOUT HOW WE HAVE STRUCTURED THE GOAL AND SEE THAT OPPORTUNITY INVOLVING THROUGH STATION AREA PLANNING.

THANK YOU, I'M PAUL HILGERS, COUNCILMEMBER MCCracken YOU HAVE GIVEN ME A GREAT SEGUE TO GO INTO THIS. I AM THE DIRECTOR OF NEIGHBORHOOD HOUSING AND COMMUNITY DEVELOPMENT. THE HOUSING AFFORDABILITY STRATEGY THAT'S BEING RECOMMENDED HAS THE MOST AGGRESSIVE GOALS OF ANY IN THE HISTORY OF THIS CITY. PARTICULARLY WHEN YOU CONSIDER THAT THESE GOALS ARE ON LAND THAT WE DON'T OWN OR WE DON'T CONTROL AS A CITY. I'M VERY EXCITED ABOUT THE POTENTIAL AND THE POSSIBILITIES FOR INCREASING THE AVAILABILITY OF AFFORDABLE HOUSING. THAT [INDISCERNIBLE] TRANSITED DEVELOPMENT AND -- IT'S EXCITING TO ALL OF US WHO HAVE BEEN IN THE BUSINESS OF AFFORDABLE HOUSING THAT THIS ISSUE HAS BECOME SUCH AN IMPORTANT PRIORITY FOR OUR CITY. WE LOOK FORWARD TO WORKING TOGETHER TO MAXIMIZE THE AMOUNT OF AFFORDABLE HOUSING IN EVERY STATION AREA PLAN. FOR THE PRESENTATION TODAY I WOULD LIKE TO BRIEFLY OUTLINE THE RECOMMENDATIONS ON HOUSING AFFORDABILITY WITH THE STAFF BY PROVIDING A CONTEXT, AN OVERVIEW OF THE SUCCESSFUL STRATEGIES WE ARE USING IN AUSTIN TO BE AT THE CUTTING EDGE OF PROMOTING AFFORDABLE HOUSING. HIS SOME WANT US TO BE MORE AGGRESSIVE, SOME THINK THAT WE ARE BEING TOO AGGRESSIVE. BEFORE I GET INTO THAT PRESENTATION I WANT TO MAKE SURE THAT THE CITY STAFF IS PROPOSING THAT WE BE AS AGGRESSIVE AS POSSIBLE. WE ARE RECOMMENDING A FLOOR, NOT THE CEILING. WE ARE LOOKING FORWARD TO THE OPPORTUNITIES. THE MODELS AND TOOLS THAT WE HAVE FOR INCREASING HOUSING AFFORDABILITY IN AUSTIN, A FOUNDATION OF THAT IS THE SMART HOUSING RESOLUTION THAT WE PASSED IN APRIL OF 2000. SMART HOUSING IS A VOLUNTARY PROGRAM WITH SEVERAL STANDARDS REQUIRED ON ALL OF THE HOUSING IN THE DEVELOPMENT. AND THOSE INCLUDE SAFETY FEATURES, MIXED INCOME COMPONENT, ACCESSIBILITY FEATURES, AFFORDABILITY COMPONENTS, TRANSIT

ORIENTED DESIGNS, GREEN BUILDING STANDARDS. AND THE INCENTIVES INCLUDE FEE WAIVERS OF APPROXIMATELY \$2,000 PER SINGLE FAMILY UNIT AND \$500 PER MULTI-FAMILY UNIT AND THE OTHER KEY COMPONENTS IS THE PARTNERSHIP THAT WE HAVE WITH WATERSHED PROTECTION DEVELOP REVIEW WITH THE SPECIAL REVIEW PROCESS THAT WE HAVE SET UP THROUGH THAT TEACH. THE SMART HOUSING PRODUCTION RESULTS HAVE BEEN REMARKABLE. TO DATE WE HAVE 4,810 COMPLETED UNITS. WITH 79% OF THOSE UNITS MEETING AFFORDABILITY STANDARDS AT 80% OR BELOW OF MEDIAN FAMILY INCOME. SMART HOUSING AGAIN IS THE FOUNDATION OF THESE UNITS IN MOST OF THESE UNITS, ESPECIALLY ON THE MULTI-FAMILY SIDE THEY ARE LAYERED WITH OTHER FINANCIAL SUBSIDIES THAT ALLOW THESE AFFORDABILITY GOALS TO BE ACHIEVED. WE HAVE 1384 SINGLE FAMILY HOUSING UNITS. 3426 IMAGINE UNITS AND WE HAVE 7, OVER 7,000 ADDITIONAL UNITS UNDER CONSTRUCTION IN THE DEVELOPMENT REVIEW PROCESS. ALMOST 40% OF THE SINGLE FAMILY HOMES ARE SERVING FAMILIES AT 60% OR BELOW MEDIAN FAMILY INCOME. SO WE ARE PROUD OF SMART HOUSING, WE LIKE TO TALK ABOUT IT WHENEVER WE CAN, BUT RECENTLY THIS COUNCIL HAS GIVEN US ADDITIONAL TOOLS TO ENHANCE THE SMART HOUSING INITIATIVE. THESE MODELS WE THINK CAN BE USED IN OUR TRANSIT ORIENTED DEVELOPMENT. STATIONARY AREA PLANS. IN THE WEST CAMPUS, UNIVERSITY NEIGHBORHOOD, WITH THE UNIVERSITY NEIGHBORHOOD OVERLAY MODEL, IT WAS AGAIN PART OF A MAJOR COMMUNITY PLANNING EFFORT. ALL NEW DEVELOPMENT TAKING ADVANTAGE OF THE BENEFITS OF THE UNA OVERLAY MUST PROVIDE 10% HOUSING UNITS AT 80% MEDIAN FAMILY INCOME AND 10% HOUSING UNITS OF THE HOUSING UNITS AT 65% OF MEDIAN FAMILY INCOME OR THEY HAVE AN OPT OUT PROVISION TO PAY 50 CENTS PER SQUARE FOOT INTO A UNIVERSITY NEIGHBORHOOD HOUSING TRUST FUND WHICH WILL BE USED WHERE WE KNOW WE HAVE COOPERATIVES TO HELP US PROVIDE ADDITIONAL AFFORDABLE HOUSING OPPORTUNITIES. AS COUNCILMEMBER MCCRACKEN SAID WE RECENTLY ENHANCED SMOVING AGAIN WITH THE -- SMART HOUSING AGAIN WITH THE MODEL AT MUELLER AIRPORT ... 25% AT 60% OF MEDIAN FAMILY INCOME FOR RENTAL. THE

REQUIREMENTS IN MUELLER ARE A PART OF A MASTER DEVELOPMENT AGREEMENT AND A CONDITION OF THE SALE. AND THIS DEVELOPMENT ALSO INCLUDES A REINVESTMENT OF 40% OF THE INCREASED TAX VALUE ON THE PROPERTY THAT SUPPORTS THE AFFORDABLE HOUSING GOALS. SO TONIGHT WE ARE HERE TO -- TO TALK ABOUT THE TRANSIT ORIENTED DEVELOPMENT PROPOSED AFFORDABILITY GOALS. AND THE RESOLUTION BEFORE YOU TONIGHT IS PATTERNED AFTER THE RMMA MODEL. THE APPROACH INCLUDES HAVING GOALS RATHER THAN REQUIREMENTS FOR ACHIEVING AFFORDABILITY LEVELS. THESE GOALS ARE RECOMMENDED TO BE ACHIEVED ON THE CUMULATIVE BASIS AMONG ALL STATION AREA PLANS. CUMULATIVE AFFORDABILITY GOALS BEGIN, A MINIMUM GOAL TO BE ACHIEVED, 25% AT 80% OF MEDIAN FAMILY INCOME FOR HOME OWNERSHIP, 25 TO 60% FOR RENTAL UNITS. SPECIFIC AFFORDABILITY GOALS WOULD BE DETERMINED FOR EACH STATION AREA PLAN AS IT IS BEING DEVELOPED TO ALLOW MAXIMUM USE OF THE AVAILABLE TOOLS TO ACCOMPLISH THE HIGHEST LEVEL OF AFFORDABILITY. SMART HOUSING WILL NOT BE REQUIRED BUT WOULD BE ENCOURAGED BECAUSE IT IS A VOLUNTARY PROGRAM. THE RESOLUTION CALLS FOR THE USE OF OTHER SPECIFIC TOOLS TO BE CONSIDERED IN THE STATION AREA PLANNING PROCESS. THOSE INCLUDE ESSENTIALLY THE AFFORDABLE HOUSING TOOL BOX AS WAS OUTLINED IN THE ROBERT MUELLER MUNICIPAL AIRPORT RESOLUTION SUPPORTING AFFORDABLE HOUSING, SPECIFICALLY THEY WOULD INCLUDE BUT NOT BE LIMITED TO TAX CREDITS FOR SINGLE OR MULTI-FAMILY DEVELOPMENT, SPECIAL NEEDS HOUSING GRANTS, DOWN PAYMENT ASSISTANCE, MORTGAGE CREDIT CERTIFICATES, DENSITY BONUSES, RENTAL HOUSING DEVELOPMENT ASSISTANCE, BOND FINANCING, FEDERAL OR NON-FEDERAL FUNDING SOURCES, PARTNERSHIPS WITH NON-PROFIT ORGANIZATIONS, TAX INCREMENT ZONING DISTRICTS AND COMMUNITY LAND TRUSTS. AND THESE DEVELOPMENTS WILL OCCUR OVER SEVERAL YEARS. SO WE DON'T KNOW EXACTLY WHAT TOOLS WILL BE AVAILABLE TO US IN THE FUTURE. IT IS EXCITING FOR THOSE OF US IN THE AFFORDABLE HOUSING BUSINESS TO BE PART OF THE PLANNING PROCESS WITH OUR COLLEAGUES. ALICE AND I HAVE WORKED TOGETHER VERY WELL IN THE

NEIGHBORHOOD PLANS AND OUR STAFFS WORK VERY WELL TOGETHER, WE LOOK FORWARD TO WORKING TO ACHIEVE THESE GOALS THAT YOU LAY OUT FOR US IN THIS RESOLUTION, IF THERE ARE ANY QUESTIONS I WILL BE GLAD TO TRY TO ANSWER THEM.

Mayor Wynn: QUESTIONS OF STAFF, COUNCIL? THANK YOU, MR. HILGERS.

THANK YOU. WE HAVE A NUMBER OF FOLKS SIGNED UP TO SPEAK ON COMBINED ITEMS NUMBER 9 AND 43. IF MY TECHNOLOGY WORKS HERE, WE TAKE EVERYBODY IN ORDER, APPRECIATE YOUR PATIENCE, OUR FIRST SPEAKER IS LAURIE RENTARIA. YOU WILL HAVE UP TO SIX MINUTES, FOLLOWED BY JIM WITLIFF.

THANK YOU MAYOR AND COUNCIL. I REALLY WANT TO FIRST OFF SAY HOW GREAT IT IS TO HAVE A CHAMPION OF YOUR PLAN LIKE COUNCILMEMBER ALVAREZ. THANK YOU SO MUCH, COUNCILMEMBER. AND I WILL SAY THAT WHEN WE FIRST GOT WIND OF THIS ORDINANCE WE WERE DRAFTING RESOLUTIONS IN OPPOSITION. AND I THINK THAT THE STAFF GOT OFF ON A FALSE START BY USING FOCUS GROUPS INSTEAD OF GOING OUT AND MEETING WITH THE NEIGHBORHOOD PLANNING TEAMS AT THE GET-GO. BECAUSE ONCE GEORGE ADAMS AND STIEWR WART HIRSCH -- STEWART HIRSCH CAME TO OUR TEAM MEETING, WHICH WASN'T BY THE WAY UNTIL DECEMBER 16th, OUR OPPOSITION RESOLUTION TURNED INTO A RESOLUTION IN SUPPORT OF THE T.O.D. WITH SOME MINOR REVISIONS, WE SUPPORT GENERALLY THE AFFORDABLE HOUSING GOALS LAID OUT. I PERSONALLY SUPPORT THE CITY-WIDE COALITION GOALS THAT YOU WILL HEAR LATER. BUT BECAUSE THE PLANNING TEAM WAS SO FREAKED OUT, SO MANY RUMORS THAT THE T.O.D. ALONG WITH THE C.A.G., THE SALTILLO COMMUNITY ADVISORY GROUP WOULD EXEMPT AND COME OPT THE NEIGHBORHOOD PLAN, WE SPENT THE ENTIRE PLANNING MEETING DEALING WITH THE ISSUES OF THE NEIGHBORHOOD PLAN AND IT'S AMENDMENT PROCESS. I WILL CONGRATULATE GEORGE AND ALL OF HIS STAFF IN BEING VERY RESPONSIVE AND HELPING US DEAL WITH OUR ISSUES AND MAKING REVISIONS AND CHANGES AS FRUSTRATING AS IT'S BEEN TO GET A NEW DRAFT EVERY

WEEK, IT'S BECAUSE THEY ARE TRYING TO ADD OUR NEEDS. AND ADDRESS OUR NEED. WE FEEL REAL COMFORTABLE AT THIS PLACE WITH THE TEMPORARY OVERLAY, PHASE 1, BECAUSE IT GOING TO FOLLOW OUR NEIGHBORHOOD PLAN AND COME TO US IN THE INTERIM. EVEN IF IT TAKES US FIVE YEARS, HOPE TO GOD IT DOESN'T TO GET A STATION AREA PLAN. SISTERS YOUYOU KNOW, SOME OF THE BUSINESS PEOPLE ARE UPSET ABOUT THE AUTO-REPRESENTED INDUSTRIES AND THINGS, YOU KNOW, AND, YOU KNOW, THAT'S A CONCERN TO ME, BUT, YOU KNOW, AT LEAST WE HAVE AN OPPORTUNITY TO WORK IN FACE 2 TO SEE IF WE CAN ADDRESS THOSE. EVERYBODY THAT'S THERE IS GOING TO BE OKAY UNLESS THEY BURN DOWN. BECAUSE THE NEIGHBORHOOD PLANNING TEAM CAN ASK FOR A PLAN AMENDMENT AT ANY TIME, IF THERE WERE A DISASTER LIKE THE AUSTIN LUMBER COMPANY TO AN AUTO RELATED WE FEEL LIKE WE COULD COME TO YOU IN THE INTERIM AND SEE IF WE COULDN'T WORK ON DEAL. NOW SPECIFICALLY RAUL ALVAREZ'S CONCERNS ABOUT THAT BIG BLANK SPACE. IT WAS US THAT -- THE CESAR CHAVEZ TEAM THAT ASKED THEM TO DO AWAY WITH THE MID-WAY AND GATEWAY AND MAKE THE WHOLE AREA A TRANSITION ZONE BECAUSE THE TRANSITION ZONE DESIGNATION MOST CLOSELY FITS THE EXISTING NEIGHBORHOOD PLAN. I BEING A MEMBER OF THE CAG, I WILL GET DOWN ON MY KNEES IF YOU COULD GET THE STAFF TO GO AHEAD AND MAKE THAT BIG DOUGHNUT ALSO A TRANSITION ZONE BECAUSE YOU ARE EXACTLY RIGHT. IT IS SENDING A MESSAGE TO THE CAG THAT THEY DON'T HAVE TO FOLLOW THE NEIGHBORHOOD PLAN. MY FINAL CONCERN IS ABOUT THE STATION AREA PLAN PART PHASE 2. YOU HAVE OUR RESOLUTION BEFORE YOU. WE WOULD LIKE CLARIFICATION THAT THE CESAR CHAVEZ TEAM WILL BE DESIGNATED AND BLESSED TO BE THE STATION AREA PLAN, PHASE 2 PLANNING TEAM. THE SAPS, WE ARE AGREEABLE WE WILL INCLUDE CENTRAL EAST. 7th STREET IS IN THE CENTRAL EAST PLANNING AREA, WE HAVE ALREADY TALKED TO MEMBERS, THEY ARE INTERESTED. THEY WANT TO BE LEFT OUT, BUT IF YOU ARE GOING TO LEAVE THEM IN, THEY ARE WILLING TO WORK WITH US SO WE CAN UNITE. WE WOULD ALSO TRY TO GET SOME PEOPLE FROM THE VERY DISFUNCTIONAL HOLLY PLANNING TEAM TO PARTICIPATE BECAUSE WE BORDER WITH THEM AND WE WILL MAKE A

COMMITMENT AND YOU CAN ASK ANY OF OUR BUSINESS PARTNERS THAT -- THAT ANYBODY WHO WANTS TO PARTICIPATE AND BE A PART OF THE STATIONARY PLAN -- STATION AREA PLAN PHASE 2 WILL BE RECOMMEND AS FULL VOTING MEMBERS. WE ARE VERY CONCERNED THAT THE STAFF WITHOUT THIS DESIGNATION, WITHOUT YOUR BLESSING, THAT OUR JOINT T.O.D. SUBCOMMITTEE WILL BE THE PHASE 2 THAT ROMA AND THEIR CONSULTANTS WILL END UP BEING THE -- THE PHASE 2. OR, THIS IS -- THIS HAS HAPPENED IN THE SALTILLO CAG PROCESS, THEY HIRE CONSULTANTS, THEY SUBIT DOWN AND THEN THOSE CONSULTANTS DON'T HAVE ANY COMMUNITY CONNECTIONS AND THEY GO OUT AND FORM THEIR OWN LITTLE PRIVATE FOCUS GROUPS AND THAT'S WHY YOU'VE NOT HEARD ANYTHING FROM SALTILLO CAG, IT'S A WRECK. THE PROCESS IS NOT WORKING. BECAUSE THE CONSULTANTS ARE NOT WILLING TO LET US GO OUT AND HOLD COMMUNITY MEETINGS. WE'VE BEEN BEGGING FOR A YEAR. THERE HAS NOT BEEN A SINGLE COMMUNITY MEETING ON THAT DOG SINCE IT WAS FIRST ANNOUNCED. TRUST US. WE HAVE INTEGRITY, YOU KNOW WE WORK PRODUCTIVELY WITH OUR BUSINESS PARTNERS. AND WE WILL COMMIT TO AN OPEN, PRODUCTIVE PROCESS AND WE WILL BEAT THE TIME LINE BECAUSE WE ARE VERY EXPERIENCED. AND FINALLY, TO ALL OF THE PEOPLE IN THE DOWNTOWN AREA, WHO WANT TO JUST SNATCH UP ALL OF CESAR CHAVEZ TO WALLER BECAUSE THEY THINK OUR NEIGHBORHOOD PLAN IS GOING TO SOMEHOW IMPEDE DENSITY, I WANT TO REITERATE WHAT COUNCILMEMBER ALVAREZ HAS BEEN TRYING TO SAY ALL EVENING. OUR NEIGHBORHOOD PLAN ALREADY PROJECTED DENSITY. [BUZZER SOUNDING] WE ARE ALREADY GOING LIKE FIVE STORIES, ON FIRST STREET AND THREE STORIES ON THIRD STREET. SO OUR NEIGHBORHOOD PLAN IS SET THE DON'T PUT US IN DOWNTOWN, JUST LET US DO OUR JOB AND YOU'LL BE VERY PROUD OF US. THANK YOU SO MUCH.

THANK YOU, MS. REPRESENTAREA, JIM WITLIFF.

THANK YOU, MAYOR, COUNCILMEMBERS, I'M JIM WITH WITLIFF HERE TONIGHT ON BEHALF OF TROY NICHOLS, THE OWNER OF MUFFIN MUFFLER, 6605 TO 6619 SHIRLEY, IN THE LAMAR T.O.D. TRANSITION ZONE AND IT'S AT THE VERY EDGE

OF THE TRANSITION ZONE, IN FACT THE EASTERN BOUNDARY IS THE EDGE OF THE TRANSITION ZONE FOR THESE TWO LOTS. MUFFIN MUFFLER, I -- I KNOW THAT YOU HAVE GOT A LOT OF PEOPLE. I WANT TO BE QUICK, BUT I WANT TO TELL YOU A LITTLE BIT ABOUT THIS COMPANY. THEY HAVE BEEN IN AUSTIN FOR 33 YEARS. MR. NICHOLS GAVE ME A LIST OF SOME OF HIS HIGH PROFILE CLIENTS OVER THE YEAR, LA MATRICULAR CONSULAR, JIMMY VAUGHAN, JAMES MICHENER, GOVERNOR BILL CLEMENTS, DICK ELLIS, HE'S ALSO GAVE ME A LIST OF SOME OF THE CITY AND STATE AGENCIES THAT ARE HIS CLIENTS. AUSTIN AISD, AUSTIN POLICE DEPARTMENT, AUSTIN ORGANIZED CRIME UNIT, TEXAS MILITARY FACILITIES COMMISSION, THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY, J.J. PICKLE RESEARCH CENTER AND ST. DAVID'S HEALTH CARE SYSTEM. LASTLY, A LIST OF SOME OF HIS BUSINESS CLIENTS, LEIF JOHNSON FORD, ROGER BEAZLEY MAZDA, CAR MAX, CHAMPION AUTO PLEX, MAXWELL DODGE. HIS LIST GOES ON AND ON, I'LL STOP THERE. THE POINT THAT I WANT TO MAKE, IT'S MUFFIN MUFFLER, IT IS AUTO REPAIR, BUT IT'S BEEN IN AUSTIN A LONG TIME. APPARENTLY A LOT OF PEOPLE THINK A LOT OF THAT. MR. NICHOLS BOUGHT PROPERTY IN DECEMBER OF 2002 AT THIS LOCATION FOR THE SPECIFIC PURPOSE OF RELOCATING HIS BUSINESS THERE. LIKE I SAID HE'S BEEN IN AUSTIN FOR 33 YEARS NOW. HE PARTICIPATED FULLY IN THE -- IN THE HIGHLAND NEIGHBORHOOD PLANNING PROCESS OVER 18 MONTHS, HE WAS HAPPY THAT AT THE CONCLUSION WHEN YOU ALL -- YOU KNOW, THEY ARE SAYING COUNCIL SIGNED THE ORDINANCE FOR THE HIGHLAND NEIGHBORHOOD PLAN, MAY 13th, 2004. THAT AUTO REPAIR WASN'T ALLOWED USE ON HIS PROPERTY. WAS AN A-- HE MADE HIS PLANS TO RELOCATE AFTER YOU SIGNED THE ORDINANCE. HE PUT AN AD IN THE YELLOW PAGES, SPENT A THOUSAND BUCKS A MONTH ON THAT AD, BUSINESS CARDS, NEW LETTERHEAD, BEGAN HIS TRANSITION PROCESS. NOW, SINCE HE GOT NOTICE OF THE T.O.D., IT -- IT AFFECTED HIS PLANS AND AT THE -- AT THE URGING OF I'LL SAY ANONYMOUS CITY STAFF, HE -- HE ACCELERATE THE HIS APPLICATION FOR A SITE PLAN EXEMPTION AND WAS GRANTED A COMMERCIAL EXEMPTION REVIEW BY THE CITY. THIS PAST DECEMBER 28th. SO I GUESS HE'S -- HE CAN BE A LEGAL MONDAY CONFORMING,

HE HAS A SITE WITH A BUILDING PERMIT, HE'S FOLLOWED ALL OF THE RULES. WHAT WE ARE ASKING YOU TO DO, HOWEVER, IS TO CONSIDER EXEMPTING THIS PROPERTY, TAKING IT OUT OF THE TRANSITION ZONE. SHE'S -- OWE HE'S FACING THE BACK SIDE OF A WAREHOUSE [BUZZER SOUNDING] HE PICKED THIS LOCATION BECAUSE IT WAS GOOD FOR HIS BUSINESS AND IT WAS OUT OF THE WAY. AND WE WOULD LIKE YOUR CONSIDERATION TO ALLOW HIM TO OPERATE LEGALLY AT THAT SITE. THANK YOU.

THANK YOU, MR. WITLIFF, WELCOME, MR. PANTON, ROBERT WALSH. THOMAS UP TO SIX MINUTES IF YOU NEED IT. FOLLOWED BY JENNIFER MCPHAIL.

I'M THOMAS FANTIN A BUSINESS AND PROPERTY OWNER IN THE SALTILLO AREA. I HAVE BEEN WORKING IN THAT AREA SINCE ABOUT 26 YEARS. I LOVE THE T.O.D., I THINK THE PRESENTATION WAS FANTASTIC. I LIKE THE GOALS. THE ONLY DIFFERENCE BETWEEN THESE PROPERTIES AND THE AIRPORT PROPERTY IS WE ARE NOT STARTING WITH A BLANK SLATE. HERE WE HAVE PEOPLE THAT OWN THIS LAND, THEY HAVE THEIR OWN PLANS. WE NEED TO MAKE SURE THAT THAT TRANSITION HAPPENS WITHOUT CREATING THAT DEAD ZONE. WITH THAT I MEAN TWO THINGS: ONE FROM THE REAL ESTATE POINT OF VIEW, THESE BUILDINGS ARE REQUIRED TO BE BUILT. THERE'S NO NEED FOR THEM. IF WE WENT TO THE BANK TODAY AND ASKED FOR MONEY, THE BANK WON'T GIVE US THE MONEY, THAT'S ONE PROBLEM. THE OTHER PROBLEM, WE ARE, WOULDN'T AFFECT ME, WE ARE RESTRICTING SOME BUSINESS USAGES THAT ARE THE LIVELIHOOD OF THOSE AREAS. SO I DON'T KNOW EXACTLY HOW TO FIGURE THAT ONE OUT. BUT THE TRANSITION AREA THAT WAS A DEAD ZONE. IF WE MAKE THIS AREA SO DIFFICULT TO -- TO GROW, THE DEVELOPMENT WILL HAVE IT SOMEPLACE ELSE. IT'S JUST SIMPLE LIKE THAT. THANK YOU.

ALL RIGHT. THANK YOU. JENNIFER MCPHAIL, WELCOME, THREE MINUTES, FOLLOWED BY JOHN MICHAEL CORTEZ.

I'M JENNIFER MCPHAIL, I'M A MEMBER OF DANIEL PLANTE AND I'M HERE -- I'M A MEMBER OF ADAPT, HERE REPRESENTING THAT ORGANIZATION TONIGHT. I WANTED

TO MAKE SURE THAT YOU KNOW THAT WE'RE VERY SUPPORTIVE OF PUBLIC ENTITIES. THE PET STRENGTH AMENITIES -- PEDESTRIAN AMENITIES BEING ACCESSIBLE, I KNOW THAT YOU UNDERSTAND THAT, STAFF HAS DONE A REALLY GOOD JOB OF MOST OF THE TIME MAKING THAT SO. I WANTED TO FOCUS THE MAJORITY OF MY TIME ON THE AREA OF HOUSING BECAUSE WE HAVE SOME VERY SERIOUS CONCERNS ABOUT AFFORDABLE HOUSING. THAT -- THAT MAY OR MAY NOT BE ACCESSIBLE ACCORDING TO SOME OF THE DECISIONS THAT YOU MAKE. ON DECEMBER THE 2nd, COUNCIL DECIDED TO WAIVE THE REQUIREMENT OF THE VISITABILITY ORDINANCE ON BEHALF OF CATELLUS IN THE MUELLER PROJECT SO THAT THEY COULD BUILD A NEW DESIGN THAT WOULD MAKE IT -- MAKE SOME PORTION OF THAT DEVELOPMENT IMPOSSIBLE TO BE VISITED. AND WHEN -- VISITABLE. WHEN I SAY VISITABLE, I DON'T MEAN JUST VISITING. PEOPLE ACTUALLY -- THERE ARE SOME PEOPLE IN THIS CITY THAT NEVER OWN A HOME THAT ACTUALLY RENT AND MY MOTHER WAS ONE. WHEN SHE SEPARATED FROM MY FATHER, WE LIVED IN RENTAL HOUSING, SINGLE FAMILY HOMES, AND I WAS 19 YEARS OLD BEFORE I COULD ACT THE RESTROOM ON MY OWN. THAT HAD SERIOUS PHYSICAL CONSEQUENCES FOR ME, LADIES AND GENTLEMEN. I'M LUCKY TO BE ALIVE BECAUSE OF THAT. I WAS NOT ABLE TO GO TO THE RESTROOM, I STARTED HAVING PROBLEMS WITH BOWEL MOVEMENT, WE WENT TO THE DOCTOR, COULDN'T FIND ANYTHING WRONG POKING AT ME WHATEVER. THEY SAID WELL EAT MORE PRUNES, TAKE METAMUCIL YOU'LL BE ALL RIGHT. I WAS 14. IT TURNS OUT I WASN'T ALL RIGHT. I WENT TO THE RESTROOM ONE NIGHT, I HAD TROUBLE, IT TOOK HOURS, I STILL COULDN'T GET EVERYTHING FINISHED AND I CALLED FOR MY MOTHER'S HELP. WHEN SHE CAME INTO THE RESTROOM, SHE HELPED ME STAND UP AND THERE WAS BLOOD ALL OVER THE TOILET, ALL OVER THE FLOOR, THERE WASN'T A TILE IN THE RESTROOM THAT WASN'T COVERED IN MY BLOOD. SHE DECIDED TO RUSH ME TO THE HOSPITAL AND THAT NIGHT THEY FLUSHED ME OUT. SHE HAD TO HOLD MY HANDS WHILE I CRIED IN AGONY. NOW, KNOWING THAT, WE WENT -- WE FOLLOWED UP, MADE AN APPOINTMENT WITH THE DOCTOR. WELL, I HAD A COLONSOSCOPY. HE FOUND THAT I HAD CANCER. AT 14 YEARS OLD, COLON CONSEQUENCER, I WAS DIAGNOSED

WITH THAT TWICE, YOU MAY SAY WHAT DOES THAT HAVE TO DO WITH THE ACCESS IN YOUR HOUSE? I ARGUE THAT I WOULD HAVE BEEN A LOT HEALTHIER IF I HAD BEEN ABLE TO DRINK WATER WHEN I COULD AND THEN GO TO THE RESTROOM WHEN I HAD TO. I ARGUE THAT I WOULD HAVE HAD A LOT MORE HEALTHIER BOWEL MOVEMENTS IF I COULD ACTUALLY EAT FIBBER AND GET TO THE TOILET. THAT'S WHAT WE ARE TALKING ABOUT WHEN WE TALK ABOUT VISITABILITY AND ACCESSIBILITY. THAT'S WHY IT'S IMPORTANT. FOR MY BIRTHDAY YOU HONORED ME WITH A KEY TO THE CITY. YOU MADE A PROMISE THAT I COULD GO ANYWHERE THAT I WANTED TO GO. YOU NEED TO KEEP IT. BECAUSE MY FAMILY WAS DEVASTATED BY THE FACT THAT THAT HAPPENED TO ME. SO THAT WHEN YOU SAY COUNCILMEMBER MCCRACKEN THAT IT WAS A REAL SELL A ABRASION TO GET THAT PROJECT DONE. I SAY NO IT WASN'T! I SAY IT WAS A FAILURE! YOU FAILED ME, YOU FAILED EVERYONE WITH A DISABILITY IN THIS CITY, YOU FAILED OUR LOVED ONES. IT WAS NOT RIGHT THAT THAT WAS ALLOWED TO HAPPEN. IT SHOULDN'T HAPPEN THAT WAY AND SHOULD HAVE BEEN DEBATED IN OPEN PUBLIC. SO AT LEAST I COULD HAVE OPPOSED IT ON RECORD! THANK YOU.

Mayor Wynn: THANK YOU, MS. MCPHAIL. JOHN MICHAEL CORTEZ, WELCOME, SIR, YOU'LL HAVE THREE MINUTES FOLLOWED BY JEFF HOWARD.

THANK YOU, MR. MAYOR, CITY COUNCIL. ALTHOUGH I HAVE THE SINCERE PLEASURE OF SERVING YOU ON THE PLANNING COMMISSION, I'M NOT PRESUMING TO REPRESENT THAT BODY HERE TONIGHT. RATHER I'M HERE AS ONE COMMISSIONER WHO SAT THROUGH THE VERY LENGTHY DELIBERATIONS THAT WE HAD ON THIS PARTICULAR ORDINANCE AND I'M ALSO HERE AS A MEMBER OF THE BOARD OF DIRECTORS OF LIVABLE CITY WHICH HAS TAKEN A KEEN INTEREST IN THE TRANSIT DEVELOPMENT ORDINANCE AND THE OPPORTUNITIES THAT IT REPRESENTS TO CONTINUE TO ENHANCE THE LIVABILITY OF OUR GREAT CITY. THAT'S REALLY WHAT THIS ORDINANCE IS, IT'S AN OPPORTUNITY. AN OPPORTUNITY TO FOSTER THE KIND OF DEVELOPMENT THAT IF SUCCESSFUL WILL SET A TREMENDOUS PRECEDENT FOR THE KIND OF SUSTAINABLE

GROWTH THAT OUR CITY NEEDS TO PROMOTE TO MAINTAIN LIVABILITY. THE VOTERS BETTER LATE THAN NEVER HAVE APPROVED AN INVESTMENT OF SUBSTANTIAL PUBLIC DOLLARS IN THIS REAL TRANSIT SYSTEM, INCLUDING THE STATIONS. WHICH WILL UNDOUBTEDLY INCREASE THE VALUE OF LAND ADJOINING THESE STATIONS. WITH THE ENTITLEMENTMENTS THAT ARE PROPOSED IN THIS DRAFT RESOLUTION, EXCUSE ME, THIS DRAFT ORDINANCE, THE VALUE OF THIS LAND WOULD ALSO UNDOUBTEDLY BE INCREASED. NOW THE TRANSIT THAT WE ARE DEVELOPING HERE, THE TRANSIT SYSTEM IS INHERENTLY BENEFICIAL TO OUR CITY. BUT THE COMMUNITY SHOULD ALSO REAP A RETURN ON THE INCREASING WEALTH THAT THIS PUBLIC INVESTMENT SHALL CREATE IN THE LAND SURROUNDING THE STATIONS. THEREIN REALLY LIES IT THE OPPORTUNITY. AN OPPORTUNITY NOT JUST TO ENCOURAGE BUT REQUIRE THAT SHE'S TRANSIT ORIENTED DEVELOPMENT COMMUNITIES ARE ACCESSIBLE AND AFFORDABLE TO ALL OF AUSTIN. IT'S AN OPPORTUNITY TO PROMOTE THE KIND OF DENSE MULTI-USE DEVELOPMENT THAT IS SO BADLY NEEDED AND AS LONG AS IT'S IN HARMONY WITH THE ADOPTED NEIGHBORHOOD PLANS, IT'S EXACTLY WHAT WE MUST HAVE MORE OF TO ACCOMMODATE THE CONTINUED GROWTH OF OUR CITY IN A SUSTAINABLE MANNER. SO I'M JUST HERE AS AN INDIVIDUAL ASKING YOU TO PLEASE CAPITALIZE AND TAKE FULL ADVANTAGE OF THIS OPPORTUNITY. NOW, THE ISSUES THAT OTHERS ARE MORE KNOWLEDGEABLE ABOUT THAN I WILL SPEAK TO YOU AT LENGTH ABOUT -- AFTER I'M DONE IS AFFORDABLE HOUSING. I REALIZE THAT IT'S A MATTER OF CONTENTION, WHETHER THE EFFORT TO INCREASE AFFORDABLE HOUSING IS BEST SERVED BY MAKING IT A REQUIREMENT OR MAKING IT SOMETHING THAT SHOULD BE INCENTED. I'M NOT REALLY SURE WHAT THE ANSWER TO THAT IS. THERE ARE THOSE WHO WOULD SAY MAKING IT A REQUIREMENT IS A MISTAKE. AND I UNDERSTAND THAT AS A CITY WE -- WE OFTEN NEED TO ERR ON THE SIDE OF CAUTION. I ENCOURAGE YOU TO TAKE THIS WONDERFUL OPPORTUNITY TO SET A PRECEDENT AND REQUIRE AFFORDABLE HOUSING FOR TRANSIT ORIENTED DEVELOPMENT. TRULY AFFORDABLE LEVELS SUCH AS THOSE THAT WERE IN THE PLANNING COMMISSION'S RECOMMENDATIONS FOR AMENDMENTS TO

THE RESOLUTION WHICH IS IN FRONT OF YOU TONIGHT. ENSURE THAT THE AFFORDABILITY IS MAINTAINED FOR A PERIOD OF TIME WHICH PROVIDES REAL LASTING BENEFIT TO THE COMMUNITY. ALSO, THAT WHICH WAS COVERED IN THE PLANNING COMMISSION'S RECOMMENDATIONS TO THE - - TO THE AFFORDABLE HOUSING RESOLUTION THAT'S IN FRONT OF YOU. LET'S SET A PRECEDENT HERE FOR AFFORDABLE HOUSING. IN A MANNER THAT THE CITY HAS FOR A LOT OF OTHER ISSUES, NAMELY ENVIRONMENTAL PROTECTION, GREEN BUILDING, THINGS OF THAT NATURE. WE HAVE A REAL OPPORTUNITY IN FRONT OF US HERE, IF WE ARE GOING TO ERR, LET'S ERR ON THE SIDE OF PROMOTING A VALUE WHICH THE COMMUNITY HAS COME FORTH AND SAID IS VERY IMPORTANT, IS REFLECTIVE OF THE KIND OF CITY THAT WE LIKE TO HAVE. AFFORDABLE, INCLUSIVE, SUSTAINABLE. I'LL STOP NOW. JUST WANTS TO THANK YOU FOR THE TIME AND ALSO HOPE TO SEE ALL OF YOU AT THE HISPANIC CHAMBER'S BANQUET TOMORROW NIGHT.

THANK YOU, MR. CORTEZ. WELCOME, THREE MINUTES. FOLLOWED BY KATHY HE COULD ECKELS.

I'M NOT HERE TONIGHT ON BEHALF OF ANY PROPERTY OWNERS, BUT MERELY AS A REAL ESTATE PROFESSIONAL WITH SOME COMMENTS AND SUGGESTIONS AS YOU STRUGGLE WITH WHAT LOOKS LIKE A DETAILED PROCESS. LET ME SAY FIRST THAT I'M FOR THE T.O.D. CONCEPT AND CERTAINLY FOR PLANNING AROUND OUR FUTURE TRANSIT STATIONS. I THINK IT'S AN IMPORTANT EXERCISE. HOWEVER I AM AGAINST THIS PARTICULAR DRAFT ORDINANCE THAT'S IN FRONT OF YOU. AND I WOULD FIRST ASK THAT YOU -- THAT YOU NOT TAKE ACTION TONIGHT AND TAKE THE TIME THAT'S NECESSARY TO CONDUCT EVEN FURTHER OUTREACH. THIS IS GOING TO AFFECT A LOT OF PROPERTY OWNERS AND WHEN I EXPLAIN SOME OF THE IMPACTS OF THESE REGULATIONS, NOT MINIMAL REGULATION, SIGNIFICANT REGULATIONS, THERE'S CONCERN AND CERTAINLY THERE'S A LOT OF DETAILS THAT I THINK YOU ALL WOULD BENEFIT FROM MORE TIME, FROM MORE PUBLIC INPUT. WHENEVER YOU DO TAKE ACTION, I WOULD SUGGEST ONE OF TWO ALTERNATIVES OR -- EITHER OF TWO ALTERNATIVES. FIRST TAKE THIS TWO-STEP PROCESS AND

MAKE IT A ONE-STEP PROCESS. FORGET THE INITIAL REGULATIONS. AND THIS OVERLAY DISTRICT AND GO STRAIGHT TO THE STATIONARY PLANNING PROCESS. NUMBER ONE, IT'S -- THESE REGULATIONS ARE NOT NECESSARY. MANY OF THE AREAS ARE ALREADY COVERED BY NEIGHBORHOOD PLANS. SECOND, THE STATIONARY -- THE STATIONS ARE YEARS AWAY, SIGNIFICANT RIDERSHIP IS EVEN FURTHER AWAY. ALSO, YOU DIDN'T -- YOU DIDN'T PASS INITIAL REGULATIONS IN AN OVERLAY DISTRICT WHEN YOU DID THE NEIGHBORHOOD PLANS, YOU WENT STRAIGHT TO THE NEIGHBORHOOD PLANNING PROCESS. THE MOST -- MOST IMPORTANTLY THESE INITIAL REGULATIONS ARE NOT MINIMAL, THEY ARE VERY, VERY HARMFUL. THEY APPROPRIATED PROHIBITED USES, THEY PROPOSED SITE DEVELOPMENT REGULATIONS. THE PROHIBITED USES INCLUDE SINGLE FAMILY RESIDENTIAL AND THESE TRANSITION ZONES. COUNCILMEMBER MCCRACKEN MENTIONED THE SINGLE FAMILY RESIDENCES WITHIN A BLOCK OF THE TRANSIT STATIONS. THAT WOULD BE PROHIBITED UNDER THIS PARTICULAR ORDINANCE. SOME OF THOSE TRANSITION ZONES ARE A QUARTER MILE AWAY YOU HAVE PROHIBITED SINGLE FAMILY RESIDENTIAL IN THOSE ZONES.

YOU HAVE ALSO IN THIS ORDINANCE, STAFF PROPOSED PROHIBITING AUTOMOTIVE SERVICES, DRIVE-IN USES SO -- SO BANK ONE BRANCH FOR THE DRIVE THROUGH WOULD BE PROHIBITED. A JACK BROWN CLEANERS WITH A DRIVE THROUGH WOULD BE PROHIBITED. ET CETERA. SO THERE'S SIGNIFICANT PROPER HINTED USES, THERE'S ALSO SIGNIFICANT SITE DEVELOPMENT REGULATIONS, THERE'S A 15-FOOT MAXIMUM BUILDING SETBACK. THAT MEANS A BUILDING CAN BE NO FURTHER AWAY FROM THE STREET THAN 15 FEET. THERE CAN BE NO PARKING IN FRONT OF THE BUILDING.

WE HEARD MS. GLASGO STATE THERE ARE SEVERAL TOD'S IN SUBURBAN AREAS. THAT TYPE OF DEVELOPMENT IS NOT APPROPRIATE IN THOSE SUBURBAN AREAS. IT'S VERY HARMFUL. THE SECOND ALTERNATIVE THAT I HAVE RECOMMENDED TO YOU IS THAT THAT WAS PASSED BY THE ZONING AND PLATTING COMMISSION. IF YOU ARE GOING TO HAVE THESE INITIAL REGULATIONS [BUZZER SOUNDING] YOU

SHOULD HAVE THEM APPLY ONLY TO THE GATEWAY ZONES, NOT TO -- NOT TO -- CORE AREAS, NOT TO THE TRANSITION OR MADE WAY ZONES. THANK YOU VERY MUCH FOR YOUR TIME. THANK YOU, MR. HOWARD. WELCOME, IS KATHY TO YOUER HERE? KATHY TYLER. KATHY YOU WILL HAVE THREE MINUTES IF YOU NEED IT. FOLLOWED BY HEATHER WAY.

[INDISCERNIBLE] [INAUDIBLE - NO MIC] TRANSIT ORIENTED DEVELOPMENT ARE A WONDERFUL OPPORTUNITY TO ACHIEVE A NUMBER OF [INDISCERNIBLE] REPLACED FOR LONG-TERM AFFORDABLE HOUSING FOR THOSE WHO NEED IT [INDISCERNIBLE] [MIC NOT WORKING]

MIXED AGE COMMUNITY THAT'S BUILD ON THE FABRIC OF SURROUNDING NEIGHBORHOODS AND ARE TRULY SPECIAL PLACES TO BE. IF TOD'S ARE TO TAKE THIS FORM, THE ORDINANCE FEEDS TO BE DESIGNED APPROPRIATELY. SO OUR COALITION IS ASKING THAT THE T.O.D. ORDINANCE BE IDENTIFIED TO INCLUDE 25% AFFORDABLE HOUSING IN EVERY T.O.D. AND TO MAINTAIN AFFORDABILITY FOR AT LEAST 10 TO 30 YEARS. THIS LANGUAGE NEEDS TO BE IN THE ORDINANCE NOT IN A RESOLUTION TO ENSURE THAT AFFORDABLE HOMES ARE LONG-TERM REALITY AND THAT THEY ARE PRESENT IN EVERY T.O.D. NOT RELEGATED TO CERTAIN PARTS OF THE CITY. WE ALSO PROPOSE A RESOLUTION TO TAKE THE PLACE OF THE STAFF RESOLUTION. IT DESCRIBES MORE DETAILED GOALS THAT WOULD REACH THE GREATEST NEED IN AFFORDABLE HOUSING. TOD'S WILL AFFECT THE PROPERTY VALUES OF NEARBY HOMES AND BUSINESSES SO WE NEED PROTECTION FOR RESIDENTS AND BUSINESS OWNERS IN AREAS SURROUNDING TO, NOT JUST IN TOD'S. WE NEED ADDITIONAL PROTECTIONS FOR NEIGHBORHOODS TO ENSURE THAT TOD'S DO NOT UNDERMINE THE ENNOR MISCELLANEOUS EFFORTS OF NEIGHBORHOOD PLANNING TEAMS. NOW WE ARE NOT ASKING THAT DEVELOPERS SHOULDER THE ENTIRE BURDEN OF AFFORDABLE HOUSING IN TOD'S. WE STRONGLY BELIEVE THAT DEVELOPERS, NEIGHBORHOODS, HOUSING ADVOCATES IN THE CITY CAN WORK TOGETHER CREATIVELY TO IDENTIFY AND IMPLEMENT A RANGE OF DIFFERENT TOOLS THAT WILL MAKE GENUINE LONG-TERM AFFORDABLE HOUSING POSSIBLE. WE HAVE TO SUCCEED AT THIS. IT'S CRUCIAL IF WE ARE TO RETAIN THE

VERY SPECIAL CHARACTER OF OUR COMMUNITY. THANKS VERY MUCH.

Mayor Wynn: THANK YOU. HEATHER WAY, WELCOME, THREE MINUTES FOLLOWED BY FRANK FERNANDEZ, FOLLOWED BY KAREN.

THANK YOU MAYOR AND COUNCILMEMBERS, I'M HEATHER WAY, ALSO A MEMBER OF THE AUSTIN TRANSIT COMMUNITY'S COALITION. I'M HERE TONIGHT TO SPEAK SPECIFICALLY ABOUT THE CHANGES THAT THE COALITION IS -- PRESENTED TO COUNCIL TONIGHT THAT WE ARE ASKING YOU TO ADOPT IN TERMS OF MAKING CHANGES TO THE ORDINANCE AS WELL AS A RESOLUTION THAT WE PROPOSED. NOW, I'M JUST GOING TO WALK THROUGH SPECIFICALLY THOSE SPECIFIC CHANGES AND YOU SHOULD HAVE A COPY OF THE -- OF OUR PROPOSED AMENDMENTS TO THE ORDINANCE AS WELL AS THE RESOLUTION IN FRONT OF YOU. THE FIRST CHANGE THAT WE ARE REQUESTING BE MADE TO THE T.O.D. ORDINANCE IS AS FOLLOWS. 252767 B 5 BE CHANGED TO THE FOLLOWING, CURRENTLY THE WAY THAT LANGUAGE READS, THIS IS THE ONLY MENTION OF AFFORDABLE HOUSING IN THE ENTIRE T.O.D. ORDINANCE SAYS THE STATION AREA PLANS MAY ESTABLISH REQUIREMENT FOR AFFORDABLE HOUSING. THAT'S ALL THAT'S IN THE CURRENT ORDINANCE ABOUT AFFORDABLE HOUSING. THE AMENDMENT THAT CHANGES THAT LANGUAGE TO REQUIRE THAT EACH STATION AREA PLAN PROIBS REQUIREMENTS FOR -- PRESCRIBES REQUIREMENTS FOR AFFORDABLE HOUSING SIMILAR TO THE NAP MISCELLANEOUS RECOMMENDATION FROM THE PLANNING COMMISSION, ALSO ASKING THAT IT INCLUDE A PLAN FOR ACHIEVING THE AFFORDABLE HOUSING REQUIREMENTS. THE SECOND AMENDMENT THAT WE ARE ASKING COUNCIL TO MAKE IS INSERTING A NEW SECTION INTO THE T.O.D. ORDINANCE CALLED -- THAT WOULD ADDRESS THE SPECIFIC ISSUES OF AFFORD I DON'T BELIEVE AND ACCESSIBLE HOUSING AND PRESERVATION OF NEIGHBORHOOD PLANS. THERE ARE TWO PRIMARY COMPONENTS OF THAT AMENDMENT THAT I WOULD LIKE TO SPEAK TO. THE FIRST IS WE ARE ASKING THAT THERE BE A BASELINE, A REQUIRED BASELINE OF AFFORDABILITY IN EACH T.O.D. DISTRICT. NOT CUMULATIVELY, NOT ACROSS ALL OF THE TO, BUT WITHIN

EACH OF THE T.O.D. DISTRICT. THAT BASELINE IS AS FOLLOWS: A QUARTER OF ALL OF THE NEW HOME OWNERSHIP UNITS BE AFFORDABLE TO FAMILIES AT 80% MEDIAN FAMILY INCOME AND THAT A QUARTER OF ALL NEW RENTAL HOUSING UNITS BE AFFORDABLE TO FAMILIES AT 50% OF MEDIAN FAMILY INCOME. THE SECOND COMPONENT OF THAT AMENDMENT IS THAT THAT BASELINE SHOULD BE ADJUSTED DURING THE STATIONARY PLANS, ADJUSTED UPWARDS TO ADDRESS GREATER AFFORDABILITY NEEDS, COMPATIBILITY ISSUES WITH EXISTING NEIGHBORHOOD PLANS, NOT DOWNWARD BUT UPWARD. IN TERMS OF THE RESOLUTION THAT WE ARE ASKING COUNCIL TO ADOPT, WE HAVE INCORPORATED THOSE SAME CHANGES THAT I HAVE JUST MENTIONED AS WELL AS SEVERAL OTHER COMPONENTS. LET ME OUTLINE VERY WICKLY 4 OF THEM. ONE INCLUDE MORE SPECIFIC GUIDELINES IN THAT RESOLUTION ABOUT AFFORDABILITY SO GET DEEPER KINDS OF TARGETING. SECOND WE ASK THAT THE CITY PURSUE LONGER AFFORDABILITY PERIODS FOR AFFORDABLE HOUSING UNITS. IN THE ORDINANCE WE ASK FOR 30 YEAR AFFORDABILITY PERIOD FOR RENTAL HOUSING, A TEN YEAR PERIOD FOR REPTALL HOUSING, WHICH IS IN LINE WITH A LOT OF PROGRAMS AROUND THE COUNTRY. THE THIRD THING THAT WE DO IN THE RESOLUTION IS WE ASK COUNCIL TO INCORPORATE GREEN BUILDING STANDARDS INTO THE TOD'S SAME AS MUELLER, AS COUNCILMEMBER MCCracken MENTIONED AS THAT ORDINANCE BEING A MODEL. THE FOURTH CHANGE IS WE ASK THE CITY TO DEVELOP A CLEARLY DEFINED PUBLIC PROCESS WITH MEANINGFUL PUBLIC INPUT BY ALL STAKEHOLDER TO THE DEVELOPMENT AND IMPLEMENTATION OF THE STATION AREA PLANS. THANKS FOR YOUR TIME, BE AVAILABLE IF YOU HAVE ANY QUESTIONS.

THANK YOU, MISS WADE. FRANK FERNANDEZ, THREE MINUTES COLORADO BY KAREN POP.

THANK YOU, GOOD EVENING. MY NAME IS FRANK FERNANDEZ, I AM ALSO WITH THE AUSTIN TRANSIT COALITION. STATION

WHAT WE ARE -- WHAT IS -- WHAT IS ONLINE IN THIS AMENDMENT, IN THIS RESOLUTION, IS REALLY THE PRODUCT

OF A SHARED VISION FOR WHAT WE ARE TRYING TO GET ACCOMPLISHED. WE RECOGNIZE THERE WILL BE MULTIPLE TOOLS, A DIVERSE TOOL KIT. WE ARE NOT SUGGESTING, I THINK KATHY TOUCHED ON THIS EARLIER, I THINK IT'S IMPORTANT TO EMPHASIZE THAT BUILDERS OR DEVELOPERS BE REQUIRED TO DO THIS ALL ON THEIR OWN, IT WOULDN'T BE FAIR OR PRODUCTIVE. THEY SHOULD MY AN IMPORTANT ROLE, BUT OTHER TOOLS AN PARTNERS NEED TO BE INVOLVED TO MAKE THIS DISTRICT SUCCESSFUL. CAPITAL METRO, FOR EXAMPLE, HASN'T BEEN TALKED ABOUT AS MUCH, BUT THEY ARE OBVIOUSLY A CENTRAL PLAYER IN THE TOD'S. THEY NEED TO COME TO THE TABLE AS WELL IN MAKING THESE THINGS SUCCESSFUL WHEN IT COMES TO AFFORDABILITY, SOME OF THESE OTHER ISSUES. THE COUNTY AS WELL. I THINK WE NEED TO LEVERAGE AND ENHANCE WHAT WE HAVE BEEN ABLE TO TO DO WITH SMART HOUSING, THE OTHER TOOLS THE CITY DEPARTMENT HAS AVAILABLE TO BRING TO BEAR AS WELL. WE NEED TO ASSIST NON-PROFIT DEVELOPERS WHO -- TO GET TO SCALE BECAUSE NON-PROFIT HOUSING DEVELOPERS ARE THE PAUX WHO ARE GOING TO DOING THE TYPE OF HOUSING -- COUNCILMEMBER MCCRACKEN WAS TALKING ABOUT SENIORS, YOU NEED THEM TO HELP WITH THAT. YOU NEED TO HELP WITH THE DISABLED. WE ALSO NEED TO MAKE A PUBLIC COMMITMENT TO BRING OTHER FINANCIAL RESOURCES TO BEAR. I THINK IT'S TIME FOR US TO SERIOUSLY CONSIDER, FOR EXAMPLE, IF WE ARE THINKING ABOUT DOING TIFS ASSOCIATED WITH THESE DISTRICTS THAT A PORTION OF THE FUNDS BE SET ASIDE FOR AFFORDABLE HOUSING. A BOND ISSUANCE, AFFORDABLE HOUSING NEEDS TO BE PART OF THAT MIX. FINALLY, WHAT I WOULD LIKE TO ALSO EMPHASIZE IS THAT SOCIAEQUITY IS A DRIVING CONCERN FOR US WHEN WE SPEAK TO THIS IR, BUT NOT THE SINGLE ISSUE. THERE ARE OTHER ISSUES INVOLVED. THINK OF THE ECONOMICS ARE VERY IMPORTANT AS WELL. AS A REPRESENTATIVE OF THE AUSTIN COMMUNITY DEVELOPMENT CORPORATION, WE ARE FOCUSED ON ECONOMIC DEVELOPMENT IN LOW INCOME AREAS. CONCERNED ABOUT THE GROWING AFFORDABILITY PROBLEM IN AUSTIN, ITS IMPACT ON ECONOMIC VITALITY AS THE AFFECTS LOW INCOME PEOPLE.

IT IS WELL DOCUMENTED, PIVOTAL ISSUE FOR PROTECTING LONG TERM ECONOMIC GROWTH. WE JEOPARDIZE THIS IF [BUZZER SOUNDING] ATTRACT OR RETAIN WORKERS AS WELL AS BUSINESSES, IN SHORT WE HAVE TO DEAL WITH THIS ISSUE. WE HAVE TO MAKE IT A PUBLIC PROCESS THAT'S OPEN TO EVERYONE. THANK YOU.

KAREN. JIM WAWPG WALKER, KAREN THREE MINUTES, FOLLOWED BY ROBERT HARLAN.

GOOD EVENING, I'M KAREN [INDISCERNIBLE], I WORK IN THE AREA OF LOW INCOME HOUSING QUARTERS. I HAVE BEEN INVOLVED -- ADVOCACY, I HAVE BEEN INVOLVED IN LOW INCOME HOUSING IN 25 YEARS IN ONE FORM, MANAGING, DEVELOPING, GENERAL CONTRACTOR, LAST SEVERAL YEARS AS AN ADVOCATE. MY ORGANIZATION OPERATES A WEBSITE WHERE PEOPLE CAN COME LOOKING FOR LOW INCOME HOUSING. WE HAVE HUNDREDS OF PEOPLE FROM THE AUSTIN AREA EACH WEEK WHO COME TRYING TO FIND LOW INCOME HOUSING. I'M ALSO PART OF THE AUSTIN TRANSIT COMMUNITY'S COALITION, I WANT TO -- PEOPLE WHO ARE HERE WITH THE COALITION TO RAISE YOUR HANDS SO THAT -- THAT COUNCIL CAN GET AN IDEA OF THE NUMBER OF PEOPLE. I WANT TO TALK ABOUT MANDATORY VERSUS VOLUNTARY. WE HAVE HEARD -- WE'VE HEARD NEIGHBORHOOD HOUSING TALK ABOUT THE SMART HOUSING PROGRAM. THE SMART HOUSING PROGRAM IS GOOD, IMPRESSIVE NUMBERS. IT'S NOT NECESSARILY AN APPLE TO APPLE COMPARISON WITH WHAT WE'RE TALKING ABOUT HERE. SMART HOUSING IS IMPORTANT FOR VISITABILITY AND ACCESSIBILITY AS IT PROMOTES AS JENNIFER MCPHAIL TESTIFIED EARLIER. BUT SMART HOUSING HAS LOWER AFFORDABILITY PERIODS THAN WHAT WE ARE LOOKING FOR. WE ARE NOT HAVING ALL OF THIS DISCUSSION SO WE ARE GOING TO HAVE ONE IN FIVE YEARS OF AFFORDABILITY IN THE T.O.D. AREAS. WE ARE LOOKING FOR LONGER AFFORDABILITY THAN THAT. WE NEED TO REACH, WE NEED TO PUT MORE TOOLS IN THE SMART HOUSING TOOL BOX IN ORDER TO REACH MORE AFFORDABLE LEVELS. WE TALKED ABOUT AFFORDABILITY, DIFFERENT LEVELS, 85, 50% WHAT DOES THAT MEAN? WELL, 50%, IT'S A FAMILY OF FOUR MAKING \$35,500. THOSE ARE PEOPLE WHO ARE WORKING AS SALESPeOPLE, THEY ARE --

THEY ARE HAIR DRESSERS, THEY ARE A LOT OF KIND OF MIDDLE CLASS JOBS, A LOT OF PEOPLE WORKED HARD TO GET THOSE JOBS. AND WE NEED TO INCLUDE THEM IN THE TO, PEOPLE WHO WORK AS RETAIL CLERKS WHO WORK AS BANK TELLERS, PEOPLE WHO WORK AS JANITORS, PEOPLE WHO POUR COFFEE, DAY COFFEE, DAYCARES, WE EXPECT THESE PEOPLE BE IN THE TOD'S, WE EXPECT THEY SHOULD LIVE NEAR THEIR JOBS, IT WOULD BE VERY IRONIC IF THEY ARE DRIVING INTO THE TRANSIT COMMUNITIES TO COME TO THEIR WORK. THE AFFORDABILITY PERIOD, WE HAVE RECOMMENDED AN AFFORDABILITY PERIOD ON RENTAL OF 30 YEARS AND ON HOME OWNERSHIP OF 10 YEARS. WE HAVE RECOMMENDED 30 ON BOTH, IN RESPONSE TO CONCERNS RAISED AT THE PLANNING COMMISSION, RECOGNITION OF HOW HOMEOWNERS NEED TO BUILD EQUITY TO SEE IF THEIR HOMES, WE ARE NOW RECOMMENDED 10 YEARS, THERE ARE WAYS TO WORK WITH THAT SO THAT HOMEOWNERS CAN STILL BUILD EQUITY IN THEIR HOMES. ONE OF THE THINGS THAT WE ARE RECOMMENDING IS WHEN NEIGHBORHOODS HAVE A LOWER MEDIAN FAMILY INCOME THAN THE CITY-WIDE MEDIAN WE ADJUST THAT BUSES [BUZZER SOUNDING] ADJUST THAT TO RECOGNIZE THAT NEIGHBORHOOD. THE STAFF PUT APPROPRIATE LANGUAGE IN THERE, WE DON'T WANT TO COME BACK LATER WITH PEOPLE SAYING LOW INCOME HOUSING ISN'T APPROPRIATE IN THIS NEIGHBORHOOD. THE GUADALUPE NEIGHBORHOOD DEVELOPMENT CORPORATION FOR EXAMPLE HAS HAD INCOME RESTRICTIONS ON ITS HOUSES FOR YEARS. AND THAT HAS NOT STOPPED GENTRIFICATION OF THAT NEIGHBORHOOD, BUT IT HAS ASSURED THAT THE PEOPLE WHO LIVE IN THOSE HOUSES LIVE IN AFFORDABLE HOUSING AND CREATING OPPORTUNITIES IN THOSE COMMUNITIES. THANK YOU.

THANK YOU, KAREN.

THANK YOU, COUNCILMEMBERS, MAYOR, MY NAME IS ROBERT HARLAN, I OWN HARLAN MOTORS ON EAST SIXTH STREET. I ALSO LIVE ON EAST SIXTH STREET. BOTH MY HOUSE AND MY BUSINESS ARE WITHIN THE TRANSITION ZONE OF THE SALTILLO, PROPOSED SALTILLO T.O.D. THE FIRST NOTIFICATION THAT THIS WAS HAPPENING THAT I RECEIVED WAS A LETTER ON DECEMBER 17th. FOLLOWED BY

A LETTER ON THE 28th. IT WAS A LITTLE BIT ALARMING BECAUSE ONE OF THE PROHIBITED USES UNDER THE T.O.D. IS AUTO REPAIR. WHICH IS MY BUSINESS. WE WENT BACK TO CHECK OUR USE PERMIT ON OUR BUILDING IN 1998. OUR USE BUILDING IS FOR WAREHOUSE, NOT AUTO REPAIR. THAT PUTS US IN A STICKY POSITION. I TALKED TO MANY OF THE BUSINESS OWNERS AND LANDLORDS WHOM I'M FRIENDS WITH UP AND DOWN SIXTH STREET. NO ONE WAS AWARE THAT THIS WAS HAPPENING. AND NO ONE IS -- IS FULLY CLEARLY AWARE OF THE IMPLICATIONS FOR THEIR USE PERMITS FOR THEIR TENANTS, FOR THEMSELVES. I KNOW STAFF WAS SAYING THERE'S BEEN PLENTY OF NEIGHBORHOOD INPUT AND DISCUSSION, WE MISSED OUT ON THAT SOMEHOW. FOR PEOPLE LIKE ME, YOU KNOW, MY FAMILY, IT PUTS US IN A REAL BIND. WE HAVE A CONDITIONAL USE PERMIT PENDING BEFORE THE PLANNING COMMISSION AT THIS TIME. I THINK WE ARE GOING TO GET OUR SITUATION STRAIGHTENED OUT. I WORRY THERE ARE MANY PEOPLE UP AND DOWN THIS CORRIDOR WHO AREN'T AWARE THAT THEY ARE IN TROUBLE. EVEN SINGLE FAMILY RESIDENCE WHO HAVE MOVED INTO HOUSES THAT MAY HAVE HAD PRIOR USE, YOU KNOW, IT'S A VERY MIXED UP NEIGHBORHOOD. LIKE AN OFFICE OR SOMETHING, THAT AREN'T AWARE THEY ARE GOING TO BE A PROHIBITED USE ONCE THIS IS PUT INTO -- THIS T.O.D. IS PUT INTO PLACE. I WOULD URGE TO SLOW THIS PROCESS DOWN A LITTLE BIT. THE RAIL WILL NOT BE HERE UNTIL 2008. YOU KNOW, THERE IS TIME FOR US TO HAVE MORE DISCUSSION ON THESE TOPICS, THE SOONER THAT WE IMPLEMENT THE TOD'S, THE SOONER THE APPRAISAL DISTRICT IS GOING TO LOOK AT THIS LAND AND SAY THIS IS MORE VALUABLE LAND. THE SOONER THAT THE PRESSURE OF HIGHER PROPERTY TAXES ARE GOING TO BE BROUGHT TO BEAR ON SOME OF THE LOW INCOME FAMILIES THAT LIVE, YOU KNOW, IN SINGLE FAMILY DWELLINGS UP AND DOWN THIS CORRIDOR. SO I JUST, YOU KNOW, I URGE YOU TO TAKE -- LET'S TAKE A LITTLE BIT MORE TIME, LET'S GET MORE INPUT FROM THESE NEIGHBORHOODS SO THAT WE CAN DO THIS RIGHT. THANK YOU. APPRECIATE IT.

THANK YOU, MR. HARLAN.

Alvarez: MAYOR? I HAVE A QUESTION. MR. HARLAN? YOU

MENTIONED THE NOTICE ISSUE. THE FIRST NOTICE, DECEMBER 17th, ANOTHER ONE, DECEMBER 28th. THOSE WERE WHAT FIRST -- FOR HEARINGS -- BEFORE THE PLANNING COMMISSION?

FROM THE PLANNING COMMISSION.

AND THAT'S THE FIRST -- THE FIRST TIME THAT YOU'VE HEARD ABOUT IT.

YEAH, THAT WE REALIZED THAT WE MAY HAVE A PROBLEM. MAYBE OF MY FELLOW BUSINESS OWNERS DIDN'T PAY ATTENTION TO THOSE LETTERS. YOU KNOW, SO NOW AS WE GO ON THROUGH THIS PROCESS, EVERY -- EVERYBODY AROUND ME IS CHECKING THEIR USE PERMITS LIKE CRAZY, YOU KNOW, TO MAKE SURE THAT THEY ARE IN COMPLIANCE. AND I THINK THAT -- THAT.

Alvarez: THIS IS ONE CASE WHERE THE NEIGHBORHOOD PLAN SAID THAT IS A CONDITIONAL USE. AND SO THIS IS ACTUALLY EVEN TAKING IT A STEP FURTHER AND SAYING IT'S PROHIBITED ALTOGETHER.

IT'S PROPER HINTED THE T.O.D. WOULD MAKE IT SO IF, YOU KNOW, IF I WAS RED FLAGGED I WOULD HAVE TO MOVE MY BUSINESS FROM THE BUILDING THAT I PURCHASED FOR THAT PURPOSE.

Alvarez: FINALLY, I DON'T KNOW IF WE GET THIS THE CESAR CHAVEZ LAND USE DIAGRAM UP.

IT'S ABOUT A BLOCK FROM -- CAN WE PUT THAT MAP UP REAL QUICKLY? IS THAT -- I DON'T RECALL YOU BEING THAT CLOSE TO PLAZA SALTILLO.

I'M NOT ACTUALLY THAT CLOSE, BUT CLOSE ENOUGH.

WE ARE NOT NECESSARILY OPPOSED TO THESE EITHER, THAT'S NOT THE POINT.

MY BUSINESS IT REAR DIRECTLY ACROSS FROM CHAUMERS, MY BUSINESS IS CATER-CORNERED, FROM THE BUSINESS

END OF OF THE SALTILLO T.O.D.

A COUPLE OF BLOCKS OR MORE FROM THE PLAZA ITSELF, BUT CERTAINLY A LOT FARTHER FROM -- FROM THE STATION AREA THAT CAPITAL METRO IS CURRENTLY PLANNING.

YEAH.

Alvarez: OKAY, THAT WAS IT.

THANK YOU, MR. HARLAN.

Alvarez: FINALLY MAYOR, FOR STAFF IF THEY COULD ADDRESS THE -- THE -- THIS WHOLE NOTICE ISSUE BECAUSE I KNOW WE HAD STAKEHOLDER MEETINGS, BUT WERE THERE SHAREHOLDERS MEETINGS FOR THE PROPERTY OWNERS ONCE THEY RECEIVED THE NOTICE OR WAS THE -- YOU KNOW WHAT I MEAN? WAS THE FIRST TIME THEY WERE ABLE TO HAVE A SAY OR -- WHEN THEY GOT NOTICE. AT THE PLANNING COMMISSION.

WE MET WITH THE PROPERTY OWNERS IN THE LAMAR AREA BECAUSE WE KNEW WE HAD A LARGER NUMBER OF PEOPLE THERE WHO WOULD BE AFFECTED. IN THE -- IN THIS AREA WE HAVE FIVE. FIVE AREAS THAT ARE AFFECTED. WE JUST SEPTEMBER OUT A PROPER NOTICE. WE DID NOT HAVE A SPECIFIC MEETING WITH HIM, BUT HE IS CORRECT. IN THE EAST CESAR CHAVEZ PLAN IS A CONDITIONAL USE. HE WOULD HAVE BEEN REQUIRED TO OBTAIN A CONDITIONAL USE UNDER THAT PLAN TO MAKE HIM A LEGAL USE, THAT'S WHAT HE'S GOING THROUGH NOW WHICH WOULD THEN GRANDFATHER HIM ONCE HE HAS THAT AFTER THE -- IT IS APPROVED.

BUT THAT -- THAT I THINK WHEN -- YOU KNOW, ONE OF THE DISTINCTIONS HERE IS LIKE WHEN YOU GO THROUGH A NEIGHBORHOOD PLAN TO CHANGE, YOU HAVE TO DECIDE WHAT YOUR -- WHAT THE FUTURE VISION IS IN TERMS OF LAND USE, THEN WE HAVE -- WE HAVE A VERY, VERY SPECIFIC OPPORTUNITY AND VERY LENGTHY OPPORTUNITY FOR THEM TO BE INVOLVED. BUT HERE IT SEEMS LIKE SOME OWNERS DIDN'T RECEIVE -- THE FIRST TIME THEY HEARD ABOUT THIS WAS IN DECEMBER AND HERE WE ARE IN

FEBRUARY, WHICH IS, YOU KNOW, FIVE OR SIX WEEKS LATER AND WE ARE ALMOST AT -- YOU KNOW TO A DECISION POINT. AT LEAST POSTED FOR ACTION. AND SO AGAIN THAT'S ANOTHER DISTINCTION FOR ME BETWEEN -- BETWEEN HAVING GONE THROUGH A VERY LENGTHY NEIGHBORHOOD PLANNING PROCESS, SEVERAL YEARS.

AND THEN TRYING TO DO SOMETHING REALLY QUICKLY HERE THAT ALTERS THAT, REALLY DIDN'T -- DIDN'T HAVE THAT LEVEL OF PARTICIPATION THAT THE NEIGHBORHOOD PLAN ACTUALLY DID. SO --

COUNCIL, WE DID THE BEST WE COULD. GIVEN THE TIME FRAME THAT YOU -- THAT YOU DIRECTED US TO BRING IT BACK TO YOU. THANK YOU.

THANK YOU, MS. GLASGO. MS. BODET WELCOME, THREE MINUTES FOLLOWED BY MIKE MCHONE, FOLLOWED BY PAULA NIXON.

GOOD EVENING, ANIKE BODET WITH BROWN McKARL, I HAVE BEEN IN THIS PROCESS, MOST OF THE PUBLIC MEETINGS, HERE TONIGHT ON BEHALF OF OUR CLIENT WHO OWNS PROPERTY AT 720 LAMAR PLACE AND 6301 NORTH LAMAR THAT'S WITHIN THE -- THE LAMAR DISTRICT AND WE ARE IN THE TRANSITION ZONE, ON THE SOUTHERN BOUNDARY ON THE FRINGE OF THE TRANSITION ZONE. I WOULD LIKE TO SAY IN GENERAL WE ARE IN FAVOR OF THE TOD'S, I'M SIGNED UP NEUTRAL. WE ARE IN FAVOR OF THE OVERALL EFFECT THIS IS GOING TO HAVE ON OUR COMMUNITY. HOWEVER, I AM A FORMER ALTERNATIVE TRANSPORTATION PLANNER AND I KNOW MORE THAN ANYONE THAT THE KEY TO CONGESTION MANAGEMENT IS CHOICES. WHETHER IT BE TRANSIT, BUS, AUTOMOBILE, OR PEDESTRIAN OR WALKING THAT A MULTI-BODYDAL CITY IS WHAT IS GOING TO RELIEVE OUR CONGESTION. SO WITH THAT SAID THE AUTOMOBILE IS GOING TO BE PART OF OUR CHOICES, THAT THE AUTOMOBILE IS NOT GOING AWAY, WHICH BRINGS ME TO THE BUSINESS OF OUR CLIENTS WHICH IS AUTO-RELATED USES, HE'S BEEN IN THAT BUSINESS FOR A LONG TIME. HE FORESEES THAT HE'S GOING TO STAY IN THAT BUSINESS FOR A LONG TIME. THIS PROPOSAL IS GOING TO AFFECT HIS LIVELIHOOD SO TO SPEAK W. THAT SAID I WOULD LIKE TO

POINT OUT A FEW TALK ABOUT PLANNING SPECIFICS IN PARTICULAR AND OFFER A PROPOSAL WHICH IS ON THE DAIS RIGHT NOW THAT I HAVE PASSED OUT. FIRST, OUR CLIENT IS FORTUNATE TO BE SITUATED IN A WAY THAT BOUNDARIES COULD BE DRAWN IN THE TRANSITION ZONE IN THE LAMAR DISTRICT TO EASILY EXCLUDE HIM AND RESPECT HIS PARTICIPATION IN THE PROCESS, HIM VOICING HIS OPINION AND TO ASK TO BE INCLUDED BECAUSE AUTO RELATED IS HIS LIVELIHOOD. THAT PROPOSAL IS ON THE DAIS, I HAVE STAFF'S ROOM FOR YOU TO LOOK AT AS WELL, TO COMPARE HOW THE BOUNDARIES COULD BE CHANGED. MEN INSTITUTELY TO ACCOMMODATE HIM AND HIS PROPERTIES ARE HIGHLIGHTED IN PINK ON YOUR DAIS. SECONDLY THE TRANSITION ZONE I DON'T BELIEVE IS GOING TO MAKE OR BREAK THE EFFECT OF THIS ON OUR COMMUNITY AND THEREFORE I FEEL LIKE THROUGH THIS PUBLIC PROCESS THE TRANSITION ZONE, IF ANY, SHOULD BE 7 OR THE BOUNDARIES COULD BE TWEAKED SO TO SPEAK IN -- IN RESPONSE TO PUBLIC INPUT. SO THAT'S WHAT I'M HERE ASKING FOR TONIGHT AS -- FOR YOU TO PLEASE LOOK AT THE PROPOSAL ON THE DAIS AND SEE IF THERE'S A WAY TO EXCLUDE HIS PROPERTIES. PER THE LITERATURE GIVEN OUT AT THE PUBLIC MEETINGS LEADING UP TO THIS POINT. STAFF HAS SAID THAT THEY WILL PROPOSE FINAL BOUNDARIES FOR EACH ZONE BASED ON BOTH EXISTING ZONING, EXISTING AND FUTURE LAND USES AS WELL AS ON THE GROUND CONDITIONS FOR EACH T.O.D. SO AGAIN I ASK THAT THE FUTURE LAND USES ON OF OUR CLIENT BE CONSIDERED. IN CLOSING THERE'S BEEN DISTINCT DISTANCES FROM THE GATEWAY, MID-WAY, NOT THE TRANSITION, GIVEN THAT I WOULD HOPE THERE'S SOME LEEWAY HERE TO WORK ON THE BOUNDARIES OF THE TRANSITION SINCE THERE'S NO GIVEN DISTANCES FROM THE PLATFORM, THANK YOU.

THANK YOU, MIKE McHONE, THREE MINUTES FOLLOWED BY PAULA NIXON.

I'M MIKE MCHONE, I COME BEFORE YOU TONIGHT AS A CITIZEN, VERY ENTHUSED THAT WE HAVE FINALLY GOT A LIGHT RAIL OR A COMMUTER RAIL SYSTEM PASSED. I WANTED TO MAKE SEWER THAT IT'S A SUCCESS. KIDS BEFORE YOU TONIGHT AN ORDINANCE THAT -- THAT I FIND

SOMEWHAT TROUBLING IN ITS -- IN ITS MANDATING OF MINIMUMS. I'VE LONGED ADVOCATED INCENTIVES OVER MANDATES OR PROPER PROHIBITIONS. IF WE CAN FIND A WAY IN THE CITY PROCESSES TO CREATE INCENTIVES, ESPECIALLY IN -- WHEN YOU ARE DEALING WITH PRIVATE PROPERTY, NOT THAT YOU, YOU KNOW, CITY OWNED PROPERTY IT'S EASY TO MAKE THOSE, WHEN IT'S PRIVATE PROPERTY, IT'S HOW DO YOU MAKE THE OWNER OF THAT PROPERTY WANT TO DO WHAT IS RIGHT FOR THE CITY AND ALSO BENEFITS HIM. OR HER. SO I WOULD URGE YOU TO TAKE SOME TIME, LOOK AT EACH OF THESE STATION AREAS BECAUSE THEY ARE VERY, VERY DIFFERENT. I MEAN IS IT A GOOD IDEA TO PARK AND RIDE TO PROHIBIT A PLACE ACROSS THE STREET THAT MIGHT WASH, DETAIL WORK ON YOUR CAR WHILE YOU ARE RIDING THE TRAIN INTO TOWN? MAYBE IT'S NOT. BUT THOSE KIND OF SPECIFIC THINGS NEED TO BE LOOKED AT AND WE NEED TO GO TO INCENTIVES. I WAS VERY FORTUNATE AS A YOUNG PERSON TO BE ALLOWED TO WORK ON THE AUSTIN TOMORROW PLAN, THE CORE AREA. THEN I WAS A LITTLE BIT OLDER ALLOWED TO WORK ON THE AUSTIN PLAN IN SECTOR 1. AND ALL OF THOSE PLANS WE CALLED FOR A VIBE BRABT DOWNTOWN VIBRANT DOWNTOWN, HOW TO GET PEOPLE TO LIVE HERE TO BECOME THE SITUATION. NOW HERE IT IS SOME 35 YEARS LATER AND WE ARE GETTING TO THAT POINT. AND IT'S -- IT'S EXCITING BUT IT'S -- IT'S SOMETIMES TAKES A WHILE TO ACHIEVE OUR COMMUNITY GOALS. SO I THINK THIS TRANSIT SYSTEM WE WANTED TO MAKE IT WORK, WHERE WE WANT EVERYBODY TO BE ENTHUSIASTIC ABOUT IT, I THINK WE CAN DO THAT WITH THE PROPER INCENTIVES. I WOULD SUGGEST THAT YOU TAKE THE PROPOSED ORDINANCE THAT YOU HAVE BEFORE YOU TONIGHT AND MAKE THAT THE RESOLUTION AND GO IMMEDIATELY TO THE STATION PLANNING. MAKE THIS A RESOLUTION SO EVERYONE KNOWS THAT THIS IS THE INTENT, THIS THE GOALS, WHERE THE COMMUNITY IS HEADED AND THEN GO IMMEDIATELY TO THE STATION PLANNING AND GET THAT DONE QUICKLY SO THAT IT'S NOT A SITUATION WHERE YOU HAVE THIS INTERIM STEP WHERE YOU MAY PROHIBIT AN AUTOMOTIVE USE ONE WEEK AND THEN TWO YEARS LATER YOU COME BACK WITH STATION PLAN THAT WOULD ALLOWED IT AND THAT INCREASE A LOT OF DISRUPTION

AND ANXIETY AND PRIVATE PROPERTY OWNERS, SO -- SO THAT IS ALL THAT I WOULD HAVE TO SAY, I WILL BE HAPPY TO ANSWER ANY QUESTIONS THAT BUT I HOPE THAT YOU CAN MOVE FORWARD WITH THIS IN A WAY THAT GETS EVERYBODY IN THE COMMUNITY EXCITED ABOUT IT COMING TO OUR COMMUNITY. THANKS. [ONE MOMENT PLEASE FOR CHANGE IN CAPTIONERS]

PARTICULARLY AS THEY AGE AND STOP DRIVING. SO NOW SEMI RETIRED, I'VE ALWAYS CONSIDERED MY 20 YEARS OF ACTIVISM WITH GRAY PANTHER AS HAVING A GOOD COMPONENT OF SELF INTEREST. I WANT SYSTEMS AND SERVICES TO BE IN PLACE SO THAT I AS AN AGING BABY BOOMER DON'T END UP IN MY GERI CHAIR HOWLING I DON'T GET NO SATISFACTION. [LAUGHTER] SO PLEASE CONSIDER AND APPROVE THE RESOLUTION AND AMENDMENTS PROPOSED BY THE AUSTIN TRANSPORTATION COALITION, AND HELP THE CITY OF AUSTIN AGE GRACEFULLY TOO. THANK YOU.

Mayor Wynn: THANK YOU. RUBY ROW. WELCOME. YOU WILL HAVE THREE MINUTES AND BE FOLLOWED BY DAVID FOSTER.

GOOD EVENING, COUNCILMEMBERS, MAYOR, MAYOR PRO TEM. MY NAME IS RUBY ROW AND I'M A MEMBER OF SAN JOSE CATHOLIC CHURCH, A MEMBER OF THE LADIES OF CHARITY AND A LEADER WITH AUSTIN INTERFAITH. I HE TIRED FROM THE CITY OF AUSTIN IN 2002 WITH 27 YEARS OF SERVICE. I'VE BEEN A MEMBER OF THE COMMUNITY DEVELOPMENT COMMISSION FOR A YEAR AND I'M CURRENTLY EMPLOYED PART TIME IN A FAITH-BASED INITIATIVE SERVING FAMILIES IN SOUTH AND EAST AUSTIN. I SPEAK FOR MYSELF ALONE TONIGHT AND I'M NOT REPRESENTING THE COMMISSION OR ANY OF THESE INSTITUTIONS; HOWEVER, WHAT I HAVE LEARNED FROM SERVICE IN THESE ORGANIZATIONS DOES GUIDE ME. I'VE SIGNED ON TO THE AUSTIN TRANSIT COMMUNITY VALUES STATEMENT BECAUSE OUR PROPOSAL WILL BENEFIT MODERATE TO EXTREMELY LOW INCOME FAMILIES. I BELIEVE THE CITY SHOULD SUPPORT ACCESSIBLE AFFORDABLE HOUSING THAT IS CLOSE TO THE JOBS AND TRANSPORTATION TO JOBS SO THAT PARENTS CAN

SUPPORT A PERMANENT HOME FOR THEIR FAMILIES. THE POSSIBILITY OF LIVING AND WORKING IN THE SAME NEIGHBORHOOD AS ENVISIONED IN THESE HUB COMMUNITIES HOLDS GREAT PROMISE FOR GIVING FAMILIES TIME TO ACTUALLY BE TOGETHER. LOW INCOME FAMILIES NEED AND DESERVE RESPECT FOR THE VALUE OF THEIR FAMILIES. CITY STAFF KEEPS TELLING US THAT LOWERING THE BASELINE OF AFFORDABILITY STANDARD WILL DRIVE THE DEVELOPERS AWAY. TO THE CONTRARY, I THINK THAT THIS WILL DRAW THE REAL ESTATE PROFESSIONALS WHILE CONTRIBUTING TO THE SUSTAINABILITY AND AVOIDING CONCENTRATING AFFORDABLE HOUSING IN LIMITED AREAS. THE PROPOSED ORDINANCE SAYS 80% OF THE FAMILY MEDIAN INCOME HAS A BASELINE AFFORDABILITY STANDARD. FROM MY EXPERIENCE ON THE COMMISSION AND AS A FORMER CITY EMPLOYEE, I'VE PUT TWO AND TWO TOGETHER. A FAMILY OF FOUR EARNING LESS THAN \$35,000 PER YEAR IS BELOW 50% OF THE MEDIAN FAMILY INCOME. AND IS PROBABLY PAYING TOO MUCH FOR HOUSING. HALF OF THE CITY EMPLOYEES, INCLUDING TEMPORARY AND PART TIME, MAKE LESS THAN \$35,000 A YEAR. THE CITY HAS COME A LONG WAY, AND THANKS TO OUR CITY MANAGER, BY ADOPTING A LIVING WAGE FOR ITS EMPLOYEES, AND I APPLAUD ALL OF YOU FOR THAT, BUT STILL A SINGLE PERSON WITH CHILDREN MAKING \$10 AN HOUR CANNOT PAY RENT, MUCH LESS BUY A 100,000-DOLLAR HOME FROM ONE OF THE CITY HOUSING PROGRAMS. SO THEY COMMUTE LONG DISTANCES, WHICH IS A BURDEN TO THEM, AND AS A FORMER MANAGER, I KNOW TO THE EMPLOYER AS WELL. RECENT ECONOMIC GROWTH HAS PRODUCED MORE JOBS IN THE CITY, BUT THEY DON'T NECESSARILY PAY A LIVING WAGE. [BUZZER SOUNDS] I SEE FAMILIES AT CHURCH EVERY WEEK WHO WORK AT THESE JOBS AND I KNOW FROM READING THEIR CHILDREN'S ESSAY FOR CHURCH COLLEGE SCHOLARSHIPS HOW THEY STRUGGLE TO GET AHEAD. WILL YOU PLEASE GIVE THESE FAMILIES A BETTER CHANCE BY INCLUDING THE TRANSIT COALITION'S RECOMMENDATION FOR AFFORDABLE HOUSING IN THE TRANSIT ORIENTED DEVELOPMENT ORDINANCE. I RESPECTFULLY REQUEST YOUR SUPPORT OF THE COALITION PROPOSAL. THANK YOU.

Mayor Wynn: THANK YOU. DAVID FOSTER, WELCOME, YOU

WILL HAVE THREE MINUTES AND BE FOLLOWED BY MARK ROGERS.

THANK YOU, MAYOR WYNN, COUNCILMEMBERS. MY NAME IS DAVID FOSTER. I'M STATE PROGRAM DIRECTOR OF TEXAS COMMUNITY PROJECT AND CLEAN WATER K. I'M HERE TO SPEAK ON BEHALF OF TRANSIT ORIENTED DEVELOPMENT AND ALSO ON BEHALF OF THE RECOMMENDATIONS FROM THE AUSTIN TRANSIT COMMUNITY COALITION. I THINK IT'S IMPORTANT THAT WE ALL UNDERSTAND HOW TRULY SIGNIFICANT THIS DECISION IS THAT WE'RE ABOUT TO MAKE. IF WE DO THIS RIGHT, AUSTIN WILL TURN ITS BACK ON THE SPRAWL PATTERN OF DEVELOPMENT THAT'S PLAGUED US AND BECOME A DIFFERENT KIND OF PLACE. LET ME SAY IN ONE SENTENCE WHAT I THINK THIS MIGHT LOOK LIKE. IF WE DO IT RIGHT, 25 YEARS FROM NOW WE WILL NOT HAVE JUST SEVEN OR SO TRANSIT ORIENTED DEVELOPMENTS, RATHER WE WILL HAVE DOZENS OF WALKABLE, MIXED USE, URBAN VILLAGES CONNECTED TO EACH OTHER BY A HIGH SPEED ENVIRONMENTALLY FRIENDLY PASSENGER RAIL AND BIKE WAYS, WHOSE RESIDENTS WILL CONSIST OF FOLKS OF ALL INCOME LEVELS, LIVING NEAR LOCALLY OWNED BUSINESSES, MOM AND POP STORES, AND LIVING IN HOUSES, SOME OF WHOM PRODUCE AS MUCH ENERGY OVER THE COURSE OF A YEAR AS THEY CONSUME. I'VE SAID A LOT AND IT MAY TOUCHDOWN IEW TOPIAN, BUT I DON'T THINK IT IS. I THINK IT IN OUR GRASP. LET'S UNDERSTAND THAT WE'RE NOT TALKING ABOUT THE SEVEN OR SO AREAS TONIGHT. THINK MOKAN, THINK MISSOURI, KANSAS RIGHT-OF-WAY. I ALSO SUSPECT THAT EVENTUALLY WE WILL BE ABLE TO RUN PASSENGER RAIL ALONG THE CORRIDORS. LET'S ALSO KEEP IN MIND THAT OUR CITY OWNED UTILITY, AUSTIN ENERGY, IS BUILDING TODAY AN AFFORDABLE HOUSING SUBDIVISION IN MONTOPOLIS, ALL OF THESE HOMES WILL PRODUCE AS MUCH ENERGY AS THEY CONSUME OVER A COURSE OF A YEAR THANKS TO AGGRESSIVE GREEN BUILDING TECHNIQUES AND SOLAR PANELS. I THINK THAT'S WITHIN OUR GRASP. I THINK THAT AT LEAST SOME OF THESE COD'S SHOULD BE DESIGNED IN A WAY THAT INVOLVE SOLAR PANELS ON THE TOP. I THINK THAT WILL HELP JUMPSTART THE SOLAR ECONOMY WE'VE HEARD SO MUCH ABOUT. I THINK IT'S IMPORTANT TO

UNDERSTAND, AS OTHERS HAVE ALREADY SAID, THAT -- IN FACT, MR. MCCracken SAID IT, THAT PROPERTY OWNERS NEAR THESE STATIONS ARE GOING TO MAKE OR STAND TO MAKE A LOT OF MONEY THANKS TO A COMMUNITY-OWNED ASSET. THIS IS A TAXPAYER SUPPORTED, PUBLICLY OWNED, NOW VOTER APPROVED RAIL LINE. GIVEN THAT THAT IS THE CASE, THEN WE OUGHT TO BE EXPECTING THESE FOLKS TO DEVELOP THEIR PROPERTY IN A WAY THAT IS CONSISTENT WITH COMMUNITY VALUES. AND THOSE COMMUNITY VALUES INCLUDE AFFORDABLE HOUSING, THEY INCLUDE GREEN ENERGY, THEY INCLUDE RENEWABLE ENERGY AS WELL, THEY INCLUDE LOCALLY OWNED BUSINESSES. THANK YOU VERY MUCH.

Mayor Wynn: THANK YOU. WELCOME, MR. ROGERS. YOU WILL BE FOLLOWED BY ANGELA BAKER.

GOOD EVENING, COUNCILMEMBERS, MAYOR. MY NAME IS MARK ROGERS, AND FIRST I WANT TO THANK YOU FOR APPOINTING ME TO SERVE ON THE PLAZA SALTILLO COMMUNITY ADVISORY GROUP, THE SALTILLO CAG AS IT'S CALLED. A YEAR AGO CAPITAL METRO APPROVED A T.O.D. TOUR OF THE SAN FRANCISCO BAY AREA. COUNCILMEMBER THOMAS WAS WITH US ON THAT. AND THE TOUR PROFERBD TO ME AWE VIBRANT AND VARIED T.O.D. CAN BE. IT ALSO DEMONSTRATED WITHOUT A DOUBT THAT AFFORDABLE HOUSING MUST BE A KEY PART OF EVERY T.O.D. AUSTIN IS IN THE INFANCY STAGE OF WHERE THE SAN FRANCISCO BAY AREA IS, YET EVEN IF OUR INFANC IT'S CRUCIAL THAT WE THINK FAR AHEAD. WHATEVER WE THINK WE HAVE DEFINED WHAT THE LIMITS SHOULD BE, WE NEED TO THINK WHAT IF THE LIMITS CAN BE EXPANDED, WHAT IF THEY CAN BE APPROVED. THE T.O.D. ORDINANCE YOU ADOPT CAN SET THE VERY BEST GOALS FOR WHAT WE CAN ACHIEVE IN OUR CITY. I ASSURE YOU THAT SMART HOUSING IS NOT ENOUGH, PROVIDING HOMES TO HOME BUYERS AT 80% OF THE MEDIAN INCOME FOR ONE YEAR OR RENTAL INCOME FOR FIVE YEARS IS OKAY, BUT IT NOT GREAT. AND AUSTIN CAN BE GREAT AND THE T.O.D. ORDINANCE PROVIDES A PERFECT OPPORTUNITY TO TAKE SMART HOUSING TO THE NEXT LEVEL. WHAT I HEARD TONIGHT SEEMS TO SAY THAT. MAYBE THAT'S SMARTER HOUSING. MAYBE WE CAN PROVIDE SUPER SMART OR EVEN GENIUS HOUSING. ALL OF THE

HOUSING PROJECTS BEING DEVELOPED IN THE SAN FRANCISCO AREA T.O.D. SERVE PEOPLE WITH A RANGE OF MEDIAN INCOMES FROM BELOW 30% TO THE MARKET RATE. THE NONPROFIT COMMUNITY BASED CORPORATION OUTSIDE OAKLAND DEVELOPED A T.O.D. WITH 257,000 SQUARE FEET OF RETAIL SPACE, OFFICES, A PUBLIC LIBRARY, CLINIC, DAY CARE AND 47 47 UNITS OF HOUSING, CROSSINGS AND OTHERS WILL BE LOOKED AT AND THE SAME THING WITH ON AFFORDABLE HOUSING IN EACH ONE. THE MIX BAY PROJECT IS DEVELOPING 6,000 RESIDENTIAL UNITS WITH 25% OF THOSE UNITS AFFORDABLE FOR PEOPLE WITH INCOMES RANGING FROM BELOW 30% ON UP TO THE MEDIAN INCOME. OR TO 80% OF MEDIAN INCOME. IT'S IMPORTANT TO UNDERSTAND THAT HERE IN AUSTIN WITH ONLY SMART HOUSING INCENTIVES, THE PEDERNALES AND SALTILLO LOFTS ARE SELLING AT LEAST 40% OF THEIR UNITS TO PEOPLE WITH INCOME WITH 80% OR BELOW THE MEDIAN INCOME. A CHALLENGE IS HOW DO WE CREATE HOUSING FOR FAMILIES OF 60, 50 AND 30% OF THE MEDIAN INCOME. AND HOW DO WE KEEP IT AFFORDABLE FOR 15 AND 30 YEARS AND SOME OF IT FOREVER IF WE CAN DO IT. AND I BELIEVE WE CAN. COMMUNITY ALL ACROSS THE COUNTRY HAVE MET THE CHALLENGE SUCCESSFULLY. THE VALUE STATEMENT AND THE PROPOSED REVISIONS TO THE ORDINANCE BY THE AUSTIN TRANSIT COMMUNITY COALITION IS REALISTIC, IT'S FAR THINKING AND BROAD BASE. IT DOES NOT MANDATE THAT EVERY PROJECT IN THE T.O.D. PROVIDES AFFORDABLE HOUSING, RATHER IT WOULD REQUIRE THAT 25% OF HOUSING CREATED WITHIN EACH T.O.D. DISTRICT SERVE AUSTINITES WITH THE FULL RANGE OF INCOMES. FAR FROM IMPOSSIBLE IN SOME WAYS, THIS IS ALREADY BEING ACHIEVED IN THE SALTILLO DISTRICT. [BUZZER SOUNDS] THE PEDERNALES LOFTS STAND ONLY A FEW HUNDRED FEET FROM A PROJECT THAT IS ONLY A FEW HUNDRED YARDS FROM THE NEW MARKET RATE HOUSING. I'LL LEAVE YOU WITH THISENT WE JUST YESTERDAY COUNTED THE APPLICATIONS ON FILE AT THE GUADALUPE NEIGHBORHOOD DEVELOPMENT CORPORATION FOR FAMILIES FROM THE SALTILLO AREA. 1181 FAMILIES ARE WAITING FOR US TO PROVIDE THEM WITH HOUSING. WE OWN 37 UNITS. SEVERAL APPLICATIONS DATE BACK TO 1998 AND THE AVERAGE MEDIAN INCOME FOR THESE

APPLICANTS, THESE FAMILIES FROM THIS AREA, IS 31% OF THE MEDIAN FOR AUSTIN. SO I BELIEVE YOU HAVE THE OPPORTUNITY WITH THIS ORDINANCE TO GIVE THESE FAMILIES HOPE THAT THEY WILL BE ABLE TO REMAIN IN THE NEIGHBORHOOD THAT THEY LOVE. THANK YOU.

Mayor Wynn: THANK YOU, MR. ROGERS. WELCOME, ANGELA. IS OPHELIA ZAPATA STILL HERE? HOW ABOUT LAWRENCE (INDISCERNIBLE)? SO ANGELA, YOU WILL HAVE UP TO THREE MINUTES IF YOU NEED IT.

MAYOR, COUNCILMEMBER, I'M ANGELA BAKER, CO-CHAIR OF AUSTIN INTERFAITH. AUSTIN INTERFAITH HAS 15 MEMBER INSTITUTIONS. THROUGH CONVERSATIONS IN OUR INSTITUTIONS WE KNOW THAT THERE IS A CRITICAL NEED FOR AFFORDABLE HOUSING, LIVEABLE AND SAFE. WE WERE DELIGHTED AND EXCITED TO LEARN ABOUT THE INCLUSION OF AFFORDABLE HOUSING IN THE T.O.D. DISTRICTS. ESSENTIAL TO MEETING THE NEEDS OF OUR MEMBERS, WE STRONGLY SUPPORT THE AUSTIN TRANSIT COALITION COMMUNITY VALUES STATEMENT ON AFFORDABLE HOUSING, WHICH INCREMENTALLY PERMITS FAMILIES WITH INCOME LEVELS BELOW 80% OF MEDIAN FAMILY INCOME TO OWN THEIR OWN HOMES, AND FOR FAMILIES WHO HAVE 50% OR LESS TO BE ABLE TO LIVE IN THESE AREAS. AUSTIN INTERFAITH WANTS TO SEE MORE OF OUR FAMILIES HAVE ACCESS TO AFFORDABLE HOUSING, NOT LESS. WE WANT TO SEE MORE INCLUSIONARY HOUSING, NOT EXCLUSIONARY. THANK YOU.

Mayor Wynn: THANK YOU. PAUL LINEHAN, WHO WILL BE FOLLOWED BY SUSAN FOF FET, WHO WILL BE FOLLOWED BY PAUL LINEHAN. I SAW HIM EARLIER. SUSAN, WELCOME. YOU WILL HAVE THREE MINUTE. AND BE FOLLOWED BY JOHN JOSEPH.

GOOD EVENING. I'M SUSAN MOFFETT. AND I'M A MEMBER OF THE AUSTIN TRANSIT COMMUNITY COALITION AND A BOARD MEMBER OF LIVEABLE CITY. THE TRANSIT DISTRICTS WE'RE TALKING ABOUT TONIGHT ARE A PUBLIC INVESTMENT. OUR SALES TAX DOLLARS WILL BUILD THE STATIONS AND RUN THE LINES. OUR INVESTMENT IS WHAT GIVES VALUE TO THESE SITES, OTHERWISE THEY WOULD JUST BE MORE DIRT

ALONG THE TRACKS. PRIVATE DEVELOPERS WILL DEFINITELY MAKE MONEY ON THESE, AND THAT'S FINE, BUT WE NEED TO MAKE SURE THAT OUR COMMUNITY GETS VALUE BACK FOR ITS INVESTMENT, TOO. AND RIGHT NOW IN AUSTIN THERE'S NOTHING WE NEED MORE THAN AFFORDABLE HOUSING. AUSTIN USED TO BE A PLACE THAT ANYBODY COULD LIVE. THAT'S THE BIG REASON WE GOT TO BE THE LIVE MUSIC CAPITOL BECAUSE EVEN MUSICIANS COULD AFFORD TO LIVE IN AUSTIN. TODAY YOU CAN LIVE HERE NO PROBLEM IF YOU'RE A DELL EXECUTIVE, BUT THAT IS NOT WHO WE ALL ARE. THE PEOPLE WHO MAKE UP AUSTIN ARE TEACHERS, POETS, FIREFIGHTERS, POLICE OFFICERS, TRASH COLLECTORS, SMALL BUSINESS OWNERS, WAITRESSES, ARTISTS, MUSICIANS, DAY CARE WORKERS, GROCERY CLERKS, AND PROBABLY ABOUT A THOUSAND PLAYERS. THESE PEOPLE WORK HARD EXCEPT MAYBE THE BASS PLAYERS. THEY'VE LIVED HERE FOR YEARS, THEY'RE PART OF OUR COMMUNITY. AND RIGHT NOW THESE ARE THE PEOPLE WHO ARE BEING PRICED OUT OF THEIR HOMES AND PRICED OUT OF AUSTIN. TODAY WE DEFINE AFFORDABLE HOUSING AS WHAT'S AFFORDABLE TO SOMEONE MAKING \$57,000 A YEAR. HALF OF OUR OWN CITY EMPLOYEES DON'T EVEN MAKE 35,000. WE CAN'T SKIT BY AND LET OUR WORKING MIDDLE CLASS GET PRICED OUT. I WAS RAISED BY A SINGLE MOM. WHEN MY DAD LEFT I WAS A YEAR OLD. MY BIG CENTER WAS TWO AND MY MOM WAS PREGNANT WITH MY LITTLE SISTER. IT WAS REALLY HARD FOR HER, BUT WE GOT BY AND SHE KEPT THE ROOF ON OUR HEADS. IF WE LIVED IN AUSTIN TODAY, I TRULY DO NOT UNDERSTAND IN HER SITUATION HOW SHE WOULD BE ABLE TO DO THAT. THERE ARE THOUSANDS OF WORKING FAMILIES IN TOWN RIGHT NOW WHO ARE LIVING ON THAT SAME EDGE, AND THAT'S WHY I'M DOWN HERE TONIGHT BECAUSE I KNOW WHAT THAT FEELS LIKE AND I KNOW OUR CITY CAN DO BETTER. MARKET FORCES ALONE WILL NOT SOLVE THIS. IF AUSTIN WANTS TO STAY AFFORDABLE, WE NEED HARD WORK, CREATIVITY AND WE NEED STRONG LEADERSHIP AND COMMITMENT FROM EVERY SINGLE ONE OF YOU. T.O.D. T.o.d. , OUR NEW ZONING CATEGORY THAT WILL SHAPE AUSTIN FOR YEARS. THEY SHOULD BE AFFORDABLE, RESPECT OUR NEIGHBORHOODS AND THEY SHOULD BE A PLACE WHERE ALL AGES, ALL ABILITIES AND ALL INCOMES

CAN LIVE. WE ARE A GREAT CITY BECAUSE WE DO CARE, BECAUSE WE ARE FAIR AND WE ARE RESPONSIBLE. AND BECAUSE WE'RE STILL SMALL TOWN, AND NOT ENOUGH TO COME DOWN HERE ON THURSDAYS AND TALK TO YOU ABOUT THE STUFF THAT MATTERS. WHAT MAKES AUSTIN ARE GREAT ARE THE PEOPLE WHO LIVE HERE, AND WE NEED TO MAKE SURE THAT EVERYONE STILL HAS A FAIR CHANCE TO DO THAT. [BUZZER SOUNDS] WE NEED YOUR LEADERSHIP AND COMMITMENT TONIGHT. PLEASE VOTE TO ADOPT THE RECOMMENDATIONS OF THE AUSTIN TRANSIT COMMUNITY'S COALITION TO THE T.O.D. ORDINANCE WHERE THEY WILL HAVE STRENGTH AND FORCE. PLEASE DON'T LET OUR WORKING FAMILIES BE PRICED OUT OF TOWN. THANK YOU.

Mayor Wynn: THANK YOU. WELCOME MR. JOSEPH. IS STEVE DONEHAM HERE? STEVE DUNNHAM? YOU CAN ACKNOWLEDGE THAT YOU'RE HERE SO I CAN GIVE YOUR THREE MINUTES TO MR. JOSEPH. YOU WILL HAVE SIX MINUTES.

THANK YOU. MY NAME IS JOHN JOSEPH. THANK YOU FOR LETTING ME SPEAK TONIGHT. I REPRESENT 621 621 PARTNERSHIP LIMITED, MIKE REYNOLDS AND THE JOSEPH LIMITED TWO PARTNERSHIP. FIRST OF ALL, I'M NOT OPPOSED TO THE T.O.D. AND I WAS BOARD OF THE COMMUTER RAIL PROGRAM AND I'M A SUPPORTER OF THIS PROGRAM. I THINK IT'S A GOOD IDEA. AND I WOULD LIKE TO HELP IT OCCUR. A PROBLEM THAT I HAVE IS THAT NONE OF MY CLIENTS UNTIL A COUPLE OF WEEKS AGO HAD ANY KNOWLEDGE OF THE PLAN THAT WAS GOING ON WITH THE PROPERTY THAT IS WITHIN THESE AREAS, THESE PLANNING AREAS. SPECIFICALLY WITH RESPECT TO 620 AND 183 PARTNERSHIP IN THE NORTHWEST PARK TOWN CENTER AND THE MIKE REYNOLDS PROPERTY OF A COUPLE OF MISCONCEPTIONS I WOULD LIKE TO CLEAR UP. AND IF I COULD USE THE CITY MAP, ONE OF THE CITY'S MAPS I WOULD LIKE TO DO THAT IF I COULD.

I THINK THERE WAS A STATEMENT EARLIER MADE THAT THE REASON THAT THE LINE WAS DRAWN WHERE IT WAS LIKE THIS, AS I'M TRACING WITH MY FINGER, WAS BECAUSE OF THE PROPERTY OWNERSHIP THAT THE STAFF DIDN'T WANT TO

SEPARATE PROPERTIES THAT WERE IN THE SAME OWNERSHIP. AND I POINTED THIS OUT, ALICE, A FEW MINUTES AGO BECAUSE I THINK SHE MAY HAVE BEEN MISINFORMED. THIS PROPERTY IS OWNED BY MR. REYNOLDS AND THIS PROPERTY IS OWNED BY MR. REYNOLDS AND THIS PROPERTY IS OWNED BY 620183 PARTNERSHIP AND THIS PROPERTY IS OWNED BY 620183 LIMITED PARTNERSHIP. SO THE BOUNDARY LINE, THE PROPERTY LINE ACTUALLY GOES IN THIS FASHION RIGHT HERE. YOU HAD ASKED, COUNCILMEMBER. SO IN ADDITION TO THAT, SH 45 IS DOWN HERE. 183 IS RIGHT HERE. 183 IS UP HERE. THIS IS -- THIS IS SIX LANES DIVIDED. THIS IS SIX LANES DIVIDED. AND THIS IS SIX LANES DIVIDED. AND THIS ONE GOES ACTUALLY ALL THE WAY ACROSS OVER TO THE T.O.D. IT'S HARDLY AN UNDEVELOPED AREA OF TOWN. MY CLIENTS HAVE SPENT HUNDREDS OF THOUSANDS OF DOLLARS ON PRELIMINARY PLANS THAT ARE STILL IN PLACE, THAT ARE JEOPARDIZED BY WHAT COULD BE HAPPENING WITH RESPECT TO THIS PLAN. THEY SPENT HUNDREDS OF THOUSANDS OF DOLLARS ON THE ROADWAYS AND THEY HAVE SPENT HUNDREDS OF THOUSANDS OF DOLLARS ON DEVELOPMENT THAT ALREADY EXIST IN THE AREA. ALL I'M ASKING FOR TONIGHT IS THAT NOTHING HAPPEN AS FAR AS THE PLANNING IS CONCERNED AND JUST GIVE ME A CHANCE TO VISIT WITH THE STAFF AND FIND OUT HOW THESE PROPERTIES ARE GOING TO BE IMPACTED. AND IT MAY BE THAT EVERYTHING IS WONDERFUL AND WE CAN EMBRACE THE PLAN EXACTLY THE WAY IT IS AND WE CAN COME BACK NEXT TIME AND SAY LET'S DO IT AND DO IT NOW. BUT I'D LIKE AN OPPORTUNITY TO DO THAT SO THAT WE CAN BE A PART OF THE T.O.D. PLANNING AND WE CAN BE A PART OF THE DEVELOPMENT THAT'S GOING TO OCCUR AND WE CAN BE A PART OF THIS GREAT PLAN THAT I THINK IS GOING TO OCCUR ULTIMATELY AS WELL. I WOULD LIKE A CHANCE TO VISIT WITH THE STAFF TO SEE HOW WE'RE IMPACTED. AND THE SAME APPLIES WITH RESPECT TO THE JOSEPH PROPERTY. IT IS DOWN IN THE SALTILLO PROPERTY. IT IS AT SEVENTH AND SAN MARCOS, I BELIEVE, THE FIRST STREET IS EAST OF I-35 ON THE SOUTHEAST CORNER. AND HERE AGAIN WE WANT TO SEE HOW IT GOING TO IMPACT THE PROPERTY SO WE CAN SEE HOW WE CAN ADJUST THE APPLICATION AS IT'S COMING DOWN. AND THERE WILL BE

SOME CHANGES IF YOU WERE TO VOTE ON THIS TONIGHT, THERE WOULD BE DIFFERENCES IN THE ZONING. THERE WOULD BE A REDUCTION IN THE USES THAT ARE PRESENTLY ALLOWED ON THIS PROPERTY. IF THIS APPLIES TO ACROSS THE STREET FROM -- IF I MAY... [INAUDIBLE - NO MIC]. IT WOULD PREVENT US FROM COMPLETING A SALE ON A SITE DEVELOPMENT PERMIT FOR AN AUTOMOTIVE REPAIR DEAL IRRELEVANT SHIP. SO IT'S A SIGNIFICANT THING THAT'S HAPPENING. WE ARE CHANGING THE ZONING, AND THIS ISN'T A ZONING PROCESS, AND I'D LIKE TO URGE YOU TO WAIT AND LET US HAVE A CHANCE AND VISIT WITH THE STAFF, LET THE PROPERTY OWNERS THAT ARE INVOLVED GET INVOLVED IN THIS PROCESS AND FIND OUT WHAT'S GOING ON. IF THERE ARE ANY QUESTIONS I'D BE HAPPY TO ADDRESS THEM AT THIS TIME.

Mayor Wynn: THANK YOU, MR. JOSEPH. LYDIA ORTIZ. WELCOME. YOU WILL HAVE THREE MINUTES AND YOU WILL BE FOLLOWED BY ANGELA MILLER, WHO WILL BE FOLLOWED BY JEFF JACK.

THANK YOU, MAYOR AND COUNCIL. MY NAME IS LYDIA ORTIZ. I'M ON THE BOARD OF LIVEABLE CITY AND I'M A MEMBER OF THE AUSTIN TRANSIT COMMUNITIES COALITION. THE COALITION IS MADE UP OF A DIVERSE MIX OF NEIGHBORS, DESIGN PROFESSIONALS, HOUSING ADVOCATES, AND LOTS OF OTHER CONCERNED CITIZENS. AND THE COMMENT YOU'VE HEARD TONIGHT COME FROM A CONSENSUS VALUE STATEMENT THAT WE'VE SHARED WITH YOU. WE DRAFTED THE VALUE STATEMENT PRIMARILY BECAUSE OF OUR CONCERNS WITH MAKING SURE THAT THE TRANSIT ORIENTED DEVELOPMENT ORDINANCE THAT YOU ARE CONSIDERING TONIGHT REFLECT THE VALUES OF THE COMMUNITY. I WANT TO VOICE MY SUPPORT FOR THE AFFORDABILITY AMENDMENTS YOU'VE ALREADY HEARD ABOUT AND I WANT TO MAKE IT CLEAR THAT I'M SUPPORTING INCORPORATING THOSE AFFORDABILITY GOALS AS PART OF THE ORDINANCE AND NOT LEAVING THEM OUT ON THEIR OWN AS A REVOLUTION. LET ME POINT OUT TO YOU THAT THE DRAFT ORDINANCE YOU'RE CONSIDERING TONIGHT SPELLS OUT REQUIREMENTS FOR THE TYPE OF GLASS THAT'S TO BE USED WITHIN THE TRANSIT DISTRICTS. NOW, WE CAN SPELL OUT REQUIREMENTS FOR DALLAS IN THE

TRANSIT DISTRICTS, THEN CLEARLY WE CAN HAVE THE ORDINANCE REFLECT OUR COMMUNITY VALUES ON AFFORDABILITY. I ALSO WANT TO EMPHASIZE THAT BY MAKING AFFORDABILITY GOALS CLEAR IN THE ORDINANCE RATHER THAN PUSHING THEM OFF TO THE STATION AREA PLANS, YOU'RE REALLY WORKING TO MAKE THE DEVELOPMENT PROCESS PREDICTABLE AND CERTAIN. IF WE PUSH THE AFFORDABLE ELEMENT TO THE STATION AREA PLANS, THERE'S A LOT OF ROOM FOR MAKING THOSE REQUIREMENTS COMPLEX AND CONFUSING IN THE DEVELOPMENT PROCESS. THE AUSTIN TRANSIT COMMUNITIES COALITION VALUE STATEMENT ALSO SPEAKS TO NEIGHBORHOOD COMPATIBILITY. AND I WANT TO LET YOU KNOW THAT WE ARE UNITED IN ASKING YOU TO SUPPORT NEIGHBORHOOD PLANNING BY REQUIRING STATION AREA PLANS TO GO THROUGH THE NEIGHBORHOOD PLANNING AMENDMENT PROCESS. THERE IS AN OFFICIAL CITY PROCESS FOR AMENDING NEIGHBORHOOD PLANS, AND WE WOULD LIKE TO SEE THE STATION AREA PLANS FOLLOW THAT PROCESS. IT'S IMPORTANT THAT THEY DO THAT IN ORDER TO MAINTAIN THE INTEGRITY OF THE NEIGHBORHOOD PLANS AND THE INTEGRITY OF THE NEIGHBORHOOD THAT THE TRANSIT DISTRICTS WILL RESIDE IN. THANK YOU SO MUCH FOR YOUR TIME, AND WE REALLY HOPE THAT YOU WILL SUPPORT THE VALUE STATEMENT AND THE GOALS SET OUT BY THE AUSTIN TRANSIT COMMUNITY'S COALITIONMENT THANKS SO MUCH.

Mayor Wynn: THANK YOU. ANGELA MILLER? JEFF JACK? WELCOME. YOU WILL HAVE THREE MINUTES AND YOU WILL BE FOLLOWED BY FRANCES MARTINEZ.

MAYOR AND COUNCILMEMBERS, I'M JEFF JACK AND I'M HERE TONIGHT ON BEHALF OF THE AUSTIN NEIGHBORHOODS COUNCIL. WE'D LIKE TO SAY THANK YOU TO CAP METRO. THE CHOOSING OF THESE TRANSIT STATIONS THIS TIME AROUND WAS A MUCH BETTER SET OF SELECTIONS THAN THE FIRST TIME AROUND. WE APPLAUD THEM FOR DOING THAT. WE'D ALSO LIKE TO SAY THAT WE LIKE THE IDEA OF THE CITY'S PURSUING FINDING THE OPPORTUNITIES TO PROVIDE ADDITIONAL HIGH DENSITY GROWTH OUTSIDE OF MAJOR NEIGHBORHOOD AREAS. FURTHER WE APPRECIATE WHAT WE HEARD EARLIER THIS EVENING ABOUT CHANGES IN THE

ORDINANCE THAT WOULD ALLOW TO MAKE SURE THAT THE NEIGHBORHOOD PLAN IS RESPECTED AND THAT IF THERE ARE ANY CONFLICTS WITH THE NEIGHBORHOOD PLAN THAT IT GOES THROUGH THE NEIGHBORHOOD PLAN AMENDMENT PROCESS. HOWEVER, WE DO HAVE SOME ISSUES REMAINING ON THE TABLE. AS COUNCILMEMBER MCCrackEN SAID EARLIER, THESE DEVELOPMENTS AROUND THESE STATIONS ARE GOING TO BE VERY, VERY GOOD FOR DEVELOPERS. AND SOMEBODY SAID JUST A FEW MINUTES AGO ABOUT HOW MUCH MONEY THE DEVELOPMENT COMMUNITY CAN MAKE AROUND THESE STATIONS. BUT I WANT YOU TO THINK ABOUT ALMOST EVERY THURSDAY NIGHT HERE AT COUNCIL CHAMBERS WHERE ENTREPRENEURS COME TO YOU AND ASK TO HAVE PROPERTY UPZONED FROM RESIDENTIAL TO COMMERCIAL IN AN AREA THAT WE ALREADY HAVE EXTENSIVE COMMERCIAL ZONING. BECAUSE THE DEVELOPMENT COMMUNITY LOOKS FOR OPPORTUNITIES TO MAKE MONEY. AND WHILE WE'RE FOCUSED ON THE T.O.D., I THINK WE HAVE TO THINK THAT OUTSIDE OF THE T.O.D. BOUNDARY THERE'S GOING TO BE SIGNIFICANT PRESSURE FOR DEVELOPMENT. AND NOTWITHSTANDING THE NEIGHBORHOOD PLANS, I THINK THAT WE HAVE TO BE COGNIZANT OF THE FACT THAT ENTREPRENEURS WILL LOOK FOR THE OPPORTUNITY TO BUY LAND JUST ON THE OTHER SIDE OF THE T.O.D., CAPITALIZE ON THE INVESTMENT IN THE T.O.D. AND THEN COME TO YOU TO UPZONE PROPERTY. THIS CREATES TREMENDOUS GENTRIFICATION PRESSURE ON THE ADJACENT RESIDENTIAL AREAS. SO I WOULD SUGGEST TO YOU THAT WE LOOK AT SOME PROHIBITION IN THIS ORDINANCE THAT LIMITS ANY UPZONING OTHER THAN WHAT'S APPROVED BY A NEIGHBORHOOD PLAN IN THE FUTURE AROUND THESE T.O.D.S OUTSIDE OF THE BOUNDARIES THAT HAVE ALREADY BEEN ESTABLISHED. WE'VE HEARD TONIGHT SEVERAL TIMES PEOPLE TALKING ABOUT RETURN ON OUR INVESTMENT, THE AMOUNT OF SALES TAX GOING IN TO BUILDING, THE LINES AND THE STATIONS. MIKE McHONE A FEW MINUTES AGO SAID HE FAVORS INCENTIVES. WHEN YOU BUY A PIECE OF PROPERTY, YOU BUY ALL THE ENTITLEMENTS THAT COME WITH THAT PIECE OF PROPERTY, THE SETBACKS, HEIGHT LIMITATIONS, IMPERVIOUS COVER. YOU BUY THAT

LEGITIMATELY. AND I DON'T THINK ANY OF US WOULD QUESTION THAT. BUT EVERYTHING BEYOND THAT IS A COMMUNITY VALUE. AND WHEN YOU UPZONE PROPERTY, THERE'S A COMMUNITY VALUE TRANSFERRED FROM THE COMMUNITY TO THE PROPERTY OWNER. THAT'S THE INCENTIVE. WE DON'T HAVE TO GIVE THEM ADDITIONAL MONEY, WE'RE GIVING THEM UPZONING. AND WHAT WE SHOULD DO IS A VERY FINE FINANCIAL ANALYSIS OF THE VALUE ADDED TO THOSE PROPERTIES NOT ONLY IN JUST THE BASE PRICE OF LAND THAT GOES UP WITH THE UPZONING, BUT THE DEVELOPMENT POTENTIAL THAT COMES ALONG WITH THE GREATER BUILDABILITY. [BUZZER SOUNDS] SO WHEN WE TALK ABOUT AFFORDABLE HOUSING, WE OUGHT TO MAKE IT MANDATORY, A REQUIREMENT IN ALL OF THESE T.O.D.S. WE SHOULD MAKE IT TIED TO THE LOCAL INCOME LEVELS. WE SHOULD MAKE IT MORE THAN THE 25%. AND LAST THING IS THAT WE SHOULD MAKE THE DUR DURATION MUCH LONGER. YOU KNOW, ALL OF THE SMART HOUSING PROJECTS THAT WE'VE HAD WITH FIVE PERCENT HOUSING FOR JUST A FEW YEARS IS LIKE A BALLOON PAYMENT ON A NOTE THAT YOU HAVE FOR YOUR HOUSE. THAT SOMETIME DOWN IN THE FUTURE YEARS WHEN THOSE UNITS GO TO MARKET, THERE'S A WHOLE BUNCH OF PEOPLE THAT ARE GOING TO BE LOOKING FOR AFFORDABLE HOUSING. SO DO WE WANT TO DO THAT GAME AGAIN?

Mayor Wynn: PLEASE CONCLUDE, MR. JACK.

LAST THING. PLEASE TIE DOWN ON THESE THINGS BEFORE WE MOVE INTO THIS ORDINANCE, AND DON'T SHIFT THE MONEY FROM NEIGHBORHOOD PLANNING TO T.O.D. PLANNING. THANK YOU.

Mayor Wynn: THANK YOU. FRANCES MARTINEZ, WELCOME. YOU WILL HAVE THREE MINUTES AND BE FOLLOWED BY GAVINO FERNANDEZ.

GOOD EVENING, MAYOR WYNN AND CITY COUNCILMEMBERS. MY NAME IS FRANCES MARTINEZ. I'M THE CHAIRPERSON OF THE (INDISCERNIBLE) NEIGHBORHOOD ASSOCIATION AND ALSO A MEMBER OF HE WILL CON CECILIO. -- CONCEALIO. WE WOULD LIKE THE -- THE NEIGHBORHOOD WOULD LIKE TO SEE IF YOU WOULD POSTPONE THIS ISSUE, BEING THAT A

LOT OF THE BUSINESS PEOPLE AND RESIDENTS STILL DON'T KNOW MUCH ABOUT THAT T.O.D. DEVELOPMENT, AND WE WOULD LIKE TO ALSO LEARN MORE ABOUT THE IMPACT OF THIS T.O.D. DEVELOPMENT. I UNDERSTAND THAT CAPITAL METRO SEND TO WASHINGTON TO ADVOCATE FOR MONIES FOR THE LIGHT RAIL. ALSO WE WOULD LIKE TO SEE A DELEGATION TO THE STATE LEGISLATURE TO GET TAX ABATEMENTS FOR THE LOW INCOME HOMES AND ALSO FOR SENIOR CITIZENS. AGAIN, PLEASE POSTPONE THIS ISSUE AS WE WOULD LIKE TO LEARN MORE ABOUT THE IMPACT IN THIS NEIGHBORHOOD. I MYSELF LIVE RECEIPT THERE ON EAST THIRD STREET. THANK YOU.

Mayor Wynn: THANK YOU. MR. FERNANDEZ, WELCOME. YOU WILL HAVE THREE MINUTES AND BE FOLLOWED BY WALTER MOROAU.

COUNCIL, I AM HERE TO GET COMMENTS AND BASICALLY GOING TO CONCENTRATE MY COMMENTS IN AND AROUND THE SALTILLO DEVELOPMENT. AND ALSO AS A LANDOWNER IN AND AROUND THE AREA. I OWN PROPERTY. IT DOESN'T BELONG TO A BANK AND I DON'T OWE IT TO ANYONE ELSE. AND I THINK THAT WHAT WE NEED TO DO IN THIS AREA IS THAT WE NEED TO, ONE, SEEK ASSISTANCE OR LEGISLATIONS OR A LAW THAT WOULD PROVIDE PROTECTION FROM TAX INCREASES IN AND AROUND THE DEVELOPMENT THAT IS GOING TO OCCUR AROUND THIS AREA. WE ALSO NEED FOR THIS COUNCIL TO SEND A DELEGATION BECAUSE CAPITAL METRO, THIS WHOLE PLAZA SALTILLO AREA IS GOVERNMENT PROPERTY. YOU SHOULD SEND A DELEGATION TO WASHINGTON TO LOBBY FOR FEDERAL DOLLARS TO BUILD PUBLIC HOUSING ON THESE PROPERTIES LIKE YOU DID AGGRESSIVELY FOR LIGHT RAIL. I THINK THAT WOULD ILLUSTRATE YOUR SINCERE CONCERN AND COMMITMENT TO BUILDING PUBLIC HOUSING. I GIERN TEE YOU THAT IF YOU DO BUILD PUBLIC HOUSING TO SIX STORIES IN AND AROUND THIS AREA, THEY WOULD FILL UP QUICKER THAN IT'S BUILT BECAUSE IF YOU GO TO AUSTIN AND TRAVIS COUNTY HOUSING AUTHORITIES, THE WAITING LIST IS ENDLESS. ALSO, I'M CONCERNED THAT PROPERTY OWNERS ABUTTING THIS AREA, LIKE MANY AREAS, HAVE NOT BEEN INFORMED OF THIS PROCESS. A LOT OF THE RECOMMENDATIONS THAT HAVE BEEN ECHOED HERE ARE

BASICALLY RECOMMENDATIONS FROM PEOPLE THAT DO NOT LIVE OR OWN LAND AROUND THIS AREA. AND I THINK IT WOULD BE UNFAIR ECONOMICALLY FOR US TO BE -- AS LANDOWNERS TO BE DISCRIMINATED AGAINST IN AN ECONOMIC DEVELOPMENT THAT OCCURS IN THIS AREA. AND I THINK THAT WE SHOULD GO AND NOW THAT THE PAGE HAS BEEN TURNED, LIGHT RAIL IS A REALITY. WE WERE STRONGLY AGAINST LIGHT RAIL BECAUSE, LIKE WE SAY, WE TOLD YOU SO, THIS WAS GOING TO HAPPEN. NOW THAT IT'S HAPPENED, NOW WE NEED TO FACE THE REALITY. SO PROPERTY OWNERS ALONG PLAZA SALTILLO WELCOME THE OPPORTUNITY TO VISIT AND EXPLORE ALL ECONOMIC DEVELOPMENT OPPORTUNITIES BECAUSE BECAUSE WE'RE COLORED DOESN'T MEAN WE DON'T LIKE TO MAKE MONEY TOO. WE SHOULD BE ALSO -- HAVE THIS PROCESS BE INCLUSIVE AND NOT BE -- AND FOR YOU NOT TO SELECT A GROUP OR INDIVIDUALS TO BE THE SPOKES MEN FOR EVERYONE. IT SHOULD BE INCLUSIVE AND HAVE EVERYONE BE PARTICIPATE TERRY IN THIS PROCESS. SO WE ALSO WOULD LIKE FOR YOU TO LOOK AT AGAIN ASKING FOR DOLLARS IN THE DEVELOPMENT OF THIS PROPERTY FOR BUSINESSES. MAYBE THIS WOULD BE A NICE IDEA TO BRING FEDERAL GLARZ TO CREATE AN INCUBATOR FOR MINORITY BUSINESSES. WE HAVE A GREAT POTENTIAL IN THE CAPITAL METRO, PLAZA SALTILLO LAND AS IT'S BEING DEVELOPED. AND I THINK THAT WE SHOULD NOT BE LIMITED WITHOUT KNOWING THE NEEDS THAT ARE GOING TO BE DELIVERED BY THIS INTENSE DEVELOPMENT THAT MAY HAPPEN IN THIS COMMUNITY. [BUZZER SOUNDS] THANK YOU, COUNCIL.

Mayor Wynn: THANK YOU. WALTER MOREOU. YOU HAVE THREE MINUTES. YOU WILL BE FOLLOWED BY KATRINA DANIEL.

I'M THE DIRECTOR OF FOUNDATION COMMUNITIES AND I JUST WANTED TO EXPRESS MY SUPPORT FOR THE AUSTIN TRANSIT COMMUNITY COALITION RECOMMENDATIONS. I THINK THEY'VE BEEN WELL THOUGHT THROUGH, WELL CRAFTED, AND THEY REALLY REFLECT A MORE SIGNIFICANT COMMITMENT TO AFFORDABLE HOUSING. TO ECHO THE REASONS YOU'VE HEARD, BECAUSE OF THE MAJOR PUBLIC INVESTMENT IN THE STATION, BECAUSE WE REALLY HAVE A VISION FOR COMMUNITY WHERE SOME OF THE HARDEST

WORKING CITIZENS CAN LIVE IN ALL PARTS OF TOWN, NOT JUST IN CERTAIN PARTS OF TOWN, SO I WANTED TO COME AND EXPRESS MY SUPPORT FOR THOSE RECOMMENDATIONS AND ASK FOR YOUR SERIOUS CONSIDERATION. THANK YOU FOR YOUR SUPPORT FOR OUR WORK OVER THE YEARS.

Mayor Wynn: THANK YOU. CA TREEN I CAN'T DANIEL. WELCOME. YOU WILL HAVE THREE MINUTES.

GOOD EVENING, MAYOR, COUNCILMEMBERS, I'LL BE BRIEF. I KNOW IT'S LATE. I'M KATRINA DANIEL. I'M PRESIDENT OF THE HIGHLAND NEIGHBORHOOD ASSOCIATION. AND I SIGNED UP AGAINST, BUT OUR NEIGHBORHOOD IS NOT AGAINST TRANSIT ORIENTED DEVELOPMENT, BUT I WOULD SAY THAT I'M CONCERNED AND MY NEIGHBORHOOD IS CONCERNED. CONCERNED WASN'T A BOX I COULD CHECK. AND I GUESS WHAT I WOULD SAY I'M CONCERNED ABOUT IS THAT IN THE LAST COUPLE OF WEEKS I'VE GOTTEN MORE CALLS AND E-MAILS FROM THE NEIGHBORHOODMENT WE DON'T REALLY UNDERSTAND A LOT ABOUT WHAT'S HAPPENING. I KNOW STAFF PROBABLY THINKS THIS HAS BEEN A VERY DELIBERATE PROCESS, BUT IN THE NEIGHBORHOOD WE'RE NOT AS INVOLVED AS WE WOULD LIKE TO BE. AT THIS POINT AS PRESIDENT I DON'T EVEN KNOW WHERE THE STATION IN OUR NEIGHBORHOOD IS PLANNED TO BE. I'VE SEEN THE MAP OF THE T.O.D., BUT I DON'T KNOW EXACTLY WHERE THE STATION IS GOING TO BE. I THINK THEY'RE STILL PLANNING THAT. WHAT I WOULD SAY IS OUR NEIGHBORHOOD WOULD LIKE TO BE INTEGRALLY INVOLVED IN DECIDING THE EXACT LOCATION OF THE STATION. I GUESS THE OTHER ISSUE I WOULD WANT TO RAISE IS THAT I WOULD ECHO WHAT PREVIOUS TESTIMONY HAN ON BEING RESPECTFUL OF THE NEIGHBORHOOD PLANNING PROCESS. WE AND HIGHLAND JUST WENT THROUGH A VERY LONG DELIBERATE NEIGHBORHOOD PLANNING PROCESS, SO THE T.O.D. THAT AFFECT OUR NEIGHBORHOOD KIND OF UNDOES AND REVERSES SOME OF THE PLANNING THAT WE'VE ALREADY BEEN THROUGH. SO I WOULD JUST URGE YOU TO BE RESPECTFUL OF THE PLANNING PROCESS THAT WE WENT THROUGH AND TO KEEP THE NEIGHBORHOODS AS INVOLVED AS WE CAN BE. THANKS.

Mayor Wynn: THANK YOU. COUNCIL, THAT'S ALL THE CITIZENS WHO HAVE SIGNED UP WISHING TO SPEAK ON THESE ITEMS, THE ITEM NUMBER 9 RESOLUTION AND THIS PUBLIC HEARING, ITEM NUMBER 43. WITH THAT I'LL ENTERTAIN A MOTION TO CLOSE THE PUBLIC HEARING. MOTION BY THE MAYOR PRO TEM, SECONDED BY COUNCILMEMBER SLUSHER TO CLOSE THE PUBLIC HEARING, ITEM NUMBER 43. FURTHER COMMENTS. HEARING NONE, ALL THOSE IN FAVOR PLEASE SAY AYE.

AYE.

Mayor Wynn: OPPOSED? MOTION PASSES ON A VOTE OF SIX TO ZERO WITH COUNCILMEMBER THOMAS TEMPORARILY OFF THE DAIS. COUNCIL, COMMENTS, QUESTIONS? MAYOR PRO TEM IS.

Goodman: I HAVE NOT WANTED TO ACT ON THIS TONIGHT BECAUSE THERE ARE A LOT OF ISSUES THAT ARE IMPORTANT TO ME AND I THINK NUANCES MAY COME UP FROM THE DIFFERENT STAKEHOLDERS THAT HAVE BEEN IDENTIFIED IN THE LAST WEEK OR SO. AND I WAS PREPARED IF WE WENT ON FIRST READING TO ENTER INTO THE AMENDMENTS GIVEN TO US BY AUSTIN TRANSIT COMMUNITY'S COALITION. IT HAS TO DO WITH THE AFFORDABLE HOUSING AND ACCESSIBLE AND ALSO THE NEIGHBORHOOD PLANS NOT BEING CO-OPTED AND PREEMPTED BY SOME SORT OF COOKIE CUTTER MANDATE. BUT THERE HAVE ALSO BEEN A GREAT MANY E-MAILS AND CALLS FROM PEOPLE WHO ARE SENDING THE IDENTICAL E-MAILS IN OPPOSITION TO THE FOLKS WHO ARE SENDING IN SUPPORT FOR THE AUSTIN TRANSIT COMMUNITIES COALITION. SORRY, I HAVEN'T MEMORIZED THE NAME YET. BUT ALL OF THE ISSUES THAT HAVE BEEN TALKED ABOUT TONIGHT FOLLOWING I THINK ROUGHLY THE SAME THING, WE CAN NEVER MAKE SURE THAT EVERYDAY KNOWS ABOUT A PROCESS, NO MATTER HOW CAREFULLY WE IDENTIFY AND NOTIFY STAKEHOLDERS. AND SO SINCE THIS IS SO SIGNIFICANT AND SUCH A PRECEDENT-SETTING STEP, FINALLY SORT OF PREPARE TO ACTUALLY IMPLEMENT THE FUTURE THAT WE'VE BEEN TALKING ABOUT FOR 30 YEARS. MY SUGGESTION WAS TO BE THAT RATHER THAN EVEN PASSING IT ON FIRST READING, BUT NOTING THESE

AMENDMENTS THAT I WOULD OFFER IF WE WERE, THAT WE POSTPONE TAKING ACTION FOR ONE MONTH MAXIMUM. THAT WE DIRECT CITY STAFF TO FACILITATE AT LEAST ONE FORUM AND PROBABLY MORE OF ALL THE STAKEHOLDERS THAT YOU'VE IDENTIFIED SO FAR IN THE PROCESS, ALL THE SPEAKERS TONIGHT, SOME OF WHICH OVER LAP WITH THE E-MAILS, AND I FORWARD YOU ALL THE E-MAILS.

Mayor Wynn: I HOPE YOU'RE NOT POINTING TO ME. [LAUGHTER]

Goodman: AND THAT WE TAKE THE OPPORTUNITY TO DISCUSS THESE BOTH UP SIDES AND DOWN SIDES OF ALL THE DIFFERENT NUANCES AND HOPEFULLY WE ENGAGE EVEN MORE PEOPLE IN THE PROCESS THAN HAVE BEEN SO FAR. AND I IMAGINE THAT BY DOING THAT WE WILL ENGAGE EVEN MORE THAN ARE SHOWING UP TONIGHT THAT ARE SENDING US E-MAILS AND CALLS. BUT I THINK THAT IT'S IMPERATIVE THAT FOR A LOT OF PEOPLE IT'S COME UP TOO QUICKLY. THEY KNEW IT WAS COMING, BUT HERE IT IS SORT OF FULL BLOWN AND NO TIME TO DIGEST IT, NO TIME TO TWEAK IT.

Mayor Wynn: MOTION MADE BY MAYOR PRO TEM TO POSTPONE ACTION ON ITEM NUMBER 9 AND 43 UNTIL MARCH THIRD, 2005. I'LL SECOND THAT. ANY FURTHER COMMENTS? COUNCILMEMBER ALVAREZ.

Alvarez: I HAD JUST A SERIES OF QUESTIONS THAT I COULD JUST READ THEM INTO THE RECORD AND IF STAFF COULD RESPOND TO THESE, BECAUSE I THINK THEY'RE IMPORTANT POLICY ISSUES THAT YOU MAY WANT TO CONSIDER BETWEEN NOW AND THE TIME THAT WE MIGHT VOTE FOR THE FIRST TIME. ONE IS JUST -- IT REFERENCES THE NEIGHBORHOOD PLAN, THAT IF A STATION AREA PLAN THAT'S DEVELOPED REQUIRES THAT AN ADOPTED NEIGHBORHOOD PLANNING AMENDED, THEN WHAT PROCESS DOES THAT FOLLOW? BECAUSE I BELIEVE THERE'S A COUPLE DIFFERENT AVENUES THAT YOU CAN GO IN TERMS OF AMENDING A NEIGHBORHOOD PLAN. AND ALSO THE ISSUE OF WHETHER AN INCREASE IN HEIGHT THAT WOULDN'T NECESSARILY CHANGE THE LAND USE PORTION OF A NEIGHBORHOOD PLAN, WHETHER THAT WOULD

TRIGGER AN AMENDMENT BECAUSE IF THE LAND USE IS CORRECT, THEN -- SO A BUILDING THAT'S GREATER THAN 60-FOOT WOULD STILL BE A MIXED USE BUILDING, SO WOULDN'T NECESSARILY NECESSITATE A PLAN AMENDMENT, BUT HOW THAT PARTICULAR ISSUE WOULD BE DEALT WITH THROUGH THE STATION AREA PLANNING PROCESS SOMEHOW GREATER HEIGHTS OR DENSITIES ARE GOING TO BE ADVOCATED BECAUSE -- AGAIN, I THINK THERE IS A QUESTION THERE ABOUT ALLOWING MORE DENSITY THROUGH THE STATION AREA PLAN. AND I FEEL THAT SHOULD TRIGGER A PLAN AMENDMENT, BUT THAT'S ONE ISSUE FOR MORE CLARIFICATION. AN ISSUE IN THE ORDINANCE THERE IS A REFERENCE TO AN AVERAGE DENSITY FOR A DISTRICT, BUT THERE'S ALSO THESE DEVELOPMENT RESTRICTIONS. AND SO IF -- BECAUSE OF THE RESTRICTIONS THAT ARE IN PLACE, IF YOU CAN'T MEET THE AVERAGE DENSITY, THEN WHAT HAPPENS IN THAT PARTICULAR INSTANCE, BECAUSE YOU ARE GOING TO BE IN NONCOMPLIANCE WITH ONE OR THE OTHER. AND THE QUESTION OF HOW CAN WE GO ABOUT REQUIRING A MINIMUM HEIGHT, BECAUSE IN SOME CASES WE'RE SAYING A MINIMUM OF TWO FLOORS, MINIMUM OF THREE FLOORS, MINIMUM OF FIVE FLOORS. SO IF A PROPERTY OWNER OWNS THE PROPERTY AND ZONED IT FOR A LONG TIME, ALL THEY CAN AFFORD TO DO IS DEVELOP A ONE-STORY HOUSE OR A ONE-STORY OFFICE, THEN WE'RE BASICALLY TELLING THEM THEY CAN'T BUILD ON THEIR PROPERTY, THEY CAN'T AFFORD TO DO A TWO OR THREE OR FIVE STORY BUILDING. AND I JUST WANT SOME CLARIFICATION ABOUT WHAT GIVES US THAT AUTHORITY. AND IF THERE'S ANY OTHER -- ANY OTHER CITY OR REDO IT IN ANY OTHER CASE. IT'S A LITTLE UNUSUAL AT LEAST IN TERMS OF MY EXPERIENCE WHILE ON THE COUNCIL: AND THEN FINALLY SOMEBODY REFERENCED THE KIND OF WINDOWS YOU COULD HAVE. AND SO I WASN'T AWARE THAT THEY WERE DESIGN STANDARDS ATTACHED TO THIS, BUT IF SOMEONE COULD SPEAK TO THAT QUESTION ABOUT DESIGN STANDARDS AND WHETHER THAT -- THAT WOULD HAVE TO BE -- ARE WE GOING TO APPROVE THAT AS FAR AS INITIAL -- INITIAL ACTION OR IS THAT SOMETHING THAT'S GOING TO BE DEVELOPED THROUGH THE NEIGHBORHOOD PLAN? STATION AREA PLAN. BUT ONE THING I WOULD SAY IS WHEN WE ADOPTED THE TRAVIS

PLAN, WE ACTUALLY ADOPTED DESIGN STANDARDS. SO AGAIN, IT GOES BACK TO THIS WHOLE ISSUE OF WHY ARE WE TRYING TO REPLAN AREAS THAT ARE ALREADY PLANNED. THAT'S ONE OF MY FUNDAMENTAL ISSUES THAT I WANT TO DRIVE HOME. [ONE MOMENT, PLEASE, FOR CHANGE IN CAPTIONERS]

I THINK IT'S VERY IMPORTANT THAT WE HAVE HIGH DENSITY THERE. I THINK DAVID FOSTER LAID IT OUT VERY WELL. THIS CAN REALLY SHAPE THE FUTURE GROWTH OF THE CITY. IT CAN HELP BREAK THE PATTERNS OF SPRAWL. I ALSO THINK THERE'S BEEN SOME VERY GOOD POINTS MADE ABOUT PROVIDING AFFORDABLE HOUSING ABOUT WORKERS BEING ABLE TO LIVE NEAR THEIR JOB OR -- OR -- PEOPLE OF ALL INCOMES IN PARTICULAR, LOW INCOME PEOPLE THAT USUALLY DEPEND MORE ON TRANSIT BEING ABLE TO LIVE NEAR THE TRANSIT, THOSE THINGS ARE VERY IMPORTANT. I THINK IT'S FINE FOR US TO TAKE SOME TIME TO LOOK AT THAT. I'M GOING TO SEE OWE I'M GOING TO EVALUATE, LOOK AT ALL OF THE OTHER CONCERNS, ONE THING THAT I DID FIND IRONIC WAS A LITTLE BIT DURING TONIGHT AND FROM VISITS THAT I'VE HAD OVER THE LAST FEW DAYS, THAT WE ACTUALLY HAD THE AUSTIN CITY COUNCIL HAS -- HAS DEVELOPERS COMING DOWN TO US AND SAYING PLEASE DON'T MAKE US BUILD, MORE THAN WE WANT TO, DON'T MAKE US BUILD SO MUCH. I THOUGHT THAT WAS SOME KIND OF MILESTONE THERE. [LAUGHTER] SO -- WE'LL WORK THROUGH THAT IN THE COMING WEEKS.

THANK YOU, COUNCILMEMBER.

FURTHER COMMENTS?

COUNCILMEMBER MCCRACKEN?

McCracken: YEAH, THIS IS SOMETHING CLEARLY THAT -- THAT IT REPRESENTS CHANGE, IMPORTANT CHANGE IN OUR COMMUNITY. AND SAW -- IT IS APPROPRIATE TO TAKE A LITTLE MORE TIME TO LOOK AT THIS. BUT A NUMBER OF US, ON THE COUNCIL AND ON CITY STAFF GONE AND LOOKED AT OTHER CITIES WHERE THIS IS BEING DONE SUCCESSFULLY AND WE HAVE DISCOVERED THERE ARE SOME PREDICTABLE PATTERNS OF WHEN A -- WHEN A TRANSIT ORIENTED

DEVELOPMENT SUCCEEDS AND WHEN IT FAILS. THE DEVELOPMENTS WHETHER THEY ARE IN SUBURBS OR THE HEARTS OF DOWNTOWN, THEY DO NEED TO HAVE A CERTAIN FORM TO THEM THAT IS DIFFERENT FROM THE SUBURBAN FORUM. IN FACT COUNCILMEMBER THOMAS AND I AND THE CITY MANAGER SAW A TRANSIT ORIENTED DEVELOPMENT BUILT UNDER A SUBURBAN DEVELOPMENT MODEL IN WASHINGTON, IT WAS A FAILED TRANSIT ORIENTED DEVELOPMENT, BIG PARKING LOTS, PADS IN IT, A FAILED T.O.D. YOU HAVE TO DO THESE RIGHT, THAT'S ONE OF THE REASONS THAT IT'S IMPORTANT THAT WE DO SOME OF THESE SETBACKS AND DESIGN STANDARDS TO MAKE SURE THAT THE CRUSH OF THE POTENTIAL DEVELOPMENT, THE THINGS NOT -- NOT TAKE 20 YEARS TO DO SOME OF THE MISTAKES THAT WERE BEING MADE ON SOME VERY EXPENSIVE TAXPAYER FUNDED INFRASTRUCTURE THAT'S GOING IN. REMEMBER WE HAVE GOT TO MAKE SURE THAT THE DEVELOPMENT HELPS MAKE THIS TAXPAYER FUNDED INFRASTRUCTURE ON ON THE RAIL SUCCESSFUL. IF WE TAKE LAND USE DECISIONS NOW IN THE NEXT COUPLE OF YEARS THAT ACTUALLY UNDERMINE THE POTENTIAL SUCCESS OF THE TAXPAYER FUNDED INFRASTRUCTURE WE ARE NOT SERVING THE PUBLIC INTEREST. THERE IS -- THERE IS A NEED FOR SPEED IN PLANNING. THE VALUE OF DOING THIS PLANNING IS THAT WE WILL HAVE A NICER MACE TO LIVE, ALSO CREATE INCREASED PROPERTY WEALTH. THESE ARE THINGS THAT BOTH HAPPEN EVERY TIME WHEN THEY ARE DONE RIGHT AND THEN THEY WILL HAPPEN JUST AS WELL IN AUSTIN, I'M VERY OPTIMISTIC ABOUT THAT. WE KNOW THE STATIONS ARE COMING. WE SAW THE -- WE SAW [INDISCERNIBLE] EVERY SINGLE ONE OF THOSE PHOTOS TAKEN IN THE SUBURB. JUST AS SUCCESSFUL AS THEY WERE IN THE CENTRAL CORE. WE ARE NOT MAKING THESE PROPOSALS LIGHTLY. IT WAS GOOD TO DELAY, WE NEED TO DO IT RIGHT ON THE FRONT END.

COUNCILMEMBER, FURTHER COMMENTS? QUESTIONS? WE HAVE A MOTION AND A SECOND ON THE TABLE TO -- TO DELAY ACTION ON ITEMS 9 AND 43. ACTUALLY TO POSTPONE TO MARCH 3rd, 2005. AND IN THE MEANTIME IT WOULD BE NICE IF -- IF STAFF COULD NOT ONLY FIGURE OUT FRANKLY HOW TO PUT AS MUCH OF THIS PRESENTATION AS POSSIBLE

PERHAPS ON OUR WEBSITE, BUT ALSO EVEN ITEMIZE SOME OF THE COMMENTS THAT WE'VE HEARD FROM THE AUDIENCE AND QUESTIONS THAT WE HEARD FROM COUPLE AND SORT OF POST A -- A -- AN ANALYSIS OF ALL OF THIS ON OUR WEBSITE.

MAYOR, WE'LL BE HAPPY TO DO THAT.

SORRY, AS WELL AS TIP ON WITH WHAT THE MAYOR PRO TEM SUGGESTED, WHICH IS THIS MORE SUBSTANTIAL FURTHER OUTREACH INTO THE COMMUNITY.

MAYOR, WE WOULD BE HAPPY TO SUMMARIZE, MANY OF THE COMMENTS CONTAINED QUESTIONS WITHIN THEM. WE WILL CULL THOSE QUESTIONS OUT FROM THE SPEAKERS THAT CAME THIS EVENING AS WELL AS THE QUESTIONS THAT COUNCILMEMBER ALVAREZ ASKED, WE WILL CREATE ANOTHER LINK ON OUR WEB PAGE FOR TOD'S, PUT UP ALL OF THOSE QUESTIONS AND ANSWERS FOR THOSE QUESTIONS, WE WILL WORK WITH THE FOLKS THAT HAD SPECIFIC CONCERNS ON PROPERTIES TO ANSWER THOSE QUESTIONS.

Mayor Wynn: THANK YOU. AGAIN MOTION AND SETIOND ON THE TABLE TO POSTPONE -- MOTION AND SECOND TO POSTPONE ACTION ON ITEMS 9 AND 43 TO MARCH 3rd, 2005. FURTHER COMMENTS? HEARING NONE, ALL THOSE IN FAVOR PLEASE SAY AYE.

AYE.

Wynn: OPPOSED? MOTION PASSES ON A VOTE OF 6-0 WITH COUNCILMEMBER THOMAS TEMPORARILY OFF THE DAIS. THANK YOU ALL VERY MUCH. SO, I THINK THAT'S EVERYTHING OTHER THAN I PROBABLY DIDN'T READ INTO THE RECORD EARLIER THAT COUNCIL DID NOT TAKE ACTION IN CLOSED SESSION, DID NO TAKE UP ITEMS 35, 37, OR 38 OR 39. THERE BEING NO MORE BUSINESS BEFORE THE CITY COUNCIL, WITHOUT OBJECTION, WE STAND ADJOURNED. THANK YOU ALL VERY MUCH. , 9:51 P.M.

End of Council Session Closed Caption Log

