

## Closed Caption Log, Council Meeting, 04/28/05

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Mayor Wynn:.

Goodman:.. I'M AUSTIN MAYOR WILL WYNN. IT'S MY HONOR AND PRIVILEGE TO HONOR REVEREND BOBBY BULLARD FROM POINT SIGN MY MISSIONARY BAPTIST CHURCH WHO WILL LEAD US IN THE INVOCATION. PLEASE RISE.

LET US PRAY. O GRACIOUS MASTER, FATHER OF OUR LORD AND SAVIOR JESUS CHRIST, WE COME THANK YOU FOR THIS DAY, THANK YOU YOU FOR THIS HOUR, ASKING, O GOD, THAT YOU BLESS THIS MEETING, BLESS THOSE THAT ARE INVOLVED IN THE DECISION-MAKING. O GOD WE PRAY THIS MORNING THAT YOU BLESS OUR LEADER, GIVE HIM THE STRENGTH AND THE WISDOM TO DO ALL THAT YOU WOULD HAVE HIM TO DO. BLESS THESE YOUR COUNCILMEMBERS, FATHER, THAT THEY MIGHT DO ALL THAT THEY HAVE TO DO TO DO WHAT YOU WOULD HAVE THEM TO DO. O GOD, BLESS THE DISCUSSIONS THAT ARE GOING TO GO ON TODAY. LET YOUR HOLY SPIRIT REIGN IN THIS ROOM THAT ALL MIGHT BE ACCOMPLISHED THAT YOU WOULD HAVE TO BE ACCOMPLISHED. AND WE WILL CONTINUE TO GIVE YOU ALL THE HONOR AND GLORY. O GOD WE KNOW THERE ARE A LOT OF SITUATIONS GOING ON IN THIS CITY, BUT WE KNOW YOU ARE GOD AND ABOVE ALL GODS SO WE KNOW THAT YOU ARE ABLE AND WE KNOW THAT YOU ARE WILLING. SO GOD, WE PUT IT IN YOUR HANDS RIGHT NOW AND ASK THAT YOUR SPIRIT REIGN SUPREME. AND WE'LL CONTINUE TO GIVE YOU ALL THE HONOR, GLORY AND PRAISE THAT'S IN YOUR SON

JESUS' NAME WE PRAY AND ASK IT ALL. AMEN.

Mayor Wynn: THANK YOU, REVEREND. THERE BEING A QUORUM PRESENT, I'LL CALL TO ORDER THIS MEETING OF THE AUSTIN CITY COUNCIL. IT IS THURSDAY, APRIL 28, 2005, AT ABOUT 10 MINUTES AFTER 10:00 A.M. WE ARE IN THE COUNCIL CHAMBERS AT CITY HALL BUILDING, 301 WEST SECOND STREET. AT THIS TIME I'LL READ THE CHANGES AND CORRECTIONS TO THIS WEEK'S POSTED AGENDA. ON ITEM NUMBER 42, WE WILL ADD COUNCILMEMBER DUNKERLEY AS AN ADDITIONAL CO-SPONSOR. AS WELL AS COUNCILMEMBER SLUSHER. ON ITEM NUMBER 44, WE SHOULD NOTE THAT THE EVENTS ARE TO BE HELD ON MAY 21st AND MAY 30th, 2005. ITEM NUMBER 46 HAS BEEN WITHDRAWN AND REPLACED BY ITEM NUMBER 66. AND ITEM NUMBER 66, WE'RE CORRECTING THE NAME AND WE'LL STRIKE THE PHRASE "NORTHWEST TRAVIS COUNTY COUNTY M.U.D. NUMBER 1" AND REPLACE THAT WITH "FORT" NORTHWEST AUSTIN UTILITY DISTRICT NUMBER 1." ON ZONING CASE 1, WE'LL STRIKE THE PHRASE "MODERATE HIGH DENSITY" AND REPLACE IT WITH "MEDIUM HIGH DENSITY." ON ITEM 64, IT HAD SAID WAS GOING TO BE REVIEWED BY THE ZONING AND PLATTING COMMISSION AND THE PLATTING COMMISSION, WE'LL STRIKE THAT BECAUSE THE FACT IT'S NOW BEING RECOMMENDED BY THE ZONING AND PHRALTING COMMISSION AND THE PLANNING COMMISSION. ITEM 64. OUR TIME CERTAINS FOR TODAY, AT NOON WE WILL BREAK FOR OUR GENERAL CITIZEN COMMUNICATIONS. AT 2:00 WE'LL HAVE A FINANCIAL BRIEFING. SHOWS AS ITEM NUMBER 59. AT 4:00 P.M. WE BREAK FOR ZONING HEARINGS AND APPROVAL OF ORDINANCES AND RESTRICTIVE COVENANTS. THOSE SHOW AS ITEMS 60 THROUGH 63, AND ZONING CASES Z-1 THROUGH Z-24. I'LL NOTE NOW THAT THE STAFF WILL BE REQUESTING THE FOLLOWING POSTPONEMENTS. ON ITEM NUMBER 61, WHICH IS THE PIONEER CROSSING, TO BE POSTPONED TO MAY 12, 2005. ITEM NUMBER 62, THE BRAZOS ZONING, ALSO REQUESTED POSTPONEMENT TO MAY 12, 2005. ZONING CASE Z-19, THE CARDINAL LANE CASE, IS BEING REQUESTED A POSTPONEMENT TO MAY 19th. AND ITEM Z-20, THE HYDE PARK NCCD, REQUESTED POSTPONEMENT TO JUNE 23, 2005. AT 5:30 WE'LL BREAK FOR LIVE MUSIC AND PROCLAMATIONS. WE'LL HAVE A GREAT SHOW TODAY WITH SHEEBA'S

HEADBAND WHO WILL BE HONORING PHOTOGRAPHER WILLTON BURTON SO I ADVISE YOU TO STAY TUNED FOR THAT. AT 6:00 P.M. OUR EXPLOSIONS AND POSSIBLE ACTIONS. THOSE SHOW UP TODAY AS ITEMS 64 AND 65. COUNCIL, WE HAVE A HANDFUL OF ITEMS THAT HAVE BEEN PULLED OFF THE CONSENT AGENDA. ITEM NUMBER 11 RELATED TO OUR WATER CONSERVATION PLAN HAS BEEN PULLED BY COUNCILMEMBER SLUSHER. ITEM NUMBER 12 ALSO RELATED TO A DROUGHT CONTINGENCY PLAN PULLED BY COUNCILMEMBER SLUSHER. ITEMS 18 AND 19 RELATED TO OUR TRANSIT ORIENTED DEVELOPMENT DISTRICTS HAVE BEEN PULLED BY COUNCILMEMBER SLUSHER AND MYSELF. I HAVE PULLED ITEM NUMBER 25 RELATED TO A TRANSPORTATION STUDY. AS WELL AS ITEMS 40, 46 AND 57 AND 58. THOSE WERE GOING TO BE DISCUSSED IN EXECUTIVE SESSION REGARDLESS. COUNCILMEMBER ALVAREZ HAS PULLED ITEM NUMBER 43. FOR DISCUSSION. AND ITEM NUMBER 66, WHICH IS THE REPLACEMENT ITEM OF THE CANYON CREEK ISSUE. THIS ITEM HAS BEEN PULLED BY COUNCILMEMBER SLUSHER AND MYSELF. I'LL NOTE THAT WE HAVE A NUMBER OF FOLKS HERE FROM THE NEIGHBORHOOD. WE NEED TO TALK ABOUT THIS IN CLOSED SESSION TO GET SOME LEGAL ADVICE AND SO WHAT WILL HAPPEN IS THIS MORNING WE'LL GO THROUGH OUR CONSENT AGENDA, WE WILL HAVE SOME DISCUSSION ITEMS, AND THEN WE WILL GO INTO CLOSED SESSION USUALLY AROUND THE LUNCH HOUR TO TAKE UP SOME OF THESE ITEMS. SO IT WILL BE WELL INTO THE AFTERNOON BEFORE THIS ITEM NUMBER 66 IS TAKEN UP. BUT I WANT TO ACKNOWLEDGE AND THANK SO MANY OF THE NEIGHBORS FOR COMING DOWN FOR THIS AND WELCOME YOU ALL BACK SOMETIME LATER IN THE AFTERNOON. THANK YOU ALL. COUNCIL, FURTHER ITEMS TO BE PULLED FROM THE CONSENT AGENDA OR PUT BACK ON? HEARING NONE, WITH THAT I WILL READ THE CONSENT AGENDA. NUMERICALLY. ITEMS -- THE CONSENT AGENDA TODAY WILL BE ITEMS 1, 2, 3, 4, 5, 6, 7, 8, 9, AND 10. ITEM 13, 14, 15, 16, 17,. ITEM 20, 21, 22, 23, 24, 26, 27, 28, 29, 30. 31, 32, 33, 34, 35, 36, 37, 38, 39. ITEM 41, WHICH ARE THE APPOINTMENTS TO OUR BOARD AND COMMISSIONS THAT I'LL READ INTO THE RECORD. TO OUR AIRPORT ADVISE COMMISSION BRAD HUGHES IS A CONSENSUS REAPPOINTMENT. TO OUR AUSTIN COMMUNITY

EDUCATION CONSORTIUM, ELMORE DEFOR IS A CONSENSUS REAPPOINTMENT. TO OUR COMMUNITY DEVELOPMENT COMMISSION, JEFFREY LEWIS IS COUNCILMEMBER THOMAS' REAPPOINTMENT. TO OUR ETHICS REVIEW COMMISSION, MIKAKA PROCTER IS COUNCILMEMBER ALVAREZ'S APPOINTMENT. TO OUR FEDERALLY QUALIFIED HEALTH CENTER BOARD, JOHN MAYO IS A CONSENSUS REAPPOINTMENT. AND TO OUR WATER AND WASTEWATER COMMISSION, CHERYL SCOTT RYAN IS A CONSENSUS APPOINTMENT. THAT'S ITEM NUMBER 41 ON THE CONSENT AGENDA. ITEM NUMBER 42, PER CHANGES AND CORRECTION. 44, PER CHANGES AND CORRECTION. 45. AGAIN, 46 HAS BEEN WITHDRAWN AND REPLACED BY ITEM 66. 47, 48, AND 49. I'LL ENTERTAIN A MOTION.

MOVE APPROVAL.

Mayor Wynn: MOTION MADE BY COUNCILMEMBER McCracken, SECONDED BY COUNCILMEMBER ALVAREZ TO APPROVE THE CONSENT AGENDA AS READ. COMMENTS? COUNCILMEMBER McCracken.

McCracken: YEAH, ONCE AGAIN, MORE GREAT NEWS FROM THE NATION'S MOST PROGRESSIVE PUBLIC UTILITY, AUSTIN ENERGY. THE SOLAR PROGRAM IS CONTINUING TO DEMONSTRATE THAT IT MAKES GOOD BUSINESS SENSE FOR AUSTIN BUSINESSES, AND THIS WEEK WE HAVE I.B.M., HEINZ POOL AND SPA, CENTEX PWREF BEVERAGE ALL GOING SOLO. THIS IS GREAT NEWS FROM THE PUBLIC UTILITY, SOMETHING WE ALREADY KNEW WHICH IS AUSTIN ENERGY SELLS MORE GREEN POWER THAN ANYBODY IN THE NATION. A GREAT DEAL FOR BUSINESSES, RATEPAYERS AND THE ENVIRONMENT. CONGRATULATIONS.

Mayor Wynn: AGREED. THANK YOU, COUNCILMEMBER. FURTHER COMMENTS ON THE CONSENT AGENDA? JUST QUICKLY CHECKING OUR CITIZENS SIGN-UP. I THINK THESE ARE ALL DISCUSSION ITEMS. SO HEARING NO FURTHER COMMENTS ON THE CONSENT AGENDA, WE HAVE A MOTION AND A SECOND TO APPROVE AS POSTED. AS READ. ALL THOSE IN FAVOR PLEASE SAY AYE. OPPOSED? CONSENT AGENDA PASSES ON A VOTE OF 6-0 WITH THE MAYOR PRO TEM OFF THE DAIS. THANK YOU ALL VERY MUCH. SO,

COUNCIL, LET'S WALK THROUGH SOME DISCUSSION ITEMS. COUNCILMEMBER SLUSHER, YOU HAD PULLED ITEMS 11 AND 12. BOTH RELATED TO WATER MANAGEMENT.

Slusher: MAYOR, I THINK THE STAFF HAS A PRESENTATION ON THIS.

Goodman:, MAYOR AND COUNCIL. MY NAME IS CHRIS LIPPE, DIRECTOR OF AUSTIN WATER UTILITY. WE HAVE A PRESENTATION ON ITEMS 11 AND 12. THESE ITEMS ARE THE WATER CONSERVATION PLAN AND THE DROUGHT MANAGEMENT PLAN WHICH ARE REQUIRED BY STATE REGULATION AND WE NEED YOUR APPROVAL ON THOSE ITEMS. BUT FIRST LET ME MAKE A COUPLE OF INTRODUCTORY COMMENTS ABOUT THE IMPORTANCE OF WATER CONSERVATION FOR THE UTILITY AND THE CITY. THE MISSION OF THE AUSTIN WATER UTILITY IS TO MANAGE WATER RESOURCES FOR THE PROTECTION OF PUBLIC HEALTH AND THE ENVIRONMENT. AND THAT INCLUDES RAW WATER, TREATED WATER, AND PLANNING FOR TREATMENT CAPACITY. SO WATER CONS CONSERVATION AND REUSE ARE IMPORTANT STRATEGIES FOR OUR WATER SUPPLY PLANNING AND ARE IN OUR BUSINESS PLAN. THEY ARE INCORPORATED INTO THE WAY WE DO BUSINESS. WATER CONSERVATION AND REUSE ARE IMPORTANT STRATEGIES BOTH SHORT AND LONG TERM. AND SOME EXAMPLES OF THE IMMEDIATE AND SHORT TERM WOULD BE THE ABILITY TO DEFER TREATMENT PLANT EXPANSIONS. AND WE'VE ACTUALLY ALREADY SEEN THE BENEFITS OF WATER CONSERVATION AND REUSE IN FOUR TO FIVE-YEAR DELAY OF THE NEED FOR THE NEXT TREATMENT PLANT IN AUSTIN. AND THAT TYPE OF BENEFIT WILL JUST COMPOUND INTO THE FUTURE AS WE CONTINUE THESE IMPORTANT PROGRAMS. SECOND REASON THAT WATER CONSERVATION AND REUSE ARE IMPORTANT STRATEGIES, THEY ARE IMPORTANT FOR MANAGING OUR WATER SUPPLY CONTRACT. YOU ARE FAMILIAR WITH THE 1999 LONG-RANGE WATER SUPPLY CONTRACT BETWEEN AUSTIN AND LCRA. THAT CONTRACT INCLUDED A SET VOLUME THAT WAS PRE-PAID. SO ONE OF THE BENEFITS OF WATER CONS SRAOEUGS AND REUSE WILL BE TO EXTEND THE TIME FRAME FOR THE USE OF THAT PRE-PAID VOLUME OF WATER AND DEFER THE ADDITIONAL PAYMENT OF -- PAYMENT FOR

ADDITIONAL WATER FARTHER INTO THE FUTURE SO WE CAN MAKE MORE OF THAT PRE-PAID VOLUME OF WATER. A LITTLE BIT LONGER TERM WOULD JUST BE THE -- EXTENDING THE BENEFITS OF -- OF OUR SET WATER SUPPLY. AGAIN, THE 1999 CONTRACT WAS FOR A CERTAIN AMOUNT OF WATER, 325,000-ACRE FEET PER YEAR, AND IF AUSTIN WERE TO DO NO ADDITIONAL WATER CONSERVATION, THAT SUPPLY WOULD LAST ABOUT 40 YEARS. WITH INCREASED AND IMPROVED AND MORE AGGRESSIVE WATER CONSERVATION AND REUSE PROGRAMS, WE NEED AND EXPECT TO DEFER OR EXTEND THAT SUPPLY BEYOND 50 YEARS. SO THEREFORE A WELL-PLANNED AND IMPLEMENTED REUSE AND CONSERVATION PROGRAMS ARE DEFINITELY IN THE BEST INTEREST OF THE UTILITY. THEY ARE GOING TO REDUCE COSTS AND HAVE A BENEFICIAL EFFECT ON SLOWING FUTURE RATE INCREASES FOR OUR CITIZENS. THIS PRESENTATION WILL ADDRESS SOME QUESTIONS THAT HAVE BEEN RAISED AS WE WENT THROUGH BOARDS AND COMMISSIONS. IN PARTICULAR, COMPARING AUSTIN TO OTHER CONSERVATION PROGRAMS IN OTHER CITIES. AND FINALLY THE PRESENTATION IS GOING TO DISCUSS SOME ADDITIONAL OPPORTUNITIES FOR CONSERVATION AND REUSE. THE PLANS THAT WE ARE ASKING FOR YOU TO APPROVE TODAY SET A BASELINE, BASICALLY A SNAPSHOT OF THE CURRENT PROGRAMS FOR PRESENTATION TO THE STATE. BUT IT'S IMPORTANT FOR YOU TO KNOW THAT WE'RE DEVELOPING ADDITIONAL INITIATIVES TO LOWER BOTH THE PEAK AND THE AVERAGE PER CAPITA USE OF WATER IN AUSTIN. IT'S IMPORTANT FOR YOU TO KNOW THAT WE'RE DEVELOPING ADDITIONAL OPPORTUNITIES AND THEY WILL BE PRESENTED IN THE FALL. SEVERAL WEEKS AGO YOU APPROVED A CONTRACT WITH ALAN PLUMBER AND ASSOCIATES AND THE INITIAL TASK ASSIGNMENT THAT WE WILL BE GIVING ALAN PLUMBER WILL BE TO LOOK AT WATER CONSERVATION PROGRAMS, VERIFY WHAT WE'RE DOING AND DEVELOP SOME -- A MENU OR SOME OPTIONS FOR NEW INITIATIVES TO BRING BACK BEFORE YOU. NOW, SOME OF THOSE WILL BE EASY AND SOME OF THOSE WILL BE HARD. SOME WILL BE EASY TO IMPLEMENT, OTHERS WILL BE MORE DIFFICULT AND HAVE A HIGHER COST. SO THERE WILL BE A RANGE OF INITIATIVES AND OPTIONS AND IT WILL REQUIRE SOME DISCUSSION AND THOUGHT AS WE BRING THOSE

BACK TO YOU, BUT WE WILL BRING BACK OPTIONS AND RECOMMENDATIONS IN THE EARLY FALL. AT THIS POINT LET ME INTRODUCE TONYTONY GREGG, THE DIVISION MANAGER FOR THE UTILITY AND THE CITY AND HE WILL TAKE THE PRESENTATION FROM HERE. TONY?

THANK YOU, CHRIS. MAYOR AND MEMBERS OF THE COUNCIL, I'LL JUST GIVE YOU A FEW MORE DETAILS. CHRIS GAVE A VERY GOOD OVERVIEW AND I THINK YOU'VE GOT THE GIST OF IT. THESE TWO PLANS, THE DROUGHT PLAN AND THE CONSERVATION PLAN, ARE JUST TO MEET REGULATORY REQUIREMENTS. THESE ARE NOT STRETCH PLANS, THEY ARE BASICALLY A SNAPSHOT OF WHAT WE'RE DOING NOW. EVERY FIVE YEARS WE'RE REQUIRED TO RESUBMIT A PLAN ON WHAT WE'RE DOING AND WHAT WE PLAN TO DO. SO THAT'S WHAT WE'VE DONE. THIS PLAN HAS SOME NEW ELEMENTS TO IT. WE ARE -- WE DO HAVE GOALS IN THE DROUGHT PLAN FOR WHAT REDUCTIONS WE CAN EXPECT IF WE GET INTO A DROUGHT SITUATION LIKE WE HAD IN THE YEAR 2000. AND WE HAVE GOALS FOR PER CAPITA USE REDUCTION THAT ARE QUANTIFIED. WE ALSO HAVE A WATER LOSS REDUCTION GOAL. THIS IS THE UNACCOUNTED FOR WATER THAT SOMETIMES YOU MAY HEAR ABOUT, THE WATER THAT'S NOT BILLED. AND SO WE HAVE A GOAL FOR REDUCING THAT ALSO. THESE GOALS ARE NON-BINDING. THEY ARE GOALS WE WILL TRY TO ATTAIN, BUT THEY ARE NOT STRETCH GOALS, THEY ARE JUST GOALS FOR THE PURPOSES OF THE -- FOR THE STATE REQUIREMENTS. THE DROUGHT PLAN IS LARGELY A -- AND YOU SHOULD HAVE BOTH THESE DOCUMENTS IN YOUR BACKUP. THE DROUGHT PLAN IS LARGELY A REITERATION OF OUR PEAK DAY AND EMERGENCY WATER USE ORDINANCE AND CODE. THAT'S WHAT WE USED IN 2000. I THINK YOU MAY REMEMBER WE AMENDED IT IN 2001 TO ADDRESS SOME SITUATIONS THAT OCCURRED IN 2000. SO THAT'S THE MAIN PART OF THE DROUGHT PLAN IS EXACTLY OUR CODE THAT WE ALREADY HAVE IN PLACE, SO WE'RE NOT CHANGING ANYTHING AT THIS POINT. WE DO HAVE SOME GOALS, AS I MENTIONED, BASED ON OUR EXPERIENCE IN 2000 AND WHAT TYPE OF REDUCTIONS WE COULD EXPECT IF WE GO BACK INTO A DROUGHT SITUATION, WHICH WE'RE NOT EXPECTING AT THIS POINT. THE CONSERVATION PLAN, SNAPSHOT OF

CURRENT WATER CONSERVATION PROGRAMS INCLUDES A GALLON PER CAPITA REDUCTION GOALS BASED ON A CONTINUATION OF OUR CURRENT PROGRAM. THIS IS A SNAPSHOT OF WHERE WE ARE TODAY, NOT NECESSARILY WHERE WE'RE GOING IN THE NEXT FIVE YEARS. AS CHRIS MENTIONED, THAT'S WHAT WE'LL BE COMING BACK TO YOU IN THE FALL ABOUT. IT INCLUDES WATER LOSS PERCENTAGE GOALS AND IT COMPARES THE CITY'S EFFORT TO THE B.M.P. THIS WAS NOT REQUIRED BUT WE THOUGHT IT WOULD BE USEFUL TO LOOK AT THE BEST MANAGEMENT PRACTICES THAT WERE PUT OUT LAST YEAR BY THE TEXAS WATER DEVELOPMENT BOARD DOCUMENT. THERE'S 22 B.M.P.s AND WE'RE ALREADY IMPLEMENTING 21 OF THE 22 IN SOME FORM. THE ONE B.M.P. WE HAVEN'T IMPLEMENTED IS THE GRAY WATER B.M.P. WHICH HAS SOME LOCAL ORDINANCE REQUIREMENTS THAT WOULD HAVE TO BE WORKED OUT WITH THE HEALTH DEPARTMENT IN ORDER TO DO THAT. WE'RE ALSO GOING TO TALK ABOUT SOME FUTURE CONSERVATION INITIATIVES THAT COULD BE CONSIDERED WHEN WE COME BACK IN THE FALL. THE CONSERVATION ASSESSMENT ASSUMES A CURRENT LEVEL OF FUNDING AND THE SUMMER ENFORCEMENT THAT WE DO ON THE WATER WASTE ORDINANCE. ON TO PER CAPITA USE, THIS HAS BEEN MUCH TALKED ABOUT IN THE COMMUNITY AND THIS IS A QUOTE OUT OF THE WATER CONSERVATION TASK FORCE. THE WATER CONSERVATION TASK FORCE STRUGGLED WITH SHOULD WE HAVE A GOAL THAT ALL CITIES MEET ON PER CAPITA WATER USE. AND AFTER A LOT OF DISCUSSION THEY SAID REALLY THAT DOESN'T MAKE A LOT OF SENSE. THERE'S TOO MANY DIFFERENT FACTORS IN EACH CITY TO SAY EVERY CITY SHOULD BE 150, 160 OR 140. WHAT THEY DID SAY IS TWO THINGS. ONE, YOU SHOULD COMPARE YOURSELF OVER TIME. LOOK AT YOUR CURVE OF PER CAPITA USE AND SEE HOW YOU'RE DOING. AND THEN THEY DID PUT IN SORT OF A GOAL FOR PEOPLE TO LOOK AT. THERE WAS A LOT OF CONTROVERSY PWHR- THAT FRABOUT THAT BUT A VOLUNTARY GOAL MIGHT BE 140 PER CAPITA A DAY. I'LL KIND OF PUT OUR PROGRAM IN PERSPECTIVE. THERE'S MANY CITIES IN THE UNITED STATES DOING SOME SORT OF CONSERVATION, BUT THERE'S SORT OF SIX OR SEVEN OR MAYBE A FEW MORE THAT I HAVE ON THIS LIST THAT STAND OUT AS DOING BOTH THE COMPREHENSIVE



INDOOR PROGRAM, OUTDOOR PROGRAM AND EDUCATION PROGRAM. AND OF THIS LIST OF SIX CITIES, THREE OF THEM ARE ACTUALLY IN TEXAS, EL PASO AND SAN ANTONIO, ALONG WITH US. AND IT KIND OF BREAKS DOWN TO WHY DID THEY DO CONSERVATION. DID THEY DO IT BECAUSE THEY HAVE IMMEDIATE SHORT-TERM CRISIS, THEY HAVE NO CHOICE, OR ARE THEY LOOKING AT CONSERVATION AS A LONG-TERM WATER SUPPLY ALTERNATIVE. AND WE FALL INTO THE CATEGORY OF THE LONG-TERM WATER SUPPLY ALTERNATIVE. EL PASO AND SAN ANTONIO ARE MORE IN THE SHORT-TERM WE DON'T HAVE A CHOICE AT THIS POINT IN TIME. SO I THINK IT'S IMPORTANT TO LOOK AT THAT WHEN WE -- AND THINK ABOUT THAT WHEN WE'RE TALKING ABOUT OUR CONSERVATION PROGRAM. I WANT TO TALK A LITTLE ABOUT SOME OF THE SIMILARITIES WITH SAN ANTONIO AND SOME OF THE DIFFERENCES. AS I MENTIONED, SAN ANTONIO IS UNDER THE GUN, SO TO SPEAK, IS IN A WATER SUPPLY CRISIS BECAUSE OF THE LIMITS ON PUMPING FROM THE EDWARDS AQUIFER. THIS HAS LED THEM TO HAVE MANDATORY RESTRICTIONS FIVE TIMES IN THE LAST TEN YEARS. WHERE WE'VE ONLY HAD IT ONE TIME IN THE LAST 20 YEARS. SO THE REPEAT OF -- WHAT WE FOUND IN 2000 IS WHEN WE WENT INTO MANDATORY RESTRICTIONS, WE HAD ALMOST AN IMMEDIATE 15% DROP IN WATER USE. AND, OF COURSE, SOME PEOPLE WEREN'T HAPPY ABOUT THAT, BUT THAT'S WHAT HAPPENED. PEOPLE COULDN'T WATER AGO FREQUENTLY, ONLY EVERY FIVE DAYS AND ONLY CERTAIN HOURS. AND SO THAT LED TO A REDUCTION IN WATER USE. SAN ANTONIO, THEY'VE DONE THAT ALMOST ROUTINELY. SO THEY ARE GETTING THAT SUMMER SORT OF TRAINING FOR THEIR CITIZENS QUITE FREQUENTLY AND PEOPLE ARE FINDING OUT PROBABLY IN SAN ANTONIO WHAT WE'VE TRIED TO EDUCATE CUSTOMERS ABOUT IS THEY DON'T NEED TO WATER AS FREQUENTLY AS THEY THINK. BUT IT'S BEEN MORE EFFECTIVE POSSIBLY IN SAN ANTONIO BECAUSE OF THE MANDATORY RESTRICTIONS. ON THE NEXT SLIDE IS A GRAPH JUST SHOWING THE TRENDS IN PER CAPITA USE. YOU CAN SEE SAN ANTONIO IS LOWER THAN WE ARE. I'M GOING TO MENTION A FEW OF THESE FACTORS THAT YOU MIGHT THINK ABOUT ON WHY THAT WOULD BE. BUT YOU CAN SEE OVERALL THE TRENDS ARE NOT DISSIMILAR. MORE SIMILAR THAN THEY ARE DISSIMILAR. THEY ARE BOTH

TRENDING DOWNWARD. SOME OF THE FACTORS TO THINK ABOUT, OUR CURRENT PROGRAMS, AND I GAVE YOU -- YOU HAVE A LIST THERE OF ALL OUR PROGRAMS, BUT THE PROGRAMS IMPLEMENTED IN AUSTIN AND SAN ANTONIO ARE VERY SIMILAR. WE HAVE INCENTIVES FOR TOILET RETROFITTING, INCENTIVES FOR CLOSE WASHER REBATES, IRRIGATION SYSTEM AUDITS AND AUDIT EDUCATION. IN ADDITION, SAN ANTONIO HAS TAKEN SOME OF THESE PROGRAMS AND ISSUED -- AND IMPLEMENTED THE HIGHER COST PORTION OF THOSE PROGRAMS WHERE WE HAVE BEEN WAITING TO DO THAT FURTHER DOWN THE ROAD. ON THE REUSE SIDE, SAN ANTONIO HAS INVESTED MORE THAN 120 MILLION IN REUSE AND IS SAVING ABOUT 12,000-ACRE FEET A YEAR, VERSUS WE'VE INVESTED ABOUT 23 MILLION CURRENTLY AND SAVING ABOUT 2200-ACRE FEET PER YEAR. BUT WE DO HAVE PLANS AND -- TO STEP THAT UP OVER THE NEXT FIVE YEARS, AND I THINK YOU WILL BE SEEING THAT IN THE UPCOMING BUDGET PROJECTIONS. SOME OF THE OTHER FACTORS IS A SOCIOECONOMIC FACTOR. I THINK THIS IS A BIG ONE. PER CAPITA INCOME IN SAN ANTONIO IS 75% OF THAT IN AUSTIN. AND I THINK THIS LEADS TO LESS DISPOSABLE INCOME TO INVEST IN LANDSCAPING AND THE -- AND PURCHASING THE WATER FOR THE LANDSCAPING. THERE'S ALSO A LARGER INDUSTRIAL SECTION IN AUSTIN. WHICH IS CERTAINLY AN ECONOMIC BENEFIT, AND THAT SECTOR HAS DONE ITS SHARE OF REDUCING WATER USE. I KNOW SOME OF THE COUNCILMEMBERS COME TO THE RECOGNITION WE HAVE EVERY YEAR AND WE HAVE ONE COMING UP TO RECOGNIZE THE EFFORTS OF THE INDUSTRIAL AND COMMERCIAL CUSTOMERS. BUT IF YOU LOOK AT HOW THAT AFFECTS THE OVERALL PER CAPITA USE, IT'S 12 GALLONS PER CAPITA IN AUSTIN FOR INDUSTRIAL VERSUS ABOUT 4 IN SAN ANTONIO. I THINK SAN ANGELO HAS ALSO BEEN MENTIONED. I DON'T THINK THIS IS A GOOD COMPARISON TO TALK ABOUT SAN ANGELO, IT'S A MEDIUM SIZED CITY. DROUGHT OF RECORD, WE ARE NOT IN THE 100-YEAR DROUGHT. IT'S IN THE FOURTH YEAR OF WATER RESTRICTION. OBVIOUSLY WHEN YOU DON'T HAVE WATER TO USE, YOU ARE GOING TO CUT BACK DRASTICALLY ON THE AMOUNT OF WATER YOU USE. OUR EXISTING CONSERVATION GOALS IN THE PLAN AND THE ONES WE'VE BEEN WORKING UNDER AND REPORTING BACK TO COUNCIL

IS TO REDUCE PER CAPITA CONSUMPTION 5%. THESE FIRST FEW GOALS WERE ADOPTED IN 1990 BY THE COUNCIL. WE ACHIEVED THE 5 5% GOAL BUT WE ARE CONTINUE TO GO WORK ON THAT. WE'RE APPROXIMATELY 10% REDUCTION SINCE 1990. AND THE 2005 PEAK DAY REDUCTION GOAL OF 10% BY THE 1990 PROJECTION, THIS IS A MUCH MORE COMPLICATED GOAL BECAUSE IN 1990 WE PROJECTED WHAT WATER USE WOULD BE IN 2000 AND REDUCED THAT, WE SAID 10% OF THAT GOAL WOULD BE 20 MILLION GALLONS A DAY. THAT'S WHAT WE'RE STRIVING FOR, BUT WE'VE HAD DIFFERENT CHANGES IN DEVELOPMENT AND A LOT MORE DEVELOPMENT PROBABLY THAN WE ANTICIPATED. BUT WE HAVE TRACKED THAT ON A BOMB UP APPROACH. WHEN WE DO A TOILET RETROFIT OR IRRIGATION AUDIT WE COUNT HOW MANY GALLONS WE SAVED. AND CUMULATIVELY WE'VE SAVED 15 MILLION OF THE 20 MILLION GALLONS. WE HAVE ONE MORE YEAR TO GO, BUT QUEER NOT GOING TO REACH THE 20 MILLION GALLONS GOAL THIS YEAR. THE GOAL THE COUNCIL ADOPTED IN 1999 WHICH HAS GREAT FINANCIAL IMPLICATIONS IS TO KEEP OUR WATER USE UNDER 201,000-ACRE FEET PER YEAR SO WE DON'T HAVE TO START PAYING THE \$13 MILLION TO THE LCRA. SO THE WHOLE POINT OF THE PLUMBER STUDY IS LOOK OUGHT HOW WE CAN BE MORE EFFECTIVE IN DOING THAT. AS CHRIS MENTIONED, WE HAVE THE LONG-TERM GOAL OF REDUCING WATER DEMAND BY 50,000-ACRE FEET BY 2040. THE ALAN PLUMBER STUDY WILL BE LOOKING AT OUR PROGRAM AND WE'RE LOOKING AT THE MOST AAGREES HE HAVE CONSERVATION PROGRAMS OR ELEMENTS THAT PROBABLY MAY NOT BE DOING DOING AND PROBABLY NOBODY ELSE IS DOING IN THE COUNTRY TO SEE WHAT ELSE WE COULD DO TO REDUCE OUR WATER USE. AND I MENTIONED EARLIER THERE'S THIS 1% VOLUNTARY GOAL, NOT MANDATORY, VOLUNTARY OF 1% PER YEAR UNTIL YOU ACHIEVE 140 GALLONS PER CAPITA PER DAY. WE'RE GOING TO ASK THEM TO HELP US DEVELOP A PLAN TO ACHIEVE THAT. ALSO PART OF THE STUDY IS TO COMPARE AUSTIN'S EFFORTS TO THREE OTHER CITIES WHO HAVE VERY COMPREHENSIVE PROGRAMS. SEE HOW WE BENCH MARK WITH THEM. WE WILL BE COMING UP WITH A NEW PEAK DAY REDUCTION GOAL AND STRATEGY TO MEET THAT GOAL. I JUST WANTED TO MENTION A FEW EXAMPLES OF POSSIBLE NEW PROGRAMS TO SHOW YOU WHAT -- YOU

KNOW, WHAT THE RANGE MIGHT BE. I MENTIONED SAN ANTONIO HAS HIGHER COST PROGRAMS. THEY PAY THE FULL COST OF TOILET RETROFITTING OR SCHOOLS AND RESTAURANTS. WE HAVEN'T GONE TO THAT LEVEL YET, BUT THAT'S SOMETHING WE COULD LOOK AT. AN EXPANDED PUBLIC OUTREACH AND AWARENESS PROGRAM. WE COULD SPEND A LOT MORE ON THAT IF THE COUNCIL SO WISHES SO EDUCATE PEOPLE ABOUT THE BEST PRACTICES. WE DO HAVE A PRETTY EFFECTIVE PROGRAM LAS VEGAS. I DID GIVE YOU ONE -- LAS VEGAS ALREADY, BUT WE COULD ALWAYS DO MORE. SOME OF THE UTILITY INITIATIVES IS TO EVALUATE THE WATER RESTRICTION TRIGGERS. WE KIND OF SET THEM BASED ON PLANNED CAPACITY AND THERE'S A THOUGHT MAYBE THEY SHOULD BE MOVED UP MORE SLOWLY BASED ON POPULATION AND NOT PLANT CAPACITY, BUT THAT'S A WHOLE POLITICAL DISCUSSION ABOUT WHETHER THAT'S SOMETHING COUNCIL WANTS TO DO. THERE IS FUNDING ALREADY PROPOSED IN COMING YEARS TO DO THAT, BUT MAYBE MORE SHOULD BE DONE. WE WANT TO WORK MORE ON THE UTILITY SIDE ON A MORE AGGRESSIVE LEAK DETECTION PROGRAM, RECOVERING SOME OF THAT UNACCOUNTED FOR WATER WHICH WOULD COUNT INTO OUR PER CAPITA AND REDUCE OUR PER CAPITA USE. SOME OF THE ORDINANCES OR POLICY CHANGES THAT COULD BE PROPOSED WOULD BE AN IRRIGATION PERMITTING SYSTEM. WE DO -- COMMERCIAL BUILDINGS AS FAR AS SITE DEVELOPMENT PROCESS ARE ESSENTIALLY PERMITTED FOR IRRIGATION SYSTEMS. BUT RESIDENTIAL SYSTEMS ARE PUT IN WITHOUT ANY REGULATION ASIDE FROM THE BACK BLOW. SO WHEN THINGS ARE NOT IN PERFECTIVE, NOT STANDARDS, YOU DON'T GET THE HIGHEST QUALITY. WE'RE THINKING MAYBE THAT WOULD BE A GOOD THING TO PROPOSE. WE DO HAVE A LOT OF STORM WATER PONDS AROUND THE CITY. IT'S POSSIBLE MAYBE SOME REVISIONS COULD BE CONSIDERED TO THOSE REGULATIONS SO THE STORM WATER PONDS COULD ALSO RETAIN WATER FOR IRRIGATION AND BE USED AT A TIME THAT WOULD BE EFFECTIVE. WE DO HAVE INCENTIVE PROGRAMS FOR PLUMBING RETROFITS, BUT WE'LL EVENTUALLY GET UP TO 50% OF EXISTING FIXTURES THAT HAVE BEEN RETROFITTED AND WE'LL HAVE ANOTHER.

0 POWERS WHERE PEOPLE ARE LESS LIKELY TO DO IT ON THEIR OWN. AND ONE WAY TO DEAL WITH THIS WOULD BE TO HAVE AN ORDINANCE THAT SAYS WHEN THE PROPERTY CHANGES HANDS OR BY A CERTAIN DATE, THE PLUMBING FIXTURE WOULD BE UP TO CURRENT PLUMBING CODE. AND THEN THE FINAL ONE WOULD BE BACK ON THE WATERING RESTRICTIONS WOULD BE HAVING THE CONSIDERATION -- AS I SAY, WE'RE NOT PROPOSING THESE TODAY, THESE ARE SOME OF THE STRETCH IDEAS. YEARLY MANDATORY WATERING RESTRICTIONS AND ENFORCEMENT OF THOSE RESTRICTIONS. SO IN CONCLUSION -- DID YOU WANT TO DO THIS CHRIS? OKAY. SO THESE TWO PLANS FILL OUR REGULATORY REQUIREMENTS AND THEY PROJECT THE SAVINGS BASED ON OUR CURRENT BUDGET. AND WHAT WE KNOW IS ACHIEVABLE. AND WE'RE GOING TO COME BACK IN THE FALL WITH A MUCH MORE DETAILED CONSERVATION PROPOSAL BASED ON THE RESULTS OF THAT ALAN PLUMBER STUDY. I'D BE GLAD TO TAKE ANY QUESTIONS.

Mayor Wynn: THANK YOU. QUESTIONS, COUNCIL? WE HAD ONE CITIZEN SIGNED UP THAT WISHED TO SPEAK. PERHAPS WE'LL HEAR FROM HER. MARY ARNOLD SIGNED UP TO SPEAK ON ITEM NUMBER 11.

Goodman: MAYOR AND COUNCIL. THIS IS MY FIRST APPEARANCE IN THE NEW CITY HALL CHAMBERS. SO I'M GLAD TO BE HERE. THE WAY THE ITEM IS LISTED AND EXPLAINED IN YOUR AGENDA, IT DOESN'T MENTION ANY PEAK DAY REDUCTION GOALS. IT ASKS YOU TO REPEAL THE 1999 PLAN. IN THE R.C.A. THERE'S NO MENTION OF A PEAK REDUCTION GOAL. IN THE DOCUMENT ITSELF, UNDER WATER CONSERVATION GOALS ON PAGE 4, THERE'S NO MENTION OF A PEAK DAY REDUCTION GOAL. I UNDERSTAND THAT THIS MEETS THE MINIMUM REQUIREMENTS FOR THE STATE. BUT WHAT I'M URGING YOU TO DO IS TO PAY ATTENTION TO THE RECOMMENDATION OF THE RESOURCE MANAGEMENT COMMISSION AND TO URGE THE CITY STAFF TO WORK WITH THE RESOURCE MANAGEMENT COMMISSION AS SOON AS POSSIBLE IN ORDER TO KEEP UP AND BE ABLE TO COMMENT ON HOW YOU CAN SET A NEW PEAK DAY REDUCTION GOAL. SINCE WE HAVEN'T EVEN MET THE ONE FROM 1990. BECAUSE WE'RE TRYING TO LOOK AT A NEW WATER TREATMENT PLANT AND SPENDING MONEY FOR IT,

THERE'S SOME WONDERFUL COLORED GRAPHS IN T THE WATER CONSERVATION PEOPLE HAVE PREPARED THAT SHOW YOU, AND FROM THE WATER PEOPLE YOU CAN SEE THE PEAK DAY, AND IT'S BEEN PRETTY BAD IN OUR HOT YEARS. SURELY THERE'S SOMETHING THAT WE CAN DO TO REPLACE SOME OF THE DRINKING WATER THAT WE'RE POURING ON LAWNS AND USING IN COOLING TOWERS AND OTHER WAYS. SURELY WE CAN REPLACE THAT WATER WITH REUSED WATER, WITH RAIN WATER, AND I JUST URGE YOU TO RECOGNIZE THIS AS A HIGH PRIORITY FOR THE CITY. THANK YOU VERY MUCH.

Mayor Wynn: THANK YOU, MS. ARNOLD. SO COUNCIL, THAT'S ALL THE SPEAKERS, CITIZENS WHO WISH TO ADDRESS US ON ITEMS 11 OR 12. QUESTIONS FROM STAFF? COMMENTS? COUNCILMEMBER DUNKERLEY.

Dunkerley: JUST A MOMENT. A TECHNICAL QUESTION FOR CHRIS. IS THIS A -- THE LENGTH OF THE PLAN, FIVE YEAR, TEN YEAR, OR MAYBE IT'S FOR TONY? THE PLAN THAT WE'RE SUBMITTING, IS THAT A FIVE-YEAR PLAN, TEN-YEAR PLAN?

IT'S A FIVE-YEAR PLAN, BUT IT REFERENCES POTENTIAL INITIATIVES THAT GO WELL BEYOND FIVE YEARS, BUT IT IS A FIVE-YEAR PLAN.

Dunkerley: SOME OF THE INFORMATION THAT I'VE RECEIVED, WE'RE TALKING ABOUT A MUCH LOWER GALLONS PER DAY IN TEN YEARS. NOW, THIS -- THE PLAN THAT WE ARE SUBMITTING HAS THE GOALS, WHICH ARE NOT, AS YOU KNOW, MANDATORY, BUT I'M WONDERING IF WHEN OUR CONSULTANT STARTS TO LOOK AT THE PER CAPITA GOALS AND THESE PEAK DAY GOALS AND THINGS LIKE THAT, DO YOU THINK HE COULD ALSO LOOK AT OPTIONS OF -- OR POSSIBILITIES OF WHAT WE COULD ADD TO OUR PLAN TO REACH THOSE DEEPER GOALS BY -- WITHIN TEN YEARS? JUST AS PART OF HIS -- WOULD THAT BE PART OF HIS NORMAL WORK?

ABSOLUTELY, THAT IS WHAT WE ARE ASKING THE CONSULTANT TO DO IS LOOK AT STRETCH GOALS, LOOK BEYOND WHAT WE'RE DOING TODAY. LOOK FOR THE, YOU KNOW, BEST MANAGEMENT PRACTICES AROUND THE

COUNTRY. BASICALLY LOOK AT WHAT WE CAN DO TO MEET ALL OF OUR GOALS.

Dunkerley: AFTER THAT STUDY THEN, SHOULD WE EXPECT TO SEE, YOU KNOW, SOMETHING BACK THAT REFLECTS UPDATED GOALS OR SOMETHING ALONG THAT ORDER? NOT ONLY FOR THE NEXT FIVE YEARS BUT PERHAPS FOR THE NEXT TEN.

WHEN WE COME BACK IN THE FALL, THAT WILL BE PART OF THE -- PART OF THE RECOMMENDATIONS IS NEW GOALS AND NEW PRACTICES.

Dunkerley: OKAY. THANK YOU.

Mayor Wynn: NEW GOALS RELATED TO PEAK --

TO BOTH PEAK DAY AND AVERAGE PER CAPITA CONSUMPTION.

Mayor Wynn: OKAY. COUNCILMEMBER SLUSHER.

Slusher: THANK YOU, MAYOR. LET ME MAKE SURE I UNDERSTAND, MR. LIPPE. MAYBE IT WILL BE REPETITIVE FROM WHAT YOU JUST SAID, BUT, FIRST OF ALL, MS. ARNOLD SAID THAT THIS MEETS THE STATE REQUIREMENTS. IS THAT ACCURATE IN THE FACT THAT IT JUST MEETS THE STATE REQUIREMENTS AND NOT MUCH ELSE?

LET ME LET TONY ELABORATE ON THAT.

Slusher: OKAY.

YEAH, THIS WAS NOT INTENDED TO BE THE -- NOT INTENDED TO BE SORT OF THE SHOWCASE CITY OF AUSTIN PLAN. WE WERE JUST MAKING -- WHEN WE STARTED THIS PLAN, IT WAS JUST TO MEET THE STATE REQUIREMENTS. IT WAS NOT TO BE THE FORWARD-LOOKING PLAN TO MEET THE 201,000-ACRE FEET. THAT WAS GOING TO BE THE ALAN PLUMBER STUDY MONTHS BEFORE THE CONTROVERSY.

Slusher: THE ONE COUNCILMEMBER DUNKERLEY IS

REFERRING TO WITH THE STUDY?

WE'VE TKPWOEPB IN THE BACK OF OUR MINDS WE'VE GOT 201,000-ACRE FEET. THAT'S IN THE TEENS, SO WE KNOW THAT TIME IS RAMP UP IS NOW. WE'VE GOT A GOOD PROGRAM, BUT THE TIME TO GO FURTHER IS NOW. THAT'S WHY THE ALAN PLUMBER STUDY --

Slusher: SO YOU ARE SAYING THIS PLAN IS SORT OF A PLACEHOLDER TO MEET THE STATE REQUIREMENTS.

EXACTLY.

Slusher: AND ONCE THIS STUDY IS COMPLETE, THE PLUMBER STUDY IS COMPLETE, THEN THE CITY WILL BE ADOPTING MUCH MORE AGGRESSIVE GOALS?

THAT'S EXACTLY THE CASE.

Slusher: AND WHEN DO WE GET THAT BACK?

OCTOBER.

Slusher: I'M SORRY?

IN OCTOBER.

Slusher: OKAY. I'M SURE THE COUNCIL WILL BE ADOPTING MORE AGGRESSIVE GOALS THEN.

Mayor Wynn: THAT'S THE PLAN. FURTHER COMMENTS, QUESTIONS? COUNCILMEMBER DUNKERLEY.

Dunkerley: I DON'T KNOW MUCH ABOUT THE MELT TRICKS OF MEASURING THE -- METRICS OF MEASURING THE PER CAPITA, ET CETERA, FOR CARTER CONSUMPTION, BUT YOU PIQUED MY INTEREST WHEN YOU TALKED ABOUT THE DIFFERENCES IN USES RELATED TO THE INDUSTRIAL AND COMMERCIAL AREAS. AND I KNOW WE'RE LOOKING AT AN OVERALL WATER USAGE GOAL BECAUSE THAT'S WHAT WE NEED, BUT FOR MEASURING PURPOSES, DO UTILITIES EVER BACK OUT THEIR COMMERCIAL OR INDUSTRIAL AND JUST LOOK AT THE BALANCE OF IT AND COMPARE TO SEE HOW



OUR WATER CONSERVATION PROGRAMS THAT RELATE MORE DIRECTLY TO INDIVIDUALS ARE MEASURING UP FROM CITY TO CITY? IT'S JUST A QUESTION.

IT'S A GOOD QUESTION. THIS TASK FORCE STRUGGLED WITH ALL THOSE AND THE WATER DEVELOPMENT BOARD TASK FORCE, SHOULD WE COMPARE RESIDENTIAL, FOR EXAMPLE, SHOULD WE COMPARE -- BECAUSE WHAT THE WATER DEVELOPMENT BOARD USED TO REQUIRE WAS WE SUBMITTED ALL OF OUR TOTAL WATER USE AND THEN SUBTRACTED INDUSTRIAL CUSTOMERS. SOME PEOPLE DIDN'T LIKE THAT. NOW WHAT WE'RE DOING IS TONIGHT?ING THE TOTAL WATER USE THAT WE USE WITHIN THE CITY SERVICE AREA. AND, OF COURSE, WE HAVE SOME WHOLESALE CUSTOMERS, BUT WE THINK WHAT THE BOARD REALLY WANTS IS JUST OUR USE, NOT THE WHOLESALE USE BECAUSE THEY HAVE TO SUBMIT SEPARATELY. WHAT WE PROPOSE IS JUST OUR USE DIVIDED BY POPULATION. AS FAR AS THE STUDY PLUMBER, AND WE COULD GIVE IT TO YOU NOW, WE HAVE GRAPHS OF WHAT THE RESIDENTIAL PER CAPITA USE IS ALSO.

Dunkerley: WELL, I WAS LOOKING AT IT FROM THE PERSPECTIVE OF BEING ABLE TO MONITOR THE EFFECTIVENESS OF OUR PROGRAM ON A APPLES TO APPLES BASIS AND THOUGHT IT MIGHT BE INTERESTING. AS WE ALL KNOW SHE IT'S THE OVERALL USE THAT WE'RE TRYING TO KEEP DOWN, AND I THINK WE HAVE SOME REALLY GOOD INCENTIVES TO DO THAT IN RELATION TO OUR WATER CONTRACTS AND TH-PGS LIKE THAT. SO I WAS JUST CURIOUS. THANK AOU BUT I MEAN THE RESIDENTIAL, JUST TO ANSWER, WE MIGHT WANT TO HAVE A GOAL FOR RESIDENTIAL PER CAPITA SEPARATE FROM THE OVERALL PER CAPITA. I THINK THAT MIGHT BE A GOOD THING TO DO.

Dunkerley: ALL RIGHT. THANK YOU. LOOK INTO THAT.

Mayor Wynn: FURTHER COMMENTS, QUESTIONS? IF NOT, I'LL ENTERTAIN A MOTION ON THE COMBINED ITEMS 11 AND 12.

I MOVE APPROVAL.

Mayor Wynn: MOTION MADE BY COUNCILMEMBER DUNKERLEY

TO APPROVE ITEMS 11 AND 12. I'LL SECOND. FURTHER COMMENTS? HEARING NONE, ALL THOSE IN FAVOR PLEASE SAY AYE. OPPOSED? MOTION PASSES ON A VOTE OF 6 TO ZERO WITH THE MAYOR PRO TEM OFF THE DAIS. THANK YOU ALL VERY MUCH. LET'S SEE, COUNCIL, I THINK WE COULD GET A FEW MORE DISCUSSION ITEMS TAKEN CARE OF BEFORE OUR LUNCH EXECUTIVE SESSION BREAK. COUNCILMEMBER ALVAREZ, YOU HAD PULLED -- YOU AND COUNCILMEMBER THOMAS' ITEM, THE CP AND R ZONE. ARE YOU PREPARED FOR THAT? [INAUDIBLE]

Mayor Wynn: WITH THAT WE'LL CALL UP ITEM NUMBER 43.

Alvarez: THANK YOU, MAYOR. I'M GOING TO JUST DO A BRIEF PRESENTATION OR OVERVIEW OF THE PROGRAM AS IT HAD BEEN LAID OUT I THINK BACK IN FEBRUARY, JANUARY OR FEBRUARY. AND TALK A LITTLE BIT ABOUT SOME OF THE CHANGES THAT ARE PROPOSED, REALLY JUST BASED ON THE PUBLIC INPUT THAT WE'VE HEARD TO A GREAT EXTENT OVER THE LAST FOUR OR FIVE MONTHS. AND SO I'LL GO THROUGH A COUPLE OF SLIDES HERE FROM THE ORIGINAL PRESENTATION. WHAT THIS IS WE'RE CALLING THE PROGRAM IS THE COMMUNITY PRESERVATION AND REVITALIZATION ZONE PROGRAM AND IT'S INTENDED TO BE AN ADDITIONAL COMPONENT OF THE CITY'S ECONOMIC DEVELOPMENT PROGRAM TARGETING AN ECONOMICALLY DISADVANTAGED AREA OF THE CITY. AND THAT THE BASIC PREMISE BEHIND THIS PROGRAM THAT DEVELOPMENT PROJECTS THAT OCCUR WITHIN THE ZONE AND MEET CERTAIN CRITERIA WOULD BE ELIGIBLE FOR FINANCIAL INCENTIVES FOR DEVELOPMENT. AND AGAIN, THROUGH THIS PROGRAM WE HOPE THAT WE CAN CREATE JOBS AND EXPAND THE TAX BASE AND BRING NEEDED COMMERCIAL SERVICES AND HOUSING OPPORTUNITIES TO THE NEIGHBORHOODS IN THIS PART OF EAST AUSTIN. AND HOPE -- AND PROMOTE OR SUPPORT THE WORK THAT'S GONE ON IN TERMS OF NEIGHBORHOOD PLANNING TO PRESERVE THE NEIGHBORHOOD CHARACTER AND TO ENSURE COMPATIBILITY. THE BOUNDARIES OF THE ZONE ARE I-35 TO THE WEST, RIVERSIDE DRIVE TO THE SOUTH, BEN WHITE AT HIGHWAY 71 AND U.S. 183 TO THE EAST, AND MANOR ROAD TO THE NORTH. AND AGAIN, THIS IS AN AREA THAT'S A LITTLE SLIGHTLY LARGER THAN THE AREA WE HAD DESIGNATED OR

PROPOSED FOR A EMPOWERMENT ZONE ABOUT THREE YEARS AGO, AND SO INSTEAD OF USING MLK AS THE CUTOFF, IT GOES UP TO MANOR ROAD. AND AGAIN, THOUGH, YOU KNOW, JUST SOME OF THE ECONOMIC ISSUES THAT DISTINGUISH THIS AREA FROM OTHER AREAS IS THE POVERTY RATE, WHICH IS ABOUT 30% FOR THIS ZONE VERSUS LESS THAN 15% FOR THE CITY. THE UNEMPLOYMENT RATE, WHICH IS ALMOST DOUBLE THAT OF THE CITY. THE MEDIAN FAMILY INCOME, WHICH IS ABOUT 54% OF THE MEDIAN FAMILY INCOME FOR THE CITY AS A WHOLE. AND THAT THIS IS AN AREA THAT IS -- HAS A COMBINED HISPANIC AND AFRICAN-AMERICAN POPULATION OF MORE THAN 80%. AND JUST FOR THE PURPOSES REALLY OF TALKING ABOUT THE CHANGES, YOU KNOW, WE'RE GOING TO TALK ABOUT IN TERMS OF SMALL, MEDIUM AND LARGE PROJECTS. THAT'S SORT OF IN TERMS OF HOW TO QUALIFY FOR THE INCENTIVES. YOU CAN QUALIFY IN TWO DIFFERENT WAYS. ONE IS BASED ON THE SIZE OF THE PROJECT AND MAINLY THAT APPLIES TO MIXED USE PROJECTS THAT HAVE A -- BOTH A RESIDENTIAL AND A COMMERCIAL COMPONENT SO YOU HAVE THE SQUARE FOOTAGE CRITERIA FOR SMALL, MEDIUM AND LARGE PROJECTS, AND THEN FOR COMMERCIAL ONLY PROJECTS YOU HAVE A JOB CREATION CRITERIA, AND THESE WOULD BE JOBS CREATED FOR PERSONS RESIDING WITHIN THE C.P.N.R. ZONE. I'M GOING TO REFER TO THESE THREE CATEGORIES EVEN THOUGH WE DON'T LABEL THEM AS SUCH IN THE ACTUAL ORDINANCE OR THE POLICY DOCUMENT, BUT IT JUST I THINK WILL HELP AS WE MOVE FORWARD AND TALK ABOUT SOME OF THE PROPOSED CHANGES. ONE OF THE THINGS THAT WAS JUST ADDED WAS RELATED TO AFFORD BUILT IS SET A MINIMUM NUMBER OF UNITS THAT WOULD HAVE TO BE DEVELOPED IN ORDER TO RECEIVE INCENTIVES. THE ORIGINAL PROPOSAL REQUIRES FOR A MIX USED PROJECT 10% OF THE UNITS DEVELOPED BE AFFORDABLE AT 65% M.F.I., BUT IT REALLY DOESN'T SPEAK TO ANY MINIMUM NUMBER OF UNITS SO YOU COULD HAVE A VERY LARGE COMMERCIAL COMPONENT AND POTENTIALLY A VERY SMALL RESIDENTIAL COMPONENT, SO THIS TRIES TO -- IT JUST SETS A MINIMUM FOR THE VARIOUS CATEGORIES. SO FOR SMALL PROJECTS YOU WOULD AT LEAST TO PROVIDE ONE AFFORDABLE PROJECT, THREE

UNITS AND FOR LARGE PROJECTS FIVE UNITS. THAT'S A CHANGE FROM THE ORIGINAL PROPOSAL WHICH DIDN'T STIPULATE ANY MINIMUMS. AS A RESULT OF THE -- SOME OF THE INPUT WE RECEIVED AT OUR TOWN HALL MEETING AND THROUGH THE PUBLIC HEARINGS AT THE C.D.C. AND ACTUALLY A RECOMMENDATION FROM THE C.D.C. OF -- WE'RE RECOMMENDING SORT OF A MINIMUM WAGE FOR THE JOBS THAT WILL ALLOW YOU TO QUALIFY FOR INCENTIVES OF \$10, WHICH IS WHAT THE CITY HAS ESTABLISHED AS ITS LIVING WAGE THROUGH THE LAST BUDGET PROCESS. AND SO THAT WAS ADDED ON. AND MAINLY THIS AFFECTS THE COMMERCIAL-ONLY PROJECTS THAT HAVE THE JOB CREATION REQUIREMENT. ALSO IN RESPONSE TO RECOMMENDATION FROM THE COMMUNITY DEVELOPMENT COMMISSION AND ALSO -- AND IN PART, IN LARGE PART REALLY TO SOME NEW AND INNOVATIVE APPROACHES TO PROVIDING ASSISTANCE TO EXISTING HOMEOWNERS THAT THE STAFF FROM NEIGHBORHOOD HOUSING AND COMMUNITY DEVELOPMENT HAVE -- OR ARE INVESTIGATING OR PURSUING, WE ARE PROPOSING TO CHANGE THE HOMEOWNER ASSISTANCE FUND AND INSTEAD CREATE A SMALL BUSINESS ASSISTANCE FUND. WE BELIEVE THAT SOME OF THE OTHER STRATEGIES THAT WE ARE INVESTIGATING THAT MAY ALLOW US TO PROVIDE SOME ABATEMENTS THAT MIGHT ALLOW US TO UTILIZE THE COMMUNITY LAND TRUST OPTION AND OTHER STRATEGIES TO HELP EXISTING HOMEOWNERS THAT WE FELT THAT MAYBE THE ASSISTANCE THROUGH THIS PROGRAM COULD BE TARGETED TO SMALL BUSINESSES INSTEAD OF HOMEOWNERS BECAUSE WE REALLY HADN'T CREATED A SMALL BUSINESS ASSISTANCE COMPONENT TO THIS. AND THAT'S ONE OF THE ISSUES WE HEARD LOUD AND CLEAR THROUGHOUT THIS PROCESS IS YOU ARE HELPING NEW BUSINESSES COME AND DEVELOP IN EAST AUSTIN, BUT WHAT ARE YOU GOING TO HELP THE EXISTING BUSINESSES THAT HAVE BEEN HERE FOR DECADES AND HAVE BEEN ABLE TO THRIVE, YOU KNOW, IN A VERY, VERY CHALLENGING ENVIRONMENT. AND SO -- AND THE WAY THIS RELATES TO THE -- THE DEVELOPMENT INCENTIVES IS THAT IN RETURN OR AS A DEVELOPER WHO RECEIVES ASSISTANCE THROUGH THIS PROGRAM HAS TO COMMIT TO INVEST A CERTAIN AMOUNT INTO A SMALL BUSINESS ASSISTANCE FUND IN THIS

PARTICULAR CASE. AND AGAIN, THAT WOULD BE A WAY TO ENSURE THAT NEW DEVELOPMENT WHICH IS ALSO HELPING US TO MITIGATE, YOU KNOW, SOME OF THE -- SOME OF THE ECONOMIC IMPACTS THAT THE NEIGHBORHOOD WILL ALSO BE FEELING AS A RESULT OF THE NEW DEVELOPMENT. AND THEN A CHANGE TO THE FINANCIAL INCENTIVES OFFERED THROUGH THE PROGRAM. AS WE CHANGE THE PERCENTAGES THAT WOULD BE PROVIDED FOR DEVELOPMENT, BECAUSE WE HEARD A COUPLE OF THINGS THROUGH THE PUBLIC INPUT PROCESS, AND ONE WAS FROM THE DEVELOPMENT SIDE THAT -- THAT AT BEST THIS WAS A BREAK-EVEN SORT OF A PROPOSAL OR LEVEL OF ASSISTANCE, EXCEPT FOR MAYBE IN THE LARGE CATEGORY. AND WE ALSO HEARD FROM THE COMMUNITY THAT SETTING ASIDE JUST 10% OF -- YOU KNOW, OF THE OVERALL TAX GENERATED BY THIS DEVELOPMENT INTO AN ASSISTANCE FUND WASN'T NEARLY ENOUGH EITHER. AND SO WHAT THIS WOULD DO IS IT WOULD -- YOU KNOW, IT INCREASES REALLY JUST BY 5%, YOU KNOW, WHAT THE SMALL BUSINESS ASSISTANCE FUND WOULD RECEIVE AND ALSO WHAT THE PROJECT WOULD RECEIVE. SO THE ORIGINAL NUMBERS, WHAT YOU SEE HERE IS 50, 75 AND 100. THE ORIGINAL NUMBERS WERE 35, 65 AND 85. SO BY INCREASING THESE, I THINK WE CAN HELP, YOU KNOW, MAKE SURE THAT THERE IS ACTUALLY SOME ASSISTANCE BEING PROVIDED FOR THE DEVELOPMENT, BUT ALSO ADDITIONAL ASSISTANCE OR ADDITIONAL INVESTMENT GOING TO THE SMALL BUSINESS ASSISTANCE FUND, WHICH IN TURN IS WHAT'S GOING TO ALLOW US TO HELP THE EXISTING SMALL BUSINESSES IN THE AREA. WE ALSO JUST INCLUDED A -- YOU KNOW, SOMETHING IN THE -- IN THE LANGUAGE THAT -- THAT ACCOUNTS, YOU KNOW, FOR POSSIBLE PARTICIPATION FROM TRAVIS COUNTY AND REALLY BECAUSE THEY HAVE A SIMILAR AUTHORITY AS DOES THE CITY, AND I REALLY HAVEN'T HAD A CHANCE TO VISIT WITH THEM ABOUT THEIR -- YOU KNOW, INTEREST IN -- IN PARTICIPATING IN SOMETHING AS THIS. SOMETHING SUCH AS THIS. AND I DO WANT TO PURSUE THAT WITH THEM. YOU KNOW, IF THIS IS SOMETHING THE CITY CHOOSES TO MOVE FORWARD ON. BUT REALLY WHAT THIS WOULD SAY IS IF THE COUNTY AGREES TO PARTICIPATE IN SUPPORTING A DEVELOPMENT OR PROVIDING INCENTIVES TO A DEVELOPMENT, THEN --

THEN AN ADDITIONAL AMOUNT WOULD ALSO BE GOING INTO THE SMALL BUSINESS ASSISTANCE FUND. AND SO, AGAIN, THAT'S SOMETHING THAT I THINK IS -- THE TRAVIS COUNTY CAN CONSIDER ON AN INDIVIDUAL BASIS, AND WHAT THIS SAYS IS IT'S FOR A GIVEN PROJECT, THEY COME FORWARD AND ASSIST AND THE DEVELOPER AGREES TO PROVIDE SOME ADDITIONAL ASSISTANCE TO THE SMALL BUSINESS ASSISTANCE FUND. AND I THINK THAT'S -- THAT'S THE LAST SLIDE THAT WE HAVE. THE FINAL -- AND THESE WERE REALLY THE CHANGES TO THE ORIGINAL PROPOSAL AND THAT'S WHY I WANTED TO WALK THROUGH THEM BECAUSE WHAT WE LAID OUT ORIGINALLY WOULD CHANGE, YOU KNOW, AS PER THESE SUGGESTIONS. ITEMS 3 IN THE RESOLUTION -- THE PROPOSED RESOLUTION, ITEMS 3 THROUGH 8 ARE ADDITIONAL AND RELATED ACTIONS. NUMBER 3 IS -- AND 4 REALLY JUST RELATE TO THE IMPLEMENTATION OF THIS PROGRAM. I THINK OUR CITY STAFF WILL HAVE TO DEVELOP RULES FOR HOW TO ADMINISTER THESE PROGRAMS. SO NUMBER 4 DIRECTS THE CITY MANAGER TO MOVE FORWARD WITH THAT PROCESS. AND NUMBER 3 ASKS THAT A COUPLE OF ISSUES BE INCORPORATED INTO THOSE RULES. AND AGAIN, BASED ON SOME PUBLIC INPUT WE RECEIVED, 3-A WOULD ALLOW PROJECTS TO BE PHASED. YOU KNOW, BUT REQUIRE THAT THEY HAVE TO BE CONTIGUOUS IN ORDER TO QUALIFY FOR INCENTIVES. AND THE CITY AND THE DEVELOPER HAVE TO AGREE ON A -- ON A TIME LINE FOR DEVELOPMENT AND THAT TIME LINE HAS TO BE -- HAS TO BE HONORED OR ADHERED TO. AND NUMBER B OR 3-B WOULD -- WOULD PROHIBIT OR MAKE INELIGIBLE FOR INCENTIVES ANY USES, COMMERCIAL USES THAT ARE GREATER THAN 75,000 SQUARE FEET, AND THAT WAS, YOU KNOW, ONE OF THE CONCERNS THAT WAS RAISED THROUGH THE PROCESS ABOUT THE CITY HANDING OUT DEVELOPMENT INCENTIVES FOR BIG-BOX SORT EVER SORT OF RETAIL DEVELOPMENT. ITEMS 5 THROUGH 8 IN THE RESOLUTION ARE ADDITIONAL ACTIONS THAT, YOU KNOW, WE ARE GOING TO PURSUE TO HELP ADDRESS THE ISSUE OF GENTRIFICATION IN EAST AUSTIN. BECAUSE THIS ISSUE ALONE WILL NOT ADDRESS THE -- YOU KNOW, ALL OF THE VARIOUS NEEDS THAT EAST AUSTIN HAS WHETHER IT'S FOR JOBS AND AN INVESTMENT IN THE COMMUNITY OR MITIGATION OF THE IMPACTS OF

GENERAL GENTRIFICATION. SO THIS IS JUST ONE THING THAT MIGHT BE ABLE TO HELP US TO ACHIEVE THESE GOALS. BUT 5 THROUGH 8 ARE SOME ADDITIONAL ACTIONS THAT WE ARE GOING TO INVESTIGATE OVER THE NEXT 90 DAYS. AND SO REALLY ITEM 5 SPEAKS TO SOME -- THE DEVELOPMENT OF THE -- OF CERTAIN STRATEGIES TO HELP DEVELOP AND PRESERVE AFFORDABLE HOUSING WITHIN THE CP&R ZONE. AND THIS IS PART OF THE REASON WE CHANGED THE HOMEOWNER ASSISTANCE PROGRAM IS BECAUSE WE'RE GOING TO PURSUE OTHER STRATEGIES TO HELP ADDRESS THE NEEDS THAT WE HAVE TO DEVELOP AND PRESERVE AFFORDABLE HOUSING IN THE AREA. ITEM 6 IS AN ITEM DIRECTING THE CITY MANAGER TO DETERMINE WHETHER IF THERE'S ANY FUNDING IN OUR EXISTING HOUSING AND COMMUNITY DEVELOPMENT PROGRAMS THAT CAN BE TARGETED TO THE ZONE TO ADDRESS SOME OF THE ISSUES THAT HAVE BEEN IDENTIFIED. AND NUMBER 7, AGAIN, ASKS THE CITY MANAGER TO -- TO INVESTIGATE IF IT'S POSSIBLE FOR US TO -- TO DO AN ASSESSMENT OF THE BUSINESSES LOCATED WITHIN THE CP&R ZONE AND TO FIND WAYS TO HELP THOSE BUSINESSES SUCH AS POSSIBLY CREATED CREATING A BUSINESS DIRECTORY OR PROMOTE THE BUSINESSES IN THIS ZONE. AND THE FINAL ITEM, NUMBER 8, SPEAKS TO SMART HOUSING REQUIREMENTS AND HOW THEY MIGHT APPLY DIFFERENTLY TO THIS ZONE GIVEN ITS UNIQUE CHARACTERISTICS. AND SO WE'RE ASKING FOR, YOU KNOW, A RECOMMENDATION FROM STAFF TO SEE IF THERE CAN BE, YOU KNOW, AN ELEMENT TO THE -- ADDED TO THE SMART HOUSING PROGRAM THAT HELPS PROMOTE AFFORDABLE HOUSING AT THE 65% M.F.I. LEVEL VERSUS THE 80% M.F.I. LEVEL. SO THIS, AGAIN, THE IDEA HERE IS TO TRY TO SUPPLEMENT OR STRENGTHEN, YOU KNOW, THE SMART HOUSING REQUIREMENTS OR ENHANCE THEM. THESE REQUIREMENTS, TO TRY TO GO DEEPER AND TRY TO ACHIEVE A DEEPER LEVEL OF AFFORDABILITY. THAT MIGHT MEAN WE GET A LESSER NUMBER OF UNITS OR WE GET A LOWER PERCENTAGE OF UNITS BE AFFORDABLE, BUT ONE THING WE DID HEAR LOUD AND CLEAR THROUGHOUT THIS PROCESS IS FOLKS FELT THAT 80% OF M.F.I. WAS NOT DEEP ENOUGH BECAUSE, AS THE ANALYSIS SHOWED, THE M.F.I. FOR THE AREA IS ABOUT 54%. AND SO EVEN THOUGH WE'RE NOT GOING DOWN TO 50% M.F.I., WE'RE TRYING TO

FIGURE OUT WAYS TO MAYBE AT LEAST GO BEYOND 80%, AND REALLY WE'RE ASKING FOR STAFF TO GIVE US RECOMMENDATION ABOUT HOW WE MIGHT INCORPORATE THAT KIND OF ELEMENT INTO A SMART HOUSING REQUIREMENTS. AND THAT COULD BE SOMETHING THAT JUST APPLIES IN THE ZONE OR OBVIOUSLY IF IT'S SOMETHING STAFF RECOMMENDS BE ADD ADD ON A CITY-WIDE BASIS, BUT WE'LL WAIT AND SEE THOSE RECOMMENDATIONS. ON THOSE ITEMS, ITEMS 5 THROUGH 8, WE -- WE ARE ASKING FOR A REPORT BACK FROM THE CITY MANAGER IN 90 DAYS. AND SO THE ONLY -- YOU KNOW, ACTION WE WOULD TAKE TODAY IS CREATE THE PROGRAM WITH THE CHANGES THAT I WALKED THROUGH OR FOR ITEMS 5 THROUGH 8 WE WOULD HAVE ANOTHER REPORT BACK IN 90 DAYS IDENTIFYING OTHER STRATEGIES AND RESOURCES TO HELP US ADDRESS SOME OF THE COMMUNITY AND ECONOMIC DEVELOPMENT NEEDS OF THIS ZONE, THE COMMUNITY PRESERVATION AND REVITALIZATION ZONE. WITH THAT I'LL ALLOW MY COLLEAGUE, COUNCILMEMBER THOMAS, WITH WHOM WE'VE BEEN WORKING, I'VE BEEN WORKING JOINTLY TO GO AHEAD AND ADD A FEW THOUGHTS AND THEN OPEN IT UP FOR QUESTIONS.

Mayor Wynn: THANK YOU, COUNCILMEMBER.  
COUNCILMEMBER THOMAS.

Thomas: THANK YOU, MAYOR. I THINK MY COLLEAGUE SAID IT ALL, BUT IN ITEM 5 THROUGH 8 IS VERY IMPORTANT TO DIRECT THE CITY MANAGER, ESPECIALLY NUMBER 5-A WHEN IT'S TALKING ABOUT PRESERVING PUBLIC INVESTMENTS IN [INAUDIBLE] INTO THE ZONE AND TALKING ABOUT A TAX ABATEMENT POLICY, AS ALSO ABOUT CREATING A COMMUNITY LAND TRUST FOR THIS PARTICULAR ZONE. THE TOWN HALL MEETINGS AND ALSO THE COMMUNITY DEVELOPMENT COMMISSION HAS RECOMMENDED A LOT OF -  
- ALL THE COUNCILMEMBERS AND MAYOR HAVE SEEN THE INFORMATION. WE JUST NEED TO MOVE AS SOON AS WE CAN SO THAT WE THINK OUR STAFF AND THE REST OF THE COUNCIL, ESPECIALLY COUNCILMEMBER ALVAREZ FOR THE ENERGY HE HAS PUT IN THIS, BUT IT'S SOMETHING THAT WE WANT TO TRY TO ADDRESS THE ISSUES THAT -- IN THIS PARTICULAR ZONE. AS YOU NOTICE THE REPORT HOW THE



POVERTY IN THIS PARTICULAR ZONE IS HIGHER THAN THE POVERTY IN THE CITY LIMITS OF AUSTIN. WE JUST NEED YOUR SUPPORT ON THIS TO MOVE FORWARD SO WE CAN GET THIS ACCOMPLISHED. THANK YOU.

Mayor Wynn: THANK YOU. COMMENTS, QUESTIONS, COUNCIL? OBVIOUSLY A LOT OF TIME AND EFFORT HAS BEEN PUT INTO THIS AND THERE'S BEEN SIGNIFICANT REVIEW THROUGHOUT THESE LAST FEW MONTHS. HEARING NO COMMENTS -- COUNCILMEMBER SLUSHER.

Slusher: YEAH, COUNCILMEMBER ALVAREZ, IN THE -- SOME OF THE WORDING ON THE -- UNDER THE BE IT RESOLVED, NUMBER 2-A, FOR INSTANCE IN 1, FOR PROJECTS THAT INCLUDE AT LEAST 7500 SQUARE FEET OF COMMERCIAL SPACE, THE GREATER OF ONE RESIDENTIAL UNIT AND 10% OF THE TOTAL UNITS MUST BE PROVIDED AT 65% M.F.I. I'M NOT FOLLOWING -- I MEAN DOES THAT MEAN OR -- SHOULD THAT SAY OR? I'M NOT FOLLOWING. WHAT THAT MEANS. STKPWHR-Z

Alvarez: I THINK THAT WAS PROBABLY THE LANGUAGE SUGGESTED BY OUR LEGAL DEPARTMENT. BASED ON OUR REQUEST THAT THERE BE A MINIMUM. THERE BE A MINIMUM NUMBER OF UNITS. AND SO I DON'T KNOW IF IT WORKS WITH OR. I DON'T HAVE A PREFERENCE, PER SE. AS LONG AS -- THE MAIN THING WE'RE TRYING TO DO IS IT SAID A MINIMUM NUMBER OF UNITS THAT WOULD BE REQUIRED IN ORDER TO QUALIFY.

Slusher: WOULD THAT MEAN YOU COULD GET BY WITH ONE, OR IS IT 10% OF THE TOTAL UNITS OR ONE -- I JUST DON'T GET THAT.

I SUGGEST WE REPLACE THE WORD "AND" WITH "OR." THAT'S WHAT'S INTENDED ONE OR 10%, WHICHEVER IS GREATER.

Slusher: I WOULD DO THE SAME THING IN NUMBER 2. THREE RESIDENTS UNITS SHOULD BE OR 10% OF THE TOTAL UNITS. THEN THE SAME THING IN 3.

YES. [ONE MOMENT, PLEASE, FOR CHANGE IN CAPTIONERS]

... IF 20% OF THE INCENTIVE, THE AMOUNT THAT IS BEING REBATED, YOU KNOW, GOES INTO THIS ASSISTANCE FUND. THEN THERE'S A LOT MORE INVESTED INTO THE FUND FOR THE LARGE PROJECTS AND FOR THE REALLY SMALL, YOU'LL HAVE MAYBE A FEW HUNDRED DOLLARS, A FEW THOUSAND DOLLARS, SO REALLY IT'S BECAUSE IT HELPS ADDRESS SOME OF THE RELATED ECONOMIC IMPACTS.

OKAY, SO YOU GET MORE MONEY.

A LITTLE MORE AGGRESSIVE.

YOU GET MORE MONEY FOR AFFORDABLE HOUSING.

HELPING EXISTING SMALL BUSINESSES, VERSUS JUST INCENTIVES FOR THE NEW DEVELOPMENT.

OKAY. ALL RIGHT. I GUESS THAT'S ALL MY QUESTIONS. DOES THIS THE STAFF HAVE ANY RECOMMENDATIONS OR COMMENTS? I GUESS NOT. THAT'S ALL I HAVE.

MAYOR WINN: WAS THIS...

WE HAVE PAUL HILL HILBERS WORKS ON THIS? WE'VE BEEN WORKING CLOSELY WITH THE COUNCILMEMBER AND THE COUNCIL'S OFFICE ON IT.

I'M PAUL HILGERS, A COUPLE OF THINGS JUST IN CONTEXT. I THINK IT'S VERY IMPORTANT TO CONTINUE TO FOCUS ON WHY THIS INITIATIVE IS BEING BROUGHT FORWARD, THE DISPARITY OF THIS PARTICULAR ZONE AND THE OPPORTUNITY TO COME UP WITH CREATIVE INCENTIVES, CREATIVE IDEAS TO TRY TO ADDRESS THE ISSUES OF AFFORDABILITY. THE OTHER ISSUE HERE IS OF COURSE THE ONES OF PRESSURES OF ECONOMIC DEVELOPMENT AND TRYING TO CAPTURE THE BENEFIT OF THAT ECONOMIC DEVELOPMENT TO BENEFIT CITIZENS THAT HAVE LIVED THERE FOR A LONG TIME. THE COMMUNITY DEVELOPMENT COMMISSION HAS HAD MORE THAN 8 PUBLIC HEARINGS AND TESTIMONY AND COUNCILMEMBER AND STAFF HAVE TRIED TO INCORPORATE THOSE IDEAS INTO PROPOSAL. WE ARE WORKING WITH SOME OTHER IDEAS FOR TAX ABATEMENTS FOR IMPROVING PARTICULARLY AS IT RELATES TO

HOMEOWNERS WHO WOULD IMPROVE THEIR PROPERTY, AND -- AND WE APPRECIATE THE OPPORTUNITY TO HAVE SOME TIME TO FINALIZE EXACTLY HOW WE COULD STRUCTURE THE INCENTIVES IN A WAY WE COULD ACHIEVE THE RESULTS BEING SOUGHT HERE, SO BY HAVING 90 DAYS TO EVALUATE AND INVESTIGATE THESE STRATEGIES ON AFFORDABLE HOUSING, PARTICULARLY, WE THINK WE COULD COME BACK AND HAVE RECOMMENDATIONS THAT MIGHT MAKE A SIGNIFICANT DIFFERENCE IN THIS AREA, WE HOPE, ANYWAYS.

SO YOU'RE SAYING TO -- NOT TO PASS THIS FOR 90 DAYS?

NO.

YOU'RE SAYING YOU NEED TO PASS IT AND THEN YOU NEED SOME TIME TO...

AS I UNDERSTAND THE ORDINANCE, IT'S REQUESTING US TO COME BACK FOR 90 DAYS, PARTICULARLY 5 THROUGH 8 ARE THE ONES I'M FOCUSED ON. BY HAVING THAT TIME TO FINALIZE THOSE RECOMMENDATIONS AND REPORT ON DISCUSSING THE FEASIBILITY AS IT'S DISCUSSED IN FIVE THROUGH EIGHT, WE CAN FINE-TUNE SOME OF THE INCENTIVES THAT WE'RE TALKING ABOUT.

OKAY. COUNCILMEMBER, WE'RE COMFORTABLE, WE'VE OO BEEN WORKING HAND IN GLOVE ON THE ITEM, IT'S A DIFFICULT ISSUE. THIS IS ONE OF THE FIRST ITEMS THAT WE'VE HAD TO GIVE US A CHANCE TO TRY TO ADDRESS THE SAME THING WE'VE ALL BEEN STRUGGLING WITH, IS A SMALL WAY TO TRY TO MAKE A DIFFERENCE ON THE GENTIFICATION IN SOME OF THE HARDEST HIT AREAS IN TOWN. TOWN.

Slusher: I WANT TO COMPLIMENT COUNCILMEMBER ALVAREZ AND COUNCILMEMBER THOMAS, BECAUSE THIS IS A DIFFICULT ISSUE, I MEAN EVERYBODY WANTS -- ALL HOMEOWNERS WOULD LIKE FOR THEIR PROPERTY VALUE TO GO UP AND YOU DON'T WANT TO TELL PEOPLE IN THE LOWER INCOME PARTS OF TOWN, WELL, YOUR PROPERTY VALUES CAN'T GO UP. THAT'S JUST NOT TENABLE, SO I THINK THE ONLY WAY TO DEAL WITH THIS PROBLEM IS TO PROVIDE

MORE AFFORDABLE HOUSING, AND AS THEY'RE TRYING TO DO HERE IS TRY TO FIND WAYS TO HELP SMALL BUSINESS. I THINK THIS IS A GOOD EFFORT TO DEAL WITH A REALLY DIFFICULT PROBLEM.

THANK YOU, COUNCILMEMBER, AND REALLY I THINK, YOU KNOW, I WANT TO THANK STAFF FOR THEIR HARD WORK ON THIS, BECAUSE, YOU KNOW, IT HAS REQUIRED A LOT OF ATTENTION AND A LOT OF REALLY ATTENTION TO VERY GREAT DETAIL, BUT I DO WANT TO ALSO SAY THAT PART OF HOW THIS CAME ABOUT IS BASED ON THE WORK THAT THE COUNCIL HAS DONE IN OTHER ARENAS, YOU KNOW, ON THE ENVIRONMENTAL SIDE, AS WE'VE APPROACHED, YOU KNOW, SORT OF HOW TO PROTECT DRINKING WATER OR EDWARDS AQUIFER, BARTON SPRINGS, WE'VE LOOKED, WE'VE KIND OF DEVELOPED A WAY TO TRY TO MITIGATE SOME OF THE ADVERSE IMPACTS ASSOCIATED WITH DEVELOPING OVER THE AQUIFER AND SO THAT REALLY IS WHAT LED TO WELL, WHAT IF IN THE PROCESS OF TRYING TO PROMOTE ECONOMIC REVITALIZATION IN EAST AUSTIN WE ALSO TRIED TO MITIGATE SOME OF THE UNINTENDED OR ASSOCIATED ECONOMIC IMPACT AND SO TO A CERTAIN DEGREE AGAIN IF THAT INFORMED THIS PROCESS AS MUCH AS ANYTHING ELSE AND IN ADDITION, YOU KNOW, BECAUSE AGAIN WE'RE INVESTIGATING THIS SORT OF ABATEMENT POSSIBILITY FOR RESIDENTIAL PROPERTIES THAT ALREADY EXIST, AND AGAIN THAT WAS SOMEWHAT INFORMED BY THE WORK THAT WAS DONE ON THE HISTORIC ORDINANCE, THE REWRITE OF THE HISTORIC ORDINANCE AND CREATION OF LOBE CALL HISTORIC DISTRICTS WHERE IN EXCHANGE FOR MAKING IMPROVEMENTS TO YOUR PROPERTY, YOU'RE ELIGIBLE FOR CERTAIN LEVEL OF ABATEMENT, AND SO, AGAIN, THE PUBLIC BENEFIT THERE BEING THE PRESERVATION OF HISTORIC STRUCTURES SO WE'RE TRYING TO TAKE KIND OF A SIMILAR APPROACH IN TERMS OF THE AFFORDABLE HOUSING NEEDS OF THIS PARTICULAR ZONE WHICH OBVIOUSLY WOULD BE THE PUBLIC BENEFIT, TRYING TO FIGURE OUT IF THAT CAN BE A WAY OR A STRATEGY THAT CAN ALSO BE USED TO HELP OFFSET SOME OF THE RELATED IMPACTS THAT WE SEE, BECAUSE OF THE NEW DEVELOPMENT THAT IS HAPPENING AND SO REALLY I WANT TO MAKE SURE EVERYONE I THINK, YOU KNOW, A LOT OF THE WORK THAT

HAS BEEN DONE BY A LOT OF FOLKS ON THE COUNCIL AND BY CITY MANAGEAL HAS HELPED TO CRAFT THIS PROPOSAL AND I WANT WANT TO REALLY THANK EVERYONE FOR THEIR SUPPORT IN CREATING THIS ONE TOOL THAT THE CPNR ZONE PROGRAM, BUT, YOU KNOW, IN ADDITION WE'RE TRYING TO PURSUE OTHER STRATEGIES BECAUSE, AGAIN, THERE ISN'T ONE SOLUTION TO ADDRESSING THIS -- THE ISSUES OR CONCERNS OF EAST AUSTIN JUST LIKE THERE ISN'T ONE SOLUTION FOR HOW PROTECT THE EDWARDS AQUIFER AND BARTON SPRINGS, SO THAT'S HOW WE CONTINUE THE PROCESS OF TRY AND IDENTIFY ADDITIONAL STRATEGIES TO HELP, AND THAT WAS THE THOUGHT BEHIND HAVING SOME OF THESE OTHER ISSUES AS PART OF THIS RESOLUTION TO SHOW THE COMMUNITY WHEN WE'RE STILL LOOKING, WE'RE TRYING TO FIGURE OUT WHAT CAN BE DONE TO ADDRESS THE CONCERNS WE'VE BEEN HEARING. THE PROGRAM IS ONE TOOL, ONE STRATEGY TO HELP, BUT WE'RE PURSUING MANY OTHER STRATEGIES AND I HOPE THAT IS SOMETHING THAT CAME ACROSS IN THE EXPLANATION OF THE ITEM THAT'S BEFORE US SO WITH THAT, THERE'S NO FURTHER QUESTIONS, THEN I MOVE APPROVAL OF THIS ITEM. MAYOR, ITEM 27 -- ITEM 43, I'M SORRY.

MOTION MADE BY COUNCILMEMBER ALVAREZ TO APPROVE NUMBER 43, SECONDED BY COUNCILMEMBER THOMAS, WITH THE CHANGES AS NOTED EARLIER. THANK YOU. FURTHER COMMENTS? MAYOR PRO TEM?

JUST BRIEFLY, DO APPRECIATE VERY MUCH THE TIME AND EFFORT AND THE COMMITMENT AND A DEDICATION TO THE GOAL THAT YOU ALL HAVE DONE. THANK YOU.

FURTHER COMMENTS? HEARING B NONE, ALL THOSE IN FAVOR PLEASE SAY AYE. OPPOSED IN RESOLUTION PASSES ON A VOTE OF 7-0. THANK YOU VERY MUCH. CONGRATULATIONS. COUNCIL, WE HAVE A NUMBER OF ITEMS TO TRY TO GET THROUGH IN EXECUTIVE SESSION, ALTHOUGH WE HAVE A COUPLE OF DISCUSSION ITEMS THAT ARE STILL PENDING OFF THE CONSENT AGENDA, WITHOUT EXCEPTION I WOULD RECOMMEND WE GO INTO CLOSED SESSION NOW TO TAKE UP SOME OF THOSE DISCUSSIONS. SO WE WILL NOW GO INTO EXECUTIVE SESSION PURSUANT

TO SECTION 551.071 OF THE OPEN MEETINGS ACT TO DISCUSS POTENTIALLY AGENDA ITEMS FIFTY RELATED TO PROPOSED LEGISLATION IN THIS LEGISLATIVE SESSION, 52, RELATED TO THE WINFIELD MUNICIPAL UTILITY DISTRICT. 53, RELATED TO A PURCHASE CONTRACT BETWEEN THE CITY OF AUSTIN AND THE AUSTIN MUSEUM OF ARTS. 54 RELATED TO A PROJECT COMMONLY KNOWN AS LANTANA. 55 RELATED TO PROPOSED AMENDMENTS CHAPTER 25-1 OF THE CITY CODE. 66, RELATED TO POTENTIAL AMENDMENT TO THE CONSENT AGREEMENT, BOTH NORTHWEST AUSTIN MUNICIPAL UTILITY DISTRICT NUMBER ONE OR CANYON CREEK AND ZONING CASES Z-23 AND Z-24 KNOWN AS GABLES AS WEST LAKE. SO WE'RE NOW IN CLOSED SESSION.

MOVING FORWARD NOW. WE'RE GOING TO -- THERE GO. MAYOR WINN, COUNCILMEMBERS, CITY MANAGERS, MY NAME IS SARAH STRANDTMAN. PRESERVING THIS PARK LAND REQUIRING YOUR LEADERSHIP, GOOD JUDGMENT AND INITIATIVE NOW. THE GALINDO NEIGHBORHOOD ASSOCIATION AND ADDITIONAL FRIENDS OF SOUTH AUSTIN PARK SUCH AS THE AUSTIN NEIGHBORHOOD COUNCIL, THE SOUTH CENTRAL COALITION, AUSTIN SIERRA CLUB, OPPOSE EXPANSION OF THE TENNIS CENTER. WE RECOGNIZE THE CITY'S RELUCTANCE TO CORRECT THIS PROJECT BECAUSE IT DERIVED FROM THE 1998 BOND ELECTION, HOWEVER, WE ASK YOU TO RECOGNIZE THAT THE SATC EXPANSION WAS NOT SPECIFIED IN PROPOSITION 2'S BALLOT LANGUAGE, YOU'RE NOT LEGALLY BOUND TO BUILD THESE COURTS. FURTHER, THE PROJECT WAS DESCRIBED TO THE NEIGHBORHOOD IN MARCH OF 1998 AS A RENOVATION ONLY. THE CITIZENS BOND ADVISORY COMMITTEE RECOMMENDED THAT PROJECT EXECUTION, QUOTE, BE CONSISTENTLY AND ROUTINELY OPEN TO PUBLIC PARTICIPATION, UNQUOTE. HAD THIS BEEN FOLLOWED, THE SIGNIFICANT PROBLEMS WITH EXPANDING SATC WOULD HAVE COME TO LIGHT MUCH EARLIER. FOR BEYOND ISSUES OF PUBLIC PARTICIPATION AN TRANSPARENCY, THE MOST COMPELLING REASONS FOR THE COUNCIL TO INTERVENE NOW AND CANCEL THE EXPANSION ARE THESE: THE SIGNIFICANT LOSS OF CENTRAL CITY MULTIUSE PARK LAND TO A SINGLE USE FACILITY THAT REQUIRES MASSIV IMPERVIOUS COVER T NEGATIVE ENVIRONMENTAL IMPACT OF ADDING OVER 86,000 SQUARE

FEET OF IMPERVIOUS COVER AND DESTROYING OVER 200 TREES. THE DRASTIC DRAINAGE CONSTRUCTION REQUIRED TO MITIGATE PAVING 80% OF A 12-ACRE LOT, THE INFLUX OF TRAFFIC INTO OVERBURDENED NEIGHBORHOOD STREETS. THE SIZE AND CHARACTERISTICS OF METROPOLITAN SCALE TENNIS TOURNAMENT FACILITY ARE FUNDAMENTALLY INCOMPATIBLE WITH THE SMALL NEIGHBORHOOD PARK WHOSE PERIMETER IS SURROUNDED BY HOMES AND WHOSE ONLY ACCESS IS VIA NARROW RESIDENTIAL STREETS. ON MARCH, THE CITY OF AUSTIN'S ENVIRONMENTAL BOARD AGREED WITH THESE CONCERNS AND VOTED 7-0 TO RECOMMEND THAT CITY COUNCIL NOT PROCEED WITH THE SATC EXPANSION. COUNCILMEMBERS AND CITY MANAGER, MAYOR WINN, TRANSFORM THIS SITUATION INTO A WIN-WIN FOR PARK USERS AND FOR TENNIS PROPONENTS, PRESERVE SOUTH AUSTIN PARK. DON'T ADD COURTS THERE. DEVELOP AN ALTERNATIVE SITE THAT HAS THE ACREAGE AND ACCESSIBILITY NEEDED FOR A METROPOLITAN TENNIS CENTER. THANK YOU.

THANK YOU, SARAH, STEVE COURSEN, WELCOME, YOU VEAL THREE MINUTES, FOLLOWED BY PATTI SPRINKLE.

MY NAME IS STEPHEN COURSEN, A HOMEOWNER ON FIELD CREST DRIVE AND A THE TEN YEAR RESIDENT OF THE NEIGHBORHOOD OF SOUTH AUSTIN. I'M HERE TODAY TO DISCUSS THE FATE AND THE FUTURE OF OUR PARK. WE'RE LOOKING AT A QUESTION OF A SINGLE-USE FACILITY, VERSUS A COMMUNITY -- MULTIPURPOSE COMMUNITY GREEN SPACE. THIS IS A HEAVILY USED PARK AND IT'S VERY IMPORTANT TO THE PEOPLE OF MY NEIGHBORHOOD. MY FATHER WAS A PIONEER IN THE FIELD OF PUBLIC OPINION. HE WAS ONE OF GEORGE GALLOP'S FIRST EMPLOYEES IN THE LATE 40s, THAT IS VERY IMPORTANT TO ME. I WOULD LIKE TO ADDRESS SOME OF THE ISSUES THAT WERE RAISED IN THE -- RECENTLY, THE CAPITAL AREA TENNIS ASSOCIATION AN SEVERAL OTHER ADVOCACY GROUPS HAVE BEEN WORKING VERY HARD TO MAKE THIS HAPPEN AND I UNDERSTAND THAT THIS IS AN EFFORT THAT THEY'VE BEEN ADVOCATING FOR MANY YEARS. THEY HAVE A -- WITH THE SEEMING MY IN PARTNERSHIP WITH PARKS AND RECREATION WHO POSTPONED THE VERY IMPORTANTING ZONING AND PLATTING COMMISSION MEETING UNTIL AFTER

THE ELECTION ON MAY 17th, THEY HAVE HAD A -- I REALIZE THEY'VE HAD A VERY CHOREOGRAPHED CAMPAIGN TO INFLUENCE THIS AND I KNOW THAT MANY OF YOU HAVE RECEIVED MANY, MANY E-MAILS ON BOTH SIDES OF THIS ISSUE. I JUST WANT TO TAKE A QUICK LOOK AT THOSE NUMBERS THAT I STUDIED, THERE WERE 636 ENTRIES AS OF LAST SATURDAY. ABOUT 61% ARE CITY ZIP CODES, ABOUT 39% ARE OUTER SUBURBS AND OTHER AREAS LIKE ROUND ROCK AND LAKEWAY. IT APPEARED TO ME IN STUDYING THE NUMBERS THAT THERE WAS SORT OF A CRESCENT OF MANY, MANY OF THE PEOPLE WHO HAD SENT IN ENTRIES FROM NORTH AUSTIN, NORTHWEST AUSTIN, LAKEWAY AREA, AND SOUTHWEST AUSTIN. OF THE 636 THERE WAS ONE IN OUR NEIGHBORHOOD, THE GALINDO NEIGHBORHOOD. WE ALSO HAVE OUR OWN PETITION, WHICH IS HANDWRITTEN SIGNATURES WITH HUNDREDS OF SIGNATURES FROM 78704 IN SOUTH AUSTIN IN OPPOSITION TO THIS PLAN. I HAVE SOME -- BEEN SHOWING SOME PICTURES TODAY OF ACTIVITIES THAT TOOK PLACE LAST WEEKEND IN THE PARK WHERE NEIGHBORHOOD CHILDREN AND RESIDENTS WERE INVOLVED IN PRE-CLEANUPS AND SO ON. I WANTED TO JUST READ ONE OR TWO OF THE STATEMENTS FROM -- FROM THE ONLINE PETITION JUST TO GET A PERSPECTIVE ON THIS. MANY OF THE PEOPLE SEEM TO FEEL THAT OUR NEIGHBORHOOD IS A VERY CRIME-RIDDEN AREA, THAT ONE OF THE WRITERS SAID THE NEIGHBORHOOD'S COMPLAINTS RANGED FROM OUTRIGHT FALSEHOOD TO EXTREME POSITIONS THAT DID NOT MERIT RESPECT. OF COURSE I ALSO REMEMBER THE PRIMARY USE OF THE PARK AND OTHER RIDER RIGHTS. ADJOINING THE TENNIS CENTER AT NIGHT, AND MY TIME IS RUNNING OUT, I -- MOST IMPORTANT THING I WOULD LIKE TO GET ACROSS TODAY IS TO ASK THE COUNCIL TO TAKE A LEADERSHIP ROLE IN COMING TO A CONCLUSION ABOUT THIS. THIS IS A LOSE-LOSE SITUATION, EVERYBODY LOSES WITH PUTTING THE FACILITY IN THIS AREA. THE NEIGHBORHOOD LOSES A VERY IMPORTANT GREEN SPACE AND THE TENNIS PEOPLE DO NOT GET THE CENTER THEY DESERVE AND HAVE BEEN WORKING FOR FOR MANY YEAR, IT'S A SMALL NEIGHBORHOOD PARK IN THE INTERIOR OF OUR NEIGHBORHOOD THAT IS ACCESSED BY RESIDENTIAL STREETS AND THE SITE CANNOT ACCOMMODATE THIS PLAN. AND I URGE YOU TO URGE -- TO



PROMPT THE PARKS AND RECREATION TO SEEK AN ALTERNATIVE SITE. THANK YOU VERY MUCH FOR YOUR TIME TODAY.

THANK YOU, MR. COURSEN, PATTI SPRINKLE, YOU HAVE 3 MINUTES, YOU WILL BE FOLLOWED BY JIMMY CASTRO.

I'M PATTI SPRINKLE, AND THANK YOU VERY MUCH FOR ALLOWING US TO BE HERE TODAY. I'M HERE TO ASK YOU TO RECONSIDERED ASKING ADDITIONAL TENNIS COURTS TO THE SOUTH AUSTIN TENNIS CENTER, WE FEEL IT WAS DESTROY A VITAL COMMUNITY ASSET WHICH IS THE SOUTH AUSTIN PARK. I WANTED TO GO OVER A LITTLE BIT OF HISTORY TODAY, THE REC CENTER WHICH WAS BUILT IN 1973, YOU SEE HERE THIS IS THE ORIGINAL PERMIT, IT SHOWS THAT THE REC CENTER WAS APPROXIMATELY 12 ACRES. IN 1978 THE CITY WENT AHEAD AND BOUGHT DIRECT -- THE LAND ADJACENT TO THE REC CENTER FROM THE JAMES BOLDEN ESTATE WITH AN EMERGENCY FUNDING WHICH WAS APPROPRIATED FROM A GREEN BELT ACQUISITION FUND. THE CURRENT TENANT FACILITY WAS BUILT, A PRO SHOP, PARKING LOT WAS ALSO BUILT ON THIS NEWLY ACQUIRED LAND. IN 1986 THE CITY REQUESTED A ZONING CHANGE -- YEAH, A ZONING CHANGE, HERE IT IS, IT'S AN APPLICATION THAT WAS PUT FORTH BY STEWART STRONG FROM THE PARKS DEPARTMENT. CITY HAD MANY MEETINGS WITH THE NEIGHBORHOOD AT THIS TIME AN SOLICITED A LOT OF COMMENTS FROM THE HOMEOWNERS IN THE AREA. I WENT THROUGH AND PULLED A LOT OF THE FILES FROM STORAGE AND READ SOME OF THE LETTERS AND MOST OF THEM WERE CONCERNED AT THE TIME WITH THE CONDITION OF THE PARK WHICH WAS UNKEPT AND OVERGROWN. SEVERAL OF THE HOMEOWNERS RECALLED THAT AFTER THE ZONING TOOK PLACE, THEY WERE ALL VERY RELIEVED BECAUSE NOW THE PARK WOULD BE ZONED PUBLICLY AND WOULD NOW BE A PARK, THERE WOULDN'T BE ANY FUTURE DISCUSSION ABOUT THIS. THE APPLICATION WAS SUBMITTED BY STEWART STRONG WHICH YOU SEE HERE AND IT SEEMS TO BOLSTER THIS BELIEF, IT CLEARLY STATES THAT THE ZONING CHANGE IS TO COMPLY WITH ZONING REGULATIONS AND IN PARENTHESES, IT'S HANDWRITTEN, FOR A PARK. THE APPLICATION AGAIN, IT'S SIGNED BY STEWART STRONG. SO THIS IS WHAT THE NEIGHBORHOOD

BELIEVED. THIS IS WHAT THE APPLICATION SAYS. THIS IS A PARK. IN 1998, THE VOTERS OF AUSTIN VOTED ON PROPOSITION 2 IN OUR NEIGHBORHOOD. MEETINGS DID TAKE PLACE IN THE LATE AND EARLY SPRING. THE NEIGHBORHOOD WAS NOT TOLD THE DATE THAT 8 COURTS WOULD BE ADDED TO THE CENTER. IT GETS CONFUSING AT THIS POINT. IT APPEARS WOMEN'S TENNIS LEAGUES WERE VERY VOCAL, STARTED LOBBYING HARD, WROTE A LOT OF LETTERS AND GET ADDITIONAL COURTS ADDED INTO THIS PROPOSITION. AGAIN, THE NEIGHBORHOOD WAS NOT TOLD OF THIS. WHEN OUR NEIGHBORHOOD VOTED FOR THIS PROPOSITION, ABOUT 250 OF THIS, I WAS ONE OF THEM, WE DID VOTE FOR THIS TOO. WE DIDN'T KNOW WE WERE VOTING TO DESTROY OUR PARK. SO HERE WE ARE TODAY, THE CITY PARKS DEPARTMENT HAS A PLAN TO ADD 8 MORE COURTS TO THE CENTER ALONG WITH ADDITIONAL PARKING AND EXTENSIVE DRAINAGE STRUCTURES WHICH BASICALLY USURP A LOT OF THE LAND FOR DRAINAGE DITCHES AND PART OF THE SOCCER FIELD. I FIRST BECAME AWARE OF THIS PROJECT WHEN I NOTICED THE TREES WERE BEING TAGGED AND SOON THE NEIGHBORHOOD WAS NOTIFIED BY THE PARKS DEPARTMENT AND THEY CAME AND GAVE US THEIR PLAN. OKAY? IN ANY EVENT, I WANTED TO SAY THIS IS A BAD PLAN, THE TENNIS FOLKS DON'T WIN, WE DON'T WIN BY THIS, THE TRAFFIC ANALYSIS DONE BY THIS CITY ITSELF SAID STREETS IN OUR NEIGHBORHOOD CANNOT TAKE ANYMORE TRAFFIC FOR THIS CENTER. THE ENVIRONMENTAL BOARD SAID THIS ISN'T A GOOD SITE. I REALLY THINK THAT THE CITY COUNCIL NEEDS TO TAKE THE INITIATIVE HERE AND DIRECT CITY MANAGER AND COUNCIL TO START LOOKING FOR A SITE FOR THIS TENNIS CENTER, THANK YOU.

THANK YOU, PATTY. WELCOME, JIMMY, YOU'LL HAVE 3 MINUTES, YOU'LL BE FOLLOWED BY CATHERINE KAWAZOE.

I DO HAVE SOME SLIDES TO SHOW YOU THIS AFTERNOON, I'M HERE TO SPEAK ON MY OWN BEHALF, I'VE ALSO SERVED AS A VOLUNTEER WITH THE AUSTIN GREATER CHAMBER OF COMMERCE. I WOULD LIKE TO REMIND EVERYONE TO TAKE THE TIME TO VOTE IN A VERY IMPORTANT ELECTION, THE AUSTIN COMMUNITY COLLEGE ANNEXATION ELECTION, SATURDAY, MAY 7th. EARLY VOTING

IS FROM APRIL 20th THROUGH MAY 3. THE CITY OF AUSTIN INCLUDES PARTS OF THREE SCHOOL DISTRICTS THAT ARE NOT IN A CC'S TAXING DISTRICT. ENG, PFLUGERVILLE AND ROUND ROCK. ALL REGISTERED VOTERS IN THE ACC TAXING DISTRICT AND THE AREAS TO BE AND NEXT RESIDENCE DISTRICT ELIGIBLE TO VOTE. ANNEXATION REQUIRES A MAJORITY VOLT OF ALL QUALIFIED VOTERS IN THE PROPOSED TAXING DISTRICT. LOWERING THE TUITION RATE FOR AREAS TO BE ANNEXED WILL HELP IMPROVE ACCESS TO HIGHER EDUCATION FOR THOUSANDS. ACC'S FUTURE GROWTH AND CONTINUES SUCCESS DEPENDS ON INCREASING ITS TAX BASE. ACC'S INDUSTRY TUITION IS LESS THAN HALF THE OUT OF DISTRICT RATE. AT ACC CURRENTLY, IN DISTRICT STUDENTS PAY \$39 PER CREDIT HOUR COMPARED WITH \$97 PER HOUR FROM A STUDENT FROM OUTSIDE THE DISTRICT. FOR EXAMPLE, AN IN DISTRICT STUDENT WOULD PAY \$159 FOR A TYPICAL 3 CREDIT HOUR COURSE WITH NO LAB FEES, COMPARED WITH \$333 AN OUT OF DISTRICT WOULD PAY FOR THE SAME COURSE, A DIFFERENCE OF \$174. IN EXCHANGE FOR HELPING SUPPORT ACC, THOSE TAXPAYERS WILL BE ELIGIBLE TO PAY IN-DISTRICT TUITION RATES. THE ANNEXATION WOULD INCREASE NET REVENUE TO THE ACC DISTRICT BY \$6 MILLION ANNUALLY. SPECIFICALLY, ACC WOULD USE ADDITIONAL TAX REVENUE TO MAINTAIN A REASONABLE BALANCE BETWEEN TUITION, FEES, AND TAXES. FINALLY, LET'S DO THE RIGHT THING BYPASSING THE AUSTIN COMMUNITY COLLEGE ANNEXATION PROPOSITION FOR AUSTIN'S FUTURE SO EVERY YOUNG ADULT AND ADULT CAN READ, LEARN AND DREAM, BECAUSE THE CITY WITH DREAMS IS A CITY WITH A FUTURE. THANK YOU, MAYOR WINN.

THANK YOU, MR. CASTRO. CATHERINE, WELCOME, YOU WILL HAVE THREE MINUTES AND BE FOLLOWED BY MARNIE REEDER.

I'M CATHERINE KAWAZOE, I'M HERE TO DISCUSS THE INAPPROPRIATENESS FOR THE TENNIS COURTS, AS YOU ALREADY KNOW. THE SITUATION WE FIND OURSELVES IN HIGHLIGHTS AN APPARENTLY SYSTEMATIC PROBLEM WITHIN TENNIS PLANNING FOR FACILITIES. THESE ARE ALL QUOTES FROM CITY POLICY, BY THE WAY, ACKNOWLEDGING THE

INCREASING DIFFICULTY IN DOING SO AND FEW OPPORTUNITIES EXIST FOR PASSIVE, SOCIAL OR CULTURAL RECREATION INCLUDING SITTING, OBSERVING, READING, MEETING WITH NEIGHBORS, END QUOTE, ALL OF THESE THINGS WHAT ARE OUR NEIGHBORHOOD PARKS ARE FOR, THE CURRENT TENNIS COURTS ARE THERE BECAUSE SOMEONE MADE THE DECISION TO IGNORE THE RECOMMENDATION BACK IN 1980, TO QUOTE, REEVALUATE PLANS FOR TENNIS IN LIGHT OF OTHER RECREATION IN THIS AREA." QUOTE. PLEASE DON'T CONTINUE THIS TREND. WE NEED TO CORRECT IT. PARKS SHOULDN'T BE ELEVATING CREATION OF TENNIS COURT, BOTH INDIRECT COSTS AN IN RELATIVE COSTS PER USER OVER CITY POLICY TO COORDINATE PARK WITH NEIGHBORHOODS, [INDISCERNIBLE] THIS IS NOT THE ONLY TIME THE PARK HAS SUGGESTED THAT FEMALE SUFFER AT THE EXPENSE OF CREATING A SITE [INDISCERNIBLE] THE FIRST TIME THAT WE KNOW OF WAS AT METROPOLITAN PARK AT WALNUT CREEK, THIS IS A DISTRICT-SIZED PARK AND THAT WAS TURNED DOWN BASED ON ENVIRONMENTAL REASONS, RECENTLY AT PATTERSON PARK AND CHERRY WOOD NEIGHBORHOOD FOR THE FIRE EXPANSION. THEY PROPOSED DESTROYING THE PARK CLUB HOUSE FOR MORE TENNIS COURTS AS WELL. THE RESIDENTS OPPOSED IT. MONTHS PASSED BY AFTER THEY FIRST HEARD ABOUT IT AND THE RESIDENTS GOT VERY WORRIED, THEY WROTE AND INVITED PARK TO COME BACK AND EXPLAIN THIS PLAN. THEY FINALLY RESPONDED AND CAT TOE PRESENTED A PLAN TO AN IRATE NEIGHBORHOOD CROWD IN '03. THIS EXPLAINED TO US OUR PLAIN CLOTHES COPS LAST SUMMER WHEN PARKS PRESENTED THE PLAN TO NEIGHBORHOODS. [INDISCERNIBLE] PARK ACKNOWLEDGED THE NEIGHBORHOOD COMMUNITY WISHES OF THE PATTERSON PARK AREA AND THEY WROTE A LETTER SAYING THEY WOULD RESPECT THE PUBLIC LAND. THE PARK EXPANSION WAS INCLUDED IN THE BOND ELECTION WHICH WAS PASSED BY VOTERS YET NO ONE FROM THIS AREA KNEW AND VERY FEW PEOPLE STILL KNOW THAT IT WAS INCLUDED. SO WE HAVE THE SAME SITUATION WHERE AN ITEM WAS INCLUDED IN A BOND ELECTION, RECOMMENDED PROJECTS, YET RESIDENTS KNEW NOTHING ABOUT THE PROJECT. TO CONCLUDE I'LL SAY THIS SITUATION IS AN EMERGENCY

SITUATION AND WE WOULD LIKE FOR YOU TO PASS A RESOLUTION THAT DIRECTS THE CITY MANAGER TO PURSUE A PLAN FOR A REGAL TENNIS CENTER AT AN APPROPRIATE SITE THAT INCORPORATES ALTERNATIVE FUNNING STREAMS RECOMMENDED BY CITY POLICY AND PARK POL SIVMENT PLEASE DO SOMETHING ABOUT THIS. THANK YOU.

THANK YOU. M ARNIE REEDER, YOU'LL HAVE THREE MINUTES AND FOLLOWED BY JOANNE NETO.

I'M HERE TO SPEAK ABOUT ANIMALS BEING ADOPTED IN RETURN TO TOWN LAKE ANIMAL CENTER, FIRST I WOULD LIKE TO SAY I STOOD HERE ABOUT 7 MONTHS AGO WITH SOME OTHER PEOPLE AND SPOKE ABOUT AUSTIN'S DISMAL RECORD ON INVESTIGATING AND PROSECUTING CRUELTY, ANIMAL CRUELTYINGS THERE'S APPARENTLY A CITY TASK FORCE ON ANIMAL CRUELTY ISSUES THERE SEEMS TO BE NO IMPROVEMENT ON THE DAY-TO-DAY STREAM OF ANIMALS NEEDING SAFETY COMING INTO TOWN LAKE ANIMAL CENTER. THE NEXT SPEAKER WILL BE ADDRESSING THOSE ISSUES. I WANT TO TELL YOU ABOUT A WEBSITE TITLED BROKEN PROMISES, BROKEN LIVES THAT DOCUMENTS ANIMALS ADOPTED FROM TOWN LAKE AND SUBSEQUENTLY RETURNED. IT HAS THEIR PHOTOS, THEIR STORIES, IDENTIFICATION NUMBERS. IT'S A DEVASTATING PICTURE OF HOW THE ADOPTION PROGRAM IS BROKEN. IT IS MOSTLY DOG, THE NUMBERS WOULD BE MUCH HIGHER IF CATS, BUT PEOPLE DON'T RETURN CATS, THEY TEN TO JUST PUT THEM OUT THE DOOR, UNFORTUNATELY. TOO OFTEN RETURNED ANIMALS ARE KILLED. THANKS, ALSO, THAT'S ALSO INCREDIBLE WASTE OF THE TIME AND FUNDS SPENT ON THE SURGERY, VACCINATION, EVALUATION, AND EMOTIONAL DRAIN ON THE STAFF. THE ONLY STANDARD LEFT IN THE PROGRAM IS THE ADOPTION FEE. HE EVEN LETS THAT DOWN WHEN THEY HAVE THEIR \$20 KITTEN SALE IN JUNE. THAT COMPLETELY DEVALUES CATS. MANY RETURN ANIMALS COME BACK INTACT, WHICH IS PRETTY SHOCKING, ESPECIALLY TRUE OF THE \$20 KITTENS. IN THE PAST 18 MONTHS THERE'S BEEN A LOT OF MEETINGS, CONTROVERSY OVER ATTEMPTS TO CONTROL RESCUE GROUPS AND THEIR BUSINESS. IT'S BEEN A LOT OF WASTED TIME, EFFORT, AND TAXPAYER'S MONEY. RESCUE GROUPS RIO GRANDE (R) BEING ASKED TO JUMP THROUGH HOOPS BY AN

ORGANIZATION THAT HAS A SORRY RECORD ON ADOPTION, IF A RESCUE GROUP HAD THIS PERFORMANCE IT WOULD BE OUT OF BUSINESS AND WOULDN'T BE RESPECTED AS A RESCUE GROUP. NATIONAL ORGANIZATIONS ARE EVEN SENDING -- TRYING TO HELP OUR CRUELTY SITUATION BY SENDING MONEY TO AUSTIN FOR REWARDS FOR LOCAL CRUELTY INFORMATION. SO IS THIS BROKEN PROMISES WEBSITE UNFORTUNATELY. SUPPOSED TO BE SETTING EXAMPLES FOR THE ANIMAL COMMUNITY, INSTEAD IT'S SAYING THAT ANIMALS ARE DISPOSABLE, IT'S PART OF THE PROBLEM, NOT THE SOLUTION, WHICH IS CERTAINLY NOT THE CITY'S INTENTION. THE ADOPTION PROGRAM NEEDS AN AUDIT AND PROFESSIONAL GUIDANCE AND NOT ANOTHER CITY TASK FORCE WHICH HAS BEEN DONE, BY THE WAY, A COUPLE OF YEARS AGO AND BROUGHT NO CHANGE. AUSTIN IS FAILING THE ANIMALS IN THE CARE. THIS DOES NOT FIT INTO THE NO KILL MISSION. THANK YOU, AND I WILL SEND THE WEBSITE TO YOU.

THANK YOU, MS. REEDER. JOANNE NETO. WE COME, JOANNE, YOU'LL HAVE THREE MINUTE, AND YOU'LL BE FOLLOWED BY BOB SWAFFAR.

I HAVE STATISTICS HERE FROM THE POLICE DEPARTMENT, WE'VE BEEN ASKING FOR THEM FOR THREE YEAR, THE POLICE DEPARTMENT TOOK OVER CRUELTY INVESTIGATIONS IN 2002, SO IN 2003 AND FOUR, THAT'S WHAT THEY'VE BEEN DOING, EVERY TIME WE HAVE AN ANIMAL ADVISORY COMMITTEE MEETING WE ASKED DETECTIVE LAMB A FEW TIMES HE'S COME, WHAT THE STATISTICS ARE, HE SAYS HE CAN'T REMEMBER, HE DOESN'T KNOW THEM. HERE THEY ARE. IN THREE YEARS THERE HAVE BEEN ZERO INVESTIGATION, NOT -- NOT, YOU KNOW, FINDING THEM GUILTY AND SENDING THEM TO JAIL, WITH THE EXCEPTION OF ONE CAT CASE THAT REALLY WASN'T DONE BY DETECTIVE LAMB, AN OLD MAN TOOK IN STRAY, GOT IN OVER HIS HEAD, ZERO INVESTIGATIONS INTO CAT CRUELTY, YOU'VE HEARD MISSY MCCULLOUGH TALKING ABOUT CATS BEING THROWN OUT OF THE WINDOWS OF CARS, ANIMAL ADVISORY COMMITTEE MEMBERS HAVE CALLED THE POLICE AND REPORTED HAVING SEEN CATS THROWN OUT OF WINDOWS OF CARS THEMSELVES AND THE STATISTICS ARE HERE FROM THE POLICE DEPARTMENT,

ZERO INVESTIGATION. ON THE -- THAT'S FOR CATS, FOR DOGS WE'VE GOT 47 IN THREE YEARS. THERE HAVE BEEN 23 MISDEMEANOR INVESTIGATIONS AND NINE FELONY INVESTIGATIONS IN THREE YEARS, AND DEBLIGHT AND DETECTIVE LAMB SAYS HE'S TOO BUSY. THE ANIMALS ADOPTED OUT, SPAYED, UNNEUTERED, WITH THEIR EARS CUT OFF, THEY CAN'T INVESTIGATE THE PIT BULL RINGS THAT ARE ALL OVER AUSTIN BECAUSE THEY'RE TOO BUSY. I'M STUPEFIED AS TO WHAT IS GOING ON WITH DETECTIVE LAMB AND I UNDERSTAND THEY'RE TRYING TO CHANGE THINGS AND THAT IS GREAT, TODAY I WENT TO THE CITY OF AUSTIN, YOUR WEBSITE, AND I WENT DO THE DROP DOWN MENU, LOST ANIMAL, ADOPTION OF ANIMAL, NOTHING ABOUT CRUELTY, SO I HAVE COLLECTED OVER A THOUSAND LETTERS AND I BROUGHT A COUPLE HUNDRED TO YOU ABOUT 6 MONTHS AGO FROM PEOPLE SAYING WE WANT A AMAL COPS HERE IN AUSTIN AND I SAY PUT IT ON A BALLOT, BECAUSE CHILD ABUSE, ANIMAL ABUSE, ELDER ABUSE, ARE THE SAME THING, AND I HAVE NATIONAL STUDIES THE NUMBER ONE THING IT SAYS FOR ALL SHELTERS, NO ANIMALS SHOULD BE ADOPTED TO AN APPLICANT WITH A KNOWN HISTORY OF CHILD ABUSE, THE F.B.I. AGREES TO THAT, THEY WENT TO THE HOUSE BILL AN STOOD UP, THE F.B.I., THE RELATION WITH CHILDREN AND EARLERS AND SPOUSAL ABUSE AND OF COURSE SERIAL KILLERS THAT THAT IS A SERIOUS CONNECTION AND I DON'T SEE THE ISSUE BEING TAKEN SERIOUSLY, I'M BESIDE MYSELF AT THESE STATISTICS AND I WANT TO SEE SOMETHING DONE. WE DIDN'T SHOW UP AT THE FREE TRAINING FOR ANIMAL INVESTIGATORS AND CRUELTY, AUSTIN POLICE DEPARTMENT DOESN'T SHOW UP AT ANY OF THE FREE TRAININGS, SO I REALLY AM CONCERNED. THANK YOU.

THANK YOU, MS. NETO. CITY MANAGER?

I WOULD LIKE TO AT LEAST GET BOTH THE PUBLIC AND THE COUNCIL A BRIEFING ON, JUST QUICKLY, RUDY, IF YOU WOULD, HELP US WITH WHAT WE'RE DOING ON THIS INITIATIVE, WHAT WE'RE PLANNING IN RESOURCE, WHAT WE ARE DOING IN TRAINING, THE DIFFERENT INITIATIVES AROUND THE COUNTRY THAT WE'RE TAKING A LOOK AT IN THE AREA OF ANIMAL CRUELTY.

I'M GOING TO TURN IT OVER TO MR. CONNORS SO HE CAN DISCUSS WHAT WE'RE DOING IN THE AREA OF ANIMAL CRUELTY.

I'M COMMANDER CORNER WITH THE AUSTIN POLICE DEPARTMENT AN FIRST I WANT TO SAY THAT DETECTIVE LAMB IS OVERWHELMED AND HE HAS DONE QUITE A FEW MORE THAN JUST 40 SOME ODD INVESTIGATIONS IN THE LAST COUPLE OF YEARS. IT'S THE DEFINITION OF INVESTIGATION I THINK THAT NEEDS TO BE CLARIFIED BECAUSE ONLY WHEN ONE HAS GONE THROUGH PROBATION DOES HE CALL IT AN INVESTIGATION, QUITE OFTEN HE DOES OTHER WORK WHERE HE DOESN'T HAVE TO DO A COMPLETE INVESTIGATION BECAUSE THE FINDINGS WERE THAT THERE WAS NO WRONGDOING. WE'RE LOOKING AT EXPANDING OUR PROGRAM HERE IN AUSTIN WHERE RIGHT NOW WE HAVE JUST ONE DETECTIVE WORKING ON CRUELTY ISSUES. WHAT WE WOULD LIKE TO DO IS HAVE TWO DECKS AND TWO CIVILIAN INVESTIGATORS ALONG WITH THEM SO THEY CAN FEED THE INFORMATION TO THE DETECTIVES TO FOLLOW-UP ON CRIMINAL CHARGES, WE WERE LOOKING AT A -- A PROGRAM IN SAN FRANCISCO THAT IS SUPPOSED TO BE ONE OF THE BEST IN THE NATION. WE WOULD LIKE TO TAKE A FEW PEOPLE UP THERE TO TAKE A LOOK AT THE PROGRAM AS WELL, THEY HAVE -- I BELIEVE THEY HAVE TEN INVESTIGATORS ON THE STREET AND TWO DETECTIVES IN THE POLICE DEPARTMENT THAT WORK ON THE CASES ALONG WITH THREE OTHER COMMISSIONS WITHIN THE CITY AND THEY ALSO HAVE ANIMAL COURT AS WELL WHERE THEY HAVE -- ON THURSDAYS THEY HAVE A COURT SYSTEM FOR ANIMAL CRUELTY ISSUES, AND THE PROPOSAL IS PRETTY MUCH COMPLETE ON OUR PART. WE HAVE TO BRING THAT TO THE CITY COUNCIL MEMBERS AND SEE WHERE WE'RE GOING TO GO FROM THERE.

I WOULD LIKE TO ADD, ALSO, MAYOR AND COUNCIL, OBVIOUSLY ON A DAILY BASIS, DETECTIVE LAMB IS NONSTOP WORKING ON THESE ISSUES, WORKING WITH OUR HUD DEPARTMENT, IN ADDITION TO COMMANDER CONNORS'S STATEMENTS, WE ARE ALSO EXPANDING OUR EDUCATION OF OUR EMPLOYEES, OUR FIELD EMPLOYEES, OUR OFFICER, SO WE HAVE MORE EYES AND EARS OUT THERE TO ADDRESS THIS ISSUE RATHER THAN TRYING TO PUT IT ON A



VERY SMALL OF GROUP OF PEOPLE, SO WE ARE VERY ACTIVELY ADDRESSING THESE ISSUES.

I DO WANT TO AGREE. I THINK WE'RE IN THE INFANCY OF DOING WHAT WE NEED TO IMPROVE THIS INITIATIVE, BUT THERE'S A LOT OF EFFORT GOING BY ON THE TWO GENTLEMEN YOU SEE IN FRONT OF YOU IN THE CITY AS A HOLE,WHOLE, WE'VE TALKED ABOUT, AS RUDY HAS TOLD YOU, TRAINING FOR ALL OF OUR FIELD EMPLOYEES SO OUR INSPECTORS THAT ARE IN THE FIELD WILL ALSO HOPEFULLY DOWN THE ROAD WE'LL BE ABLE TO GIVE THEM CROSS TRAINING SO THEY CAN LOOK FOR AND REPORT ON ANIMAL CRUELTY, SO THERE CAN BE SOME SYNERGY FOR A LARGER NUMBER OF PEOPLE, EYES AND EARS IN THE FIELD, WE TALKED ABOUT ADDITIONAL TRAINING EVEN IN THE CADET CLASSES FOR ALL OF OUR POLICE OFFICERS ON ANIMAL CRUELTY LAWS AND RULES SO THAT ALL OF OUR OFFICERS HAVE A BETTER UNDERSTANDING OF THE -- OF THE LAW. WE ARE LOOKING AT ADDITIONAL RESOURCES IN THE BUDGET, WE'RE LOOKING AT OUR REPORTING, WE'RE TRYING TO LOOK AT, AS COMMANDER CONNORS SAID, BEST PRACTICES AROUND THE COUNTRY, WE'RE AT THE BEGINNING OF THIS, I THINK WHAT I WILL DO IS PULL THIS ALL TOGETHER FOR YOU AND GIVE IT TO YOU IN A MEMO FORM SO YOU CAN SEE ALL THE DIFFERENT INITIATIVES THAT WE'RE BOTH EXPLORING AND WE'RE IN THE BEGINNING OF DOING IN THE AREA OF ANIMAL CRUELTY.

THANK YOU, GENTLEMEN, THANK YOU, CITY MANAGER.

MAYOR PRO TEM?

AS LONG AS WE'RE GOING TO GET A REPORT ON THAT, CAN WE ALSO TRY TO GET A REPORT ON THE NUMBER OF RESCUED ANIMALS, IF YOU'LL RECALL, THAT WAS A BUDGET ITEM THAT WAS TO INCREASE THE NUMBER OF STAFF DEDICATED TO COORDINATING AND RESCUE WITH THE GROUP. BUT THEN APPEARED THAT ONE OF THE TWO, MAYBE IT WAS THREE, ONE OF THE TWO WAS DROPPED, AND SINCE THERE WAS A FREEZE, NO FILLING OF THAT HAPPENED AND NO REPORTS ON HOW THE RESCUE NUMBERS WERE IMPROVING PERIODICALLY SO WE'RE ALL IN LIMBO. APPARENTLY THE BUDGET ITEM DIDN'T WORK BUT

WE WEREN'T TOLD.

I'LL TRY TO FOLLOW-UP ON THAT. THERE IS NO LONGER A FREEZE IN PLACE AND HASN'T BEEN FOR SOME TIME ON HIRING, THAT'S BEEN SINCE BEGINNING OF THIS FISCAL YEAR, I WILL GET YOU THE STAFFING REPORT AND A TREND REPORT ON RESCUE NUMBERS.

GREAT.

THANK YOU ALL. BOB AND CATHERINE, THANKS FOR YOUR PATIENCE, GOT DISTRACTED THERE. WELCOME.

COUNCILMEMBERINGS MAYOR, CITY COUNCIL, I'M BOB SWAFFAR, I'M HERE TODAY ON BEHALF OF THE COOL HOUSE TOUR OF 2005. THIS IS A TOUR OF LOCAL BUILDINGS SPONSORED BY THE AUSTIN ENERGY GREEN BUILDING PROGRAM AND THE TEXAS SOLAR ENERGY SOCIETY. I'M HONORED TO SAY THAT MY RECENTLY-COMPLETED STUDIO IS COMPLETED IN THE TOUR AND I WOULD LIKE AT THIS POINT TO INTRODUCE CATHERINE HOUSER FROM THE TEXAS SOLAR ENERGY SOCIETY WHO IS THE COORDINATOR OF THIS EVENT.

HI. I JUST WANT TO LET YOU KNOW I'M NOT HERE TO ASK FOR ANYTHING. AS A MATTER OF FACT, I'M GOING TO GIVE YOU SOMETHING, SO TAKE A DEEP BREATH, AND I KNOW MANY OF YOU, MANY YEARS AS A RESOURCE MANAGEMENT COMMISSIONER, I'M ALSO THE EXECUTIVE DIRECTOR OF THE TEXAS SOLAR ENERGY SOCIETY AND SEVERAL OF YOU HAVE SPOKEN AT SOME OF OUR CONFERENCES AND EVENTS. THE COOL HOUSE TOUR IS SOMETHING THAT AUSTIN CAN BE VERY PROUD ABOUT. WHAT YOU ALL HAVE DONE TO SUPPORT PROGRAMS THROUGH THE CITY AND THROUGH AUSTIN ENERGY HAS CREATED THE OPPORTUNITY IN OUR CITY FOR THIS TO BE THE NATION'S LARGEST REBUILDING TOUR AND I CAN VERIFY FOR THAT A COUPLE OF REASON, WE HAVE A LOCAL PARTNER, CENTRAL MARKET, WHO SELL THE GUIDE BOOKS WHICH ARE THE TICKET TO THE TOUR AND KEEP RECORDS IN THEIR CASH REGISTER, WE KNOW THAT LAST YEAR 1700 AUSTINITES BOUGHT THESE TICKETS, MANY OF THE SITES MORE VISITORS THAN THE AIA TOUR, THIS IS VERY UNIQUE TOUR COMMUNITY AND THAT IS PAR

PARTIALLY BECAUSE OF OUR GREEN BUILDING PROGRAM THAT YOU ALL SUPPORTED FOR MANY YEARS AN ALSO THE SOLAR REBATE WE WHICH WE ALL WORKED HARD TO GET THROUGH LAST YEAR. THREE OF THE HOUSES ON THIS TOUR WILL HAVE EXAMPLES OF INSTALLATIONS THAT RECEIVED THAT REBATE. I HAVE GRANTS FROM FEDERAL AND STATE AGENCIES TO DO THESE TOURS IN OTHER STATES AN CITIES. AUSTIN IS THE ONLY PLACE IN THE COUNTRY WHERE WE HAVE A NOMINATING PROCESS, AND WE HAVE A SELECTION COMMITTEE GO TO THESE KINDS OF HOMES AND PICK. THIS YEAR WE PICK NINE OUT OF 22 THAT WERE NOMINATED. EVERY PLACE ELSE IN THE COUNTRY, I HAVE TO LOOK UNDER THE ROCKS TO FIND ENOUGH HOUSES TO CREATE A DECENT TOUR, SO WE CAN BE REALLY PROUD. WHAT I'M HERE TO DO IS GIVE EACH OF YOU ONE OF THESE GUIDE BOOKS HOT OFF THE PRESS, AS A MATTER OF FACT IT'S SO HOT OFF THE PRESS THEY'RE NOT STAPLING TO, SO DON'T LOSE THE PAGES INSIDE. WE LOOK FORWARD TO SEEING YOU ON THE TOUR. THE BULB LICK CAN GUY THESE GUIDE BOOKS AT CENTRAL MARKET, AND THANK YOU VERY MUCH.

THANK YOU, CATHERINE, BOB, YOU'RE PROBABLY AWARE EARLIER THIS MORNING ON OUR CONSENT AGENDA WE APPROVED HUNDREDS OF THOUSANDS OF DOLLARS IN REBATES TO COMMERCIAL PROPERTIES IN TOWN THAT ARE ALSO INSTALLING SOLAR PANELS.

[INAUDIBLE]

IT IS. THANK YOU VERY MUCH. LET'S SEE. KALILA HOMANN, SORRY FOR MISPRONOUNCING THAT. YOU'LL HAVE 3 MINUTE, YOU'LL BE FOLLOWED BY MYRA FELDER.

WE'RE GOING TO BE ACCOMPANYING MY PRESENTATION FROM SOME COMMUNICATIONS FROM THE CHILDREN IN OUR NEIGHBORHOOD. THEY WORKED ON IT THIS WEEKEND. THANK YOU FOR HEARING FROM US TODAY, MY NAME IS KALILA KALILA HOMANN AND I'M A MEMBER OF THE NEIGHBORHOOD. WE LIVE A COUPLE OF BLOCKS AWAY FROM A PROPOSED DEVELOPMENT. AS A VOTER AND ENVIRONMENTALLY CONCERNED CITIZEN I VOTED FOR THE BOND IN 1998 WITH THE CONFIDENCE THAT THE PROJECT

FUNDED WOULD INCREASE THE QUALITY OF LIFE IN THIS CITY BY IMPROVING GREEN AND PARK SPACE IN THE CITY FOR ALL OF US, THE PROPOSED TENNIS COURT EXPANSION DOES NOT MEET THE CRITERIA OF INCREASING THE QUALITY OF LIFE FOR ALL RESIDENTS. IT DOES NOT SERVE THE NEEDS OF THE NEIGHBORHOOD. PERHAPS THIS IS A CONTINUATION OF THE EXISTING DYNAMIC. MANY AFTERNOONS THE COURT'S STAND NEAR EMPTY AS NEIGHBORHOOD CHILDREN CONGREGATE IN THE PARK OR AT THE REC CENTER. IF THERE WAS AN INTENTION OF THE TENNIS CENTER TO INCLUDE LOCAL NEIGHBORHOOD PARTICIPATION IN ITS PROGRAM IT COULD EASILY BE ACCOMPLISHED THROUGH SLIDING SCALE FEES AND A LITTLE OUTREACH, THE KIDS ARE THERE. THIS PARK, HOWEVER, SERVES AS A VITAL COMMUNITY RESOURCE THAT IS WELL-USED AND IT'S AN UNUSUAL ONE IN THAT IT SERVES AS A NATURAL RESOURCE IN GATHERING SPACE FOR A DIVERSE GROUP OF MANY CULTURAL BACKGROUNDS. IT IS UNFORTUNATELY SOMEWHAT RARE IN AUSTIN THAT A SPACE NATURALLY DRAWS PEOPLE OF MANY BACKGROUNDS TO INTERACT IN A CASUAL ATMOSPHERE. THIS IS WHAT -- PART OF WHAT I VALUE SO MUCH ABOUT OUR NEIGHBORHOOD. LAST SATURDAY, AS WE GATHERED IN THE PARK TO CLEANUP THE CREEK AND VISIT ABOUT THE PROPOSED CHANGES TO THE PARK, OUR GROUP INCLUDED PEOPLE OF PORTUGUESE, MEXICAN-AMERICAN, AFRICAN AMERICAN AND ANGLO DISEENT. EVERYBODY WHO WANTS THIS IS NOT FROM OUR NEIGHBORHOOD. THEIR DESIRE FOR A FANCY SPACE WOULD NOT OUTWEIGH THE NEEDS OF LOCAL RESIDENTS FOR A SPACE TO WALK OUR DOGS AND TAKE OUR KIDS OUT FOR SOME EXERCISE BEFORE GOING TO BED. I'M VERY CONCERNED ABOUT THE POLLUTION. BOTH THE OBVIOUS AIR AND NOISE POLLUTION THAT WILL RESULT DURING THE CONSTRUCTION PHASE AND THE MORE INSIDIOUS LIGHT, SOUND AND EROSION PROBLEMS THAT WILL AFFECT THE NEIGHBORHOOD FOR YEARS TO COME. I'M WORRIED THAT THE PARK POSES A SAFETY RISK TO YOUNG CHILDREN WITH THE LEVEL OF RAIN WATER THAT WILL HAVE TO BE DIVERTED THROUGH THE POORLY-PLANNED DRAINAGE, AS A PARENT I'M HERE TO REPRESENT THE NEEDS OF MY CHILDREN AND THE CHILDREN OF THE NEIGHBORHOOD, AS WE GATHERED AFTER THE CREEK

CLEANING LAST WEEKEND, OTHER CHILDREN JOINED IN SPONTANEOUSLY TO LEARN ABOUT WHAT WAS HAPPENING. THEY WERE HORRIFIED THAT THE TENNIS COURTS MIGHT SOON TAKE OVER THE GREEN SPACE AND THEY WANTED TO KNOW WHAT THEY COULD DO. A SO GROUP OF THEM DREW AND WROTE ABOUT THEIR FEELINGS REGARDING THE PARK. I TOLD THEM THAT I WOULD REPRESENT THEIR OPINIONS HERE TODAY, AND THAT THEIR THOUGHTS AND OPINIONS COULD MAKE A DIFFERENCE IN WHAT YOU WOULD DECIDE. THANK YOU FOR LISTENING. I HOPE THAT OUR CITY CAN MODEL ETHICAL THOUGHTFUL DECISIONS ABOUT COMMUNITY AND ENVIRONMENT THAT HAVE INTEGRITY AND CONSIDERATION FOR THE NEEDS OF ITS CITIZENS OF ALL AGES. PLEASE STOP THE PROPOSED EXPANSION. IT DOES NOT BELONG IN OUR NEIGHBORHOOD. THANK YOU.

[ APPLAUSE ]

THANK YOU, KALILA. COUNCILMEMBER SLUSHER?

Slusher: I WANTED TO SAY I'VE LISTENED TO BOTH SIDES OF THIS ISSUE ABOUT THE PARK, AND THE TENNIS COURTS, AND TALKED TO PEOPLE ON BOTH SIDES, AND I REALLY THINK THAT THIS SIZE OF TENNIS CENTER SHOULDN'T BE LOCATED HERE, AND I THINK THE FUNDAMENTAL PROBLEM THAT GOT US INTO THIS SITUATION WAS LOOKING AT TAKING WHAT ARE NEIGHBOR PARKS AN TURNING THEM INTO A MORE REGIONAL USE. WE HAD ANOTHER CONTROVERSY LIKE THAT A FEW YEARS AGO WITH THE SMALL PARK AND THE CLARKSVILLE OS AUSTIN NEIGHBORHOOD MOVING A BASEBALL LEAGUE INTO THERE. THOSE ARE BOTH VERY GOOD USES, BUT I THINK IN THE FUTURE WE NEED TO REALLY HAVE EITHER NOT -- NOT TRANSFORM NEIGHBORHOOD PARKS LIKE THAT AT ALL OR TO HAVE VERY STRICT CRITERIA THAT THEY GO THROUGH AND I WOULD BE IN FAVOR OF TRYING TO FIND AN ALTERNATIVE SITE FOR THIS FACILITY POINT.

MAYOR PRO TEM? DID I SEE YOU -- OKAY.

ME TOO.

[ APPLAUSE ]

Mayor Winn: COUNCILMEMBER McCracken.

McCracken: I THINK WE ALL EMPATHIZE WITH THE DESIRE OF THE TENNIS FOLKS TO HAVE CERTAIN NEEDS ACCOMPLISH, BUT I DON'T THINK THIS IS THE RIGHT LOCATION FOR IT, I HOPE WE CAN FIND A DIFFERENT LOCATION, BUT NOT IN A NEIGHBORHOOD PARK.

[ APPLAUSE ]

Mayor Winn: THANK YOU ALL. OUR NEXT SPEAKER IS MYRA FELDER. WELCOME, MYRA, YOU'LL HAVE THREE MINUTES.

GOOD AFTERNOON, MAYOR AND COUNCILMEMBERS, MY NAME IS MYRA FELDER AND I'M THE OWNER OF UNLIMITED HAULING AND DEMOLITION, A CITY CERTIFIED SMALL MINORITY OWNED BUSINESS ENTERPRISE THAT MY HUSBAND MARK AND I ESTABLISHED ABOUT THREE YEARS AGO. BOTH OF US ARE NATIVE AUSTINITES AND OUR BUSINESS IS LOCATED IN EAST AUSTIN. THE REASON THAT I'M HERE TODAY BEFORE YOU IS BECAUSE OF THE DIFFICULTIES WE ARE ENCOUNTERING DOING BUSINESS WITH THE CITY OF AUSTIN. WE HAVE BEEN AWARDED SEVERAL HAULING SUBCONTRACTS ON CITY PROJECTS. THE PROBLEM IS ONCE WE RECEIVE THE CONTRACT, AND START THE WORK, THE PRIME CONTRACTORS WANT US TO LOWER OUR ORIGINAL PRICE. WHEN WE DECLINE TO DO SO WE'RE THREATENED WITH BEING RELIEVED OFF THE JOB. BID SHOPPING, ILLEGAL SUBSTITUTION AND RETALIATED WITH NONPAYMENT FOR WORK ALREADY PERFORMED. WE HAVE FILED SEVERAL WRITTEN COMPLAINTS ABOUT VIOLATIONS OF THE CITY'S MWBE ORDINANCE TO THE DEPARTMENT OF SMALL BUSINESS RESOURCE TO NO AVAIL, AS A RESULT OF OUR COMPLAINTS ABOUT THESE PRIME CONTRACTOR, WE ARE BEING DENIED DUE PROCESS ABOUT THE ILLEGAL SUBSTITUTION AND FALSE STATEMENTS MADE ABOUT OUR WORK. THEY HAVE ALLOWED FIRMS TO PLACE OUR FIRM ON CITY COMPLIANCE PLANS WITHOUT OUR KNOWLEDGE UNTIL THE CONTRACTS HAVE BEEN APPROVED BY YOU, THE COUNCIL. AFTER ALL OF THESE VIOLATIONS -- AFTER ALL OF THESE VIOLATIONS, IT HAS RESORTED IN NONPAYMENT OF

WORK PERFORMED WHICH HAS A NEGATIVE EFFECT ON OUR COMPANY TO MEET FINANCIAL OBLIGATION, ADDITIONALLY WE FEEL THAT WE ARE BEING BLACK BALLED BY THESE CONTRACTORS IN WAYS -- BY THE WAY THEY APPROACH OUR SUPPLIERS, CITY STAFF, FINANCIAL INSTITUTIONS, AND OTHER PRIME CONTRACTORS WHICH HAVE RESORTED IN LOSS OF POTENTIAL INCOME. FINALLY I WOULD LIKE YOU TO KNOW THAT MANY OF THE UNEMPLOYED HOMELESS INDIVIDUALS AND EVEN PERSONS THAT HAVE BEEN INCARCERATED, WE EMPLOYEE THEM AND PEOPLE IN THE EAST AUSTIN AREA, THAT'S WHO WE, YOU KNOW, FULFILL OUR EMPLOYMENT WITH. AND WE THINK WE'VE DONE A GREAT JOB AT MEETING THIS CHALLENGE, HOWEVER, IF THE CITY CONTINUES TO ALLOW THESE KINDS OF VIOLATIONS AND DISCRIMINATORY PRACTICES CONTINUE, WE WILL PROBABLY HAVE TO SHUT DOWN. IT SADDENS ME TODAY TO COME BEFORE CITY COUNCIL WITH THESE ISSUES BUT I HAD NO OTHER RECOURSE. I RESPECTFULLY REQUEST CITY COUNCIL TO LOOK FOR REORGANIZING THE DEPARTMENT OF SMALL MINORITY BUSINESSES RESOURCES BECAUSE IT'S NOT FUNCTIONING AS ADVOCATE TO MINORITY CONTRACTORS AND DOES NOT SERVE THE NEEDS TO HAVE AFRICAN AMERICAN CONTRACTS TO PARTICIPATE ON CITY CONTRACTS. WE ALSO REQUEST THAT YOU DIRECT CITY STAFF TO ENFORCE THE ORDINANCE AND WHEN APPLICABLE SANCTION THESE CONTRACTORS WHO ARE DISCRIMINATING AND REFUSE TO PAY FOR THE WORK THAT HAS BEEN FORMED. THE DISPARITIES AND DISCRIMINATORY PRACTICE, IH-10 NEATS TO STOP AND IT NEEDS TO STOP TODAY. THANK YOU.

[ APPLAUSE ]

THANK YOU MS. FELDER. CITY STAFF HERE, PERHAPS RESPOND?

JEFF, WOULD YOU COME DOWN AND GIVE US A LITTLE INFORMATION ON THIS ISSUE? THANKS.

MAYOR, AND COUNCIL, MY NAME IS JEFF TRAVILLION, I'M THE DIRECTOR OF DEPARTMENT OF SMALL AND BUSINESS MINORITY RESOURCES AND WE ARE AWARE OF A LOT OF THE CONCERNS THAT HAVE BEEN LAID OUT BY MISS FELDER

AND WE HAVE BEEN ACTIVELY PARTICIPATING AND WORKING NOT ONLY WITH HER, BUT WITH THE GENERAL CONTRACTORS THAT ARE IN QUESTION ON THE CONTRACTS THAT ARE IN QUESTION. WE HAVE ACTIVELY BEEN WORKING ON THEIR PARTICULAR CASES SINCE APRIL OF LAST YEAR. WE HAVE EVERY TIME THAT AN ISSUE IS BROUGHT TO OUR ATTENTION, WE ABSOLUTELY INVESTIGATE IT, WE ABSOLUTELY LOOK INTO IT, WE CURRENTLY HAVE TWO OF THE FTE'S THAT ARE ASSIGNED TO DSMVR THAT ARE WORKING ON THE POST AWARD PROCESS WORKING ON HER CASE RIGHT NOW. IN FACT WE HAVE A MEETING SCHEDULED WITH HER ON 2 O'CLOCK TOMORROW TO ADDRESS ONE OF THE PARTICULAR ISSUES. WE ARE -- EVERY TIME AN ISSUE IS BROUGHT TO OUR ATTENTION, WE ABSOLUTELY TAKE IT SERIOUSLY AND WE ABSOLUTELY WORK ON IT. OUR JOB IS TO ESTABLISH WHAT THE FACTS ARE. WE BRING BOTH PARTIES INTO OUR OFFICES AND EXPLAIN -- HAVE THEM EXPLAIN WHAT THEIR POINTS OF VIEW ARE AND THEN BASED ON THE FACTS, WE TAKE ACTION, IN THIS PARTICULAR INSTANCE, ONE FIRM TRIED TO HAVE UNLIMITED HAULING REMOVED FROM A COMPLIANCE PLAN THAT THEY WERE CERTIFIED FOR, WE KEPT THAT FROM HAPPENING. AND IN OTHER INSTANCES THERE WERE PAYMENT ISSUES AND WE'VE TRIED TO FACILITATE SOME OF THOSE PAYMENTS BEING MADE, BUT IT GOES FACT BY FACT, ACTIVITY BY ACTIVITY, SO THIS IS A WORK IN PROGRESS AND WE INTEND TO WORK THROUGH ALL OF THE ISSUES THAT ARE PRESENTED TO USMENT.

FROM THE NOTES THAT I HAVE, I UNDERSTAND SO FAR THAT YOU HELD FOUR SEPARATE MEDIATION MEETING SFS.

THAT'S CORRECT.

ON THIS ISSUE.

THAT IS CORRECT.

BUT THAT THERE ARE SOME LEGITIMATE ISSUES HERE THAT YOU'RE TRYING TO RESOLVE.

CLEARLY THERE ARE SOME LEGITIMATE ISSUES AND TRYING TO WORK THROUGH THEM AND GET EVERYBODY AT THE



TABLE AS SOON AS POSSIBLE.

THANKS.

MAYOR, LET ME...

Mayor Winn: COUNCILMEMBER, THOMAS, YES, SIR?

Thomas: THE THING IS WE APPRECIATE WHAT YOU SAID HERE, JOHN, YOU SAID YOU'VE BEEN WORKING ON THE CASE SINCE APRIL OF LAST YEAR?

WHEN I SAY APRIL OF LAST YEAR, FOR THE INITIAL CONTRACT THAT UNLIMITED HAULING IS SERVING ON, THEY WEREN'T ON THE ORIGINAL COMPLIANCE PLAN. THEY MOVED ON TO THE COMPLIANCE PLAN AFTER THE PROJECT WAS UNDERWAY. SO THAT'S WHERE WE BEGAN WORKING ON THE PROCESS TO MAKE SURE THAT THE TRANSITION OCCURRED PROPERLY AND WE'VE BEEN MONITORING IT SINCE THAT POINT.

OKAY. WHAT IS THE TIME, HOW LONG DOES IT REALLY ACTUALLY TAKE TIME TO SOLVE PROBLEMS, ESPECIALLY WHEN -- AND I HAVE BEEN ABREAST ON THIS -- IT'S TWO CASES, AND ONE OF THEM IS THAT THEY STILL OWE UNLIMITED HAULING MONEY, AND THEN THE OTHER ONE IS THAT ILLEGAL SUBSTITUTIONS. WHAT REALLY TROUBLES ME IS THAT THE LAST YEAR UP TO THIS DAY, THAT'S A YEAR.

RIGHT.

Thomas: THAT WE HAVEN'T SOLVED THAT PROBLEM. IF I RECALL, THESE CONTRACTS ARE CITY MONEY, RIGHT?

YES, SIR.

Thomas: OKAY. THEN THAT MEANS THAT WE NEED TO -- WE WORKED HARD, WE TALKED ABOUT THIS IN THE SUBCOMMITTEE TWO YEARS AGO TO MAKE SURE WE WOULDN'T HAVE TO ADDRESS THESE KIND OF ISSUES TODAY. I NEED TO KNOW -- I DID GET THIS BRIEF FROM YOU ABOUT THE MEETING YOU DID HAVE WITH MS. FELDER. I NEED TO KNOW ON THE FIRST CONTRACT HOW SOON CAN

YOU GET THAT RESOLVED, THE FIRST CONTRACT THAT YOU HAD PROBLEMS WITH?

ACTUALLY, THE ISSUES THAT WE'RE TALKING ABOUT ARE CURRENT FROM FOUR DIFFERENT CONTRACTS. SO IT'S NOT JUST ONE CONTRACT. AND, YOU KNOW, WE -- WE HAVE BEEN -- THE FIRST ISSUE -- IT'S -- THEY'RE ALL COMPLEX AND THEY ALL HAVE DIFFERENT FACT SITUATIONS AND WHAT WE WOULD DO IS SIT DOWN AND LAY OUT WHERE WE ARE ON EACH CASE, AND I CAN MAKE STAFF AVAILABLE FOR YOU, SO THAT WE CAN LAY OUT EACH ONE SO THAT YOU CAN SEE THE COMPLEXITIES AND DIFFERENCES IN EACH ONE.

Thomas: SO...

SO IT'S NO ONE THING, IT'S A NUMBER OF THINGS.

SO YOU ARE TELLING ME IT'S FOUR CONTRACTS NOW?

YES, THE ISSUES THAT HAVE BEEN MENTIONED GO ACROSS FOUR CONTRACTS. CONTRACT.

Thomas: OKAY, WHENEVER THEY LOOK LIKE THEY HAVE FOUR DIFFERENT PROBLEMS AND FOUR DIFFERENT CONTRACTS, SOME TYPE OF FLAG SHOULD HAVE CAME UP TO LET US KNOW THAT YOU KNOW AND YOUR STAFF KNOW THERE ARE SOME PROBLEMS. I DON'T KNOW IF IT'S ON UNLIMITED HAULING, ON THE PRIME, BUT THESE ISSUES, BECAUSE WE KNOW AS SUBCONTRACTORS, NEED TO BE PAID, THEY NEED TO BE TAKEN CARE SO THEY CAN CONTINUE TO DO BUSINESS WITH THE OTHER CONTRACTS THEY DO HAVE, YOU HAVE ONE -- ONE CONTRACT THAT IS NOT TAKING CARE OF THE OTHER.

THAT'S TRUE.

Thomas: I'M SURE YOU'RE AWARE OF THAT.

YES, SIR. SOME OF THE MEDIATIONS THAT WE HAVE HAD HAVE LED TO SOME PAYMENT, PARTIALLY PAYMENT, NOT COMPLETE PAYMENT, BUT SOME OF THOSE MEDIATIONS HAVE LED TO PAYMENT SO...

Thomas: I JUST NEED TO BE ABREAST ON ALL THE DETAILS.

YES, SIR.

Thomas: THANK YOU.

AND I THINK IN CLOSING, ONE THING I WOULD LIKE TO SAY IS THIS IS AN AREA THAT JEFF HAS RAISED TO MY ATTENTION THAT IS WOEFULLY UNDERRESOURCED AND UNDERSTAFFED, SO HE HAS A NEED TO BE ABLE TO SHOW WHAT IS HAPPENING IN THE FIELD AFTER COUNCIL HAS LET A CONTRACT AND HE HAS VERY FEW RESOURCES AT HIS FINGERS TO BE ABLE TO GO OUT AND ACTUALLY DO THESE AUDITS AND DO THIS RESOLUTION AND THIS IS SOMETHING THAT WE ARE GOING TO BE LOOKING AT AND TRYING TO ADD IN THE BUDGET, BUT IT IS -- IT IS TRUE THAT HE HAS A BIG NEED AND A BIG REQUEST FROM MANY OF MY SMALL VENDORS AND VERY FEW RESOURCES FOR WHICH TO TRY AND RESOURCE AND CONTROL THESE ISSUES, I WANT TO PUT THAT ON THE TABLE. IT'S TRUE THAT THIS IS A COMPLICATED ISSUE ACROSS MANY CONTRACTS BUT IT IS ALSO TRUE THAT OVERALL WE'VE BEEN TRYING TO HANDLE THIS ISSUE WITH VERY FEW RESOURCES FOR HIM.

Thomas: I ACCEPT THAT TO A CERTAIN EXTENT. I THINK TWO YEARS AGO WHEN THE SUBCOMMITTEE WORKED REAL HARD TO CHANGE SOME OF THESE CRITERIAS AND THE HIGHWAYS TO AFFECT THESE SUBCONTRACTORS, BUT THAT'S THE ISSUE THAT HAS BEEN REALLY IN TROUBLE SINCE I'VE BEEN ON COUNCIL AND SINCE I'VE SERVED ON THE SUBCOMMITTEE, SO I HOPE BEFORE EVEN BUDGET THAT MAYBE WE CAN FIND SOME KIND OF RESOURCES TO HELP HIM GET -- DO SOME OF THESE ISSUES THAT WE'RE DEALING WITH, IF WE HAVE TO BORROW FROM SOMEBODY ELSE TO GET THE ISSUES THAT ARE -- NEED TO BE ADDRESSED.

WE ARE GOING TO BE BRINGING YOU IN MAY A LIST OF ALL OF THE AREAS THAT ARE LOOKING FOR RESOURCES AND THIS IS ONE OF OUR CRITICAL RISKS AND VULNERABILITY ASSESSMENTS THAT WE CONSIDER THIS ONE OF OUR CRITICAL AREAS OF VULNERABILITY. JEFF, HOW MANY -- YOU

HAVE HOW MANY PEOPLE AVAILABLE TO HELP IN THIS AREA?

3.

AND ABOUT HOW MANY HAVE ANY SENSE OF THE CONTRACTS, THE DOLLARS?

SIGNIFICANT AMOUNT OF DOLLARS, BUT HUNDREDS OF CONTRACTS.

HUNDREDS AND HUNDREDS OF CONTRACTS. CONTRACTS. I'M SAYING JEFF HAS IDENTIFIED THIS REPEATEDLY TO ME AS BOTH A PRIORITY FOR YOU ALL, BUT ALSO AN AREA THAT HE FEELS HAS A GREAT NEED FOR US TO TAKE THIS PROGRAM TO THE NEXT LEVEL AND THERE'S GREAT STRESS ON THE RESOURCES TO BE ABLE TO DO IT.

Mayor Winn: THANK YOU ALL. MRS. FELDER HANG IN THERE, WE NEED BUSINESSES LIKE UNLIMITED TO BE SUCCESSFUL.

WELL, THANK YOU.

Mayor Winn: SO HANG IN THERE. THAT IS ALL OF OUR CITIZENS WHO SIGNED UP FOR THE GENERAL CITIZEN COMMUNICATION, WE HAVE NO DISCUSSION ITEMS PRIOR TO AT LEAST OUR 2 O'CLOCK POSTED BRIEFING, SO WITH THAT OBJECTION WE'LL GO BACK INTO CLOSED SESSION PURSUANT TO 551.017 OF THE OPEN MEETINGS ACT. WE WILL STILL LIKELY TAKE UP 50, 52 RELATED TO WINFIELD MUD, 54 RELATED TO LANTANA AN ZONING CASES Z-23 AND Z-24 24 RELATED TO THE GABLES OF WESTLAKE. WE ARE NOW IN CLOSED SESSION. THANK YOU.

Mayor Wynn: WE'RE BACK FROM EXECUTIVE SESSION. WE TOOK UP ITEMS 50, 55, RELATED TO A PROPOSED AMENDMENT TO CHAPTER 25-1 OF THE CITY CODE, AND ITEM 66, RELATED TO THE NORTHWEST AUSTIN MUNICIPAL UTILITY DISTRICT NUMBER 1 OR CANYON CREEK. I'LL APOLOGIZE BEFORE THE CITY MANAGER STARTS HER BRIEFING, I'M GOING TO HAVE TO RUN TESTIFY AT THE LEGISLATURE, BUT BEFORE I DID THAT, WE WANTED TO HAVE SOME BRIEF COMMENTS ABOUT ITEM 66 WHICH IS THE -- A RELATED AMENDMENT TO A CONSENT AGREEMENT WITH

THE CANYON CREEK AREA OF TOWN. I'LL SAY NOW THAT THE CONSENSUS IS TO POSTPONE ACCOUNT ON THAT TODAY; HOWEVER, WE WILL WANT TO SEND DIRECTION AND DIRECT THE CITY MANAGER TO MOVE FORWARD AND BRING FORWARD RESOLUTIONS ON ALL OUTSTANDING ISSUES IN THAT AREA. BUT I'LL OPEN IT UP FOR COMMENTS. IF NEED BE. SO MY SUGGESTION, COUNCIL, WOULD BE THAT, YOU KNOW, WE WANT TO GET THIS DONE IN A TIMELY MANNER. I APOLOGIZE AND APPRECIATE FOLKS COMING DOWN AGAIN THIS AFTERNOON. COUNCIL, I THINK WE COULD -- CITY MANAGER COULD BE PREPARED TO COME FORWARD WITH PARAMETERS OF RESOLUTIONS ON ALL THESE OUTSTANDING ISSUES HOPEFULLY IN TWO WEEKS ON MAY 12th.

WE CAN SHOOT FOR THAT, CERTAINLY. COMMENTS, QUESTIONS? MAYOR PRO TEM?

Goodman: I REALLY THINK IT'S BETTER, ALTHOUGH I KNOW FOLKS ARE DISAPPOINTED THAT WE'RE NOT GOING TO COME TO RESOLUTION TODAY BUT WHAT WE WOULD HAVE COME TODAY IS COME TO RESOLUTION ON ONLY ONE COMPONENT OF THE ENTIRE ISSUE AREA. SO IT'S NOT QUITE COOKED. WE CAN GO AHEAD AND FINISH UP FINDING RESOLUTION ON ALL THE OTHER ISSUES AS WELL AND GET PAST THIS.

Mayor Wynn: AGREED. I WANT TO THANK REPRESENTATIVE STROMA ANDMENT OF MANY OF THE REPRESENTATIVES OF THE HOMEOWNERS ASSOCIATION FOR STEPPING FORWARD AND OFFERING THEIR TIME AND EXPERTISE ON THIS ISSUE. WE THINK WE'RE CLOSE AND THE CITY MANAGER NOW HAS SOME DIRECTION TO CONTINUE TO WORK WITH YOU ALL TO BRING BACK A MUCH MORE COMPREHENSIVE RESOLUTION OF A LOT OF OUTSTANDING ISSUES, LITIGATION AND OTHERWISE, FRANKLY, AND POST THIS FOR ACTION IN TWO WEEKS ON MAY 12th. I'LL CONSIDER THAT A MOTION FROM THE MAYOR PRO TEM TO POSTPONE ACTION ON THIS ITEM BUT WITH DIRECTION FOR THE CITY MANAGER TO BRING BACK A RESOLUTION OF THOSE OUTSTANDING ISSUES MAY 12, 2005. SECONDED BY COUNCILMEMBER DUNKERLEY. FURTHER COMMENTS? ALL THOSE IN FAVOR PLEASE SAY AYE. OPPOSED? MOTION PASSES 6-0 WITH COUNCILMEMBER

SLUSHER TEMPORARILY OFF THE DAIS. THANK YOU ALL  
VERY MUCH. CITY MANAGER, YOUR BRIEFING.

ALL RIGHT. WE ARE ABOUT TO BEGIN WHAT IS REALLY THE  
VERY BEGINNING OF OUR BUDGET PROCESS. SO AS WE GET  
READY TO PRESENT THE FINANCIAL FORECAST TO YOU  
TODAY, I WANT YOU TO REMEMBER THAT THE FORECAST IS  
REALLY DESIGNED TO SERVE TWO PURPOSES. THE FIRST IS  
STRATEGIC. THE FORECAST IS A LONG-TERM FINANCIAL  
PLANNING TOOL. IT ALLOWS YOU TO LOOK AHEAD, IT  
ALLOWS YOU TO PLAN FOR THREE- TO FIVE-YEAR FINANCIAL  
HORIZON. SECONDLY AND MOST IMPORTANTLY, THE  
FORECAST SETS THE STAGE FOR NEXT YEAR'S BUDGET SO  
SERVES AS A PRE PRECURSOR FOR POLICY DISCUSSION  
WHICH IS SET IN MAY. THE 2006 BUDGET IS AN ALTOGETHER  
DIFFERENT BUDGET THAN THE LAST THREE BUDGETS. GONE  
ARE THE FORECASTED SHORTFALLS OF 55 MILLION IN 2004  
OR EVEN THE 20 MILLION WE CLOSED FOR THIS YEAR'S  
BUDGET. WHAT IS NOT GONE IS THE ESTIMATED 30 TO \$35  
MILLION IN BUILT-IN OR ANNUAL INCREASED COST DRIVERS  
THAT MUST BE MET EACH YEAR IN THE BUDGET. FOR FISCAL  
YEAR 2006, THOSE COST DRIVERS ARE EXPECTED TO BE  
APPROXIMATELY \$34 MILLION. OF WHICH 70% OR ABOUT \$22  
MILLION IS IN PUBLIC SAFETY EXPENDITURE INCREASES.  
AND ANOTHER 17.5% OR ABOUT 6 MILLION IS IN GENERAL  
WAGE AND HEALTH INSURANCE INCREASES. AND WHAT IS  
ALSO NOT GONE ARE THE GROWING PRESSURES ON OUR  
WORKFORCE AND OUR SERVICE DELIVERY THAT ARE THE  
RESULT OF THE VERY SEVERE CUTTING THAT HAS  
OCCURRED OVER THE LAST THREE YEARS. SO ALTHOUGH  
REVENUE IS IMPROVING, IT ISN'T FORECASTED TO BE QUITE  
ENOUGH TO COVER THE FULL COST OF THOSE COST  
DRIVERS. MUCH LESS THE MOST CRITICAL ADD-BACKS TO  
THE BUDGET. WITHOUT ADDRESSING STRATEGIC ADD-  
BACKS OR SERVICE DELIVERY NEEDS, OUR PROJECTED  
SHORTFALL IN FISCAL YEAR 2006 AT THIS VERY  
PRELIMINARY THEIR STAGE OF THE GAME WILL BE  
APPROXIMATELY 5 TO 6 MILLION DOLLARS. WE ARE IN THE  
PROCESS OF EVALUATING AN EXTENSIVE RISK AND  
VULNERABILITY ASSESSMENT OF OUR WORKFORCE AND  
SERVICE DELIVERY LEVELS AND THAT WILL BE WHAT WE'LL  
USE TO FRAME THE POLICY BUDGET DISCUSSION WITH

COUNCIL IN MAY. BUT BASED ON THAT PRELIMINARY WORK WITH THE RISK AND VULNERABILITY ASSESSMENT, I HAVE ALSO INCLUDED IN THE FORECAST ABOUT 6.5, \$7 MILLION WORTH OF WHAT I CONSIDER TO BE MY KEY MANAGEMENT RECOMMENDATIONS FOR CRITICAL ADD-BACKS. NOW, THIS IS IN THE FORECAST JUST AS A FRAMEWORK FOR THE UPCOMING POLICY DISCUSSION BECAUSE THESE ARE GOING TO BE THE POLICY CHOICES THAT COME IN FRONT OF COUNCIL. BUT THEY INCLUDE A LIVING WAGE FOR OUTLINE OF OUR EMPLOYEES. THE LIVING WAGE IS CURRENTLY CALCULATED TO BE \$10.81 AN HOUR, AND THIS FORECAST HAS BRINGING OUR ENTIRE WORKFORCE UP TO THE LIVING WAGE. SECOND, IT INCLUDES A MARKET ADJUSTMENT SO A SET OF FUNDS SET ASIDE TO BRING ALL OF OUR EMPLOYEES, NON-CIVIL SERVICE EMPLOYEES THROUGH A MARKET ADJUSTMENT PROCESS THAT SHOULD COVER ABOUT 50% OF OUR WORKFORCE. ANTICIPATING THAT THE FOLLOWING YEAR, '07, THAT WE TRY TO GET TO THE SECOND PART OF THAT WORKFORCE. THREE, IT INCLUDES RESTORING ALL LIBRARY HOURS. SO REOPENING THE HISTORY CENTER OUR BRANCH LIBRARIES, REOPENING OUR LIBRARIES. FOUR, IT INCLUDES A SERIES OF KEY PUBLIC SAFETY SERVICE ENHANCEMENTS, AND SOME OF THOSE EXAMPLES ARE E.M.S. ALTERNATIVE SHIFTS, E.M.S. SAFETY AND RECRUITING STAFF. IN OUR E.M.S. DEPARTMENTS WE'RE EXPERIENCING A HIGH ACCIDENT RATE AND WE HAVE BEEN EXPERIENCING DIFFICULT ANY RECRUITING. THE FIRE WELLNESS INITIATIVE. THIS IS A LONG-ANTICIPATED AND WAITED INITIATIVE FOR OUR FIREFIGHTERS. ENHANCED FIRE TASK FORCE STAFFING. THIS IS OUR STEP TOWARDS TRYING TO GET US TO INCREASE STAFFING. POLICE CONSTANT STAFFING FUNDS. AND SOME STRATEGIC PUBLIC SAFETY CIVILIAN SUPPORT STAFF PARTICULARLY IN POLICE AND FIRE. AND FINALLY, THERE IS A SERIES OF KEY NON-PUBLIC DIRECT PUBLIC SERVICE ENHANCEMENTS. AND THEY INCLUDE RIGHT-OF-WAY OF PARK MAINTENANCE AND MOWING STAFF, ADDITIONS TO FORESTRY STAFF, FOOD AND BUILDING INSPECTORS, COMMUNICABLE DISEASE PREVENTION STAFF, ANIMAL CONTROL AND CRUELTY OFFICERS, AND ADDITIONS TO OUR PLANNING STAFF INCLUDING STAFFING IN THE HISTORIC PRESERVATION AREA. THIS WOULD BRING OUR

PROJECTED SHORTFALL, REMEMBER OF ABOUT 5 TO 6 MILLION DOLLARS, UP TO APPROXIMATELY \$12.4 MILLION OR 3% OF THE TOTAL ESTIMATED GENERAL FUND EXPENDITURES. NOW, WE'RE GOING TO BE FURTHER REFINING THESE NUMBERS, BOTH OUR REVENUE NUMBERS AND OUR EXPENDITURE NUMBERS BETWEEN NOW AND MAY. WE'RE ALSO GOING TO BE REFINING OUR RECOMMENDATIONS. AND WE'LL BE COMING FORWARD FOR A WORK SESSION FORMAT WITH COUNCIL TO DISCUSS THE DIRECTION OF THE BUDGET DURING THE POLICY BUDGET DISCUSSION. AND AT THAT POINT WE'RE GOING TO BE SEEKING THE COUNCIL DIRECTION FOR THE PREPARATION OF THE PROPOSED BUDGET. NOW, WITH THAT I'D LIKE TO GET STARTED WITH JOHN STEVENS AND VICKY SHOEBOURNT TO GIVE YOU THE OVERVIEW OF THE FINANCIAL FORECAST.

THANK YOU, CITY MANAGER. WHAT WE WILL COVER IN THE PRESENTATION TODAY IS WHAT YOU SEE HERE, A JEFF A GENERAL FUND SUMMARY, PROPERTY TAX, SALES TAX, TALK ABOUT EXPENDITURES AND PROVIDE A LITTLE BIT MORE DETAIL ABOUT THE COST DRIVERS THAT TOBY SPOKE TO. I'LL GIVE YOU AN IDEA WHAT WE HAVE INCLUDED FOR CAPITAL EXPENDITURES AND CRITICAL ONE-TIME COSTS IN THE FORECAST, ESPECIALLY FOR 2006. AND THEN TALK BRIEFLY ABOUT THE FORECAST FOR OUR ENTERPRISE FUNDS. LET ME START OUT BY SHOWING YOU THE FORECAST SORT OF IN ITS ENTIRETY. THERE ARE A LOT OF NUMBERS ON THIS PAGE AND I'LL TRY TO WALK YOU THROUGH THEM IN A LOGICAL FASHION. YOU SEE AT THE TOP OUR ESTIMATED BEGINNING BALANCE. NOW, HE'S ARE ALL ON BUDGET BASES. THESE ARE ALL BUDGET NUMBERS. OUR 2004 BUDGET LAST YEAR, OUR CURRENT BUDGET THIS YEAR, AND THE PROJECTIONS THAT WE HAVE. AND THEN I SEE THE TOTAL REVENUES THAT WE EXPECT IN THE GENERAL FUND. AND AS TOBY SAID, YOU SEE SLIGHT INCREASES EACH YEAR. WE'LL TALK A LITTLE MORE ABOUT THAT IN DETAIL. AND THEN THE NEXT LINE IS OUR BASE BUDGET, WHICH IS THE BUDGET THAT MOVES FROM ONE YEAR TO THE NEXT. ON TOP OF WHICH MAY BE ADDED THE COST DRIVERS THAT YOU SEE IN THAT NEXT COLUMN. FOR A TOTAL EXPENDITURE AMOUNT THAT WE ARE PROJECTING. AND THEN THE NEXT LINE SHOWS YOU THE STRUCTURAL



DEFICIT IN THIS CASE THAT WE ARE PROJECTING IN THE FORECAST PERIODS. WE HAD A SLIGHT STRUCTURAL DEFICIT IN 2004. THAT WAS FOR AN AMENDMENT WE DID FOR SOME A.P.D. EQUIPMENT. ALTHOUGH WE CAME IN WELL AHEAD OF THAT FORECAST IN 2004. LOOKING FORWARD AGAIN TO 2006, 7 AND 8, YOU SEE THAT THERE IS A STRUCTURAL DEFICIT PROJECT UNDERSTAND EACH YEAR. BELOW THAT IS A PERCENTAGE REDUCTION THAT WE WOULD HAVE TO ACHIEVE ACROSS THE ENTIRE GENERAL FUND, ACROSS ALL GENERAL FUND DEPARTMENTS IN ORDER TO DO AWAY WITH THAT STPRUBG STPRUBG STRUCTURAL DEFICIT. IN 2006, FOR EXAMPLE, WE WOULD HAVE TO HAVE SLIGHTLY MORE THAN A 3% REDUCTION ACROSS THE BOARD TO BRING DOWN OUR EXPENDITURES BY 12.4 MILLION TO BRING OUR REVISED EXPENDITURES THEN IN LINE WITH THE REVENUE NUMBER THAT YOU SEE BACK UP AT THE TOP, 471.4 MILLION. AND THEN WE ARE PROJECTED WHAT THE ENDING BALANCE WILL BE AFTER SUBTRACTING OUR ONGOING EXPENDITURES FROM YOUR REVENUE -- OUR REVENUE, AND WE ARE THEN SHOWING YOU THE ONE-TIME EXPENDITURES THAT WE HAVE IN 2005, FOR EXAMPLE, WE HAVE SOME ONE-TIME EXPENSES BUDGETED. THAT INCLUDES THE \$7.7 MILLION PAYMENT THAT WE MADE TO THE HOSPITAL DISTRICT. AND THEN IN 2006, WE HAVE 15.4 MILLION BUDGETED FOR ONE-TIME CAPITAL AND OTHER EXPENDITURES, AND WE'LL PROVIDE YOU SOME DETAIL ON THOSE IN A MOMENT. AND THEN YOU SEE OUR ADJUSTED ENDING BALANCE. AND THAT ENDING BALANCE THAT WE ARE SHOWING YOU IS BASED ON A REVISION TO OUR FINANCIAL POLICY THAT WE EXPECT TO PRESENT TO YOU. AGAIN, IT WILL BE PART OF THE DISCUSSION THAT THE CITY MANAGER ALLUDED TO IN WHICH WE'LL CHANGE OUR RESERVE POLICY. WE'LL INCREASE OUR EMERGENCY RESERVE AND USE THE REST OF OUR FUND BALANCE, OUR BUDGET STABILIZATION RESERVE TO CAPTURE UNANTICIPATED REVENUE AND UNSPENT APPROPRIATIONS, AND THEN TO SPEND THAT PARTIALLY EACH YEAR ON OUR ONE-TIME EQUIPMENT AND SO ON. THIS IS JUST A QUICK LOOK AT WHAT THE FORECAST LOOKS LIKE UNADJUSTED, AND IT SHOWS YOU, IF YOU LOOK DOWN AT THE ADJUSTED ENDING BALANCE, THIS PICTURE ESSENTIALLY SHOWS YOU WHY WE NEED TO CORRECT OUR

STRUCTURAL IMBALANCE BECAUSE IF WE DID NOT DO THAT, AS YOU SEE OUR ADJUST HE HAD ENDING DROPS FROM THE APPROXIMATELY 12 OR 13 MILLION IN '08 TO NEGATIVE 48.7. SO THIS -- THIS FORECAST ASSUMES THE SAME ONGOING AND ONE-TIME COSTS, BUT IT JUST SHOWS US NOT ACHIEVING STRUCTURAL BALANCE. TALKING TO YOU A LITTLE BIT MORE ABOUT REVENUE, LET'S LOOK FIRST AT PROPERTY TAX, WHICH OVER THE FORECAST PERIOD IS EXPECTED TO COMPRISE ABOUT 30% OF OUR TOTAL GENERAL FUND REVENUE. THE REVENUE THAT WE PUT IN PLACE IN THIS FORECAST ASSUMES THAT WE STAY AT THE EFFECTIVE TAX RATE EACH YEAR. OUR RATE THIS YEAR IN '05 IS 44.3 CENTS. AND WE EXPECT THE RATE TO FALL SLIGHTLY OVER THE FORECAST PERIOD TO 42-97 IN 2006, AND THEN GO SLIGHTLY BACK UP IN 2008. OUR ASSESSED VALUATION, WHICH IS TOTALLY -- WHICH IS CURRENTLY 50 BILLION ON A TOTAL A.V. BASIS, WE EXPECT TO GROW AT THE RATES YOU SEE THERE. THE GOOD NEWS IS WE ARE SEEING SOME GROWTH IN OUR ASSESSED VALUE THROUGHOUT THE FORECAST PERIOD. TALK TO YOU A LITTLE BIT ABOUT THE CHANGES IN ASSESSED VALUE THAT ARE BEHIND THAT TOTAL CHANGE THAT WE JUST SAW. THESE ARE THE CATEGORIES OF OUR ASSESSED VALUE. SINGLE-FAMILY FINANCIAL IS THE LARGEST CATEGORY PERCENTAGE-WISE. IT COMPRISES ALMOST HALF. IT'S 49% IN -- ESTIMATED TO BE 49% IN FISCAL YEAR 2006. SO IT'S ABOUT HALF OF OUR ASSESSED VALUE. THE NEXT LARGEST CATEGORY OF ASSESSED VALUE IS COMMERCIAL PROPERTY FOLLOWED BY MULTI-FAMILY RESIDENTIAL AND THEN BY PERSONAL PROPERTY AND BY NEW CONSTRUCTION AND LAND. LAND IS THE SMALLEST CATEGORY OF OUR ASSESSED VALUE. IT REALLY COMPRISES ONLY 2% OF OUR TOTAL ASSESSED VALUE. AS YOU CAN SEE, IT'S ACTUALLY GOING DOWN, FORECAST TO GO DOWN AS IT DID LAST YEAR. THE REASON BEING THAT ALTHOUGH THE LAND PRICES THEMSELVES, THE MARKET MAY BE GOING UP, THAT LAND IS BEING TURNED INTO THE OTHER CATEGORIES OF ASSESSED VALUE THAT YOU SEE THERE. SO THE GOOD NEWS FOR HOMEOWNERS, I THINK, IN THIS PICTURE RIGHT HERE IS THAT COMMERCIAL PROPERTY AND OTHER COMPONENTS OF OUR ASSESSED VALUE ARE INCREASING FASTER THAN SINGLE-FAMILY RESIDENTIAL,

WHICH SHOULD HELP TO SHIFT THE TAX BURDEN THAT HAS BEEN SHIFTED IN THE LAST SEVERAL YEARS OVER TO HOMEOWNERS, SHOULD REVERSE THAT TREND AND HOPEFULLY DISTRIBUTED THE LOAD OVER MORE OF THE -- MORE OF THE COMPONENTS OF ASSESSED VALUE. THIS IS A GRAPH THAT WE SHOWED TO YOU WHEN WE MADE OUR BOND PRESENTATION A COUPLE MONTHS AGO. THE TOP LINE IS THE PERCENT OF OUR TOTAL ASSESSED VALUE THAT SINGLE-FAMILY RESIDENTIAL HAS COMPRISED OVER THAT TIME PERIOD. YOU SEE THERE FROM '97 THROUGH 2006. AND AGAIN, IT'S AT 49% IN FISCAL YEAR 2006. THE LOWER LINE, THE ORANGE LINE IS COMMERCIAL PROPERTY, AND THE PERCENTAGE IT HAS COMPRISED OF OUR TOTAL ASSESSED VALUE OVER THAT YEAR. SO YOU SEE THAT BEGINNING IN 2001, SINGLE-FAMILY BEGAN TO BE A HIGHER PERCENTAGE OF OUR ASSESSED VALUE WHILE COMMERCIAL PROPERTY WAS LOWER. COMMERCIAL PROPERTY VALUES WERE DECLINING OVER THAT PERIOD, SHIFTING SOME OF THE TAX BURDEN TO SINGLE FAMILY. AS YOU SEE, THAT TREND APPEARS TO BE AT LEAST STALLING AND HOPEFULLY REVERSING WITH BEGINNING WITH NEXT YEAR IN 2006. LET ME TALK TO YOU A LITTLE ABOUT OUR PROPERTY TAX RATE AND HOW IT COMPARES TO THE OTHER MAJOR TEXAS CITIES. NOW, THESE NUMBERS THAT YOU SEE HERE ARE FOR THE CURRENT FISCAL YEAR, BUT, AGAIN, WE'RE ASSUMING THE EFFECTIVE TAX RATE AS WE DID FOR THIS YEAR IN THE FORECAST YEAR. BUT YOU CAN SEE THAT IN COMPARISON TO THE OTHER MAJOR CITIES IN TEXAS, AUSTIN HAS THE LOWEST PROPERTY TAX RATE, 44.30, COMPARED TO THE HIGHEST WHICH IS FORT WORTH, 86.5. NOW, AS YOU KNOW, THE TAX RATE IS ONLY ONE PART OF THE CATTLE FOR YOUR TOTAL -- CATTLE FOR WHAT THE ASSESSED VALUE ON YOUR SINGLE-FAMILY RESIDENCE, SO IN COMPARISON TO THE PRIOR SLIDE WHERE AUSTIN HAS THE LOWEST TAX RATE, WE ALSO HAVE THE HIGHEST AVERAGE PRICE FOR A SINGLE-FAMILY RESIDENCE. THIS, AGAIN, IS A 2005 NUMBER, A CURRENT YEAR NUMBER, 182,000. WE EXPECT THE AVERAGE HOME VALUE TO GO UP SLIGHTLY, ABOUT 3%, ABOUT THE SAME INCREASE AS WE ARE SEEING FOR OUR SINGLE-FAMILY PROPERTY AS A WHOLE, UP TO ABOUT 187,000 NEXT YEAR. BUT WE ARE CLEARLY LEADING THE PACK IN TERMS OF THE AVERAGE

HOME VALUE IN THIS PICTURE. AND SO WHAT THAT RESULTS IN IS A PROPERTY TAX BILL THAT IS THE HIGHEST OF ALL THE MAJOR CITIES. ALTHOUGH, AGAIN KEEP IN MIND THAT THE TAX RATE APPLIED TO THE AVERAGE HOME VALUE IS WHAT PRODUCES THIS TAX BILL, AND IN THAT REGARD WE ARE ONLY 2% HIGHER THAN DALLAS, FOR EXAMPLE, AND 5% HIGHER THAN HOUSTON IN TERMS OF AN AVERAGE -- THE AVERAGE HOME TAX BILL. THEN ONE OTHER WAY TO LOOK AT THIS OF ANALYZING THE EFFECT ON THE COMMUNITY AT LARGE IS THROUGH MEDIAN FAMILY INCOME. THESE NUMBERS ARE SLIGHTLY MORE DATED THAN THE OTHER ONES WE SHOWED YOU. THEY ARE FROM 2004. BUT YOU SEE THAT AUSTIN HAS THE HIGHEST MEDIAN FAMILY INCOME OF MAJOR TEXAS CITIES AT 67,300 IN COMPARISON TO SAN ANTONIO WHICH HAS THE LOWEST, 51,500. AND SO LOOKING AT THE PROPERTY TAX BILL FOR AN AVERAGE HOME AS A PERCENT OF MEDIAN FAMILY INCOME, YOU SEE THAT AUSTIN IS RIGHT IN THE MIDDLE OF THE PACK HERE IN COMPARISON TO OTHER MAJOR TEXAS CITIES. THE NUMBER -- THE PROPERTY TAX BILL AS A PERCENT OF MEDIAN FAMILY INCOME HERE IN AUSTIN IS 1.2%. RIGHT IN THE MIDDLE OF THE FIVE MAJOR TEXAS CITIES. AND THEN THE LAST LOOK AT PROPERTY TAX BILLS SHOULD BE DONE, I THINK, ON AN OVERLAPPING BASIS WHICH INCLUDES THE SCHOOL DISTRICT AND THE COUNTY AND A.C.C. AND IN COMPARISON TO THE OTHER MAJOR TEXAS CITIES, YOU SEE THAT AUSTIN HAS THE LARGEST OVERLAPPING PROPERTY TAX BILL, \$4,603 ON AN AVERAGE HOME, COMPARED TO SAN ANTONIO WITH THE LOWEST OVERLAPPING PROPERTY TAX BILL AT SLIGHTLY MORE THAN 2,000. HOWEVER, THAT LINE GRAPH THAT RUNS ACROSS THE TOP THERE STARTING IN SAN ANTONIO AT 26.8%, THAT NUMBER FOR SAN ANTONIO IS THE PERCENT OF THE TOTAL OVERLAPPING TAX BILL THAT THE CITY OF SAN ANTONIO'S TAX BILL COMPRISES. AND SO ALTHOUGH AUSTIN HAS A VERY LARGE OVERLAPPING PROPERTY TAX BILL IN COMPARISON TO THE OTHER MAJOR CITIES, AUSTIN'S PERCENTAGE OF THAT TAX BILL IS ONLY 17.5%. WE ARE BY FAR THE LOWEST. THE AVERAGE, AS YOU CAN SEE IN MOST OF THE MAJOR CITIES IN TEXAS, IT'S ABOUT ONE-FOURTH OF THE TOTAL TAX BILL, AND FOR US IT'S LESS THAN A FIFTH. MOVING TO OUR OTHER MAJOR TAX CATEGORY, SALES TAX, WE EXPECT THAT OVER THE

FORECAST PERIOD IT WILL COMPRISE ABOUT 28% OF OUR TOTAL GENERAL FUND REVENUE, AND THE ASSUMPTIONS THAT YOU SEE HERE THAT WE EXPECT A CONTINUATION OF THE MEASURED ECONOMIC RECOVERY THAT BEGAN LAST YEAR, AND WE ARE FORECASTING SLIGHTLY HIGHER GROWTH RATES. THE GROWTH RATE THAT WE'RE FORECASTING IN THE CURRENT YEAR IS 5.1%, AND WE'RE FORECASTING 6% THROUGHOUT THE FORECAST PERIOD. WHEN WE PUT OUR FORECAST TOGETHER, WE WORKED WITH JOHN HOCK EVENENYES H.OES AND HE HAS RUN A MODEL WITH RECEIVER VARIABLES AND CONCLUDED THESE RATES ARE IN LINE FOR WHAT HIS MODELS ARE SHOWING FOR SALES TAX GROWTH IN OUR AREA. OTHER REVENUE THAT THE GENERAL FUND RECEIVES ARE THE UTILITY TRANSFERS. THEY ACCOUNT FOR 21% OF OUR TOTAL GENERAL FUND REVENUES. AND OUR FORECAST ASSUMES THAT WE STAY AT THE RATES, THE TRANSFER RATES YOU SEE HERE. THE ELECTRIC UTILITY TRANSFER RATE OF 9.1% IS AT THE TOP OF THE RANGE THAT COUNCIL ESTABLISHED IN ITS 1997 POLICY FOR ELECTRIC UTILITY TRANSFERS. AND THE WATER UTILITY IS ALSO FORECAST THAT 8.2%, CONSISTENT WITH WHAT IT HAS BEEN IN PRIOR YEARS. THIS IS A SUMMARY OF OUR FORECAST REVENUES. THAT YOU SEE HERE. WE'RE ESTIMATING 136 MILLION IN PROPERTY TAX THIS YEAR, SO NEXT YEAR WE ARE GOING TO SEE ABOUT A \$4.2 MILLION INCREASE IN PROPERTY TAX. ABOUT A \$7.7 MILLION INCREASE IN '07. AND ABOUT AN 8 \$6 MILLION INCREASE IN '08. AS TOBY REFERRED TO IN HER OPENING REMARKS, THESE REVENUES ARE INCREASING AS ARE OUR SALES TAX REVENUES THROUGHOUT THE PERIOD. OUR UTILITY TRANSFERS ARE EXPECTED TO HAVE SOME MODEST INCREASE WITH GROWTH IN SERVICE AREA REVENUES, GROWTH IN THE NUMBER OF CUSTOMERS THROUGHOUT THAT FORECAST PERIOD. AND THEN WE'RE PROJECTING SOME INCREASES IN OTHER REVENUES. OUR BUILDING PERMITS, FINES, FEES, AND OTHER TAXES THAT WE HAVE. FOR A TOTAL REVENUE NUMBER OF WHAT YOU SEE HERE, AND A TOTAL REVENUE INCREASE EACH YEAR THAT YOU SEE HERE. IN 2006, OUR REVENUES WILL INCREASE BY 4.8%, 4.3% IN '07, AND 4.6% IN '08. AND SO INCREASES OF APPROXIMATELY 4.5% EVERY YEAR. LOOKING ON THE EXPENDITURE SIDE IN THE GENERAL FUND, WE PUT THE

FORECAST TOGETHER WITH THESE BASIC ASSUMPTIONS, THAT WE WOULD, FIRST OF ALL, MAINTAIN 2.0 POLICE OFFICERS PER THOUSAND POPULATION. THAT WE WOULD CONTINUE TO HONOR ALL OUR PUBLIC SAFETY CONTRACTS AND OTHER PAY INCREASES BUILT INTO THEIR PAY SCALES, STEP AND LONGEVITY, FOR EXAMPLE. THAT WE WILL MAINTAIN OUR EXISTING FUNDING LEVELS FOR PUBLIC HEALTH SERVICES AND SOCIAL SERVICES, AND OUR EXISTING SERVICE LEVELS FOR PARKS PROGRAMS. THAT WE WILL -- THAT WE HAVE INCLUDED IN OUR FORECAST OPERATIONS AND MAINTENANCE COSTS FOR THE NEW AND EXPANDED FACILITIES. WE HAVE INCLUDED AN ASSUMPTION OF PAY FOR PERFORMANCE OF EACH YEAR OF 3.5% FOR ALL GENERAL FUND EMPLOYEES, ALL CITY EMPLOYEES. AND WE ARE PROJECTING HEALTH INSURANCE INCREASES OF 10% EACH YEAR. AND THEN AS TOBY SPOKE TO, SHE HAS SOME KEY MANAGEMENT RECOMMENDATIONS THAT WE HAVE INCLUDED IN THIS FORECAST. FIRST, TO INCREASE THE LIVING WAGE FROM \$10 AN HOUR TO \$10.81 AN HOUR IN 2006. TO DO SOME MARKET ADJUSTMENTS FOR OUR NON-CIVIL SERVICE WORKFORCE. WE EXPECT TO BE ABLE TO COVER ABOUT HALF OF THOSE IN '06 AND THE REMAINING HALF IN '07. TO RESTORE OUR BRANCH LIBRARY AND AUSTIN HISTORY CENTER HOURS. TO ENHANCE SOME OF OUR KEY PUBLIC SAFETY SERVICES. AND SOME OF OUR KEY NON-PUBLIC SAFETY SERVICES THAT TOBY SPOKE TO IN HER INTRODUCTORY REMARKS. THESE ARE THE COST DRIVERS THAT REALLY ARE INCLUDED IN THE ASSUMPTIONS THAT WE JUST WENT OVER. THEY BREAK OUT AS YOU SEE HERE. PUBLIC SAFETY IS, AGAIN, THE LARGEST CATEGORY COMPRISING A LITTLE MORE THAN 22 MILLION IN '06 AND ABOUT 20 MILLION IN '07, 21 MILLION IN '08. WE SEE HEALTH INSURANCE INCREASES AS YOU SEE THERE, ABOUT 3 MILLION, \$3.5 MILLION A YEAR. PAY FOR PERFORMANCE FOR NON-CIVIL SERVICE, NON-UNIFORM EMPLOYEES. NEW FACILITY O&M. THAN THAT GIVES A SUBTOTAL OF OUR SORT OF MAJOR COST DRIVER INCREASES, AND THEN THERE ARE SOME OTHER ESTIMATED INCREASES THAT ARE ALSO INCLUDED IN THERE. GOING BACK TO PUBLIC SAFETY, WHICH, AGAIN, COMPRISES OUR LARGEST -- SINGLE LARGE ET EXPENDITURE IN THE GENERAL FUND, I BELIEVE BEGINNING ABOUT FOUR OR FIVE YEARS AGO WE SHOWED

YOU A GRAPH THAT INDICATED THAT PUBLIC SAFETY WAS ABOUT TO BECOME -- THAT PUBLIC SAFETY EXPENDITURES WERE ABOUT TO CONSUME ALL OF OUR PROPERTY AND ALL OF OUR SALES TAX COMBINED. AND YOU SEE FROM THIS GRAPH HERE THAT, IN FACT, THAT TREND HAS HELD. SO THAT IN THE CURRENT YEAR, 2005, PUBLIC SAFETY COSTS COMPRISE 110% OF OUR PROPERTY AND SALES TAX REVENUE. IN OTHER WORDS, IF YOU ADDED UP ALL OF OUR PROPERTY TAX REVENUE AND ALL OF OUR SALES TAX REVENUE, THAT WOULD NOT BE ENOUGH TO FUND OUR PUBLIC SAFETY COSTS. WE WOULD HAVE TO ALSO LOOK TO OTHER REVENUE SOURCES IN THE GENERAL FUND. THIS IS A MORE DETAILED LOOK AT OUR PUBLIC SAFETY COST DRIVERS. LET ME JUST INSERT A PARENTHETICAL NOTE THAT ALL OF THIS INFORMATION IS INCLUDED IN THE FORECAST DOCUMENT THAT WAS HANDED OUT TO YOU. WE'VE ALSO MADE AVAILABLE COPIES FOR SOME OF THE PEOPLE WATCHING TODAY AND THIS SAME INFORMATION WILL BE UP ON OUR WEBSITE BY THE TIME THIS PRESENTATION IS OVER. SO IT CAN BE ACCESSED BY EVERYBODY. THE LARGEST SINGLE COST DRIVER THAT YOU SEE IN HERE IS THE FIRST ONE, PUBLIC SAFETY PAY FOR PERFORMANCE AND CONTRACT PAY. BUT IT INCLUDES THE OTHER THINGS THAT YOU SEE THERE, STEP AND LONGEVITY, FIRE STEP AND LONGEVITY. LET ME HIGHLIGHT SOME OF THESE KEY ONES. ABOUT A THIRD OR A FOURTH OF THE WAY DOWN, POLICE CIVILIAN STAFF. WE ARE ADDING ABOUT \$437,000 IN COSTS TO ADD BACK SOME CIVILIANS TO A.P.D. WE HAVE ADDED COSTS FOR FIRE OVERTIME FOR OUR ENHANCED TASK FORCE STAFFING, FOR THE FIRE WELLNESS CENTER TOBY ADDRESSED, FOR FIRE SKILLS TRAINING. WE'RE STORING SIX FIREFIGHTER POSITIONS AT A COST OF ABOUT 291,000. AND THEN LOOKING AT E.M.S. COSTS COSTS, WE ARE INCLUDING IN E.M.S. PEAK LOAD UNIT, AN E.M.S. RECRUITING PACKAGE, AND E.M.S. DISTRICT COMMANDERS TO THE AMOUNTS THAT YOU SEE THERE. HERE'S A LIST OF WHAT WE HAVE INCLUDED IN OUR CAP ACTUAL EXPENDITURES AND OTHER ONE-TIME CRITICAL COST. A TOTAL OF 14.3, 14.4 MILLIONS. IT INCLUDES 4 MILLION IN VEHICLE REPLACEMENTS. SLIGHTLY MORE THAN 7 MILLION IN TECHNOLOGY REPLACEMENTS AND UPGRADES. THIS INCLUDES ADDITIONAL MONEY FOR OUR PERMITTING

SYSTEM. IT INCLUDES SOME ADDITIONAL RADIOS FOR OUR NEW 800-MEGAHERTZ RADIO SYSTEM. AND IT INCLUDES ABOUT \$3 MILLION FOR -- TO REPLACE P.C.s IN GENERAL FUND AND SUPPORT SERVICE DEPARTMENTS. AND THEN THE REST OF THEM ARE THE ITEMS THAT YOU SEE THERE, REPLACEMENT EQUIPMENT, SOME MINOR FACILITY REPAIRS AND SO ON. AND THEN LASTLY THE GENERAL FUND NON-CIVIL SERVICE BONUS OF ABOUT 1.4 OR 1.5 MILLION. JUST TO RECAP BY LOOKING AGAIN AT THE FORECAST IN THIS FORMAT, AS TOBY SAID, ALTHOUGH OUR REVENUES ARE INCREASING AT A RELATIVELY HEALTHY RATE, WE ARE PROJECTING OVER THIS THREE-YEAR PERIOD AN ADDITIONAL 64 OR 65 MILLION DOLLARS IN NEW REVENUE. OUR COST DRIVERS ARE OUTPACING THE GROWTH IN OUR COST DRIVERS IS OUTPACING THE GROWTH OF OUR REVENUES. OUR COST DRIVERS OVER THIS PERIOD, 34.2 MILLION IN 2006, 629.2 MILLION IN 2007, AND 28.7 MILLION IN '08. OVER THAT THREE-YEAR PERIOD THOSE ADD UP TO ABOUT 92 MILLION. AND SO THAT, AGAIN, CALLS OUT THE NECESSITY TO -- ON A STRUCTURAL BALANCE BASIS TO ACHIEVE THE REDUCTIONS THAT YOU SEE THERE OR THE MODIFICATIONS THAT YOU SEE THERE IN THE GENERAL FUND OF 27.7. THAT'S WHAT THE 12.4, THE 9 MILLION TAKEN 6.3 ADD UP TO. 27.7 MILLION OVER THAT SAME THREE-YEAR PERIOD. TP-RGSTHAT'S A TOTAL OF ABOUT 6.5% ACROSS THE BOARD IN THE GENERAL FUND. MOVING ON TO THE ENTERPRISE FUNDS, WE'LL LOOK FIRST AT THE AUSTIN WATER UTILITY. THEIR CAPITAL REQUIREMENTS, EXTENSIVE CAPITAL REQUIREMENTS AND DEBT SERVICE ALONG WITH A LIMITED GROWTH IN BASE SERVICE REVENUES RESULT IN THE FUNDING GAPS THAT YOU SEE THERE, 22.5 MILLION IN '07 AND 41.2 MILLION IN '08. AND SO TO DEAL WITH THAT, THE EXTENSIVE CAPITAL PROGRAM THAT THEY HAVE AND THE INCREASED DEBT SERVICE THAT'S GOING TO GO ALONG WITH FUNDING THAT PROGRAM, WE HAVE PUT THIS FORECAST TOGETHER ASSUMING A COMBINED 13.7 RATE INCREASE OVER THE THREE-YEAR PERIOD, AND WE'VE DONE IT A LITTLE BIT AT A TIME. WITH THE RATE INCREASES THAT YOU SEE THERE, 4.2% IN '06, 4.5% IN '07, AND 5% IN '08. THIS IS A DIFFERENT APPROACH FROM WHAT WE'VE TALKED TO YOU ABOUT IN PREVIOUS YEARS AND WILL BE A DISCUSSION ITEM FOR OUR POLICY BUDGET, BUT THE IDEA



THAT WE HAD WAS THAT WE WOULD PUT IN PLACE A PLAN LIKE WE HAD IN THE DRAINAGE UTILITY TO MITIGATE THE INCREASE FROM YEAR TO YEAR ON THE RATEPAYERS AND GO TO A SMALLER INCREASE IN EACH YEAR OF THE FORECAST PERIOD. WHAT IS DRIVING THE NEED FOR THIS INCREASE IS, AGAIN, THERE ARE EXTENSIVE CAPITAL IMPROVEMENT PROGRAM WHICH OVER THE THREE-YEAR PERIOD IS 549 MILLION. OVER A FIVE-YEAR PERIOD IT'S JUST SHORT OF A BILLION DOLLARS. 977 MILLION. AND IT BREAKS OUT INTO THE CATEGORIES THAT YOU SEE HERE. REGULATORY COMPLIANCE IS REALLY ITEMS LIKE STATE MANDATED ITEM TO BRING WATER PRESSURE UP TO CERTAIN STANDARDS, AND SO THAT CALLS FOR INCREASING THE SIZE OF OUR WATER MAINS AND FOR SOME PUMPING STATIONS. ECONOMIC DEVELOPMENT IS ESSENTIALLY SERVICE REIMBURSEMENTS FOR DEVELOPER REIMBURSEMENTS. REQUESTS FOR SERVICE EXTENSIONS, AND OF COURSE THOSE HELP US AS WE ADD SINGLE-FAMILY RESIDENCES ON TO OUR TAX BASE. THE AGING INFRASTRUCTURE IN THIS CATEGORY, THE DRIVING COST IS THE CLEAN WATER PROGRAM. THE E.P.A. MANDATE THAT WE'RE UNDER, WHICH OVER THE ENTIRE PERIOD OF OUR DEALING WITH THAT WILL BE AT A COST OF ABOUT \$250 MILLION. BUT IN THE THREE-YEAR PERIOD WE EXPECT IT'S GOING TO BE ABOUT 164 MILLION. THAT'S TO REPLACE OUR AGING SEWER PIPES. AND JUST SORT OF A PARENTHETICAL NOTE ON THAT, I SAW A COUPLE WEEKS AGO AN ARTICLE IN THE CITY AND COUNTY MAGAZINE THAT THE AMERICAN SOCIETY FOR CIVIL ENGINEERS IN MARCH ISSUED THEIR REPORT CARD ON THE NATION'S INFRASTRUCTURE. THEY DID ONE IN 2001 AND THEY'VE UPDATED IT IN 2005. THEY GAVE AN OVERALL RATE OF D MINUS TO THE NATION'S INFRASTRUCTURE, TAKEN WORST CATEGORY IN THAT INFRASTRUCTURE WHICH ALSO GOT A GRADE OF D MINUS WAS WATER AND SEWER SYSTEMS ACROSS THE COUNTRY. THIS IS NOT A PHENOMENON WE'RE DEALING EXCLUSIVELY WITH IN AUSTIN. IT'S A NATIONWIDE PROBLEM. LOOKING AT OUR AVIATION FUND, WE EXPECT PASSENGER ACTIVITY TO INCREASE, A MODEST GROWTH OF 2.8% FOR THE FORECAST PERIOD. WE EXPECT OUR NON-AIRLINE REVENUE, WHICH IS PRIMARILY PARKING REVENUE, SOME RENTAL CAR REVENUE, WE EXPECT THAT TO INCREASE AT A 4.6%

GROWTH RATE IN '06 AND THEN SLIGHTLY LOWER IN '07 AND '08. THE EXPENDITURES FOR THIS FUND IN THE FORECAST PERIOD INCLUDE COST INCREASES THAT WE WILL HAVE TO INCUR FOR COMPLIANCE WITH SECURITY MANDATES. THE TRANSPORTATION SECURITY ADMINISTRATION MANDATES. INFRASTRUCTURE MAINTENANCE. WE NEED TO SPEND SOME MONEY ON OUR NEW BAGGAGE HANDLING SYSTEM AND FOR PERSONNEL COSTS, THE NORMAL PAY FOR PERFORMANCE COSTS THAT WE HAVE IN ALL OF OUR DEPARTMENTS. IN THE CONVENTION CENTER, MOST OF THE -- A SIGNIFICANT CHUNK OF THE CONVENTION CENTER REVENUE IS FROM HOTEL-MOTEL TAX, AND WE ARE SEEING SOME GOOD INCREASES THIS YEAR IN OUR HOTEL TAX. OUR CURRENT YEAR ESTIMATE IS THAT WE'LL BE ALMOST 6% ABOVE BUDGET FOR HOTEL TAX. AND THEN WE HAVE FORECAST GET OF 5% IN FISCAL YEAR '06 AND 4% IN THE FOLLOWING TWO YEARS. ON THE EXPENDITURE SIDE, THE CONVENTION CENTER IS -- THE GOOD NEWS IS WE'VE GOT OUR HEADQUARTERS HOTEL OPEN AND WE'VE GOT SOME NEWER AND LARGER EVENTS THAT ARE COPPING ON LINE. BUT THOSE EVENTS ARE BRINGING SOME ISSUES THAT WE'LL HAVE TO DEAL WITH. FOR EXAMPLE, TECHNOLOGY ISSUES. AS YOU KNOW, WE ARE PUTTING ON THE PREMIER TECHNOLOGY CONFERENCE IN THE WORLD NEXT YEAR, THE WCIT WORLD CONFERENCE ON INFORMATION TECHNOLOGY AT OUR CONVENTION CENTER AND SO WE'LL BE SPENDING SOME MONEY TO DEAL WITH THAT. LOOKING AT THE DRAINAGE UTILITY FUND, WE ARE FORECASTING A RATE INCREASE FOR THE FINAL YEAR OF THE PLAN THAT COUNCIL APPROVED, THE FIVE-YEAR COST OF SERVICE PLAN. SO IN '06 WE EXPECT OUR RESIDENTIAL RATES TO GO UP ABOUT 6% AND ABOUT 19.5% FOR OUR COMMERCIAL RATES. AND ON THE EXPENDITURE SIDE WE SEE A CONTINUATION OF OUR INFRASTRUCTURE AND SYSTEM IMPROVEMENT PROJECTS FROM OUR MASTER PLAN. WE HAVE BEEN ABLE TO MAKE SOME PROGRESS AUTHORIZED FUNDING THAT MASTER PLAN THROUGH INCREASED TRANSFERS TO C.I.P. AND THOSE ARE MAINTAINED IN THE FORECAST PERIOD. ON THE SOLID WASTE SERVICES SIDE, WE HAVE NOT HAD A RATE INCREASE IN SOLID WASTE FOR EIGHT YEARS NOW FOR OUR PAY AS YOU THROW RATES. AND WE ARE NOT FORECASTING A RATE INCREASE OVER THE FORECAST

PERIOD FOR SOLID WASTE. WE DO EXPECT TO SEE SOME BASE CUSTOMER GROWTH THROUGHOUT THAT PERIOD. AND SOLID WASTE IS GOING TO BE DEALING WITH SOME INCREASED COSTS THAT ARE ASSOCIATED WITH THE REORGANIZATION THAT WE DID A COUPLE YEARS AGO WHERE WE MOVED THE CODE COMPLIANCE PROGRAM INTO SOLID WASTE. BUT WE ARE MAKING -- CONTINUE TO GO MAKE A GENERAL FUND TRANSFER OF ABOUT A MILLION DOLLARS A YEAR TO THE SOLID WASTE SERVICE DEPARTMENT TO HELP THEM DEAL WITH THAT. LIKEWISE WE SEE NO RATE INCREASE, NO RATE INCREASE IN OUR FORECAST FOR TRANSPORTATION, FOR OUR TRANSPORTATION FUND. MINIMAL GROWTH FOR THAT FUND. WE ARE STRUGGLING TO ACHIEVE THE GOAL THAT WE HAVE SET FOR OURSELVES IN THAT FUND TO ACHIEVE 10% PREVENTIVE MAINTENANCE ON 10% OF OUR ROADWAY BASE BECAUSE OF INCREASED COMMODITY COSTS AND BECAUSE OUR INVENTORY MAINTENANCE NEEDS CONTINUE TO INCREASE. LASTLY, THE KEY DATES LOOKING FORWARD TO OUR BUDGET, AS TOBY SAID, THIS FORECAST IS REALLY THE FIRST PART OF OUR BUDGET PROCESS. WE EXPECT TO FOLLOW UP FAIRLY QUICKLY ON MAY 26 WHEN WE WILL SUBMIT THE DRAFT POLICY BUDGET TOTAL CITY COUNCIL AT A WORK SESSION WHERE WE HOPE TO GET SOME BUDGET DIRECTION FROM YOU ON THE POLICY ISSUES THAT WE'LL RAISE IN THAT PRESENTATION. THEN ON JULY 28th, WE WILL SUBMIT THE PROPOSED BUDGET TO COUNCIL. AS WE ALWAYS DO, WE'LL HAVE OUR BUDGET PRESENTATIONS AND PUBLIC HEARINGS IN AUGUST AND THEN OUR BUDGET APPROVAL READINGS WILL BE IN THE FIRST PART OF SEPTEMBER. AND, OF COURSE, THROUGHOUT THAT PROCESS WE WILL MAINTAIN, AS WE ALWAYS DO, OUR QUESTION AND ANSWER FORMAT WHERE ANY BUDGET QUESTION THAT IS SUBMITTED, WE USUALLY TURN THAT AROUND WITHIN A COUPLE OF DAYS AND GET AN ANSWER WHICH WE POST ON THE CITY'S WEBSITE, AND OF COURSE THAT WILL BE AVAILABLE THROUGHOUT THIS PERIOD AS WELL. SO, COUNCIL THAT IS CORRECT CONCLUDES OUR PRESENTATION. WE WOULD BE HAPPY TO TAKE ANY QUESTIONS.

Goodman: FOR MYSELF, I WANT TO SAY THIS IS A REALLY

GOOD TOOL HERE. WITH ONE SUGGESTION I THINK THAT WOULD MAKE IT EVEN BETTER BECAUSE THIS WILL BE GOOD FOR THE NEW COUNCILMEMBERS. IF YOU ADDED ON YOUR SPREAD SHEETS, YOU KNOW, YOU START WITH 2006 AND SOME OF THEM YOU GO BACK TO 2004, I THINK IT WOULD BE GOOD TO START WITH RIGHT AFTER THE ECONOMIC DOWN T-LS IT US SO YOU COULD SEE THE CONTINUUM FROM BAD TO SORT OF GOOD SO THAT EVERYBODY WILL KNOW -- I'M AMAZED AT HOW MANY PEOPLE HAVE JUST BLOCKED THE ECONOMIC DIFFICULTIES OF THE LAST FEW YEARS TOTALLY OUT OF THEIR MINDS AND BELIEVE WE ARE NOW ON SUCH A ROLL THAT WE CAN FUND EVERYTHING AGAIN. SO I THINK THAT WOULD BE A GOOD TOOL. AND ONE THING I WANTED TO ASK YOU ABOUT, IT SAYS HEALTH AND SOCIAL SERVICES, I THINK. AT EXISTING LEVELS, MAINTAIN EXISTING FUNDING LEVELS, AND I THOUGHT WE HAD FOUND THE HALF A MILLION TO MAKE THEM WHOLE, AND SO IS THAT WHAT WE'RE CONSIDERING EXISTING?

I'VE ALREADY BEEN ASKED THAT QUESTION TWICE UP HERE. WHAT'S IN THERE NOW IS THE 500,000 FOR BASIC NEEDS HAS BEEN KEPT, BUT WHAT IS NOT IN THERE AND WHAT WILL BE FRAMED FOR YOU AS PART OF THE POLICY DISCUSSION ON WHAT DO WE DO TO PREPARE THE PROPOSED BUDGET IS THE ONE-TIME 5% CUT THAT HAPPENED OVER THOSE THREE YEARS OF CUTS. THAT'S CLEARLY ONE OF OUR POLICY DISCUSSION TOPICS WITH YOU BECAUSE IT'S ONE OF OUR PRIORITY DISCUSSIONS.

Goodman: OKAY. THANKS. COUNCILMEMBER DUNKERLEY, DID YOU HAVE A --

Dunkerley: I WANTED TO MENTION THAT SAME THING TOO.

IN FACT, SHE ALREADY HAD, JUST SO YOU KNOW.

Dunkerley: I REACHED OVER AS SOON AS I SAW THIS. THIS IS JUST ONE OF THE THINGS I HAD HOPED WE COULD GET MAYBE NOT IN THIS FORECAST BUT CERTAINLY HOPEFULLY, CITY MANAGER, IN YOUR BUDGET THAT YOU PRESENT AROUND THE FIRST OF AUGUST. THIS IS TRULY, I THINK, A PRIORITY IN THIS COMMUNITY RIGHT NOW. SO THAT WOULD BE MY -- MY BIGGEST ADVOCACY POSITION AT THIS TIME TO

SEE IF WE CAN'T FIND IT BEFORE YOU PRESENT THAT FINAL BUDGET.

THERE'S NO DOUBT IT'S ON -- IT'S ONE OF THE TOP ISSUES ON THE LIST. AND WE'RE GOING TO BE PRESENTING EACH OF THESE ISSUES TO YOU AND FRAMING THE DISCUSSION OF THE TRADEOFF.

Goodman: SO COULD I ASK, JOHN, DO YOU THINK THAT BEFORE YOU HAVE THE MAY PRESENTATION, THAT WE COULD REPLACE OR ADD TO THESE FEW PAGES WITH THE RETRO NUMBERS? AND THEN I'M GOING TO KEEP ONE FOR ME AND LEAVE ONE FOR COUNCILMEMBER NUMBER 3, WHOEVER THAT IS.

WE WILL CONSIDER THAT OUR FIRST BUDGET QUESTION, MAYOR PRO TEM, AND WE'LL GET AN ANSWER OUT TO YOU AND PUT IT ON THE WEBSITE AND GET YOU A HARD COPY.

Goodman: THANKS. ARE THERE OTHER QUESTIONS?

Thomas: YEAH, MAYOR PRO TEM.

Goodman: COUNCILMEMBER THOMAS.

Thomas: JOHN, LISTENING TO YOU UPSTAIRS AWHILE AGO, ON PAGE 19 YOU SAID MAINTAINING 2.0 POLICE OFFICERS PER THOUSAND POPULATION. CAN YOU BEFORE MAY 26, CAN YOU JUST GIVE ME WHERE WE ARE AS FAR AS CLOSE -- ARE WE CLOSE TO THAT NOW OR HOW FAR AWAY -- AUTHORIZED STRENGTH I GUESS IS WHAT I'M ASKING.

YES, SIR.

Thomas: THEN ON YOUR CAPITAL EXPENDITURES FOR ONE-TIME CRITICAL COSTS, ON YOUR -- ON PAGE 24, CAN YOU -- BEFORE MAY -- I GUESS I NEED ON EACH AMOUNT OF THOSE THOSE AMOUNTS OF MONEY YOU HAVE. CAN YOU GIVE ME AN UPDATE WHERE WE ARE CLOSE TO AS FAR AS VEHICLE REPLACEMENTS?

YES, SIR.

Thomas: OKAY. THANK YOU.

Goodman: AND> ONE OTHER THING WE HAVE IN THE ENHANCEMENT PACKAGE IS SOME ADDITIONAL DOLLARS TO DO A BETTER JOB OF CONSTANT STAFFING IN POLICE, AND WE WILL TALK WITH YOU ALSO ABOUT THAT IN THE POLICY BUDGET.

Thomas: OKAY.

Goodman: OKAY. USUALLY WHEN I THINK EVERYBODY IS DONE, COUNCILMEMBER SLUSHER HAS A QUESTION. DO YOU? [LAUGHTER]

Goodman: OKAY. THANKS.

WE COULD TAKE UP SEVERAL THINGS HERE. DEPENDS ON WHETHER YOU WANT TO JUMP INTO A BIG ONE OR A SHORT ONE. WE COULD A DISCUSSION ON NUMBER 40, THE DORMANT PROJECT, OR WE COULD WAIT. WE COULD DO HOV STUDY. THAT SHOULD BE A RELATIVELY SHORT ONE, IF WE'RE PREPARED FOR THAT. THAT'S NUMBER 25.

Slusher: I THINK THAT WOULD BE A GOOD IDEA, EXCEPT DIDN'T THE MAYOR ALSO PULL THAT ONE?

UH-OH, DID HE PULL THAT ONE? CITY MANAGER, HE PULLED BOTH 25 AND 40.

Futrell: OKAY.

Slusher: WE COULD TAKE ZONING.

Futrell: YOU MIGHT JUST HAVE TO HEAD INTO ZONING.

Goodman: OKAY. ITEM NUMBER 61, 61, STAFF IS REQUESTING POSTPONEMENT UNTIL MAY 12 IN ORDER TO FINALIZE LEGAL DOCUMENTS. ITEM NUMBER 62, THE BRASS BRASS SOES ZONING EUS, A POSTPONEMENT UNTIL MAY 12 IN ORDER TO BE PRESENT. SHE IS CURRENTLY OUT OF TOWN. ALTHOUGH THIS IS THE SECOND REQUEST.

Goodman: I'M SORRY, ALICE, COULD YOU SAY THAT AGAIN?

ITEM 62, THE AGENT IS OUT OF TOWN, COULDN'T BE HERE TODAY, AND SHE'S REQUESTING TO POSTPONE IT TO MAY THE 12th SO SHE CAN BE HERE TO BE ABLE TO SPEAK TO THE CASE. A CLIENT HAS A PROBLEM WITH WHAT COUNCIL APPROVED ON FIRST READING.

Goodman: OKAY.

ON ITEM NUMBER 63, CASE C14-04-0012.003, THE BRENTWOOD/HIGH LAND COMBINED ZONING, THE AGENT, MR. JIM BENNETT, HAS REQUESTED POSTPONEMENT TO MAY 26th. , MAYOR PRO TEM THAT IS CORRECT CONCLUDES THOSE COUPLES WHERE YOU HAVE ALREADY CLOSED THE PUBLIC HEARING.

Goodman:. OKAY. SO THE CONSENT ITEMS WOULD BE 60 FOR SECOND AND THIRD READING, 61 TO POSTPONE TO MAY 12th, 62 ALSO POSTPONED TO MAY 12th. 63 POSTPONED TO MAY 26th. AND IS THERE A MOTION? COUNCILMEMBER ALVAREZ AND I'LL SECOND. ALL THOSE IN FAVOR PLEASE SAY AYE. ALL THOSE OPPOSED. OKAY.

THANK YOU. NOW WE PROCEED TO THE ITEMS WHERE YOU ARE CONDUCTING THE PUBLIC HEARING FOR THE FIRST TIME. WE'LL START OFF WITH ITEM Z-1 THROUGH 14, ASSOCIATED WITH THE OLD WEST AUSTIN NEIGHBORHOOD PLANNING AREA THAT YOU APPROVED FOUR YEARS AGO AND WE'RE IMPLEMENTING THE ZONING TODAY. AND I WILL READ THROUGH EACH ITEM SINCE THEY ARE FOR DIFFERENT ADDRESSES AND THE EXISTING ZONING IS DIFFERENT. ITEM Z-49, PROPERTY LOCATED AT 1406 LORRAINE STREET. THE EXISTING ZONING THE MULTI-FAMILY 3, NEIGHBORHOOD PLAN COMBINING DISTRICT T CHANGE IS ZONING IS RECOMMENDED BY THE PLANNING COMMISSION IS SINGLE-FAMILY 3NP. THIS CASE IS READY FOR ALL THREE READINGS. ITEM NUMBER Z-2 FOR PROPERTY LOCATED AT 1204 1204 BAYLOR STREET, THE DOWN ZONING IS TO SINGLE-FAMILY 3NP AS RECOMMENDED BY THE PLANNING COMMISSION AND READY FOR ALL THREE READINGS. ITEM NUMBER Z-3, FOR 1204 CASTLE HILL STREET, THE EXISTING ZONING IS MULTI-FAMILY 3NP TO SF-3 NP AS RECOMMENDED

BY THE PLANNING COMMISSION AND IT'S READY FOR ALL THREE READINGS. ITEM Z-4, FOR PROPERTY LOCATED AT 1506 WEST 9th STREET, THE EXISTING ZONING IS MF4NPT CHANGE IS TO SF-3 NP AND THE CASE IS READY FOR ALL THREE READINGS. ITEM Z-5 FOR PROPERTY AT 1412 WEST 9th STREET, THE CHANGE IS TO SF-3 NP AND IS READY FOR ALL THREE READINGS. ITEM Z-6, FOR PROPERTY LOCATED 1117 WEST 9th STREET, AND THE EXISTING ZONING IS MF4NP, THE CHANGE TO SF-3 NP AND THE CASE IS READY FOR ALL THREE READINGS. ITEM Z-7, FOR PROPERTY LOCATED AT 1608 WEST 9th STREET, THE EXISTING ZONING IS MF3NPT CHANGE IS TO SF-3 NP AND IT'S READY FOR ALL THREE READINGS. ITEM Z-8, FOR PROPERTY LOCATED AT 80 804 AND 806 HIGH LAND AVENUE, THE EXISTING ZONING IS -- CHANGE IS TO SF-3 NP. READY FOR ALL THREE READINGS. ITEM Z-9 FOR PROPERTY LOCATED AT 1313 WEST 9 AND A HALF STREET TO SF-3 NP, READY FOR ALL THREE READINGS. Z-10 FOR PROPERTY LOCATED AT 18041804 WATERSTON IS READY FOR ALL THREE READINGS. ITEM NUMBER Z-11, FOR 1202 SHELLY AVENUE TO SF-3 NP TAKEN CASE IS READY FOR ALL THREE READINGS. ITEM NUMBER Z-12, FOR 1214 WEST 8th STREET TO SF-3 NP AND THIS CASE IS READY FOR ALL THREE READINGS. ITEM NUMBER Z-13, FOR 1619 WEST 14th STREET FROM MF3NP TO SF-3 NP AOPB IT'S READY FOR ALL THREE READINGS. Z-14, FOR 701 BLANCO STREET, TO SF-3 NP FOR ALL THREE READINGS. THAT CONCLUDES IS CASES RELATED TO THE OLD WEST AUSTIN PLAN. NOW WE'LL PROCEED WITH NON-OLD AUSTIN CASES. Z-15, PROPERTY PROPERTY LOCATED AT 602 DAVIS STREET. THE REQUEST IS TERMINATE A R-BLGT WHICH WOULD BE EVEN SEUPBT R CONSISTED I WANTED WITH WHAT ALL THE OTHER PROPERTIES HAVE ON THE SITE. THE REQUEST IS TO TERMINATE A COVENANT. IT'S RECOMMENDED FOR APPROVAL. ITEM Z-16, FOR PROPERTY LOCATED 1000 WEST HOWARD LANE, THE EXISTING ZONING IS INTERIM RURAL RESIDENTS. APPLICANTS ARE L.I. FOR TRACT 2. THE RECOMMENDATION IS GRANT LICO FOR TRACT 2. THIS CASE IS READY FOR ALL THREE READINGS. ITEM NUMBER Z-17 WILL BE A DISCUSSION ITEM. AND IF THE CITY CLERK WILL LET ME KNOW IF THERE'S ANYBODY SIGNED UP TO SPEAK ON Z-17. MAYOR PRO TEM AND COUNCILMEMBERS, THIS CASE HAS A RECOMMENDATION BY STAFF AND THE ZONING



AND PLATTING COMMISSION TO APPROVE GR-CO ZONING, HOWEVER, WE RECEIVED LETTERS FROM THE NEIGHBORHOOD ASSOCIATION AND A LETTER FROM A CITIZEN OPPOSING THE ZONING CHANGE. SO -- BUT THERE'S NOBODY HERE SIGNED UP TO SPEAK FOR OR AGAINST IT. SO I JUST WANTED TO FLAG THAT IN CASE YOU WANT TO EITHER DISCUSS IT OR APPROVE IT ON FIRST READING.

Slusher: MAYOR PRO TEM, I HAVE SOME CONCERNS ABOUT THIS. I WOULDN'T WANT TO PASS IT ON CONSENT.

SO PULL IT FOR DISCUSSION. OKAY. ITEM NUMBER Z-18 IS A CONSENT ITEM. THE PROPERTY IS LOCATED AT 2900 NORTH FM973. THE EXISTING ZONING IS DR, DEVELOPMENT RESERVE, THE APPLICANT IS SEEKING LICO WHICH STANDS FOR LIMITED INDUSTRIAL WITH A CONDITIONAL OVERLAY. THE APPLICANT'S REQUEST IS RECOMMENDING BY THE ZONING AND PLATTING COMMISSION AND IT'S READY FOR FIRST READING. ITEM Z-19, FOR PROPERTY LOCATED AT THE SOUTHEAST CORNER OF CARDINAL LANE AND SOUTH SECOND STREET. STAFF IS REQUESTING POSTPONEMENT TO MAY 19th TO ACCOMMODATE THE ZONING AND PLATTING COMMISSION'S DELAY. THE COMMISSION WILL BE HEARING THE CASE ON MAY 3rd. ITEM NUMBER Z-20, THIS IS CASE -- THE HYDE PARK NORTH NEIGHBORHOOD CONSERVATION COMBINING DISTRICT. STAFF IS REQUESTING POSTPONEMENT TO JUNE 23 BECAUSE THE PLANNING COMMISSION HAS NOT HEARD THE CASE. THEY WILL BE HEARING IT ON JUNE 24th. ITEM Z-21 IS DISCUSSION. ON Z-22, THE MURPHY TRACT, WE HAVE A REQUEST FROM THE AGENT FOR PROPERTY LOCATED AT 5029 SOUTHWEST PARK WAY TO POSTPONE IT TO MAY 12th. THIS IS THE APPLICANT'S FIRST REQUEST. ITEM Z-23 AND Z-24, NAMELY THE GABLES AT WEST LAKE, THE APPLICANT IS REQUESTING POSTPONEMENT TO MAY 12 12 FOR BOTH ITEMS IN ORDER TO CONTINUE NEGOTIATING ON THE TRACTS. THAT CONCLUDES MY PRESENTATION ON THIS SEGMENT OF THE AGENDA. MANY.

Goodman: OKAY. DID YOU SAY SOMETHING ABOUT Z-22?

G Q.-22 IS REQUESTED TO BE POSTPONED TO MAY 12.

Goodman: I HAD THAT DOWN FOR Z-21.

21 IS DISCUSSION. THERE IS A DIFFERENCE, AND AGAIN, IF THE CITY CLERK WILL LET ME KNOW ON Z-21 IF THERE IS ANYONE SIGNED UP TO SPEAK. THIS CASE HAS -- STAFF HAS A DIFFERENT RECOMMENDATION FROM THE ZONING AND PLATTING COMMISSION. AND IT'S READY FOR FIRST READING ONLY. SO COUNCIL CAN EITHER DISCUSS IT OR PUT IT ON THE CONSENT AGENDA.

Goodman: OKAY. AND ON Z-20, THAT WAS POSTPONED UNTIL WHAT DATE?

Z-20 IS JUNE THE 23rd.

Goodman: OKAY. SO FOR THE MOMENT, WELL, IF WE DON'T HAVE ANYONE HERE TO TALK ABOUT Z-21, I GUESS -- I GUESS WE JUST PULL IT AND TALK ABOUT IT AND Z-17 AT THE SAME TIME.

OKAY. SO THAT LEAVES -- IF I WROTE THIS DOWN CORRECTLY, Z-1 THROUGH Z-14 FOR ALL THREE READINGS.

CORRECT.

Goodman: AND THAT'S 2 E NEIGHBORHOOD PLAN FINALLY BEING IMPLEMENTED. Z-8, ALL THREE. Z-9, ALL THREE. Z-10, ALL THREE. Z-11, ALL THREE. Z-12, ALL THREE. Z-13 ALL THREE. Z-14 ALL THREE.

THAT'S CORRECT.

Goodman: OKAY. AND THEN Z-15 WOULD BE APPROVAL OF THE TERMINATION OF RESTRICTIVE COVENANTS.

THAT'S CORRECT.

Goodman: Z-16 IS ALL THREE.

CORRECT.

Goodman: Z-18 IS FIRST READING ONLY. Z-19 IS A STAFF REQUEST FOR MAY 19th POSTPONEMENT DATE. Z-20 -- I

MEAN Z-20, POSTPONED UNTIL JUNE 23rd. Z-22 POSTPONED TO MAKE 12. Z-23 AND Z-24 POSTPONED TO MAY 12th.

CORRECT.

Goodman: OKAY. AND THERE IS A MOTION --

Slusher: MAYOR PRO TEM, ON Z-18, THIS IS RIGHT ALONG THE COLORADO RIVER, I KNOW THERE ARE A NUMBER OF GROUPS INVOLVED IN TRYING TO PROTECT THE COLORADO RIVER. I DON'T KNOW IF THEY'VE HAD A CHANCE TO LOOK AT THIS OR NOT SO I WOULD LIKE A POSTPONEMENT OF TWO WEEKS IN THE COUNCIL WOULD HONOR THAT.

Goodman: OKAY. TWO WEEKS.

THAT WILL BE MAY 12th.

Goodman: MAY 12th. THAT'S REQUEST OF A COUNCILMEMBER. OKAY. SO WE'LL PUT THAT BACK IN CONSENT AS POSTPONEMENT FROM MAY 12th. IS THERE A MOTION?

Thomas: SO MOVED.

Goodman: THANK YOU, COUNCILMEMBER THOMAS. I'LL SECOND. ALL THOSE IN FAVOR PLEASE SAY AYE. OKAY, NOW, I'M NOT QUITE SURE HOW WE'RE GOING TO DISCUSS IT -- WELL, IS THE APPLICANT HERE AT LEAST IF THERE IS NO --

THE APPLICANT ON Z-17 IS MISS SOSA, MARIA SOSA. SHE IS IN THE AUDIENCE AND DID NOT KNOW TO SIGN UP. SHE IS HERE SO WE'LL --

Goodman: BUT NO NEIGHBORHOOD REPRESENTATION.

THEY ARE NOT PRESENT. THEY JUST SENT A LETTER. WE RECEIVED ONE LETTER FROM A CITIZEN AND ONE LETTER FROM THE WINDSOR PARK NEIGHBORHOOD ASSOCIATION INDICATING THEY WOULD LIKE TO KEEP THE EXISTING ZONING. WHICH IS CURRENTLY LR. AND THE APPLICANT IS REQUESTING CS ZONING. BUT THE COMMISSION AND STAFF RECOMMENDS GR-CO TO ALLOW AUTOMOTIVE SALES.

Goodman: I DON'T KNOW THAT I SAW THAT LETTER. COUNCIL, YOU WANT TO THEN HEAR MS. SOSA AND KNOWING THAT THERE'S JUST A LETTER, DO YOU THINK THAT WOULD BE ADEQUATE? OR WE CAN LISTEN AND FIND OUT. OKAY, LET'S ASK MS. SOSA THEN TO COME UP. AND MAYBE ALICE, IF YOU KNOW AFTERWARDS, YOU CAN GO INTO A LITTLE DETAIL ABOUT THE NEIGHBORHOOD OR THE OPPOSITION.

OKAY.

MY NAME IS MARIA SOSA AND THE PROPOSAL TO DO THE REZONING ON MY PROPERTY IS BECAUSE I WANT TO DO AN AUTO SALES. RIGHT NOW IT'S LR. AND THE PROPOSAL IS GR. IF YOU HAVE ANY QUESTIONS --

Goodman: I'M SORRY?

DO YOU HAVE ANY QUESTION ABOUT IT.

Goodman: COUNCILMEMBER, DO YOU HAVE QUESTIONS? I THINK WE'RE TRYING TO FIND OUT WHAT YOU'RE PLAN IS AND WHY THERE WOULD BE OPPOSITION TO IT.

WHAT IS MY PLAN? MY PLAN IS --

Goodman: DID YOU NOT GIVE ANY IDEA WHY YOU WOULD BE HERE TONIGHT?

YES. MY PLAN IS TO -- THE REZONING FOR G.R., AND WHAT I WANT TO DO IS AUTO SALES.

Goodman: OKAY. ARE THERE QUESTIONS? ALTHOUGH THERE'S OPPOSITION, THEY ARE NOT HERE IN PERSON SO WE'RE KIND OF HAVING TO DO THIS BY REMOTE. IF THERE ARE NOT QUESTIONS --

Thomas: SHE SAID SHE WANTS TO DO AUTO SALES? I DIDN'T UNDERSTAND. WHAT ARE YOU DOING WITH THE PROPERTY RIGHT NOW?

RIGHT NOW IS -- IT'S AN EMPTY LOT RIGHT NOW. THERE'S NOTHING THERE.

Thomas: AN EMPTY LOT?

YES.

Thomas: OH, THAT'S RIGHT. I SEE IT. [INAUDIBLE]

Thomas: OKAY.

COUNCILMEMBERS, THIS IS MANOR ROAD. THIS IS THE SUBJECT TRACT. WE RECEIVED PHOTOGRAPHS FROM A RESIDENT WHO DROPPED OFF PHOTOGRAPHS I THINK FROM THE ADJOINING PROPERTY WHICH HAS AUTOMOTIVE -- AUTOMOTIVE USE AND THE CONCERN IS THIS IS GOING TO EXACERBATE THE PROBLEM THAT CURRENTLY EXISTS IN THE AREA. I CAN PROBABLY JUST SHOW YOU THE PHOTOGRAPHS FOR THE JOY ADJOINING -- WE MAY HAVE PASSED THAT OUT TO YOU.

Goodman: WHILE ALICE IS DOING THAT, LET ME CALL YOUR ATTENTION TO MAYOR GARCIA BACK THERE WITH A BUNCH OF BRIGHT YOUNG THINGS. THESE ARE CHILDREN FROM GOVALLE ELEMENTARY SCHOOL. AND THEY ARE HERE WITH THEIR MENTORS, MAYOR GARCIA. HERE TO SEE WHAT CITY COUNCIL AND MAYOR DOES. AND SEE IF THEY ARE INTERESTED IN PUBLIC OFFICE. SO WHAT DO YOU THINK? GOING TO GROW UP AND BE MAYOR OR BETTER? GOVERNOR? PRESIDENT? YEAH, WHY DON'T YOU STAND UP SO WE CAN SEE YOU. [APPLAUSE]

THANK YOU.

Goodman: OH, HOW SWEET. THE MAYOR WENT OVER TO THE CAPITOL AND HE SHOULD BE BACK SHORTLY. SO IF YOU GUYS CAN STICK AROUND, THEN WE CAN GET YOUR PICTURE TAKEN WITH THE MAYOR AND EVERYTHING. THANKS. OKAY. ALICE, THANK YOU.

SINCE THE -- THOSE WHO WROTE IN OPPOSITION CHOSE NOT TO BE HERE. WE'RE TRYING TO INTERPRET ON THEIR BEHALF. THIS IS WHAT HE WROTE. I AM A LONG-TIME RESIDENT AND HAVE BEEN LIVING IN THIS AREA OVER 25 YEARS. I HAVE A HOME ON MANOR ROAD. I'M AGAINST THE ZONING CHANGE AT 5805 MANOR ROAD. I WANT THE ZONING

TO STAY AS IS AND NOT MAKE IT MORE COMMERCIAL. THE BUSINESS AT THIS LOCATION IS ALREADY IN VIOLATION OF THE A CITY ORDINANCE AND HAS BEEN IN VIOLATION OF CITY ORDINANCES FOR OVER SEVERAL YEARS IN HAVING A USED CAR LOT TO SELL CARS AND TRUCKS. WE DO CALL THE CODE ENFORCEMENT SECTION AND A VIOLATION HAS NEVER BEEN FILED AGAINST THE PROPERTY AS INDICATED BY THE CITIZEN. READING ON FROM THIS LETTER, IT READS: I HAVE CALLED AND COMPLAINED SEVERAL TIMES CONCERNING THIS BUSINESS WORKING ON VEHICLES IN THE CITY RIGHT-OF-WAY. AND HAS NOT HAD ANY -- ANY EFFECT ON THE COMPLAINT. AND HE'S JUST BASICALLY INDICATES THAT WITH THE PHOTOGRAPH HE SENT, WE CAN'T DETERMINE WHETHER IT'S THE SUBJECT -- WE ASKED MISSOSA IF THIS IS ON HER PROPERTY.

THE CARS ARE PARKING ON 58 -- I'M RENTING 5812 BECAUSE THE STATE REQUIRES AN OFFICE TO KEEP MY LICENSE. AND I BUY THE PROPERTY TO THE SAME PERSON WHO OWNS 5812. SO HE IS RENTING ME THE OFFICE AND I'M USING THE LOT TO PARKING THE CARS. SO WHAT I WANT TO DO IS DO THE REZONING. THAT WAY I CAN BUILD MY OFFICE THERE AND PUT MY SIGN IN 5808.

Goodman: COUNCILMEMBER SLUSHER.

Slusher: LET ME ASK MS. GLASCO A QUESTION. WHY WOULD WE RECOMMEND G.R. IN THE MIDDLE OF THE BLOCK LIKE THIS? OR AT LEAST IT'S NOT ON THE CORNER, ANYWAY.

COUNCILMEMBER, THE PROPERTY NEXT DOOR IS ZONED C.S. AND TO THE SOUTH THERE IS L.R. AND WE FELT THAT -- WHILE THE APPLICANT REQUESTED C.S., WE DID NOT RECOMMEND THAT. WE FELT LIKE IT WOULD BE APPROPRIATE GIVEN THE LAND USES IN THE AREA. THAT WAS THE BASIS OF OUR RECOMMENDATION.

Slusher: WHAT'S THE LAND USE IMMEDIATELY TO THE SOUTH?

TO THE IMMEDIATE SOUTH, IT APPEARS TO BE AN OFFICE. OUR ZONING MAP SHOWS IT'S AN OFFICE ZONED L.R. AND THEN A VACANT LOT. THEN THE AREA SHOWS THAT

EVERYTHING SOUTH OF THAT OFFICE IS UNDEVELOPED, AND THEN THERE'S A HOME AND THEN A BUSINESS WITH A SHOPPING CENTER ZONED G.R. AT THE INTERSECTION OF ROGER LANE AND MANOR ROAD.

Slusher: SO IT'S G.R. AT THE INTERSECTION, BUT THIS WOULD BE CS-GR AND THEN L.R. COMING FROM THE SWEENEY LANE INTERSECTION.

CORRECT. WE FELT THAT WAS CLOSE ENOUGH TO THE INTERSECTION OF SWEENEY LANE NEXT TO THE C.S.

Slusher: OKAY.

JUST SENSE I DID NOT GIVE A COMPLETE PRESENTATION, THE ZONING AND PLATTING COMMISSION RECOMMENDATION IS GRANT GR-CO LIMITING THE FACT 2,000 TRIPS PER DAY AND PROHIBITING BAIL BOND SERVICES, COMMERCIAL OFF-STREET PARKING, EXTERMINATOR SERVICES, PAWN SHOPS AND PERSONAL IMPROVEMENT SERVICES. THAT WAS THE COMMISSION'S RECOMMENDATION. [ONE MOMENT, PLEASE, FOR CHANGE IN CAPTIONERS]

... THEY PREFERRED THE SF-2 ZONING.

AND SHIRLEY, DO WE HAVE ANY OF THEM HERE TO SIGN UP BY NOW?

I BELIEVE THE LAST TIME WE CHECKED NO ONE WAS SIGNED UP TO SPEAK BUT SHE'S CHECKING.

OKAY, IS THE APPLICANT HERE?

I'M GOING TO CALL OUT THE APPLICANT'S NAME. THE APPLICANT'S NAME IS PATRICIA KING SIGG. MISS SIGG, ARE YOU IN THE AUDIENCE.

NO.

OH, MY GOODNESS, WHAT IS THIS?

DOES THE APPLICANT NOT KNOW TO COME?

THEY KNOW THE CASE MANAGERS INFORM THEM TO BE HERE AND I DON'T KNOW WHETHER THEY JUST FORGOT OR COULDN'T MAKE IT. WE EXPECT THEM TO BE HERE, THEY'RE AT THE PLANNING COMMISSION, BUT SO ARE THE CITIZENS BUT THEY DIDN'T MAKE IT HERE TODAY.

IF COUNCILMEMBER SLUSHER WOULD TAKE THE PROTEM, DOUBLE PROTEM THIS TIME. I WOULD MAKE A MOTION TO POSTPONE IT.

Slusher: MOTION BY PROTEM TO POSTPONE.  
POSTPONEMENT UNTIL MAY 12th, ALL IN FAVOR, AYE? ALL OPPOSED? MOTION PASSES. 5-0 WITH THE MAYOR AND COUNCILMEMBER McCRACKEN TEMPORARILY OFF THE DAIS.  
THAT CONCLUDES ALL THE ZONING CASES FOR TODAY.

THANK YOU, MAYOR PRO TEM AND COUNCIL.

WHAT WE'RE GOING TO DO IS GO INTO EXECUTIVE SESSION NOW TO DISCUSS ITEM 52 RELATED TO THE CREATION OF THE WINFIELD MUNICIPAL UTILITY DISTRICT, NUMBERS 1, 2, 3 AND 4. TO NUMBER 54, LANTANA DESCRIBED IN THE REVISED PRELIMINARY PLAN AND 55 RELATED TO THE PROPOSED AMENDMENT TO CHAPTER 25-1 OF THE CITY CODE, DORMANT PROJECTS, AND DO I HAVE TO SAY THIS STUFF ABOUT WHERE IT IS IN THE LOCAL GOVERNMENT CODE? OH. PER PRIVATE CONSULTATION. THANK YOU, WITH OUR ATTORNEY UNDER SECTION 551.071 OF THE OPEN MEETINGS ACT. NO ACTION WILL BE TAKEN THERE. NO VOTES TAKEN. AND WE'LL BE BACK HERE AS SOON AS WE FINISH THAT. SO WE'RE IN RECESS.

I'M SORRY, JOE RECOMMENDED THAT WE GO AHEAD AND ANNOUNCE [INAUDIBLE]

OKAY, ALTHOUGH WE DID DISCUSS SOME OF THE LEGISLATIVE ISSUES OF THE DAY, THERE MAY BE MORE, SO I'LL REITERATE NUMBER 50 RELATED TO PROPOSED LEGISLATION IN THE 79th LEGISLATIVE SESSION.

Goodman: BECAUSE THE MAN THAT WE ARE HONORING



TODAY HAS CHRONICLED THE MUSIC SCENE IN AUSTIN FROM THE OLDEN DAYS NOW, '65, IT'S FITTING THAT WE HAVE ONE OF THE PREMIER BANDS AND LEGENDARY BANDS FROM AUSTIN FAME WITH US AND THAT IS SHIVA'S HEADBAND. WHO USED TO PLAY HERE [ APPLAUSE ] IN AUSTIN -- FROM THE VERY BEGINNING FROM WHENS WE DERIVED OUR NAME THE LIVE MUSIC CAPITAL OF THE WORLD. SHIVA'S HEADBAND WAS ONE OF THEM WHO STARTED US ON THAT PATH IN THE OLD DAYS AT THE VULCAN GAS COMPANY. I DON'T KNOW IF ANY OF YOU ARE OLD ENOUGH TO REMEMBER THAT, I DO. [LAUGHTER] SO IN HONORING THE VERY GREAT MAN AND AUTHOR, WHO IF YOU WANT TO COME UP NOW -- WE CAN SHOW EVERYBODY WHO WE ARE GIVING THIS MUSICAL TRIBUTE TO. [ APPLAUSE ] THIS IS BURTON WILSON. I THINK WE ARE GOING TO SEGUE - - DO YOU WANT TO SAY SOMETHING FIRST OR DO YOU WANT TO GO TO SHIVA'S HEADBAND.

I WAS TALKING TO SPENCER A FEW MINUTES AGO. WE WORKED TOGETHER 30 YEARS AGO IN ZILKER PARK I THINK WHEN THEY FIRST DID IT DOWN THERE. I HAVE KNOWN SPENCER FOR A LONG, LONG TIME.

Goodman: HE LOOKS VERY YOUNG, DON'T YOU THINK? [LAUGHTER] OKAY. SO WHY DON'T I GIVE THE PROCLAMATION TO YOU AFTER WE HAVE OUR MUSICAL INTRO. AND SAY TO EVERYBODY IN AUSTIN, THIS IS WHAT IT USED TO BE, SHIVA'S HEADBAND.

ALL RIGHT. [ (music) MUSIC PLAYING (music)(music) ] [ (music) SINGING (music)(music) ] [ (music) SINGING (music)(music) ] [ (music) SINGING (music)(music) ]

AS A FINE ARTS STUDIO OWNER AND AS A HIGH FIRESTONE WEAR ARTIST BEFORE GETTING INTO PHOTOGRAPHY, AND WHEREAS DURING THE 60s AND 70s WHEN AUSTIN'S MUSIC SCENE WAS DEVELOPING AND LOCAL ARTISTS WERE ABOUT TO STEP INTO THE SPOTLIGHT OF GLOBAL FAME, MR. WILSON BEGAN TO CHRONICLE THE EVOLUTION, VISUALLY AND VERBALLY. AND WHEREAS MR. WILSON'S AUTHORITATIVE, HONEST AND INTIMATE IMAGES HAVE GRACED POSTERS, CD COVERS AND PAGES OF NEWSPAPERS, MAGAZINES AND BOOKS, INCLUDING HIS OWN

RECENT WORK THE AUSTIN MUSIC SCENE THROUGH THE WHIMS OF BURTON WILSON, NOW THEREFORE WILL WYNN, MAYOR OF THE CITY OF AUSTIN, TEXAS JOINS IN CELEBRATING BURTON WILSON'S PHOTOGRAPHIC CAREER AND DOES HEREBY PROCLAIM APRIL 28th IN THE YEAR 2005 AS BURTON WILSON DAY IN AUSTIN AND ASKS YOU TO JOIN US IN CELEBRATION. [ APPLAUSE ]

I'VE ENJOYED AUSTIN AND WORKING IN AUSTIN, I'VE IN THE PHOTO BUSINESS, I TOLD THEM RIGHT OFF THE BAT WHO I WAS, WHAT I WAS DOING, I GOT ALONG WITH EVERYBODY THAT I CAME IN CONTACT WITH. I NEVER SHOT FROM THE HIP. I WAS NEVER SECRETIVE ABOUT WHAT I WAS DOING. I TOLD WHAT I WANTED TO DO, EVERYBODY COOPERATED FULLY WITH ME. IT'S BEEN A WONDERFUL, WE HAVE CITY TO ME. THANKS. [ APPLAUSE ]

WHEN I STARTED WORKING AT THE CLUBS, THE BOYS THAT OPENED THEM, THEY WERE ALL FRIENDS OF MY SON, SO THEY JUST WELCOMED ME WITH MY CAMERA. I SIGNED IN AT THE UNIVERSITY OF TEXAS, TO TAKE PHOTOGRAPHY COURSE WITH THE GREAT RUSSELL LEE WHO HAD RETIRED, WORKED AS A -- AS A SECURITY ADMISSION AND ALL THE FAMOUS WORLDWIDE PHOTOGRAPHER. WE STARTED TEACHING AT THE UNIVERSITY, I DECIDED THAT I WOULD GO IN AND TAKE PHOTOGRAPHY COURSES WITH THEM. THE SAME THE VULCAN GAS COMPANY WAS OPENING, THEY PLAYED THE BLUES AND ROCK AND ROLL AND THE KIND OF MUSIC THAT I LIKE. I WAS WELCOMED THERE, SO I JUST STAYED AND PHOTOGRAPHED. I MIGHT HAVE SAID THIS, BUT I PRIDE MYSELF IN SAYING THAT NO ONE EVER HAD TO TELL ME TO GET OUT OF THE WAY. I DIDN'T WORK WITH A FLASH, I JUST WORKED WITH GOOD, FAST FILM. THEY LIKED THAT. SO IT WORKED OUT REAL WELL. AND FROM THERE AFTER THE VULCAN, THE ARMADILLO WORLD HEADQUARTERS OPENED AND I INTRODUCED MYSELF TO [INDISCERNIBLE] AND HE SAID BURTON, THE PLACE IS YOURS. SO I JUST WENT THERE FOR I DON'T KNOW HOW MANY YEARS, PHOTOGRAPHING EVERYBODY THAT CAME. IT WAS THE SAME WAY, I STAYED OUT OF THE WE AND GOT ALONG WITH EVERYBODY. WORKED OUT REAL WELL. [ APPLAUSE ] LET ME POINT TO THE FINE WORK OF MR. WILSON BEHIND ME. SOME OF THE EXAMPLES OF WONDERFUL PHOTOGRAPHY AND POINT OUT

THAT A COUPLE OF OTHER LEGENDS CAME TODAY TO CELEBRATE THIS. AND THE HONORING OF BURTON WILSON, THAT IS EDDIE WILSON, FROM THREADGILL'S AND CLIFFORD ANTONE FROM ANTONE'S. CAP CLAP[ APPLAUSE ] WE THANK YOU SO MUCH FOR COMING. CAN WE GET SHIVA'S HEADBAND BACK?

I KNOW IT MAY BE A LOT OF WORK TO PLUG BACK IN. WE'LL SEE. THANKS. [ APPLAUSE ]

OKAY. OUR NEXT APPROXIMATION IS PRESERVATION OF 2005 AND IT KENT COLLINS HERE, OUR NEXT PROCLAMATION. I KNOW THAT'S A HARD ACT TO FOLLOW. LET IT BE KNOWN THAT HISTORIC PRESERVATION IS AN EFFECTIVE TOOL, REVITALIZING NEIGHBORHOODS, FOSTERING PRIDE, MAINTAINING COMMUNITY CHARACTER, WHEREAS LOCAL CELEBRATIONS CO-SPONSORED BY THE AUSTIN CONVENTION AND VISITORS BUREAU AND THE NATIONAL TRUST FOR HISTORIC PRESERVATION FOCUS ON THE 110th ANNIVERSARY OF OUR MOONLIGHT TOWERS AND THE FIRST ANNIVERSARY OF ACVB'S VISITOR CENTER ON EAST SIXTH. WHERE IT IS IMPORTANT TO CELEBRATE THE ROLE OF HISTORY IN OUR LIVINGS, TO RECOGNIZE THE PEOPLE AND -- IN OUR LIVES, TO RECOGNIZE THE PEOPLE AND ORGANIZATIONS WHO PRESERVE THE TANGIBLE ASPECTS OF THE HERITAGE THAT SHAPED US AS A COMMUNITY. NOW THEREFORE WILL WYNN, MAYOR OF THE CITY OF AUSTIN, DOES HEREBY PROCLAIM MAY, 2005 AS PRESERVATION MONTH IN AUSTIN AND JOIN US, PLEASE, IN CELEBRATING THE GREAT TRADITION THAT MAKES AUSTIN A GREAT PLACE TO LIVE. [ APPLAUSE ]

I WILL BE BRIEF BECAUSE I KNOW THAT YOU WOULD HAVE RATHER HEARD MUSIC THAN ME. THESE ARE A FEW OF THE EVENTS GOING ON IN MAY OF THIS YEAR TO CELEBRATE PRESERVATION MONTH IN THE CITY. ON MAY 5th AS MAYOR PRO TEM GOODMAN SAID WILL BE THE 110th ANNIVERSARY OF THE MOONLIGHT TOWERS IN AUSTIN, WHICH I THINK IS A HUGE THING FOR THE CITY OF AUSTIN. AND WE'LL CELEBRATE BY HAVING MOONLIGHT TOWER BANNERS ON EACH SIDE OF SIXTH STREET FROM CONGRESS TO THE PAY FRONTAGE ROAD. IN ADDITION THIS IS EVEN MORE FUN, THERE WILL BE MOON PIES SERVED AT THE CONVENTION

AND VISITORS BUREAU VISITORS CENTER. HOPEFULLY NOT -  
- IS IT FOR THE WHOLE MONTH OF MAY? JUST FOR MAY 5th.  
ON MAY 7th THE HERITAGE SOCIETY WILL BE HOLDING ITS  
13th ANNUAL HERITAGE SOCIETY HOMES TOUR,  
SPOTLIGHTING TRAVIS HEIGHTS. ONE OF OUR GREATEST  
HISTORIC NEIGHBORHOODS SOUTH OF THE RIVER. IT WILL  
BE CONDUCTED AS A WALKING TOUR AND WILL FEATURE  
SEVEN OF AUSTIN'S LOVELIEST HISTORIC HOMES. ON MAY  
11th, AT 11:00 A.M. A MARKER DEDICATION ON THE BREMOND  
STORE BUILDING ON THE 100 BLOCK OF EAST SIXTH STREET.  
THE MAYOR WILL MAKE REMARKS. THE CHAIRMAN OF THE  
HERITAGE SOCIETY OF AUSTIN, JOE PANELLI WILL BE THERE,  
AND I THINK MEMBERS OF THE BEFORE HEILY WILL BE  
THERE. THERE WILL BE AN ANNIVERSARY OF THE GROVE  
STORE DRUG LOCATION IN THE 200 BLOCK OF EAST SIXTH  
STREET, BOOK MARKS AND REFRESHMENTS. IN ADDITION  
ON MAY 14th A MODERN HISTORIC HOUSE TOUR, IF THAT  
DOESN'T SOUND REDUNDANT. AND AS WELL AS OTHER  
ACTIVITIES THROUGHOUT THE STATE. IF YOU WANT MORE  
INFORMATION ABOUT ANY OF THESE EVENTS EITHER GO TO  
THE CONVENTION AND VISITORS BUREAU WEBSITE, THE  
HERITAGE SOCIETY OF AUSTIN'S WEBSITE OR  
PRESERVATION TEXAS' WEBSITE. THANK YOU VERY MUCH. [   
APPLAUSE ]

Goodman: I PUT OUT A CALL FOR OTHER COUNCILMEMBERS.  
IN THE OLD DAYS WE USED TO KIND OF SHARE THESE OUT. I  
THINK IN THE LAST DAYS OF DARYL AND MY TERM, HE MIGHT  
LIKE TO SHARE SOME OF THESE AS WELL. THE NEXT  
PROCLAMATION IS FOR NATIONAL VOLUNTEER WEEK. ALL OF  
THE VOLUNTEERS NEED TO COME UP HERE SO WE CAN  
APPLAUD YOU. NOW PART OF WHAT ALSO MAKES AUSTIN  
GREAT IS THAT WE HAVE SO MANY CITIZENS WHO GIVE OF  
THEMSELVES IN WAYS THAT YOU WOULD NEVER GUESS,  
BUT THERE ARE PLENTY OF WORK FOR ALL, I KNOW IF YOU  
WANTED TO JOIN THEM THEY WOULD WELCOME YOU. THIS  
PROCLAMATION IS TO LET IT BE KNOWN THAT WHEREAS  
MILLIONS OF VOLUNTEERS WORKING IN THEIR COMMUNITIES  
UTILIZE THEIR TIME AND TALENT DAILY, TO MAKE A REAL  
DIFFERENCE IN THE LIVES OF CHILDREN, ADULTS AND THE  
ELDERLY, AND WHEREAS EXPERIENCE TEACHES US THAT  
GOVERNMENT BY ITSELF CANNOT SOLVE ALL OF OUR

NATION'S SOCIAL PROBLEM, BUT THE ENTIRE COMMUNITY CAN EFFECT POSITIVE CHANGE WITH VOLUNTEER ACTION, NO MATTER HOW BIG OR HOW SMALL. AND WHEREAS OUR CITY'S VOLUNTEER FORCE, OF MORE THAN 9,000 9,000 PEOPLE, IS A GREAT TREASURE AND WE ARE PLEASED TO ACKNOWLEDGE THEIR VITAL CONTRIBUTIONS TO THE SUCCESS OF MANY OF OUR DEPARTMENTS AND PROGRAMS, NOW THEREFORE WILL WYNN MAYOR OF THE CITY OF AUSTIN, TEXAS, DOES HEREBY PROCLAIM THIS AS NATIONAL VOLUNTEER RECOGNITION WEEK IN AUSTIN AND A HEARTY THANKS FROM ALL OF US FOR ALL YOU DO. [ APPLAUSE ]SABILITIES,.

THANK YOU, I WOULD LIKE TO INTRODUCE TO THE COMMUNITY SOME VOLUNTEERS THAT WERE RECOGNIZED LAST WEEK AS VOLUNTEERS OF DISTINCTION WITH THE -- EXCUSE ME, WITH THE CITY OF AUSTIN. AND I WILL READ THEIR NAMES AND THEY ARE ACCOMPANIED BY DEPARTMENT REPRESENTATIVES. PLEASE KNOWLEDGE YOURSELF WHEN YOUR NAME IS READ. BOB BARTLETT FROM THE AVIATION DEPARTMENT. [APPLAUSE] LISA DOGGETT FROM HEALTH AND HUMAN SERVICES. [ APPLAUSE ] KIM LINDROSE FROM THE AUSTIN PUBLIC LIBRARY, SHE WAS UNABLE TO BE WITH US TODAY. JOHN DALY FROM THE MUNICIPAL COURT ALSO UNABLE TO BE WITH US TODAY. [ APPLAUSE ] RAMON RANGEL FROM THE OFFICE OF EMERGENCY MANAGEMENT. [ APPLAUSE ] DONALD POTS BILLINGSLEY FROM THE PARKS AND RECREATION DEPARTMENT. [ APPLAUSE ] AND JUST A QUICK NOTE ABOUT HIM, HE HAS BEEN VOLUNTEERING FOR 30 YEARS. [ APPLAUSE ] AL ZILKER PARKER, FROM THE -- AL ZARKER FROM THE POLICE DEPARTMENT. [ APPLAUSE ] MIKE CARSON FROM PUBLIC WORKS. [ APPLAUSE ] I BELIEVE HE WAS UNABLE TO BE WITH US TODAY. WILLIAM RUSSELL AND JULIE JENKINS FROM WATER UTILITY. [ APPLAUSE ]

THANK YOU SO MUCH IN LETTING YOU HONOR THESE INDIVIDUALS. THANK YOU. [ APPLAUSE ]

> GOODMAN: OUR NEXT PROCLAMATION WILL BE FOR OFF FEEL I CAN'T AND DAVID FRAYLY. TO LET IT BE KNOWN THAT WE ARE PLEASED TO WELCOME CLIENT REPRESENTATIVES OF LEGAL AID SERVICE PROGRAMS IN ARIZONA, CALIFORNIA,

NEW MEXICO, OKLAHOMA, TEXAS, UTAH AND WYOMING TO OUR FINE CITY, AT OUR ANNUAL CONFERENCE, WITH THE THEME VOICES FOR JUSTICE, AND WHEREAS THE CONFERENCE IS DESIGNED TO HELP CLIENT REPRESENTATIVES IN THEIR QUEST TO BE EFFECTIVE LEADERS AND ADVOCATES IN SUPPORT OF THEIR LOCAL LEGAL AID SERVICE PROVIDERS. AND WHEREAS LEGAL AID PROGRAMS PROVIDE LOW INCOME FAMILIES AND INDIVIDUALS WITH REPRESENTATION IN THE AREAS OF DOMESTIC VIOLENCE, HOUSING, IMMIGRATION, EDUCATION, FARM WORKERS' RIGHTS, CONSUMER RIGHTS AND MORE. NOW THEREFORE WILL WIN, MAYOR OF THE CITY OF AUSTIN, TEXAS DOES HEREBY PROCLAIM APRIL 30th AS THE REGION 7 CONFERENCE FOR CLIENT REPRESENTATIVES OF LEGAL AID SERVICE PROVIDERS IN AUSTIN. THANK YOU. [ APPLAUSE ]

MY NAME IS OFELIA ZAPATA, I'M THE CLIENT REPRESENTATIVE FOR AUSTIN, TEXAS. I WOULD LIKE FOR YOU TO HELP ME EXTEND A BIG AUSTIN, TEXAS WELCOME TO OUR CLIENT REPRESENTATIVES FROM THE VARIOUS STATES. AS I CALL YOU, IF YOU COULD STAND UP SO PEOPLE COULD KNOW WHO YOU ARE. FIRST MR. FRAYLEY HERE FROM ARIZONA. [ APPLAUSE ] MS. LA QUITA FROM SAN DIEGO, CALIFORNIA. MS. LOGAN FROM OKLAHOMA. [ APPLAUSE ] PHYLLIS FROM SAN DIEGO, CALIFORNIA. MR. EARL DAVIS FROM SAN DIEGO, CALIFORNIA. SHIRLEY MOLINA FROM SOUTHERN ARIZONA. YOLANDA FROM HARLINGEN, TEXAS. CARLOS BLANCO FROM LAREDO, TEXAS. AND [INDISCERNIBLE] FROM DEL RIO, TEXAS. THANK YOU I'M SORRY? ALMA JONES FROM NEW MEXICO. ALL OF THE REPRESENTATIVES HAVE BEEN VERY COMMITTED IN THEIR PERSPECTIVE COMMUNITIES, SPENDING A LOT OF THEIR TIME AND ENERGY EDUCATING AND ADVOCATING FOR LEGAL SERVICES THROUGHOUT THESE STATES AND I JUST WANT TO WELCOME YOU. THANK YOU. [ APPLAUSE ]

Goodman: OUR NEXT AWARD IS A DISTINGUISHED SERVICE AWARD FOR JOE GRANBERRY. AND I THINK WHAT I'LL DO IS TURN THIS OVER TO THE CITY MANAGER SO THAT I CAN USE BOTH MY HANDS FOR CLAPPING.

I'M SO GROWING TO HATE THESE. I TELL YOU. RETIREMENTS.

DON'T YOU HATE 'EM? WELL, WE HAVE QUITE A CREW COMING DOWN HERE. ALL RIGHT. NOW, BELIEVE ME, THEIR RESPONSE TIME IS NORMALLY BETTER THAN THIS. [LAUGHTER] WELL, TODAY WE ARE TALKING ABOUT LOSING LITERALLY ONE OF OUR FINEST. SO LET ME READ TO YOU OUR DISTINGUISHED SERVICE AWARD. FOR MORE THAN 24 YEARS OF DEDICATED SERVICE TO THE CITIZENS OF AUSTIN, AS A MEMBER OF AUSTIN EMERGENCY MEDICAL SERVICES AND AUSTIN TRAVIS COUNTY E.M.S. SYSTEMS, SENIOR DIVISION COMMANDER JOE GRANBERRY IS DESERVING OF PUBLIC ACCLAIM AND RECOGNITION, HIS EMS CAREER HAS BEEN MARKED BY DEDICATION AND A VISION TO PRESERVE LIFE AND IMPROVE HEALTH, PROMOTE SAFETY. HIS LEADERSHIP HAS BEEN INSTRUMENTAL IN STRENGTHENING THE BONDS WITHIN OUR COMMUNITY AND BRINGING AN ENHANCED SENSE OF PROFESSIONALISM TO EMERGENCY MEDICAL SERVICE PROVIDERS. THE CERTIFICATE IS PRESENTED THIS OUR ADMIRATION AND APPRECIATION AND THAT'S SUCH AN UNDERSTATEMENT, OF SENIOR DIVISION COMMANDER JOE GRANBERRY'S EXAMINE PLAYER SERVICE TO OUR COMMUNITY, THIS 28th DAY OF APRIL IN THE YEAR 2005, THE CITY COUNCIL OF AUSTIN, TEXAS ON BEHALF OF MAYOR WILL WYNN, MAYOR PRO TEM GOODMAN AND ALL OF THE OTHER MEMBERS OF THE CITY COUNCIL AS WELL AS MYSELF AND EVERY CITIZEN OF THE CITY OF AUSTIN, LET'S GIVE A ROUND OF APPLAUSE TO JOE GRANBERRY. [APPLAUSE ]

NOW, YOU MAY NOTICE THAT SOME FOLKS ARE WEARING A LITTLE BADGE AND BEFORE I TURN THIS OVER, I WOULD LIKE EVERYONE WHO LOVES JOE GRANBERRY TO RAISE THEIR HAND. [LAUGHTER]

IT'S NOT VERY OFTEN THAT YOU FIND ME SPEECHLESS, BUT IT'S NOT GOING TO LAST VERY LONG. CITY MANAGER, THANK YOU VERY MUCH, MAYOR PRO TEM, COUNCILMEMBERS, MY FRIENDS AND FAMILY: IT'S BEEN A WONDERFUL 24 YEARS AND I CANNOT BEGIN TO TELL YOU TODAY HOW MUCH FUN I'VE HAD AND WHAT THE FOLKS HAS STAND BEHIND ME DON'T KNOW THAT I WOULD HAVE PAID THEM TO GET TO DO IT. BUT I WOULD LIKE TO RECOGNIZE A COUPLE OF PEOPLE STANDING HERE WITH ME HERE TODAY, FIRST OF ALL MY FAMILY, MY WIFE AND OUR YOUNGEST SON SETH, OUR

OLDEST BOY IS ON HIS HONEYMOON IN SAN ANTONIO. HE JUST RETURNED FROM IRAQ AND DIDN'T HAVE TIME TO HANG OUT WITH DAD. [LAUGHTER] I WOULD LIKE TO ALSO RECOGNIZE MY EXTENDED E.M.S. FAMILY. CERTAINLY IT HAS BEEN A WONDERFUL 24 YEARS, I CAN'T IMAGINE DOING IT ANYWHERE ELSE THAN HERE IN THE WONDERFUL SYSTEM. THE -- FIRST OF ALL THE MEN AND WOMEN WHO DO THE JOB EVERY DAY. PARAMEDICS WHO SUPPORT THE FINANCIAL SERVICE STAFF, COMMAND STAFF AND CERTAINLY THE OTHER SENIOR COMMANDSERS THAT I SPENT THE LAST SEVERAL YEARS WITH. IT HAS BEEN A WONDERFUL EXPERIENCE, I THANK ALL OF YOU FOR THAT OPPORTUNITY. OTHER DEPARTMENTS THAT I HAVE BEEN INVOLVED WITH, OF THE LAST FIVE TO SIX YEARS, OF COURSE THE -- I KNOW I SAW SUE BRUBAKER, WE DID A LOT OF GOOD WORK WITH THE FLEET, I WILL ALWAYS BE IN AWE OF YOUR HELP THAT YOU HELPED ME WITH. FLEET SERVICES, I SAW TOM AT WORK EARLY, I DON'T KNOW IF HE'S STILL IN HERE. I KNOW THAT I WAS A PAIN IN TOM'S PROSECUTOR. THE GOOD NEWS IS THAT I -- IN TOM'S POSTERIOR. I HAVE FRIENDS AT E.M.S. I HAVE ALL OF THE HISTORY, I'M NEVER MORE THAN A PHONE CALL AWAY. CLIFFORD NIXON, RON, AND MIKE, I DON'T KNOW WHERE YOU GUYS ARE, BUT YOU HELPED ME WITH THE FLEET, YOU WERE A TREMENDOUS SUPPORT AND I WILL ALWAYS APPRECIATE THAT. AND FINALLY, PERHAPS MOST IMPORTANTLY, THE CITIZENS OF AUSTIN-TRAVIS COUNTY WHO ALLOWED ME TO COME INTO THEIR LIVES WHEN THEY WERE IN TURMOIL, INJURED OR ILL, I HOPE IN SOME WAY I IMPARTED SOME HELP, I HOPE THAT I MADE YOUR LIFE BETTER, I HOPE THAT YOU CONTINUE ALL OF YOU TO SUPPORT AUSTIN TRAVIS COUNTY E.M.S. AND ALL OF THE PUBLIC SAFETY AGENCIES FOR WHAT THEY DO EVERY DAY. I'M VERY HONORED TO STAND HERE TODAY AND ACCEPT THESE ACCOLADES, I THANK YOU ALL VERY, VERY MUCH. [APPLAUSE]

Goodman: OUR NEXT PROCLAMATION IS FOR COMMUNITY CAREER EXPO DAY, WHICH IS AN ANNUAL EVENT THAT IS SO BENEFICIAL FOR THE COMMUNITY AND SO SPECIAL THAT YOU SHOULD GO EVEN IF YOU THINK THAT YOU DON'T NEED TO GO, JUST TO SEE THE WONDERFUL SPIRIT AND POSITIVE COMMUNITY AND GIFT FROM -- THE GOODWILL TO THIS



COMMUNITY EVENT. WE HAVE JERRY DAVIS TO ACCEPT THE PROCLAMATION THAT LET'S IT BE KNOWN THAT WHEREAS GOODWILL INDUSTRIES IS NORTH AMERICA'S LEADING NON-PROFIT PROVIDER OF CAREER SERVICES FOR PEOPLE WITH SPECIAL NEEDS AND IS THE LARGEST PRIVATE SECTOR EMPLOYER OF PEOPLE WITH DISABILITIES AND WHEREAS AUSTIN AREA RESIDENTS WITH BARRIERS TO EMPLOYMENT HAVE RECEIVED VOCATIONAL EVALUATION, JOB SEEKING SKILLS AND PLACEMENT ASSISTANCE OR EMPLOYMENT THROUGH GOODWILL INDUSTRIES OF CENTRAL TEXAS, AND WHEREAS GOODWILL AND THE MAYOR'S COMMITTEE FOR PEOPLE WITH DISABILITIES ANNUALLY HOST THE COMMUNITY CAREER EXPO, WHICH MATCHES EMPLOYERS WITH POTENTIAL EMPLOYEES AND PROVIDES EDUCATION ON HIRING QUALIFIED JOB SEEKERS WITH DISABILITIES OR OTHER BARRIERS TO EMPLOYMENT, NOW THEREFORE WILL WYNN MAYOR OF THE CITY OF AUSTIN, TEXAS DOES HEREBY PROCLAIM MAY 11th, 2005 AS COMMUNITY CAREER EXPO DAY IN AUSTIN AND WITH OUR SINCERE THANKS TO THOSE WONDERFUL FOLKS WHO MAKE IT HAPPEN EVERY YEAR. THANK YOU.

THANK YOU MAYOR PRO TEM. FIRST AND FOREMOST, I WANTED TO SAY THANK YOU TO THE MAYOR'S COMMITTEE FOR PEOPLE WITH DISABILITIES. I DON'T KNOW HOW MANY OF YOU GET OUT AND ABOUT AND RECOGNIZE THE DIFFERENCE BETWEEN WHAT OUR COMMUNITY HAS, AND OTHER COMMUNITIES HAVE. BUT THE MAYOR'S COMMITTEE HERE IN AUSTIN IS ONE OF THE FINEST THAT YOU WILL FIND ANYWHERE. WE ARE VERY PROUD TO BE ASSOCIATED WITH THEM FOR THE 7th TIME. WE ARE DOING THIS SO OFTEN WE SHOULD PROBABLY STOP PROCLAIMING IT. WE LOVE THE PROCLAMATIONS, DON'T GET ME WRONG. THIS YEAR IT'S DIFFERENT, I'M GLAD TO HAVE THE MIC FOR JUST A MOMENT. WE ARE AT THE PARMER EVENTS CENTER. THE PARKING IS CITY SPONSORED. WE ARE VERY EXCITED ABOUT BEING IN THE DOWNTOWN AREA AS OPPOSED TO THE CROCKETT CENTER. THAT WAS A WONDERFUL VENUE, WE ARE EXPECTING THIS TO BE EVEN BETTER. THIS YEAR WE EXPECT TO HAVE APPROXIMATELY 32 EMPLOYERS AND THEY RANGE FROM DELL TO SETON TO THE COUNTY. THERE'S GOING TO BE SOMETHING THERE FOR EVERYONE.

AS THE MAYOR POINTED OUT, THIS IS A -- WE ARE TARGETING PEOPLE, FOLKS WHO HAVE DISABILITIES, OTHER DISADVANTAGED CONDITIONS, BUT THIS IS A USER FRIENDLY EVENT. WE HAVE MANY PEOPLE THERE FROM ALL WALKS OF LIFE, DIFFERENT ABILITY LEVELS. I WOULD ALSO POINT OUT AS SHE SAID, ON MAY 11th, FROM 9:00 TO 3:00, WE WOULD BE VERY EXCITED IF WE BROKE OUR LAST ATTENDANCE RECORD OF 1500 FOLKS OUT THERE. AND THANK YOU VERY MUCH. [ APPLAUSE ]

IS THIS ON? DAVID DACHIS COME UP HERE FOR WHAT IS REALLY MY FAVORITE THING TO DO EACH MONTH, WHICH IS THE VOLUNTEER OF THE MONTH FROM UNITED WAY, WHICH IS THE VOLUNTEER CENTER HERE. IT'S WHERE I GOT MY START IN COMMUNITY SERVICE WAS WITH UNITED WAY. OUR FIRST IS FOR MARCH 2005, FOR CHUCK DACHIS. SO DAVID FIRST I'M GOING TO TURN IT OVER TO YOU TO TELL US A LITTLE BIT ABOUT CHUCK AND CHUCK I'LL ASK YOU TO -- WE'LL BRAG ON YOU AND THEN LET YOU TALK.

ACTUALLY I WOULD JUST LIKE TO SAY BREWSTER WE APPRECIATE THE PARTNERSHIP WITH THE CITY HERE, ON BEHALF OF THE UNITED STATES VOLUNTEERS [INDISCERNIBLE] I THINK IT'S IMPORTANT WHEN WE LOOK AT THESE VOLUNTEERS, IT REALLY IS A WONDERFUL PARTNERSHIP HERE OF HEROES IN THIS COMMUNITY THAT MAKE A DIFFERENCE WITH OUR NON-PROFIT AGENCIES THAT MAKE THIS COMMUNITY STRONGER AND WHAT I WOULD LIKE TO DO HERE IS JUST HAVE FIRST OF ALL MOLLY COME UP HERE AND INTRODUCE CHUCK.

CHUCK HAS BEEN VOLUNTEERING WITH PROJECT TRANSITIONS FOR ABOUT SEVEN YEARS? I THINK THAT'S CORRECT AND HE IS JUST INVALUABLE. HE HELPS OUT IN TOP DRAWER THRIFT STORE ARE, DOES ALL OF OUR ELECTRONICS FOR US, IT'S A REALLY HUGE PART OF THE STORE, BRINGS IN A LOT OF MONEY FOR THE AGENCY, I DON'T KNOW WHAT WE WOULD DO WITHOUT HIM. EVERYONE, CHUCK DACHIS.

THANK YOU. I'M BEING HONORED, I'M HONORED TO BE HERE. THIS IS MY EXTENDED FAMILY AND VOLUNTEERING A LOT BECAUSE I LOVE GIVING BACK TO THE COMMUNITY.

SOMETHING -- SOMETHING I [INDISCERNIBLE] USED MAYBE EARS AGO, I'M GLAD -- MANY YEARS AGO, I'M GLAD I CAN [INDISCERNIBLE] BRUCE ELFANT CHUCK, I'M GOING TO READ THIS -- I'M GOING TO READ THIS, CERTIFICATE OF CONGRATULATIONS FOR HAVING BEEN SELECTED BY THE UNITED WAY CAPITAL AREA, CHUCK DACHIS IS DESERVING OF PUBLIC ACCLAIM AND RECOGNITION, CHUCK HAS BEEN A VOLUNTEER AT TOP DRAWER FOR 8 YEARS. HE TESTS ALL DONATED ELECTRONICS, CLEANS THEM AND PRICES AND DISPLAYS THEM IN THE STORE. HE MAY NOT BE ABLE TO MAKE IT OUT OF THE ROOM TODAY. YOU ARE GOING TO GET CORNERED BY EVERYBODY WANTING ADVICE. ELECTRONIC SALES MAKE UP A SIGNIFICANT PART OF THE REVENUE FROM THE THRIFT STORE. CHUCK'S ASSISTANCE MAKES A BIG IMPACT. HE ALSO USES HIS KNOWLEDGE OF ANTIQUES TO ASSIST THE STORE MANAGER IN PRICING ITEMS AS WELL. WE JOIN IN HONORING CHUCK DACHIS FOR BEING ONE OF THE TOP DRAW STELLAR VOLUNTEERS, GENEROUS DONATION OF TIME AND SERVICE, THIS PRESENTED IN RECOGNITION THEREOF ON THE 28th DAY OF APRIL IN THE YEAR 2005, THE CITY COUNCIL OF AUSTIN, TEXAS, MAYOR WILL WYNN, CHUCK, CONGRATULATIONS AND THANK YOU.

WE ARE BLESSED TO HONOR A DYNAMIC DUO, NEXT. CAROL AND CYD STUEWE. ONCE AGAIN DAVID I WILL TURN IT OVER TO YOU TO TELL US ABOUT THEM AND WE WILL BRAG ON YOU ALL SOME MORE.

I WOULD LIKE TO HAVE ELIZABETH FULTON COME UP HERE FROM FOUNDATION COMMUNITIES.

THANKS, FOUNDATION COMMUNITIES OPERATED FIVE COMMUNITY TAX CENTERS THIS YEAR ALL AROUND AUSTIN TO PROVIDE FREE INCOME TAX PREPARATION FOR LOW INCOME FAMILIES. WE COULD NOT HAVE DONE THIS WITHOUT THE HARD WORK OF ABOUT 250 VOLUNTEERS AND REALLY OUR STAR VOLUNTEERS WERE SID AND CAROL STUEWE. WE ARE SO GRATEFUL FOR THEIR EXPERIENCE AND KNOWLEDGE. SID IS A RETIRED CPA, HE HAS BEEN DOING FREE INCOME TAX PREPARATION FOR LOW INCOME FAMILIES FOR 25 YEARS. WE RELIED HEAVILY ON HIS KNOWLEDGE AND HIS EXPERTISE. THEN CAROL HAS A WONDERFUL TEACHING BACKGROUND, SHE HELPED US

TRAIN OUR 250 VOLUNTEERS SO THAT THEY WOULD BE ABLE TO SERVE THE COMMUNITY WITH FREE INCOME TAX PREPARATION.

CAN YOU TELL US A LITTLE BIT MORE ABOUT WHAT THIS PROGRAM IS? [INDISCERNIBLE]

YEAH, THIS WAS -- THIS PROGRAM WAS CREATED BECAUSE ON AN ANNUAL BASIS \$24 MILLION GOES UNCLAIMED IN TRAVIS COUNTY. AND THAT'S -- THOSE ARE CREDITS THAT LOW INCOME FAMILIES ARE ELIGIBLE FOR AND YET THEY DON'T CLAIM. SO FOUNDATION COMMUNITIES STEPPED UP TO CREATE THE TAX CENTERS TO HELP LOW INCOME FAMILIES CLAIM ALL OF THE CREDITS THEY DESERVE. AND TO HELP THEM CLAIM IT FOR FREE. THIS YEAR WE SERVED 7,300 FAMILIES AND BROUGHT IN \$9.5 MILLION IN 13 WEEKS THAT WILL BE SPENT HERE FOR SCHOOL SUPPLIES, MEDICINE, RENT, HOUSING, CLOTHING, FOR LOW INCOME FAMILIES HERE IN AUSTIN. NEXT YEAR WE WILL PLAN TO EXPAND THE SERVICE AND HOPE TO DOUBLE THOSE NUMBERS, WE WANT TO SERVE 12,000 PEOPLE HERE IN AUSTIN AND REALLY HELP LOW INCOME FAMILIES HELP THEMSELVES BY HELPING THEM CLAIM THIS MONEY THAT THEY HAVE EARNED. THROUGH THE EARNED INCOME TAX CREDIT. PEOPLE CAN CALL 211, UNITED WAY, TO LEARN MORE ABOUT THIS SERVICE.

McCracken: I KNOW A NUMBER OF US HAD THE GOOD FORTUNE TO GO TO FOUNDATION COMMUNITIES. SOME FOLKS ARE AFRAID, THEY HAVEN'T FILED INCOME TAX RETURNS IN YEARS, BECAUSE THEY ARE AFRAID TO DO IT. THEY DISCOVER THAT THEY ARE ENTITLED TO THOUSANDS OF DOLLARS IN INCOME TAX REFUNDS, I'LL TELL YOU IF WE HAD A \$7.5 MILLION OF PAYROLL ANNUALLY COMING IN, WE WOULD BE HOLDING A PRESS CONFERENCE IN FRONT OF CITY HALL. WHAT YOU ALL DO IS AN INCREDIBLE BENEFIT TO THE COMIEWND AND FOLKS THAT COULD USE IT THE MOST. WE WOULDN'T HAVE THAT WITHOUT CAROL AND SID. BEFORE I READ THIS I WOULD LIKE FOR YOU ALL TO TELL US MORE ABOUT YOURSELF, HOW YOU GOT INVOLVED.

WELL, I'M THE SPEAKER, BUT HE'S THE DOER. HE'S BEEN HAVING HIS OWN SITE IN SOUTH AUSTIN FOR 25 YEARS.

HAVE A FAIRLY LOYAL CLIENTELE THAT HAS COME TO THAT SITE FOR A LONG TIME. BUT THIS YEAR WITH FOUNDATION COMMUNITIES HELP IT HAS BEEN SO MUCH MORE EFFECTIVE, REACHED SO MANY MORE PEOPLE THAT I THINK THAT THE SERVICE OF FREE INCOME TAX TO THOSE WHO ARE FEARFUL, AFRAID, DON'T HAVE ANY IDEA HOW TO DO THE TAXES MUCH LESS THE \$50 TO 100 TO \$200 THAT WOULD COST THEM TO DO IT, I THINK THEY ARE BEING VERY WELL SERVED, EVEN BETTER WELL SERVED WITH THE SUPPORT THAT FOUNDATION COMMUNITIES HAS GIVEN THIS PROGRAM. IT'S A MARVELOUS PROGRAM.

DO YOU WANT TO SAY ANYTHING?

I WILL SAY, BUT THIS IS A FANTASTIC PROGRAM. I HAVE BEEN WITH IT ALL THESE YEARS, THERE HAVE BEEN A NUMBER OF TIMES, I KNOW, ONE SITUATION THAT I DIDN'T HAPPEN TO DO THE TAX RETURN, BUT WE DID, THE CO-WORKERS DID IN 2000, ONE, TWO, THREE, FOUR, FOR ONE INDIVIDUAL THAT HAD NOT FILED IN ALL THESE YEARS AND GOT BACK OVER \$10,000. I HAVE DONE, I KNOW FOUR OR FIVE WE DID THREE OR FOUR YEARS BACK, PEOPLE GET BACK FIVE, SIX, \$7,000, NOTING COMOWN. NOT UNCOMMON. PEOPLE THAT ARE AFRAID TO FILE THEIR TAX RETURNS OR DIDN'T HAVE A CLUE THAT THEY WERE OWED MONEY. THIS IS A GREAT SERVICE TO THE COMMUNITY. WE ASKED -- THE SUPPORT OF THE FOUNDATION COMMUNITIES, THE CITY, UNITED WAY, WITHOUT THEM WE COULDN'T DO IT.

McCracken: FOR NOW FOR THE ANTI-CLIMAX. IT'S A BIG DEAL, THIS IS WHERE THE REAL INTEREST IS, THE CERTIFICATE OF CONGRATULATIONS FOR HAVING BEEN SELECTED BY THE UNITED WAY CAPITAL AREA AS THE APRIL 2005 VOLUNTEERS OF THE MONTH, CAROL AND SID STUEWE ARE DESERVING OF PUBLIC ACCLAIM AND RECOGNITION. SID IS A CPA AND CERTIFIED FRAUD EXAMINER WHO VOLUNTEERED WITH THE VITA FREE INCOME TAX PROGRAM FOR MORE THAN 25 YEARS. HE MANAGED THE VITAE -- VITA SITE -- WHEN YOU HAVE A NAME LIKE BREWSTER YOU ALWAYS TRY TO GET EVERYBODY'S PRONUNCIATIONS RIGHT. HE MANAGED THE SITE FOR TWO DECADES AND CURRENTLY SERVES AS THE TUESDAY SITE COORDINATOR IN SOUTH AUSTIN. CAROL JOINED HER HUSBAND AS A VITA VOLUNTEER THREE YEARS

AGO. THEY EVEN INITIATED AN INDEPENDENT SITE NEAR THE PEDERNALES RIVER TO SERVE THE LOW INCOME TAXPAYERS OF WESTERN TRAVIS COUNTY. THIS CERTIFICATE IS PRESENTED IN RECOGNITION OF THEIR EXEMPLARY SPIRIT OF VOLUNTEERISM ON THIS 28th DAY OF APRIL IN THE YEAR 2005, THE CITY COUNCIL OF AUSTIN, TEXAS, WILL WYNN, MAYOR, THANK YOU ALL VERY MUCH. [ APPLAUSE ]

HE WARCHTSED TO ASK -- I WANTED TO ASK DAVID TO TELL A LITTLE BIT ABOUT THE UNITED WAY VOLUNTEER PROGRAMS AND THE AMAZING AMOUNT OF THE VOLUNTEER OPPORTUNITIES THAT YOU CAN GET.

THIS IS A REAL PLEASURE. ONE OF THE REAL MISSIONS THAT UNITED WAY IS HOW TO ENGAGE THE COMMUNITY, GET THEM INVOLVED TO MAKE A DIFFERENCE SUCH AS YOU ARE HEARING TODAY IN TERMS OF PEOPLE'S LIVES BEING CHANGED THERE. CALL 211 AND SAY HEY I'M INTERESTED IN DOING THIS, WORKING WITH THESE FOLKS, THEY WILL TELL YOU HOW IT IS. BUT WE ALSO HAVE JUST YOU CAN GO TO THE WEBSITE, UNITED WAY CAPITAL AREA.ORG. YOU CAN GO IN THERE AND A PROMISE CALLED VOLUNTEER SOLUTIONS, GIVE SOME INFORMATION ABOUT YOURSELF, SAY YOU KNOW THIS IS THE TYPE OF VOLUNTEER OPPORTUNITY THAT I WOULD LIKE, LIST UP FOR YOU WHERE YOU LIVE IN THE COMMUNITY, WHERE YOU WOULD LIKE TO VOLUNTEER DIFFERENT OPPORTUNITIES. JUST THINK ABOUT HOW ONE VOLUNTEER PERSON, THE LIVES THAT YOU TOUCH JUST BY LISTENING TO THE EXAMPLES OF HERE OF THE MANY PEOPLE THAT YOU TOUCH AND MULTIPLE FACTORS THAT HAPPEN HERE. THANK YOU, BREWSTER.

THANK YOU.

ELIZABETH, COULD YOU TELL US ABOUT HOW TO VOLUNTEER AT FOUNDATION COMMUNITIES.

SURE. WELL YOU CAN CALL -- YOU CAN VOLUNTEER AT FOUNDATION COMMUNITIES BY CONTACTING UNITED WAY, 211 CAN CONNECT YOU TO FOUNDATION COMMUNITIES. I ALSO WANTED TO GIVE A QUICK THANK YOU TO HORSESHOE BAY RESORT FOR PROVIDING A ONE-NIGHT STAY FOR THE

STUEWES TO HELP THEM RECOVER FROM THIS VERY BUSY TAX SEASON.

Mayor Wynn: THERE BEING A QUORUM PREPB, AT THIS TIME I'LL CALL BACK TO ORDER THE AUSTIN CITY COUNCIL. TECHNICALLY WE'VE BEEN IN CLOSED SESSION, NOT IN RECESS, IN CLOSED SESSION. IN CLOSED SESSION WE TOOK UP AGENDA ITEM 54 RELATED TO THE PROJECT KNOWN AS LANTANA. NO DECISIONS WERE MADE. BACK IN OPEN SESSION, I APOLOGIZE, I MISSED MUCH OF THE LAST COUPLE OF HOURS OF THE MEETING AND I HAD PULLED A NUMBER OF ITEMS OFF THE CONSENT AGENDA THIS MORNING. I'D LIKE TO TRY TO GET THROUGH THOSE REAL QUICKLY, COUNCIL, WITHOUT OBJECTION. I'VE JUST BEEN INFORMED THAT ALSO WHILE I WAS GONE IN EXECUTIVE SESSION, COUNCIL DID TAKE UP ITEM NUMBER 52 RELATED TO THE WINFIELD M.U.D. AGAIN, NO DECISIONS WERE MADE. COUNCIL, I HAD PULLED ITEM NUMBER 25 EARLIER. 25 IS A PROFESSIONAL SERVICES AGREEMENT WITH WILBUR SMITH AND ASSOCIATES REGARDING ENGINEERING SERVICES FOR THE ANALYSIS OF H.O.V. AND POTENTIALLY REVERSIBLE LANES. I WOULD LIKE TO RECOGNIZE MS. SANDRA CREIGHTON PERHAPS FOR A BRIEF PRESENTATION OF THAT CONCEPT AND THE NEED.

CERTAINLY, MAYOR, I'M SANDRA CREIGHTON DIRECTOR OF THE PUBLIC WORKS DEPARTMENT. ITEM 25 IS TO REQUEST AUTHORIZATION FOR STAFF TO NEGOTIATE AND EXECUTE A CONTRACT WITH WILBUR SMITH ASSOCIATES FOR ENGINEERING SERVICES FOREH.O.V. REVERSIBLE LANE STUDY. AND THIS IS IN THE AMOUNT OF \$550,000. THE BENEFIT WILL BE THAT THIS WILL ALLOW US TO LOOK AT WAYS TO MAXIMIZE THE USE OF ROADWAY, THE ROADWAY IN THE CITY OF AUSTIN AND HOPEFULLY IMPROVE TRAFFIC FLOW. THE CONSULTANT WILL BE LOOKING AT 11 DIFFERENT CORRIDORS AS PART OF THEIR STUDY. AND THESE CORRIDORS WERE SELECTED FROM THE H.O.V. REVERSIBLE LANE TASK FORCE. THEY WILL ALSO BE LOOKING AT OTHER CORRIDORS IN ADDITION TO THESE 11 THAT HAVE BEEN SELECTED. THEY WILL BE COLLECTING A LOT OF DATA ON PEAK DIRECTIONAL USE, BOTTLENECKS, DRIVEWAY USE, STREET PARKING AND BUS ROUTES, AND ULTIMATELY THEY WILL BE COMING UP WITH FOUR DIFFERENT CORRIDORS

THAT THEY WILL DO A SCHEMATIC DESIGN ON. ALSO IN CONJUNCTION WITH THIS STUDY THEY WILL BE COORDINATING WITH TXDOT TO MAKE SURE THAT THE H.O.V. AND MANAGED LANES THAT THEY ARE STUDYING ON MOE MOPAC AND I-35 WILL BE ABLE TO CONNECT TO THE CITY OF AUSTIN CORRIDORS. SO I'D BE GLAD TO ANSWER ANY QUESTIONS YOU MIGHT HAVE AND I'D ALSO LIKE TO OPPONENT OUT THAT THERE WILL BE VERY, VERY EXTENSIVE STAKEHOLDER PARTICIPATION TO MAKE SURE THAT THE RESIDENTIAL AND BUSINESS COMMUNITY IS BROUGHT IN AND THAT, YOU KNOW, ANY ISSUES THAT THEY HAVE ARE BEING CONSIDERED AS PART OF THIS STUDY.

Mayor Wynn: THANK YOU, MS. CREIGHTON. A COUPLE QUESTIONS I HAVE. ONE IS, FRANKLY, I'M ALWAYS A LITTLE CONCERNED WHEN THERE'S ONLY ONE -- ESSENTIALLY ONE BID RECEIVED OR ONE PROPOSAL RECEIVED, PARTICULARLY WHEN THE EXPENSES IS SIX FIGURES, IN THIS CASE OVER HALF A MILLION DOLLARS. CAN YOU TALK TO ME ABOUT THAT?

SURE.

Mayor Wynn: HOW WAS THAT UNIVERSE LOOKED AT?

THERE WERE ACTUALLY NINE PRIME CONSULTANTS WHO ATTENDED THE PRE-RESPONSE MEETING. AND THE PROJECT MANAGER DID CONTACT THOSE NINE SINCE WE ONLY DID HAVE ONE SUBMITTAL TO CONSIDER, AND HE DID TALK TO EACH OF THEM AND ASK WHY THEY DIDN'T SUBMIT A SUBMITTAL TO THE CITY FOR CONSIDERATION. SEVERAL OF THEM SAID THAT THEY WERE CONCERNED THAT THERE MIGHT NOT BE ENOUGH FUNDING TO ACTUALLY DO A THOROUGH STUDY. A COUPLE OF THEM FELT LIKE THEY REALLY WEREN'T QUALIFIED OR THEY DIDN'T HAVE ENOUGH LOCAL EXPERT EXPERTISE AND UNDERSTANDING OF THE FULL ISSUES. THERE WAS ONE WHO FELT LIKE THERE MAY BE AN APPEARANCE OF A CON TPHREBGT OFCONFLICT OF INTEREST BECAUSE THEY ARE CURRENTLY DOING THE STUDY FOR TXDOT. AND ANOTHER ONE ALSO INDICATED THAT THEY SIMPLY HAD TOO MANY PROJECTS GOING ON AND THEY DIDN'T FEEL LIKE THEY COULD ADEQUATELY



RESOURCE THIS PARTICULAR PROJECT.

Mayor Wynn: THANK YOU. I WILL SAY IT ALSO BRINGS UP A SOMEWHAT SORE SUBJECT WITH ME. I CAN'T REMEMBER THE PRECISE DYNAMICS, BUT WE HAD WHAT WAS CALLED SEVERAL YEARS AGO THE DAMP FOR DOWNTOWN AUSTIN MOBILITY PLAN. IF I REMEMBER, THE CITY, MY UNDERSTANDING WAS, SPENT SEVERAL HUNDRED THOUSAND DOLLARS ON THIS DAMP MODEL THAT I WAS UNDER THE IMPRESSION WAS GOING TO BE QUITE THE ANALYTICAL TOOL FOR US TO HAVE AS WE START -- CONTINUE TO DO ALL OF THE THINGS THAT WE'VE BEEN DOING, BUILDING A NEW CITY HALL, ANALYZING PROPOSALS FOR BLOCK 21, ANALYZING THE RECONVERSION OF CESAR CHAVEZ BACK TO TWO-WAY, LOOKING AT THE GREEN WATER TREATMENT PLANT AND PUNCHING NUECES STREET THROUGH. SEEMINGLY NONE OF THAT IS HAPPENING NOW, AND EVEN EARLY ON AFTER WE FIRST GOT THAT MODEL, I WAS VERY DISAPPOINTED IN THE LACK OF COMPUTATION WITHIN THE MODEL; THAT IS, WHEN YOU TRIED TO PLUG IN SOME ASSUMPTIONS AS TO HOW MANY CARS ARE ENTERING FROM DOWNTOWN AT WHICH DIRECTION AND WHICH HOUR - - EXCUSE ME -- THE MODEL WAS NOT HELPFUL AT ALL WHEN IT CAME TO ANALYZING WHAT IFS. SO I WAS VERY FRUSTRATED IN THE SIX FIGURES THAT WE SPENT ON THAT MODELING PROJECT. AND I'M JUST -- YOU KNOW, SO I'M JUST NERVOUS. AND ONE, WE HAVE A SINGLE BID. IT'S FOR HALF A MILLION BUCKS. AND I DON'T LIKE THE LAST HALF MILLION DOLLARS WE SPENT WHEN IT COMES TO THE ANALYSIS OF TRYING TO GET MORE PEOPLE IN AND OUT AND THROUGH OUR DOWNTOWN AS POSSIBLE. SO REMIND ME, WAS WILBUR SMITH THE CONSULTANT ON THE DAMP PROJECT?

YES, MAYOR, I BELIEVE THEY WERE. I WOULD HAVE TO GO BACK TO MY RECORDS TO SEE THAT FOR SURE, BUT I BELIEVE THEY WERE. I THINK A LOT OF THE RECOMMENDATIONS THAT CAME OUT OF THAT WERE PRESENTED TO COUNCIL, AND I THINK THERE WAS TALK OF MAYBE HAVING SOME FUTURE WORK SESSIONS. I'M NOT SURE THAT ALL OF THOSE WORK SESSIONS ACTUALLY TOOK PLACE LATER.

Mayor Wynn: REMIND ME --

AND I WASN'T HERE AT THE TIME IN THE POSITION I'M IN SO I'M NOT PROBABLY AS UP TO SPEED ON THAT TO BE ABLE TO ANSWER ALL YOUR QUESTIONS FULLY, BUT I'D BE VERY GLAD TO LOOK INTO ALL OF THAT FOR YOU.

Mayor Wynn: LIKE I SAID, A FUNDAMENTAL QUESTION IS SO DO WE OWN A COMPUTER MODEL, FOR LACK OF A BETTER TERM? DO WE NOW OWN THIS PRODUCT WE BOUGHT THROUGH WILBUR SMITH FIVE YEARS AGO?

YES. WE DO HAVE THE MODEL, BUT IT HAS BEEN LIMITED USE. AND AGAIN, I CAN FIND OUT MORE INFORMATION ABOUT, YOU KNOW, EXACTLY MAYBE WHAT THE LIMITATIONS WERE AS TO WHY IT HASN'T BEEN USED AS MUCH AS IT HAS BEEN.

Mayor Wynn: ALL RIGHT. THANK YOU, MS. CREIGHTON.

WILBUR SMITH, THERE IS A REPRESENTATIVE HERE. I'M NOT CERTAIN THAT THE PERSON HERE IS THE PROJECT MANAGER WHO WAS ON THAT PROJECT, BUT IF YOU'D LIKE, I COULD -- WE CAN CERTAINLY SEE IF THEY WOULD LIKE TO COME FORWARD AND ANSWER SOME OF THOSE QUESTIONS.

Mayor Wynn: SURE, IF THAT'S POSSIBLE. DO WE HAVE A REPRESENTATIVE HERE FROM WILBUR SMITH? OKAY OKAY, THE PERSON HERE FROM WILBUR SMITH IS NOT THE SAME PERSON WHO ACTUALLY DID THAT STUDY, BUT SHE WOULD BE GLAD TO SPEAK ABOUT THEIR EXPERIENCE WITH DOING THIS TYPE OF PARTICULAR STUDY.

Mayor Wynn: WELCOME, MA'AM.

HELLO. I'M REBECCA BRAY. I'M WITH WILBUR SMITH ASSOCIATES, AND I WAS NOT EMPLOYED WITH WILBUR SMITH AT THE TIME THE DAMP STUDY WAS DONE SO I'M SORRY I CAN'T REALLY SPEAK TO THAT. BUT I WOULD SAY THAT WE ARE GOING TO TAKE THE MODEL WE CREATED FOR YOU ALL AND ADD ONTO IT THE NEW H.O.V. FACILITIES WE WILL BE ANALYZING. SO WE'LL BE EXPANDING UPON THAT

MODEL AND PRESENTING YOU WITH THAT DATA. AND WE'RE ALSO PROPOSING TO DO A 3-D SIMULATION MODEL AS WELL AS THE VARIOUS ARTERIALS UNDER INVESTIGATION.

Mayor Wynn: IT'S BEGS THE QUESTION, IF WE BOUGHT THIS MODEL, IF WE OWN THIS -- I DON'T KNOW IF IT'S A SOFTWARE PROGRAM OR A LITERAL PIECE OF HARDWARE, IT SEEMS LIKE THAT WAS THE BASE EXPENSE THAT WE COMMITTED TO AS A CITY EARLY ON, PARTICULARLY WITH THIS SAME CONSULTANT. AND IT SEEMS TO ME YOU COULD SOMEHOW BUILD UPON THAT AND THE BEAUTY OF THESE COMPUTER MODELS IN THEORY IS YOU HIT A BUTTON EVERY SO OFTEN AND IT -- YOU KNOW, IT CAN DO THESE CALCULATIONS AND ANALYSES FOR US AND PERHAPS IN LIEU OF ONGOING SIX-FIGURE INVESTMENTS. SO COUNCIL, AND I APOLOGIZE I DIDN'T GET SOME OF THESE QUESTIONS TO STAFF EARLIER, BUT IT STRUCK ME -- REMINDED ME OF THAT EXPENSE WITH DUMP AND WHAT I SAW WAS REALLY VERY LIMITED APPLICATION AS WE HAD A WORK SESSION OR TWO LATER THAT YEAR. AND BETWEEN PERHAPS ME JUST NOT UNDERSTANDING THAT PRODUCT THAT WE IN THEORY HAVE AND HOW WE AS STAFF AND WITH HELP OF CONSULTANTS CAN BETTER UTILIZE THAT PRODUCT, FRANKLY, I'M A LITTLE NERVOUS ABOUT A SINGLE BID AND THIS LARGE OF EXPENSE ON WHAT SEEMINGLY, YOU KNOW, WE HAVE SOME OF THE FUNDAMENTAL PARTS TO DO ALREADY.

LET ME MAKE THIS SUGGESTION BECAUSE IT SOUNDS LIKE WE HAVE QUESTIONS WE NEED TO HAVE ANSWERED BEFORE WE -- WHAT I WOULD PROPOSE IS WE TABLE THIS ITEM. THAT WE COME BACK WITH SOME ANSWERS TO, ONE, THE MODEL THAT WAS PURCHASED, EXACTLY ITS CAPACITIES AND EXACTLY ITS SHORT COMINGS, AND THEN TWO, LET'S DO ONE ON ONE THROUGH THE COUNCIL OFFICES IN THE INTERIM THE NEXT TWO WEEKS AND WALK THROUGH EXACTLY, MAYBE WITH A REPRESENTATIVE FROM THE COMPANY, EXACTLY WHAT'S PROPOSED IN THIS PROPOSAL, WHAT CAN BE ACCOMPLISHED, WHAT CAN'T BE ACCOMPLISHED, AND THEN MAKE A DECISION ON BRINGING IT BACK.

WE'LL DO THAT.

Mayor Wynn: COUNCILMEMBER McCRACKEN.

McCracken: I'M PRETTY SKEPTICAL THAT I'LL BE ABLE TO SUPPORT THIS AT ANY POINT BECAUSE IN LOOKING AT HOW THIS IS DONE AROUND THE COUNTRY, THERE'S JUST NOT A WHOLE LOT OF USE OF H.O.V. LANES ON ARTERIAL ROADS. THEY ARE ALMOST EXCLUSIVELY A HIGHWAY TRAFFIC MANAGEMENT TOOL. BECAUSE WHEN YOU HAVE RED LIGHTS, YOU DON'T GET ANYTHING OUT OF HAVING HOV LANES. SOME FOLKS ARE FAMILIAR WITH BUS LANES, DRAMATICALLY UNDERUTILIZING PRECIOUS LANE SPACE. IT'S A LOT OF MONEY FOR SOMETHING THAT I AM EXTREMELY SKEPTICAL WILL EVER GET -- SKEPTICAL WILL EVER GET IMPLEMENTED. WHAT I WOULD PREFER TO SEE IS IF WE HAVE A SINGLE ROAD THAT WE'RE INTERESTED IN DOING REVERSIBLE LANES ON, WHICH WAS A RECOMMENDATION THAT CAME FROM OUR RED LIGHT STUDY, I THINK THAT MIGHT BE A GOOD USE OF EFFORT TO MODEL A SINGLE ROAD FOR REVERSIBLE LANES. LET'S SEE IF WE ACTUALLY IMPLEMENT IT AND IF IT WORKS. IF WE IMPLEMENT IT AND IT ACTUALLY WORKS, MAYBE WE COULD SPEND SOME MORE MONEY ON TOP OF THAT. BUT WHEN WE HAVE THESE PRECIOUS TRANSPORTATION DOLLARS THAT GOING AWAY AFTER THIS YEAR, AT LEAST FROM A SPENDING PRIORITY, I'M NOT THERE FOR SOMETHING I'M REAL SKEPTICAL WILL EVER GET IMPLEMENTED.

I WOULD LIKE TO MAKE ONE COMMENT ON THAT. LET'S SEE. I JUST WANT TO OPPOSE OUT THAT IT WAS THE REGIONAL H.O.V. MANAGED TASK FORCE THAT DID IDENTIFY THE SPECIFIC CORRIDORS THAT THEY WERE INTERESTED IN HAVING STUDIED. AND THIS, OF COURSE, CAMPO IS ONE OF THE MEMBERS OF THIS PARTICULAR TASK FORCE. AND WHAT THEY WERE SPECIFICALLY LOOKING AT, MY UNDERSTANDING IS LOOKING AT DEGREE DEALING WITH THE BUS TRAFFIC. THAT THAT IS CERTAINLY ONE OF THE THINGS THEY WOULD LOOK AT. BUT IF IT'S THE DESIRE OF THE MAYOR AND THE COUNCIL TO, YOU KNOW, LOOK AT THIS MORE AS A PILOT AND, YOU KNOW, REDUCE THE SCOPE OF THIS, I WOULD OFFER THAT ONE WAY TO DO IT IS TO SIMPLY START OUT IN BABY STEPS WITH THIS PARTICULAR CONSULTANT AND JUST LIMIT THE SCOPE TO SOMETHING MUCH SMALLER AND THEN COME BACK TO

COUNCIL WITH WHAT THE RESULTS ARE AND THEN SEE IF YOU ARE INTERESTED IN EXPANDING IT RATHER THAN START ALL OVER WITH THE SOLICITATION PROCESS, WHICH DOES TAKE A BIT OF TIME.

I THINK WHAT WE NEED TO DO RATHER THAN TRY TO REDESIGN IT HERE IS LET'S TABLE THIS.

SURE.

AND GO BACK AROUND THROUGH COUNCIL AND WALK THROUGH OPTIONS BOTH -- AND IN PARTICULAR LET'S GET AN ANSWER TO THE SOFTWARE WE PURCHASED IN THE FIRST PLACE, WHERE WE ARE WITH THAT, HOW WE'VE USED IT AND WHY, AND LET'S GO ONE TO ONE TO COUNCIL OFFICES AND GET AN INTEREST IN HOW THEY WOULD LIKE TO PRODUCE.

Mayor Wynn: COUNCILMEMBER SLUSHER. SHR EURB I'LL JUST WAIT, MAYOR.

Mayor Wynn: OKAY. SO I'LL ENTERTAIN A MOTION TO POSTPONE ACTION ON ITEM 25. MOTION MADE BY COUNCILMEMBER McCRACKEN, SECONDED BY COUNCILMEMBER THOMAS TO POSTPONE ITEM NUMBER 25 INDEFINITELY. FURTHER COMMENTS? HEARING NONE, ALL THOSE IN FAVOR PLEASE SAY AYE. OPPOSED? MOTION PASSES ON A VOTE OF 7-0. THANK YOU ALL. COUNCIL, I'D ALSO PULLED ITEM NUMBER 40, WHICH RELATED TO AN EXECUTIVE SESSION DISCUSSION WE HAD POSTED AS ITEM 55. THIS IS REGARDING AN ORDINANCE REGARD WHAG WE REFER TO GENERALLY AS DORMANT PROJECTS AND WOULD WELCOME A BRIEF PRESENTATION BY MS. TERRY.

THANK YOU, MAYOR. MARTHA TERRY, ASSISTANT CITY ATTORNEY. MAYOR AND COUNCIL, WHAT YOU HAVE BEFORE YOU IN THIS ITEM IS WHAT WE CALL THE DORMANT PROJECT ORDINANCE. PART OF THE PROVISIONS OF CHAPTER 245 OF THE TEXAS LOCAL GOVERNMENT CODE THAT WERE ADOPTED IN 1999 PERMITTED THE CITY TO PROVIDE EXPIRATION DATES FOR THOSE PERMITS THAT HAVE NO EXPIRATION DATES IF THE PROJECT IS DORMANT. AND THE PROJECT IS DORMANT IF NO PROGRESS HAS BEEN MADE,

AND THEN THE STATUTE GOES ON AND DESCRIBES WHAT IT MEANS FOR PROGRESS TO BE SHOWN. THE LOCAL GOVERNMENT CODE MANDATED THAT THE EXPIRATION DATES COULD BE NO EARLIER THAN MAY THE 11th OF 2004. THE ORDINANCE THAT YOU HAVE BEFORE YOU PROVIDES FOR AN EXPIRATION DATE OF MAY 11, 2004. AND IF PERMITS AS OF THAT DATE HAD NO EXPIRATION DATE, THOSE PERMITS CAN BE EXPIRED IF THERE IS NO PROJECT -- I'M SORRY, NO PROGRESS ON A PROJECT AT THAT PARTICULAR DAY. THE ORDINANCE THEN GOES ON AND TRACKS CHAPTER 245 IN TERMS OF THE CONDITIONS ABOUT HOW ONE SHOWS PROGRESS HAVING BEEN MADE. THE ONE PROVISION THAT WE HAVE ADDED AT THE VERY END OF THE ORDINANCE IS A PROVISION WHICH WE BELIEVE CARRIES OUT THE INTENT OF CHAPTER 245, AND THAT PROVISION IS, LOGICALLY, AND THAT IS IF ALL THE PERMITS HAVE EXPIRED, THEN THE PROJECT ITSELF HAS EXPIRED. SO FUNDAMENTALLY THE SUBSTANTIVE PART OF THE ORDINANCE BEFORE YOU TRACKS CHAPTER 245. IT DOES PROVIDE FOR EXPIRATION DATE ON PERMITS THAT THE CITY HAS THAT HAVE NO EXPIRATION ON MAY 11, 2004. BUT ONLY ON THAT DAYLIGHT IF, OF COURSE, THE PERMIT HAD NO EXPIRATION DATE AND IF NO PROGRESS HAS BEEN MADE. AND I AM AVAILABLE FOR QUESTIONS.

MARTY, DID YOU COVER PLANNING COMMISSION ALSO?

I APOLOGIZE. PLANNING COMMISSION -- THIS WENT THROUGH THE STAKEHOLDER PROCESS AT THE PLANNING COMMISSION. THE PLANNING COMMISSION CODES AND ORDINANCES AND SUBCOMMITTEE CONSIDERED IT AND VOTED IT OUT UNANIMOUSLY AND TUESDAY NIGHT OF THIS WEEK THE PLANNING COMMISSION RECOMMENDED THAT THIS ORDINANCE BE ADOPTED.

Mayor Wynn: EXCUSE ME. THANKS FOR THE COMMENTS. COUNCIL, QUESTIONS? I'LL JUST SAY MY SLIGHT CONCERN HERE IS THAT BY NOT HAVING A PUBLIC HEARING ON THIS ORDINANCE ORDINANCE, EVEN SNOW HE THOUGH MY UNDERSTANDING OF THIS DEFINITION AND HOW VERY MUCH IT DOVE TAILS INTO EXISTING STATE LAW, AND GRANTED STATE LAW CHANGES FREQUENTLY ESPECIALLY THIS TIME OF YEAR, THAT, YOU KNOW, THE LOCAL COMMUNITY WOULD

GET VERY COMFORTABLE WITH THIS DEFINITION. BUT I DON'T LIKE THE IDEA OF PASSING AN ORDINANCE WITHOUT A PUBLIC HEARING. AND AT LEAST THE ABILITY FOR SOME PEOPLE TO WHAT I WILL BELIEVE WOULD BE, YOU KNOW, ABILITY TO GET COMFORTABLE WITH WHAT THE DETAILS OF THIS ORDINANCE AND ITS AMENDMENT WOULD BE. SO WITH THAT IN MIND, OBVIOUSLY I GUESS WE'RE JUST POSTED FOR ACTION, NOT A PUBLIC HEARING, AND OF COURSE WE DIDN'T SET IT FOR SUCH.

MAYOR, WHAT WE COULD DO IS BRING THIS BACK FOR PUBLIC HEARING FOR YOU AT YOUR NEXT COUNCIL MEETING, IF THAT IS THE COUNCIL'S DESIRE.

Mayor Wynn: THANK YOU, MS. TERRY. COMMENTS, COUNCIL? COUNCILMEMBER DUNKERLEY.

Dunkerley: I WOULD FEEL MORE COMFORTABLE -- [INAUDIBLE] I WOULD FEEL MORE COMFORTABLE DOING THAT. AFTER LOOKING AT THE ORDINANCE, I DON'T THINK PEOPLE WILL HAVE A PROBLEM WITH IT, BUT I THINK JUST BECAUSE THIS WASN'T ON THE RADAR SCREEN THAT THEY NEED SOME TIME TO LOOK AT IT AND COMMENT ON IT.

YES, MA'AM, WE WILL BE HAPPY TO BRING IT BACK FOR PUBLIC HEARING IF THAT IS YOUR DESIRE. WE WOULD RECOMMEND THAT IT BE DONE AT THE NEXT COUNCIL MEETING.

Mayor Wynn: COUNCILMEMBER SLUSHER.

Slusher: WELL, I JUST FELT -- I MEAN I THINK PEOPLE COULD HAVE COME DOWN AND SIGNED UP ON THIS TODAY. I MEAN WE CAN SIGN UP ON ANY ITEM. ANY CITIZEN CAN SIGN UP ON ANY ITEM. N THE AGENDA.

Mayor Wynn: I UNDERSTAND THAT. I'M JUST -- MY CONCERN IS THAT WHEN WE DO AN ORDINANCE -- REMIND ME, MS. TERRY, IT'S TYPICAL, I GUESS THERE ARE ORDINANCES THAT WE PASS WITHOUT PUBLIC HEARINGS.

THAT IS CORRECT. AND THIS --

Mayor Wynn: SO IT'S NOT UNHEARD OF.

THAT'S CORRECT. THIS ORDINANCE -- THIS ORDINANCE DOES WAIVE THE PUBLIC HEARING AND IT DOES WAIVE THE EXTENDED NOTICE THAT WE GO THROUGH. AND AS I SAY, IF IT IS Y'ALL'S DESIRE TO HAVE TO COME BACK, WE'LL BE HAPPY TO BRING IT BACK.

Mayor Wynn: COUNCIL, I WILL SAY A COUPLE OF FOLKS DID TAKE NOTICE OF IT AND CAME DOWN AND SIGNED UP WISHING TO SPEAK. BUT WHAT HAS ME UNCOMFORTABLE IS THAT I DON'T THINK WE HAVE HAD A CHANCE TO DO A GOOD ENOUGH JOB OF TELLING FOLKS THE DETAILS BEHIND THE PROPOSED ORDINANCE.

YES, SIR.

Mayor Wynn: COUNCIL, WHAT'S YOUR WILL? AND I WILL SAY I WAS -- I SPENT SEVERAL HOURS AT THE THE LEGISLATURE THIS MORNING AND STATE LAW DOES CHANGE TPR-BGLY AND THERE ARE SEVERAL PIECES OF LEGISLATION THAT I'M STRONGLY IN OPPOSITION TO THAT I BELIEVE COUNCIL IS AS WELL THAT DOES HAVE AN IMPACT ON OUR ABILITY TO HAVE LOCAL CONTROL AND REGULATE CERTAIN ASPECTS OF OUR DEVELOPMENT PROCESSES. BUT AGAIN, THIS IS -- MY PRESENCE WOULD BE TO POST THIS FOR A PUBLIC HEARING HOPEFULLY IN THOSE TWO WEEKS TIME. THERE WOULD BE SO MUCH INFORMATION PUT OUT TO THE COMMUNITY, PARTICULARLY THOSE INVOLVED WITH PROJECTS THAT IN THEORY ARE DORMANT OR SOON TO BE DORMANT THAT THERE WOULDN'T AB NEED FOR A DRAMATIC PUBLIC HEARING. WE MIGHT HAVE NO SPEAKERS BY THEN BECAUSE OF THE INFORMATION WOULD HAVE BEEN DISSEMINATED. BUT I'LL ENTERTAIN A MOTION ON ITEM -- I GUESS IF WE DON'T HEAR A MOTION ON ITEM NUMBER 40, I'LL CALL THE SPEAKERS THAT ARE SIGNED UP. COUNCILMEMBER ALVAREZ.

Alvarez: YEAH, I THINK MAYBE -- YOU KNOW, WE DIDN'T REALLY EXPLAIN WHAT WE'RE TALKING ABOUT, BUT I MEAN I DON'T THINK THIS IS A VERY COMPLICATED OR DIFFICULT TO UNDERSTAND PROVISION. BECAUSE I DON'T THINK THAT WHAT WE'RE -- IN THE ARENA THAT WE'RE DEALING WITH



HERE IS THAT OBVIOUSLY IT'S NOT AN ARENA WHERE FOLKS HAD THOUGHT ABOUT WHETHER THERE'S A -- YOU KNOW WHAT I MEAN, THERE'S AN EXPIRATION DATE OR NOT ON THESE KINDS OF PERMITS. AND SO I MEAN I DON'T THINK IT'S A REALLY COMPLICATED SORT OF THING AND I WOULD LIKE TO AT LEAST DISCUSS THE POSSIBILITY OF JUST MOVING FORWARD WITH IT. BUT AGAIN, I DON'T -- AGAIN, WE'VE BEEN BRIEFED ON IT SO WE UNDERSTAND IT, BUT I MEAN I DON'T KNOW IF WE COULD MAYBE HEAR FROM THE SPEAKERS AND THEN MAYBE HAVE A LITTLE MORE DISCUSSION BEFORE DECIDING JUST TO PUT IT OFF.

Mayor Wynn: COUNCIL, WITHOUT OBJECTION, LET'S HEAR FROM A COUPLE OF SPEAKERS. I'M NOT SURE IF THEY WERE ABLE TO WAIT AROUND -R NOT. THE FIRST SPEAKER IS MR. JEFF HOWARD. MR. JEFF HOWARD SIGNED UP WISH TO GO SPEAK ON ITEM NUMBER 40. AND MR. JOHN JOSEPH, JR. SIGNED UP. WELCOME, MR. JOSEPH. WILL YOU HAVE THREE MINUTES.

> GOOD EVENING, MAYOR, COUNCIL, MY NAME IS JOHN JOSEPH, JR. I'M HERE ON BEHALF OF VARIETY OF VIEWING AREA CLIENTS OF THE LAW FIRM INCLUDING ONE, OUR FAMILY'S TRUST PROPERTY HOLDINGS. AND I URGE THIS COUNCIL TO DO WHAT LOOKED LIKE WHAT Y'ALL WERE ABOUT TO DO AND THAT IS POSTPONE THIS UNTIL EVERYBODY UNDERSTANDS THE FAR-REACHING IMPLICATIONS OF PASSING THIS ORDINANCE. I ACTUALLY WAS DOWN AT THE LEGISLATURE AS WELL TALKING ABOUT THIS VERY THING. AND SPOKE WITH ONE SENATOR AND TWO OF THE HOUSE REPRESENTATIVES VERY INVOLVED IN AMENDMENTS 245. EXCUSE ME FOR BEING WINDED. I JUST RAN OVER FROM 219. THEY WERE AWARE THAT THE ORDINANCE WAS -- AND PURSUANT TO CHAPTER 245 THAT CITY OF AUSTIN IS PUSHING FOR AN ORDINANCE THAT ALLOWS THEM TO CREATE AN EXPIRATION ON PERMITS. WHAT THEY WEREN'T AWARE OF IS THAT IT WAS RETROACTIVE. I WAS GOING TO GO BACK AND GRAB A DATE PREVIOUSLY, THE ONES THAT I SPOKE WITH. THE PROBLEM WITH THAT IS THE INTENT CLEARLY IF YOU READ 245 REGARDING DORMANT PROJECTS WAS THE INTENT WAS, HEY, CITIES, MUNICIPALITIES, YOU ALL HAVE EVERY RIGHT, GO AHEAD AND MAKE AN EXPIRATION, CREATE WHATEVER

LIMITATIONS YOU WANT ON THIS; HOWEVER, YOU MAY NOT DO SO UNTIL THE FIRST ANNIVERSARY OF THE ORDINANCE, NUMBER ONE, AND THEN EVEN IF YOU DO IT THEN, THE EXPIRATION CANNOT BE UNTIL THE FIFTH ANNIVERSARY OF THAT ANNIVERSARY OR FOURTH ANNIVERSARY, I CAN'T REMEMBER. CONTEMPLATING FROM A PRESENT TENSE AND FUTURE TENSE A PERIOD OF AWARENESS FOR THE PUBLIC SO THEY WOULD BE AWARE THAT THEY NEEDED TO GO PERFECT THEIR 245 RIGHTS. WHAT THIS ORDINANCE DOES IS ACTUALLY CHANGES THE TENSE OF THE LEGISLATION AND SAYS THE PERMIT DID NOT HAVE AN EXPIRATION DATE. IT USED TO SAY DOES NOT. NO PROGRESS HAD BEEN MADE. IT USED TO SAY NO PROGRESS IS MADE OR WHATEVER TOWARDS THE PROJECT. WHAT I'M SAYING IS THAT WE'VE MISAPPLIED I THINK AND MISCONSTRUED A LITTLE OF WHAT THE INTENT WAS AND GONE BACK AND MADE MAY 11, 2004 THE GOLDEN DAY. ALL OF A SUDDEN NOW A CLIENT THAT WANTS TO MAKE SURE THAT HE'S GOT PROTECTION HAS TO GO BACK AND DETERMINE WHETHER THEY'VE EXPENDED ANY COSTS, WHAT THE APPRAISAL WAS OF THE PROPERTY AT THAT TIME. I MEAN NOW I'M ON -- AND MY CLIENTS WOULD BE ON A -- HAVE A HUGE BURDEN TO DEMONSTRATE ALL THESE DIFFERENT FACTS THAT ARE EXTREMELY SUBJECTIVE. WHEREAS IF YOU WERE TO SAY IF THIS EXPIRATION WOULD HAPPEN TOMORROW TORE DATE THIS IS APPROVED OR A YEAR LATER, AT LEAST I WOULD HAVE SOME KNOWLEDGE AND MY CLIENTS WOULD HAVE SOME KNOWLEDGE, AND THEN STAFF WOULD GET ALL THESE APPLICATIONS THAT ARE TRYING TO PERFECT THAT 245 RIGHT AND IT WOULD BE FAIR. THIS CLEARLY CIRCUMVENTS THAT, I THINK. SO I URGE THAT WE POSTPONE UNTIL WE UNDERSTAND THE RAMIFICATIONS OF THIS.

Mayor Wynn: THANK YOU, MR. JOSEPH. QUESTIONS OF MR. JOSEPH? THAT'S ALL THE SIT CITIZENS SIGNED UP ON ITEM 4540.

MARTY, IF YOU WILL PLEASE ADDRESS THE INTERPRETATION OF WHAT'S BEEN IN THE STATE LAW FOR SOME TIME.

YES. THE -- THOSE PROVISIONS WERE ENACTED ON MAY THE 11th, 1999, AND THE PROVISIONS AS OF MAY 11th, 1999,

AUTHORIZED THE REGULATORY AGENCY, THAT IS THE CITY, TO IMPOSE AN EXPIRATION DATE OF NO EARLIER THAN MAY THE 11th, 2004. IT WAS A FIVE-YEAR WINDOW TO GIVE FOLKS AN OPPORTUNITY TO SATISFY THE PROGRESS REQUIREMENTS IN THAT PROVISION. IT WAS A FIVE-YEAR SAFE PERIOD FOR PROJECTS TO BE ABLE TO COME INTO COMPLIANCE. THERE REALLY ARE NOT SURPRISES HERE. THE STATUTE ENVISIONS AND AUTHORIZING THE AGENCY TO ESTABLISH THE EXPIRATION DATE AS OF THAT DATE. WHEN WE DRAFTED THE ORDINANCE, SPEAKING TO THE PAST TENSE, IT MADE NO SENSE TO SAY TO SOMEONE, ALL RIGHT, YOUR PERMIT EXPIRES ON MAY 11, 2004, BUT YOU'VE GOT TO DEMONSTRATE NO PROJECT THROUGH -- NO PROGRESS THROUGH TODAY. THAT WAS TIED TO THAT MAY 11, 2004 EXPIRATION DATE. THAT WAS THE FAIREST THING TO DO. IN OTHER WORDS, FOLKS ARE NOT BURDENED TO DEMONSTRATE SOMETHING BEYOND THAT DATE FOR AN EXPIRATION DATE THAT FALLS ON THE MAY 11th DATE. AS I SAY, WE DID NOT ADD ANY NEW PROGRESS OR LACK OF PROGRESS PROVISIONS. THOSE PROVISIONS HAVE BEEN IN THE STATUTE FOR FIVE YEARS.

MARTY, TRY TO SPEAK DIRECTLY TO REACHING BACK.

IN TERMS OF REACHING BACK, THE STATUTE AUTHORIZES NO EARLIER THAN, AND SO WE BELIEVE THAT THE INTENT OF THE STATUTE IS IS THAT WE CAN DO WHAT WE HAVE DONE AND THAT IS ESTABLISH THAT DATE AS OF MAY 11, 2004. IT SPECIFICALLY SAYS NO EARLIER THAN THE FIFTH ANNIVERSARY. SO WE BELIEVE THAT THE STATUTE -- THE STATUTORY PROVISIONS THEMSELVES AUTHORIZE US TO REACH BACK.

Mayor Wynn: QUESTIONS, COUNCIL, COMMENTS?

Slusher: MOVE APPROVAL. I THINK THAT CITY ATTORNEY ANSWERED THE QUESTIONS PRETTY WELL.

Mayor Wynn: MOTION MADE BY COUNCILMEMBER SLUSHER TO APPROVE ITEM NUMBER 40, AN ORDINANCE, ON ALL THREE READINGS. MOTION MADE BY COUNCILMEMBER SLUSHER TO APPROVE ON ALL THREE READINGS.

Alvarez: I'LL SECOND.

Mayor Wynn: SECONDED BY COUNCILMEMBER ALVAREZ.  
FURTHER COMMENTS? I'LL JUST SAY I WON'T BE -- I GUESS  
I'LL VOTE FOR THIS ON FIRST AND SECOND READING. I'M NOT  
PREPARED IN PART JUST BECAUSE OF THE SIGNAL IT SENDS  
THAT I DON'T THINK THERE'S GOING TO BE THE -- YOU KNOW,  
A TECHNICAL PROBLEM IN THE INTERVENING TWO WEEKS,  
BUT I RESPECT THE MOTION. MAYOR PRO TEM.

Goodman: CAN I SPEAK TO THE MOTION? I PERSONALLY  
DON'T THINK THERE IS ANY PROBLEM WITH THIS, BUT  
OBVIOUSLY IT'S NOT NECESSARILY THAT FOLKS HAVE A  
PROBLEM, IT'S THAT THEY DON'T KNOW FOR SURE AND  
HAVING TO TAKE US ON TOTAL FAITH MAY BE DIFFICULT FOR  
SOME PEOPLE. KNOWING OUR OCCASIONAL PROPENSITY.  
SO, I DON'T KNOW, I WOULD THINK MAYBE FIRST AND  
SECOND READING WAS OKAY TO CLEAR A SIGNAL FROM US  
THAT THIS IS NOTHING THAT ANYONE SHOULD FEAR. BUT  
GIVING THEM THE OPPORTUNITY TO TAKE A LOOK AT  
SOMETHING THAT OBVIOUSLY WAS UNDER THE RADAR  
SCREEN.

Mayor Wynn: COUNCILMEMBER SLUSHER.

Slusher: WELL, I THINK YOU ARE SORT OF IN CHARGE ON  
THAT ONE, MAYOR PRO TEM, BECAUSE WE CAN'T PASS IT ON  
ALL THREE WITHOUT -- UNLESS WE HAVE FIVE VOTES. I  
THINK WITHOUT YOUR VOTE IT WOULD ONLY BE FOUR.

Mayor Wynn: WELL, I WOULD LIKE TO VOTE FOR THIS ON  
FIRST READING BECAUSE MY -- YOU KNOW, AGAIN OUR  
PRESENTATION BACK IN CLOSED SESSION, I BELIEVE THAT  
[INAUDIBLE] WILL GET COMFORTABLE WITH THIS IN THE  
INTERVENING TWO WEEKS. I THINK NOT VOTING AGAINST  
SOMETHING I THINK ULTIMATELY WE SHOULD HAVE ON OUR  
BOOKS, I JUST DON'T LIKE THE -- YOU KNOW, THE FORM IN  
WHICH WE DELIVERED IT.

Slusher: SO ARE YOU REQUESTING FIRST AND SECOND  
READING, MAYOR PRO TEM? I'LL RELUCTANTLY SWITCH IT  
TO THAT.

Mayor Wynn: SO COUNCILMEMBER ALVAREZ, FRIENDLY AMENDMENT TO FIRST AND SECOND READING ONLY?

Alvarez: BARRING ANYONE ELSE SPEAKING UP, I SUPPOSE. I'LL CONSIDER IT FRIENDLY.

Mayor Wynn: AMEND THE MOTION AND A SECOND ON THE TABLE TO APPROVE ITEM 40 ON FIRST AND SECOND READING AND WITH INSTRUCTIONS FOR THE CITY MANAGER TO BRING US BACK ON THIRD READING IN TWO WEEKS, OUR NEXT MEETING, MAY 12th. COUNCILMEMBER THOMAS.

Thomas: SINCE YOU ARE GOING ON FIRST AND SECOND READING, ARE YOU CLOSING THE PUBLIC HEARING?

Mayor Wynn: WELL, TECHNICALLY WE DIDN'T HAVE ONE. [INAUDIBLE]

Slusher: IF WE'RE GOING TO POSTPONE IT SO WE CAN HEAR FROM FOLKS, I GUESS LODGE HE CANLY WE OUGHT TO KEEP THE HEARING OPEN -- WHY DON'T WE JUST HAVE IT OPEN FOR COMMENT LIKE WE DO OTHER ITEMS ON THE AGENDA SO IT DOESN'T REQUIRE CLOSING ANYTHING.

Mayor Wynn: OKAY. AGREED. FURTHER COMMENTS? HEARING NONE, ALL THOSE IN FAVOR PLEASE SAY AYE. OPPOSED? MOTION PASSES ON FIRST AND SECOND READING ON A VOTE OF 7-0. COUNCIL, IN EXECUTIVE SESSION WE BRIEFLY DISCUSSED REAL ESTATE MATTERS RELATED TO BLOCK 21 AND WE'VE POSTED ITEM 58 AS APPROVAL FOR THE CITY MANAGER TO NEGOTIATE A EXECUTE AND CONTRACT FOR THE SALE OF THAT CITY-OWNED BLOCK. AND BASED ON A SIGNIFICANT AMOUNT OF INPUT AND SOME REMARKABLE PROJECTS THAT HAVE COME FORWARD, AND SOME DISCUSSIONS THAT HAVE HAD THROUGHOUT THE LAST COUPLE OF MONTHS, I WOULD ENTERTAIN A MOTION ON ITEM NUMBER 58 RELATED TO BLOCK 21. AND MY SENSE IS AFTER A MOTION AND SECOND WE WOULD THEN AS PART OF OUR DISCUSSION LIKELY HAVE STAFF COME FORWARD AND PRESENT SOME INFORMATION FOR US. COUNCILMEMBER McCRACKEN.

McCracken: I'LL MOVE APPROVAL FOR NEGOTIATION WITH

STRATUS ON THE BLOCK 21 DEVELOPMENT.

Thomas: I'LL SECOND.

Mayor Wynn: MOTION MADE BY COUNCILMEMBER McCracken, seconded by Councilmember Thomas, Item Number 58 to approve negotiation only the contract for sale of Block 21 to Stratus Properties. Further comments? Before we open up for comments, could staff come forward and summarily present -- essentially present in a brief format the Stratus proposal and your latest thinking.

MAYOR, MAYOR PRO TEM AND COUNCILMEMBERS, I'M SUE EDWARDS, DIRECTOR ECONOMIC GROWTH AND REDEVELOPMENT SERVICES OFFICE. AS YOU HAVE INDICATED, THE ITEM BEFORE YOU TONIGHT IS THE SALE AND REDEVELOPMENT OF BLOCK 21. TO BRIEFLY SUMMARIZE, THE PROCESS BEGAN IN AUGUST OF 2004 WHEN THE CITY ISSUED A REQUEST FOR PROPOSAL SOLICITATION. THE DECISION TO ISSUE THE R.F.P. AND ITS TIMING WAS BASED ON THE NEED TO CREATE A SUCCESSFUL SECOND STREET RETAIL DISTRICT. THE GOALS OF THE PROJECT INCLUDE DESIGNING AND BUILDING A HIGH-QUALITY MIXED-USE DEVELOPMENT THAT PROVIDES A POSITIVE ECONOMIC AND FINANCIAL IMPACT TO THE CITY, ENHANCES AND CONTRIBUTES TO DOWNTOWN AND THE SECOND STREET DISTRICT, INCLUDES CONSIDERATION OF A CULTURAL ENTITY AND COMPLIMENTS EXISTING NEIGHBORHOOD USES IN THE NEW CITY HALL. IN ADDITION, THE R.F.P. SETS OUT SEVERAL REQUIREMENTS. THE PROJECT DESIGN MUST CONTAIN AT LEAST 42,000 SQUARE FEET OF GROUND FLOOR RETAIL, PROHIBIT OFFICE AND SERVICE USES ON THE GROUND FLOOR, LIMIT PARKING AND SERVICE AREA ENTRANCES TO THIRD STREET, INCLUDE 150 ON-SITE PARKING SPACES, PROVIDE A PEDESTRIAN-FRIENDLY STREETScape, AND BE BUILT IN ACCORDANCE WITH THE CITY'S DOWNTOWN GUIDELINES. DURING THE EVALUATION PROCESS YOU AS A CITY COUNCIL ADDED SEVERAL OTHER INTERESTS. THE QUALITY AND COMPOSITION OF BUILDING DESIGN, THE POSITION OR SITING OF THE BUILDING ON THE BLOCK, THE AMOUNT OF

OPEN SPIES THE SITE CONTAINS, AND THE INCLUSION OF AFFORDABLE HOUSING. THE SUCCESSFUL PROPOSER IS REQUIRED TO BEGIN CONSTRUCTION WITHIN 20 MONTHS AFTER EXECUTION OF A SALES CONTRACT AND TO OBTAIN A CERTIFICATE OF OCCUPANCY FOR THE ENTIRE PROJECT WITHIN FOUR YEARS AFTER EXECUTION OF THE SALES CONTRACT. THE R.F.P. AS WE HAVE DISCUSSED PREVIOUSLY REQUIRES THE PROPOSEER TO OFFER A MINIMUM OF \$9.2 MILLION FOR THE PROPERTY. THE THREE PROPOSERS ARE STRATUS, TRAMMELL CROW COMPANY, AMLI, ENDEAVOR AND ZYDECO. THE STRATUS TRAMMELL CROW TEAM INCLUDES STRATUS, THE TRAMMELL CROW COMPANY, ANDERSONWISE ARCHITECTS, GABLES RESIDENTIAL AND [INAUDIBLE] FOR SUSTAINABLE DESIGN. WHILE NOT GOING INTO DETAIL, THE FOLLOWING SLIDE SHOWS A SUMMARY OF THE OFFER MADE BY STRATUS TRACK HE WILL CROW. STRATUS AS WERE ALL OF THE DEVELOPMENT TEAMS WAS ASKED HOW THEY WOULD ACCOMMODATE A NON-PROFIT ORGANIZATION WITHIN THE BUILDING. THE ASSUMPTION IN THIS CASE IS THAT THE NONPROFIT WOULD NEED SOME OUTSIDE FINANCIAL ASSISTANCE. THE STRAS STRATUS -- THEY WOULD REDUCE THE OFFER BY \$4.9 MILLION. THE BASE OFFER WOULD THEN BECOME \$10,050,000. THEY WOULD PROVIDE A RENT-FREE, 10 TO 15 YEAR LEASE TO THE NONPROFIT ONLY REQUIRING THE NONPROFIT TO PAY THE ONLY OPERATING AND MAINTENANCE COSTS WHICH ARE STEPLTD TO BE \$10 A SQUARE FOOT. THERE WOULD BE NO ANNUAL OR ONGOING CITY COSTS. THE DESIGN AND ARCHITECTURAL STYLE OF THE PROPOSED BUILDING IS CONCEPTUAL BUT DETPEUBGT THE FILL OL SEU OF THE DEVELOPMENT TAOEFPL. THE BUILDING CONCEPT INCLUDES APPROXIMATELY 50,000 SQUARE FEET OF RETAIL, 180,000 SQUARE FEET OF OFFICE, 75 MULTI-FAMILY UNITS, AND 100 CONDOMINIUMS WITH PLAZA AND PARKING. COUNCIL, THIS CONCLUDES MY PRESENTATION. STAFF IS SRAEUBLG FOR QUESTIONS QUESTIONS -- AVAILABLE FOR QUESTIONS.

Mayor Wynn: BEFORE I START OFF WITH A FEW COMMENTS AND REQUEST BOTH OF OUR MAKER AND SECOND OF THE MOTION AND CITY MANAGEMENT IS I WANT TO COMMEND STAFF. THIS HAS BEEN AN AWFUL LOT OF WORK FOR YOU AND YOUR TEAM AND I COMMEND SOME GREAT WORK. AND

IT'S COME PHREUTD BY OF COURSE AS WE POINTED OUT A NUMBER OF HIGHLY QUALIFIED TEAMS STEPPING FORWARD FOR OUR BENEFIT AND SPENDING A LOT OF TIME, EFFORT AND REAL MONEY TO MAKE THESE PROPOSALS MANAGEABLE AND UNDERSTANDABLE AND I GREATLY APPRECIATE EVERYBODY INVOLVED WITH THIS PROJECT. MY FIRST COMMENT WOULD BE REGARDING THE EXISTING PROPOSAL ARCHITECTURALLY THAT THE STRATUS TEAM CAME FORWARD WITH HAD A, WHAT I CALL A FATHERLY SMALL PUBLIC PLAZA ON GROUND LEVEL WITHIN A RELATIVELY SUBSTANTIAL PLAZA, IF YOU WILL, FAR ABOVE GRADE. MY HOPE WOULD BE THAT AS PART OF OUR DIRECTION TO THE CITY MANAGEMENT REGARDING THE NEGOTIATIONS OF THIS POTENTIAL SALE WOULD BE THAT WE ESTABLISH A MINIMUM GROUND LEVEL PUBLIC PLAZA ALONG SECOND STREET ADJACENT TO OUR CITY HALL. EVEN AT THE POTENTIAL EXPENSE OF OUR PREVIOUSLY STATED MINIMUM SQUARE FOOTAGE OR FIRST FLOOR RETAIL. THAT IS, I'M PREPARED TO HAVE TO GIVE UP SOME OF THAT FIRST FLOOR RETAIL IN ORDER FOR US TO HAVE A - - TO SALT EUS PHI WHAT I THINK SHOULD BE A SUBSTANTIAL ENOUGH MINIMUM SQUARE FOOTAGE OF A PUBLIC PLAZA AT GRADE I LONG SECOND STREET. MY -- IN LOOKING AT SOME ANALYSES THAT STAFF HAS DONE AND SOME SKETCHES PREPARING, FOR EXAMPLE, THE SIZE OF THE PLAZA HERE IN FRONT OF CITY HALL, MY RECOMMENDATION WOULD BE THAT WE STRIVE FOR A MINIMUM OF 20,000 SQUARE FOOT PUBLIC PLAZA ON GRADE ADJACENT TO CITY HALL ALONG SECOND STREET. AND AGAIN, EVEN AT THE LIKELY EXPENSE, FRANKLY, OF THAT PREVIOUSLY STATED MINIMUM RETAIL SQUARE FOOTAGE. SO THAT WOULD BE MY FIRST REQUEST. I GUESS I WOULD MAKE IT TECHNICALLY IN THE FORM OF A FRIENDLY AMENDMENT. THAT WOULD BE MY FIRST. AND THEN MY SECOND WOULD BE THAT THE CITY MANAGER COME BACK AFTER NEGOTIATING WITH STRATUS PROPERTIES WITH A -- THIS SCHEMATIC FORMAT FOR WHAT I WOULD CALL ARCHITECTURAL REVIEW. AND THAT IS, HAVE THIS COUNCIL OR PERHAPS A FUTURE COUNCIL GIVE THEM THE ABILITY TO HAVE ONE LAST LOOK AT THE ACTUAL DESIGN, BOTH THE SITING AND THE DESIGN OF THE PROJECT BEFORE -- BEFORE YOU KNOW, MORE MONEY IS EXPEND ODD CONSTRUCTION DOCUMENTS AND ULTIMATELY



GROUND BREAKING. SO MINIMUM SQUARE FOOTAGE OF PUBLIC PLAZA AT GRADE. THE DEVELOPMENT OF SOME TYPE OF SCHEMATIC ARCHITECTURAL REVIEW FOR THE CITY. AND THEN THIRD, I THINK THIS WAS TOUCHED UPON IN PREVIOUS DISCUSSIONS WITH STRATUS, BUT INVESTIGATING THE OPPORTUNITY FOR CONDOMINIUM OWNERSHIP OF THAT CULTURAL SPACE THAT THEY ARE PRO PROPOSING. THAT IS, HAVE KWRAO EUPB, YOU KNOW, A CULTURAL ENTITY ON THAT SPACE ON A CONDOMINIUM OWNERSHIP BASIS MOVING FORWARD. SO THOSE WOULD BE MY THREE SLIGHT REQUESTS AS FRIENDLY AMENDMENTS TO THE MAKER OF THE MOTION, COUNCILMEMBER McCRACKEN AND COUNCILMEMBER THOMAS.

Thomas: BUT WHAT ON THE SQUARE FOOTAGE? THE 20,000 SQUARE FOOTAGE AT GRADE? IS THAT WHAT YOU ARE SAYING.

Mayor Wynn: THAT WOULD BE MY SUGGESTION, AND FRANKLY I'D GIVE THE CITY MANAGEMENT AND STRATUS THE FLEXIBILITY TO REALLY ANALYZE THAT. AND WE WERE SHOWN THAT WE HAVE APPROXIMATELY A 27,000 SQUARE FOOT PLACE IS A HERE ON THE NORTH SIDE OF -- I'M SORRY, THE SOUTH SIDE OF CITY HALL. AND YOU KNOW, OBVIOUSLY WE HAVE THAT BALANCE OF TRYING TO HAVE AS MUCH PUBLIC PLAZA, BUT AT THE SAME TIME HAVE AS MUCH DEVELOPABLE REAL ESTATE FOR THE VALUE FOR OUR TAXPAYERS AND THE FUTURE.

Thomas: OKAY. YES.

Slusher: MAYOR, WOULD YOU REPEAT THEM ONE MORE TIME?

Mayor Wynn: WELL, THE FIRST IS, IF YOU WILL REMEMBER, PART OF THE R.F.P. THAT WE PUT OUT, WE ALWAYS STATED -- ALL WE STATED WAS A MINIMUM FIRST FLOOR RETAIL SQUARE FOOTAGE. MS. EDWARDS, THAT WAS 40 SOME ODD THOUSAND SQUARE FEET.

42,000.

Mayor Wynn: 42,000. AND LOOKING AT STRATUS' PROPOSED

PLANS, MY STRONG PREFERENCE WOULD BE THAT WE -- WE SORT OF FLIP THAT AND WE HAVE A MINIMUM PUBLIC PLAZA SQUARE FOOTAGE, AND TO THE EXTENT THAT MIGHT HAVE TO EAT INTO THAT FIRST FLOOR RETAIL MINIMUM, THAT IS, YOU KNOW, 20,000 SQUARE FEET, IF THAT'S THE NUMBER OF A PUBLIC PLAZA ON BLOCK 21, BY THE TIME YOU HAVE ALL THE SERVICE REQUIREMENTS ON THE FIRST FLOOR OF ANY DEVELOPMENT, THERE MIGHT NOT BE ENOUGH REAL ESTATE LEFT FOR 42,000 SQUARE FEET OF RETAIL. SO I WOULD JUST SUGGEST THAT WE PRIORITIZE THE PUBLIC PLAZA OVER EVEN THE IMPORTANCE OF FIRST FLOOR RETAIL.

Slusher: OKAY. AND HAVE WE TALKED TO THE -- WE HAVE SOME CONSULTANTS ON THE RETAIL. HOW DOES THAT AFFECT THE IDEA OF THE UNBROKEN STRING OF RETAIL?

IT WAS THE PREFERENCE OF THE RETAIL CONSULTANTS THAT THEY HAVE A STRAIGHT -- STRAIGHT RETAIL ACROSS THE FRONT AS CLOSE TO THE STREET AS POSSIBLE. THAT DOES NOT MEAN, THOUGH, THAT IT CAN'T WORK OTHERWISE. WE HAVE SEEN IT WORK IN OTHER PLACES JUST AS WELL.

Slusher: OKAY. SO DOES THIS CUT OFF ANY DISCUSSION ON - - ON THAT ISSUE OR WOULD IT STILL BE POSSIBLE TO DISCUSS THIS WITH EXPERTS IN THE FIELD AND SEE IF THAT DOES AFFECT THE REST OF THE SECOND STREET RETAIL? I'M THINKING IT -- IF THERE'S A PLAZA DOES, THEN PEOPLE CAN PASS THROUGH THE PLAZA TO THE OTHER THINGS, BUT I'M NOT A DOWNTOWN RETAIL EXPERT.

Mayor Wynn: WELL, AGAIN MY SUGGESTION, THIS IS DIRECT TO THE CITY MANAGER. SO IF -- YOU KNOW, IF AFTER SEVERAL WEEKS OF FURTHER DISCUSSION, VERY DETAILED DISCUSSION WITH STRATUS ON THAT REQUIREMENT, IT COMES BACK IN A DIFFERENT FORMAT THAN WHAT I'VE PROPOSED I COULD BE VERY COMFORTABLE WITH THAT.

Slusher: SO WE COULD LOOK AT THE CITY'S I DON'T OVERALL INTEREST IN THE RETAIL WORKING ON EACH SIDE OF -- OR EACH DIRECTION ON SECOND STREET.

Mayor Wynn: AGREED. THESE WERE JUST SLIGHTLY MORE DETAILED DIRECTION TO THE CITY MANAGER ON HER NEGOTIATIONS. THEY STILL HAVE TO COME BACK FOR OUR FINAL APPROVAL OR EXECUTION. SO IT WAS A FIRST -- GROUND LEVEL PLAZA AND THEN DEVELOPING SOME FORMAT FOR FUTURE ARCHITECTURAL CONTROL. THAT IS, AT SOME POINT A FUTURE COUNCIL VOTE ON YES, WE LIKE THAT DESIGN, WE LIKE THE SCALE, SCOPE AND SITING OF THE DIFFERENT PIECES OF THE DEVELOPMENT ON THAT BLOCK.

Slusher: OKAY. AND THEN THE THIRD ONE?

Mayor Wynn: THE THIRD ONE WOULD BE TO INVESTIGATE THE OPPORTUNITY FOR A CONDOMINIUM OWNERSHIP OF THAT, WHAT I CALL CULTURAL CIVIC SPACE. THE 40,000 SQUARE FEET THAT WE'VE TALKED ABOUT IN THE CONTEXT OF A POTENTIAL CHILDREN'S MUSEUM OR A MUSIC HALL OF FAME OR MUSEUM THAT -- THAT AS PART OF THESE NEGOTIATIONS WE INVESTIGATE JUST THE -- YOU KNOW, THE FUTURE LONG-TERM OWNERSHIP OF THAT SINGLE PIECE OF THIS LARGER MIXED USE DEVELOPMENT.

> SLUSHER: OKAY. THANK YOU.

Mayor Wynn: FURTHER COMMENTS, QUESTIONS? HEARING NONE, ALL IN FAVOR OF THE MOTION PLEASE SAY AYE. OPPOSED? MOTION PASSES ON A VOTE OF 7-0. THANK YOU ALL VERY MUCH. IN SIMILAR FASHION, COUNCIL, WE HAVE POSTED ITEM NUMBER 57, WHICH IS APPROVE NEGOTIATION AND EXECUTION FOR A CONTRACT FOR DISPOSITION AND REDEVELOPMENT OF THE SEAHOLM POWER PLANT AND GROUNDS. AND AGAIN, SIMILAR FORMAT, AFTER MONTHS OF A LOT OF PUBLIC PRESENTATIONS, SIGNIFICANT PUBLIC INPUT INCLUDING FOLKS VISITING THE PROPOSED TEAM PROJECTS HERE AT CITY HALL AND VISITING OUR WEBSITE AND SEVERAL DISCUSSIONS APPROPRIATELY IN CLOSED SESSION WITH COUNCIL AND DISCUSSION AMONGST OTHERS, I'LL ENTERTAIN A MOTION ON ITEM NUMBER 57 RELATED TO SEAHOLM. MAYOR PRO TEM.

DO YOU WANT TO MAKE A MOTION, MAYOR?

Mayor Wynn: I WOULD. MAYOR PRO TEM KINDLY TAKES THE GAVEL. I WOULD LIKE TO MAKE A MOTION ON ITEM 57, APPROVE THE NEGOTIATION WITH SEAHOLM POWER, L.L.C.

SECOND.

Goodman: THERE'S A MOTION AND SECOND BY COUNCILMEMBER DUNKERLEY. COMMENTS?

Slusher: WELL, MAYOR --

Mayor Wynn: COUNCILMEMBER SLUSHER.

Slusher: THIS ONE IS A LITTLE DIFFERENT IN ITS A REQUEST FOR QUALIFICATIONS. MY UNDERSTANDING THERE'S GOING TO BE A FAIRLY THOROUGH PROCESS STARTING FROM HERE INVOLVING THE CITY NEGOTIATING WITH THIS TEAM AND ALSO THE PUBLIC HAVING A LOT OF INPUT ON WHAT EVENTUALLY ENDS UP HERE AT SEAHOLM. COULD WE GET A LITTLE DISCUSSION AND EXPLANATION OF THAT?

YES, ABSOLUTELY. YOU ARE ABSOLUTELY RIGHT. WHAT YOU ARE DOING HERE IS VERY DIFFERENT THAN THE ACTION YOU JUST TOOK ON BLOCK 21. HERE YOU ARE PICKING YOUR PARTNER. YOU ARE NOT NECESSARILY PICKING YOUR DESIGN. IN FACT, YOU ARE NOT PICKING YOUR DESIGN. YOU ARE GOING TO BE GOING THROUGH A WHOLE SECOND PHASE WHERE YOU WILL BE PICKING THE DESIGN FOR THIS PROJECT. [ONE MOMENT, PLEASE, FOR CHANGE IN CAPTIONERS]

... TO GUIDE THE RESPONDENTS THE R.F.Q. INCLUDED A SET OF GOALS ADOPTED FOR THE SITE. THE GOALS INCLUDE A REQUIREMENT FOR THE SPACE TO BE OPENED TO THE PUBLIC. ACCOMMODATE A CULTURAL ENTITY, INCORPORATE LOCAL BUSINESSES, BE TRANSIT ORIENTED, ENHANCE AUSTIN'S DOWNTOWN, CREATE A POSITIVE ECONOMIC IMPACT, COMPLEMENT NEARBY PARKLAND AND INCLUDE SUSTAINABLE INITIATIVES. THE FOUR RESPONDENTS ARE SEAHOLM POWER, STRATUS TRAMMELL CROW, PEDERNALES RECORDS, SEAHOLM JOINT VENTURE AND FAULKNER U.S.A. THE EVALUATION PANEL CONCLUDED THAT EACH OF THE DEVELOPMENT TEAMS HAS STRENGTHS AND

ABILITIES WORTHY OF RECOGNITION. HOWEVER, THIS PROCESS, BEING A REQUEST FOR QUALIFICATIONS, PLACED AN EMPHASIS ON RELATIVE EXPERIENCE AND ADAPTIVE REUSE OF PUBLIC PLANTS FOR LIGHT PROJECTS. THE TEAM'S COLLECTIVE EXPERIENCE AND SUCCESSFUL OPERATION AND MANAGEMENT OF THESE TYPE PROJECTS AFTER CONSTRUCTION. EITHER OF THE TEAM HAVE THE EXPERIENCE AND QUALIFICATION FOR THE SEAHOLM PROJECT. WHILE THE DESIGN OF THE PROJECT AND THE SPECIFIC TYPES OF ACTIVITIES TO BE INCLUDED ARE YET TO BE NEGOTIATED, THE TWO DEVELOPMENT TEAMS HAVE DECIDEDLY DIFFERENT VISIONS FOR THE PROJECT. ALTHOUGH THE APPROACH BY EACH IS DIFFERENT, BOTH MET THE GOALS AND GUIDELINES OUTLINED IN THE RFQ. THE SEAHOLM POWER TEAM INCLUDES SOUTHWEST STRATEGIES GROUP, DESIGN COLLECTIVE, INC., HC BECK LIMITED AND CENTRO DEVELOPMENT. THE VISION INCLUDES A DENSE MIXED USE DEVELOPMENT WITH A GENERATOR BUILDING BEING THE FOCUS OF THE DEVELOPMENT, INCLUDING WITHIN IT THE POSSIBILITY OF ONE OR MORE CULTURAL ENTITIES, RESTAURANTS, ENTERTAINMENT SPACE, OFFICE SPACE AND AUSTIN ENERGY GREEN BUILDING EXHIBIT SPACE. THEY RECOMMEND A NUMBER OF ANCILLARY BUILDINGS INCLUDING RESIDENTIAL, RETAIL AND COMMERCIAL SPACE. THE STRATUS TRAMMELL CROW PEDERNALES TEAM INCLUDES THE TRAM MEDICAL COW COMPANY STRATUS, PACE CONCERTS AND PEDERNALES RECORDS. THE STRATUS VISION IS DESCRIBED AS AN EPICENTER FOR MUSIC IN AUSTIN. THE DEVELOPMENT TEAM ENVISIONS THE INCLUSION OF A FIVE OR 6,000 SEAT AMPHITHEATER, WILLIE NELSON AMPHITHEATER, AUSTIN CITY LIMB AND THE TEXAS MUSIC HALL OF FAME AND THE GENERAL AND ANCILLARY BUILDINGS INCLUDING OFFICE AND COMMERCIAL SPACE. FINALLY, ONCE SELECTION OF THE DEVELOPER IS COMPLETED, THE NEGOTIATION PROCESS WILL INCLUDE, AMONG OTHER ITEMS, THE LAND PRICE OR LEASE AGREEMENT, THE FINANCING ARRANGEMENTS, THE SPECIFIC DESIGN, THE MIX OF USES, THE COSTS OF THE PROJECT, THE PROBABLE ECONOMIC IMPACT AND OTHER RELATED ITEMS. THIS CONCLUDES MY PRESENTATION.

Mayor Wynn: THANK YOU. QUESTIONS OF MS. EDWARDS?  
COMMENTS? COUNCILMEMBER MCCrackEN?

McCracken: AT OUR PUBLIC HEARING PRESENTATION, I GUESS THIS WAS ABOUT TWO MONTHS AGO, WE HAD SOME QUESTIONS ABOUT WHAT WERE SHAPING UP TO BE A MAJOR BARRIER IN THIS -- WHAT COULD HAVE BEEN A [INDISCERNIBLE] DEVELOPMENT IF WE COULD MOVE THE GREEN WATER TREATMENT PLANT AND REDEVELOP SEAHOLM AND SAND BEACH REDEVELOPS BUT IT WAS THE ELECTRIC SUBSTATION. SO WE AS THE COUNCIL ASKED THE MANAGEMENT TO LOOK AT WAYS TO GET RID OF THE ELECTRIC SUBSTATION AND DO IT NOW. CITY MANAGER I THINK THAT YOU HAVE SOME INFORMATION FOR US.

Futrell: ALTHOUGH THERE ARE A LOT OF LOGISTICAL PROBLEMS ABOUT TRYING TO GET RID OF THE SUBSTATION, PRIMARILY BECAUSE IT HAS TO STAY WITHIN A FAIRLY CLOSE DISTANCE OF WHERE IT IS TODAY, IT CAN'T MOVE TO THE OTHER SIDE OF THE RIVER, IT HAS BETWEEN A HALF MILE AND A MILE RADIUS THAT IT HAS TO SAY. HOWEVER WE DID A FAIRLY EXTENSIVE LOOK AT WHAT WE COULD DO. WHAT WE ARE GOING TO BE ABLE TO DO IN -- WITHIN PROBABLY A THREE-YEAR WINDOW, WHICH WILL WORK WELL WITH THIS REDEVELOPMENT, IS WE CAN MOVE THE SUBSTATION BACK BASICALLY INTO A NEW AND SMALLER CONDENSED, IT REALLY WILL HAVE THE LOOK OF A BUILDING, A BOX, THAT WILL GO TO THE BACK THIRD, LESS THAN A HALF OF THAT BLOCK. IT WILL ACTUALLY EVEN ALLOW POSSIBLY FOR THE CONNECTION OF THE ROAD ALONG THE SIDE. SO THAT WILL OPEN UP THE ENTIRE WATERFRONT AND ANOTHER CHUNK OF LAND FOR DEVELOPMENT, SO WE ARE GOING TO WORK WITH AUSTIN ENERGY AND THIS PROJECT TO SEE WHAT WE CAN DO TO INCORPORATE THAT PIECE.

McCracken: CITY MANAGER, ARE WE ALLOWED TO TALK ABOUT ANY OTHER POSSIBILITIES IN THAT AREA, OTHER BUILDINGS WE MAY BE ABLE TO GET RID OF IN THAT AREA.

Futrell: YOU'RE RIGHT. I'M SORRY.

McCracken: THERE'S MORE. WAIT, THERE'S MORE.

Futrell: ACTUALLY BACK BEHIND THE SUBSTATION, I'M TRYING TO THINK OF HOW TO ORIENT YOU TO IT, IT'S WHERE THE [INDISCERNIBLE] CENTER IS NOW FOR AUSTIN ENERGY. WHERE VERY HIGH TECH CENTER THAT CONTROLS THE ENERGY VOLTAGE AND FOR -- WHERE THE SYSTEM IS. WE ARE ALSO GOING TO BE MOVING THAT OFF OF THAT BLOCK. SO I DON'T HAVE A TIME FRAME ON THAT, BUT IT'S GOING TO BE RELATIVELY WITHIN THE SAME TIME FRAME. VERY, VERY OLD BUILDING, REALLY NO LONGER SUITED TO BE IN AN URBAN ENVIRONMENT. WE HAVE JUST FINISHED BUILDING FULL REDUNDANCY AT THAT SITE, THAT WILL ALLOW US NOW TO MOVE THAT TO A NEW SITE IN A NEW FACILITY LONG OVERDUE. THAT WILL FREE UP ONE ADDITIONAL BLOCK THAT WILL ALSO BE A VERY, VERY PRIME BLOCK TO HELP IN THE REDEVELOPMENT EFFORTS OF DOWNTOWN. SO AUSTIN ENERGY IS BEING A CHAMP HERE FOR US.

THIS -- WHAT THIS -- WHAT THIS REALLY GOOD NEWS DOES, AND I REALLY APPRECIATE THE CAN-DO SPIRIT OF AUSTIN ENERGY, IT MEANS THAT WE WILL NOW TAKE WHAT HAS BEEN AN INDUSTRIAL DEAD ZONE OF OUR DOWNTOWN ON THE WATERFRONT AND HAVE AN UNBROKEN LINE OF NEW URBANIST TRANSIT ORIENTED DEVELOPMENT STRETCHING POTENTIALLY ALL THE WAY TO LAMAR, ALL THE WAY TO I-35 AND RAINEY STREET FROM THE WORK THAT -- THAT WAS JUST APPROVED HERE A FEW WEEKS AGO TO CHANGE THE ZONING A RAINEY STREET. BUT OF ALL OF THE THINGS THAT WE ARE DOING, SEAHOLM HAS SURPRISED ME THE MOST BECAUSE IT TURNED OUT TO HAVE A WHOLE LOT MORE POTENTIAL THAN I AT LEAST PERSONALLY EXPECTED AND I EXPECT THAT IT WILL BECOME, OVER A VERY SHORT ORDER, AUSTIN'S MILLION OR EMBARK DART, WE WILL HAVE A NEW HOME FOR AUSTIN CITY LIMITS AND KLRU BENEFITING FROM IT, IT'S A REALLY EXCITING MOMENT.

Mayor Wynn: SO WE HAVE A MOTION AND A SECOND ON THE TABLE TO NEGOTIATE -- COUNCILMEMBER SLUSHER?

Slusher: I JUST WANTED TO SAY THAT WHAT OBVIOUSLY THIS IS VERY IMPORTANT FOR COUNCILMEMBER MCCRACKEN, OUTLINED SOME OF THEM, WE HAVE ALREADY TALKED

ABOUT WE NEED TO HAVE EXTENSIVE PUBLIC INVOLVEMENT AS WE MOVE FORWARD. ALSO I WANT TO ENCOURAGE THE COUNCIL, THE MANAGEMENT, TO REALLY EMPHASIZE TRANSIT AND HOPEFULLY RAIL TRANSIT IN THIS. I MEAN, THIS IS SOMETHING THAT'S -- WE ARE JUST NOW STARTING, IT'S A VISION THAT AS FAR AS TRANSFORMING SEAHOLM IS A VISION, CITIZENS HAVE HAD FOR A LONG TIME. THIS IS GOING TO BE A VERY IMPORTANT PART OF THE CITY FOR A LONG TIME TO COME. AND I THINK RAIL TRANSIT IS GOING TO HAVE TO BE PART OF THAT. SO I REALLY THINK THAT WE NEED TO KEEP THAT IN MIND. I DON'T THINK THERE COULD BE TOO MUCH EMPHASIS ON THAT. AND WE NEED TO HAVE CAPITAL METRO INVOLVE AND ALSO INVOLVE THE AUSTIN-SAN ANTONIO COMMUTER RAIL DISTRICT BECAUSE THAT'S WHERE THOSE TWO SYSTEMS COULD MERGE.

Futrell: COUNCILMEMBER, THE WORK THAT BOTH YOU AND COUNCILMEMBER THOMAS HAVE BEEN DOING ON CAPITAL METRO WE HAVE BEEN LINKING YOU TO THAT WORK AND HAVE RECENTLY SEEN SOME OF THE SKETCHES THAT THEY HAVE PUT TOGETHER ON HOW THAT -- THOSE THREE TRANSIT LINES WILL CONNECT ALMOST RIGHT HERE IN THE EPICENTER OF SEAHOLM, SO WE WILL BE BRINGING THAT FORWARD AS PART OF THIS, ALSO.

Slusher: OKAY. WELLS, WITH ALL OF THE -- ALSO, WITH ALL OF THE THINGS GOING ON JUST NORTH OF HERE, THE PRIVATE SECTOR, NEW WHOLE FOODS THE OTHER DEVELOPMENTS COMING IN, ALL OF THE -- IT'S ALREADY A CROWDED AREA FOR CARS. SO ALL THE MORE IMPORTANT THAT WE HAVE ANOTHER WAY TO GET INTO THIS AREA.

Mayor Wynn: COUNCILMEMBER ALVAREZ?

Alvarez: THANK YOU, MAYOR. I HAVE JUST WANTED TO CONGRATULATE THE -- THE PROPOSERS ON THIS ONE. I THINK THAT IT'S A -- EVEN THOUGH WE HAD I THINK FOUR VERY GOOD PROPOSALS, VERY SOLID PROPOSALS, THAT THIS ONE DID STAND OUT AND LOOK FORWARD TO -- TO POSITIVE AND ENGAGING PROCESS ON THIS AS WE MOVE FORWARD TO GET THE COMMUNITY INVOLVED AND EXCITED ABOUT THIS PROJECT AND IT IS EXCITING ABOUT THE -- ABOUT THE POSSIBILITY OF RELOCATING THE SUBSTATION.



BUT YOU COULD -- YOU COULD GIVE ME SOME INFORMATION ON HOW MUCH THAT MIGHT COST, I -- I DON'T KNOW, I IMAGINE THAT IT'S PRETTY, PRETTY SIGNIFICANT AMOUNT OF MONEY AND OBVIOUSLY THAT WOULD BE A VERY IMPORTANT DECISION IN TERMS OF -- OF FOR OUR UTILITY HOW TO DIRECT WHAT I ANTICIPATE TO BE TENSE IF NOT HUNDREDS OF MILLIONS OF DOLLARS. SO -- SO I THINK THAT YOU MAY KNOW WHERE I'M HEADING WITH THAT, BUT I WON'T GO THERE. SO -- BUT, NO, I THINK THIS IS AGAIN A GREAT, GREAT OPPORTUNITY FOR US. CERTAINLY I WANT TO CONGRATULATE STATUS AS WELL. I THINK THAT -- THAT YOU KNOW THEIR APPLICATION DID STAND OUT AS WELL. ALTHOUGH I THOUGHT THERE WERE AT LEAST TWO VERY, VERY STRONG PROPOSALS THERE AS WELL. BUT -- BUT AGAIN THERE'S A GREAT REALLY A GREAT OPPORTUNITY, YOU KNOW, FOR OUR COMMUNITY AND JUST GLAD TO BE ABLE TO BE HERE TO SHARE IT IN THAT -- AND BE A PART OF THAT. SO THANK YOU.

Futrell: JUST TO HELP PUT YOUR MIND AT EASE, IT'S VERY TRUE THAT MOVING THAT SUBSTATION IS EXTRAORDINARILY, THAT'S THE PATH WE HAVE ALWAYS BEEN ON, THAT'S WHAT'S ALWAYS STOPPED US, EXTRA ORDINARILY EXPENSIVE, ANYWHERE FROM 70 TO \$90 MILLION TO MOVE IT. THE IDEA OF MOVING IT BACK, VERY PRELIMINARY NUMBER, WE ARE GOING TO HAVE TO COME TO YOU WITH ACTION, WITH ENGINEERING STUDIES, BUT LOOKING LIKE IT WOULD COST AROUND 17 MILLION TO BE ABLE TO PULL IT BACK. PROBABLY THE COST OF THE REAL ESTATE IN THE FRONT WILL OFFSET THAT COST TO THE BACK. BUT WE HAVE A LOT OF WORK TO DO ON IT. IT'S A PRELIMINARY IDEA TO NOT HAVE TO MOVE IT, BUT TO FREE UP THE PROPERTY IN FRONT.

MAYOR?

Mayor Wynn: COUNCILMEMBER DUNKERLY?

Dunkerly: I THINK THIS IS EXCITING. ALL OF THESE BLOCKS THAT WE ARE TALKING ABOUT, WHETHER 21 OR THE BLOCK WHERE THE ELECTRIC FACILITIES ARE ON OR EVEN PART OF SEAHOLM, WE ARE ADDING TAX BASE TO THE CITY, WE ARE TAKING PROPERTY THAT WAS NON-PRODUCING, TAX

EXEMPT, AND PUTTING IT BACK ON THE TAX ROLL THAT AND HELPS OUR ENTIRE COMMUNITY TO GROW THAT TAX BASE AND GROW THAT REVENUE WITHOUT HAVING TO INCREASE PROPERTY TAXES. THAT'S ALWAYS A GOOD THING TO DO. MARES THANK YOU --

Mayor Wynn: THANK YOU, COUNCILMEMBER. AGAIN WE HAVE A MOTION AND SECOND ON THE TABLE FOR NEGOTIATING ONLY WITH SEAHOLM POWER LLC THE DISPOSITION AND REDEVELOPMENT OF THE SEAHOLM PROPERTY. WE HAVE HEARD FURTHER INSTRUCTION FROM COUNCILMEMBER SLUSHER THAT I THINK EVERYBODY AGREES WITH, THAT AS PART OF THOSE NEGOTIATIONS CAPITAL METRO AND THE AUSTIN SAN ANTONIO COMMUTER RAIL DISTRICT AND ESSENTIALLY THE OPPORTUNITY FOR A SIGNIFICANT TRANSIT HUB AS PART OF, YOU KNOW, THIS AND ADJACENT PROPERTIES BE THOROUGHLY ANALYZED AND INVESTIGATED. I WOULD ALSO LIKE TO ADD TO THAT DIRECTION THAT WITH THIS TEAM, WE ADD TO THAT FOCUS THE WATER INTAKE BUILDING FOR -- FOR SEAHOLM. AND ENABLING BETTER OPPORTUNITIES FOR THE -- FOR THE TOWN LAKE HIKE AND BIKE TRAIL. I POINT THAT OUT BECAUSE HERE IN ABOUT 45 MINUTES, AT 9:00, ON THE SOUTH SHORE OF TOWN LAKE, NEAR -- NEAR -- BETWEEN LOU NEFF POINT HEADING TO THE WEST, ON THAT STRETCH OF THE TRAIL WE ARE HAVING A PILOT LOW IMPACT, LOW PROFILE LANDSCAPE LIGHTING. THEY ARE GOING TO TURN THE SWITCH ON AT 9:00. THE THOUGHT THERE BEING WE COULD DRAMATICALLY EXPAND THE USABILITY BY OUR CITIZENS OF THE TOWN LAKE HIKE AND BIKE TRAIL WITH JUST A FEW HOURS OF LIGHTING BOTH EARLY IN THE MORNING AND LATE IN THE EVENING. SO I WOULD SUGGEST THAT THE FUND OPPORTUNITY THAT THE WATER INTAKE STRUCTURE HAS RIGHT ACROSS CESAR CHAVEZ FROM SEAHOLM, IN FACT SEAHOLM POWER LLC TEAM EVEN INCLUDED SCHEMATICALLY IN THEIR PLANS, WOULD ALLOW FOR, YOU KNOW, SAFER, BETTER LIT, MORE ACCESSIBLE CITIZEN USE OF THE TOWN LAKE HIKE AND BIKE TRAIL. SO I WOULD LIKE TO SEE ANALYSIS SORT OF BROUGHT INTO THE NEGOTIATIONS. I THINK THERE'S GOING TO BE SOME VERY OBVIOUS USES FOR THAT STRUCTURE THAT WOULD COMPLEMENT OUR CITIZENS USING THE TOWN LAKE HIKE

AND BIKE TRAIL. FURTHER COMMENTS, QUESTIONS?  
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. CONGRATULATIONS TO TWO FINE TEAMS. COUNCIL, IF YOU CAN BEAR WITH ME, WE CAN GET THROUGH A COUPLE OF ITEMS QUICKLY BEFORE WE HUNKER DOWN FOR A COUPLE OF DISCUSSIONS. WE HAVE A PUBLIC HEARING, ITEM NO. 65 SCHEDULED. NOBODY WISHING TO SPEAK, PERHAPS A BRIEF STAFF PRESENTATION, ITEM NO. 65.

MAYOR AND COUNCIL, THIS IS ITEM 65, CONDUCT A PUBLIC HEARING TO CONSIDER A VARIANCE REQUESTED BY GARY QUINN TO ALLOW REMODELING, CONSTRUCTION OF A SECOND STORY ADDITION AND EXPANSION OF A CARPORT TO AN EXISTING HOUSE ENCROACHING ON THE 25 AND 100 YEAR FLOODPLAIN OF SHOAL CREEK AT 260 WILL GREAT OAKS PARKWAY. MY NAME IS GARY [INDISCERNIBLE] AN ENGINEER IN THE FLOODPLAIN OFFICE OF WATERSHED PROTECTION DEVELOPMENT REVIEW DEPARTMENT. THIS IS A VARIANCE REQUEST WILL ALLOW THE REMODELING, EXPANSION OF EXISTING RESIDENCE AT 2608 GREAT OAKS. THE PROPERTY IS LOCATED NEAR 46th AND SHOAL CREEK BOULEVARD. IN THE NORTHWEST AUSTIN. THE OLYMPIC, MR. JIM BENNETT, ON -- THE APPLICANT, MR. JIM BENNETT, ON BEHALF OF MR. AND MRS. GARY QUINN SUBMITTED A BUILDING PERMIT APPLICATION FOR NEW CONSTRUCTION OF A SECOND STORY ABOVE THE EXISTING SPLIT LEVEL HOUSE. THE PERMIT APPLICATION ALSO INCLUDES REMODELING EXPANSION OF EXISTING CARPORT. THE PROPERTY OWNERS WERE ISSUED A BUILDING PERMIT IN DECEMBER OF LAST YEAR TO REMODEL THEIR EXISTING RESIDENCE, INCLUDING BATHROOM, NEW FINISHES AND REPAIR AND REPLACEMENT OF A ROOF. THE PORTION OF THE EXISTING HOUSE ENCROACHES ON THE 25 YEAR FLOODPLAIN OF SHOAL CREEK. BECAUSE THE APPLICANT PROPOSES SUBSTANTIAL IMPROVEMENTS TO THE HOUSE, THE ORIGINAL HOUSE MUST BE BROUGHT INTO COMPLIANCE WITH RESPECT TO ELEVATION REQUIREMENTS, CITY CODE PROVIDES THAT A HOUSE NOT CONFORMING TO

FLOODPLAIN REGULATIONS MAY CONTINUE ONLY IF IT'S NOT EXPANDED, CHANGED, ENLARGED OR ALTERED IN ANY WAY WHICH INCREASES ITS NON-CONFORMITY. AND THAT NO SUBSTANTIAL IMPROVEMENT WILL BE MADE UNLESS THE STRUCTURE IS CHANGED TO CONFORM TO THE FLOODPLAIN REGULATIONS. THE PROPOSED CONSTRUCTION IS A SUBSTANTIAL IMPROVEMENT. THE OWNERS PREFER NOT TO COMPLY WITH CITY CODE, THAT THE EXISTING STRUCTURE COULD CHANGE TO CONFORM TO FLOODPLAIN REGULATIONS BY ELEVATING THE LOWEST FLOOR AND HAVE BEEN DENIED A BUILDING PERMIT. THE APPLICANT SEEKS VARIANCES TO THE CITY CODE FROM RESTRICTIONS TO DEVELOPMENT IN THE 25 YEAR FLOODPLAIN TO EXCLUDE THE HOUSING REQUIREMENT TO DEDICATE AN EASEMENT TO THE FULL EXTENT OF THE 100 YEAR FLOODPLAIN. THEY REQUESTED A VARIANCE, ALSO, TO THE REQUIREMENT, THE LOWEST LEVEL OF THE STRUCTURE TO BE ELEVATED AT ONE FOOT ABOVE THE 100 YEAR FLOODPLAIN. AND THEY REQUEST A VARIANCE TO THE REQUIREMENT THAT THE STRUCTURE NOT BE EXPANDED, CHANGED OR ENLARGED. AND -- AND EXCUSE ME, OUR DEPARTMENT RECOMMENDS A -- A DENIAL OF THIS REQUEST. IN GENERAL, THIS IS A -- IN GENERAL, THE APPLICANT REQUESTED THE VARIANCE TO THE FLOODPLAIN REGULATIONS, WHICH WERE ESTABLISHED BEFORE -- TO AFFORD LOCATION TO THE LIFE AND PROPERTIES OF THE CITIZENS. OUR CITY -- OUR REGULATIONS WERE DEVELOPED AFTER THE '81 FLOOD IN WHICH WE LOST MANY LIVES AND A NATIONAL EFFORT TO -- TO PROMOTE REGULATION OF THE FLOODPLAIN. EXCUSE ME. IN THIS CASE THE APPLICANT PROPOSES SUBSTANTIAL IMPROVEMENTS TO AN EXISTING STRUCTURE THAT DOES NOT CONFORM TO FLOODPLAIN REGULATIONS. THE EXISTING STRUCTURE IS NOT -- DOES NOT CONFORM, IS WORSENERD BY THE PROPOSED ADDITION AND THE PROPERTY OWNERS CURRENTLY HAVE USE OF THEIR RESIDENCE FOR ITS INTENDED PURPOSES. THAT CONCLUDES MY PRESENTATION.

Mayor Wynn: THANK YOU, MR. COSET. COUNCIL, WE HAVE ONE CITIZEN SIGNED UP IN FAVOR, NOT WISHING TO SPEAK. QUESTION -- LOOKING AT THE PREVIOUS SLIDE THAT SHOWS THE AERIAL AND THE SCOPE OF THE FLOODPLAIN, IF I'M

LOOKING AT THAT CORRECTLY, IT APPEARS THAT THE FRONT OF THE HOUSE OR THE ACCESS TO THE HOUSE, I GUESS OFF OF THE CUL DE SAC OBVIOUSLY, THE FRONT OF THE HOUSE AND THE ACCESS BOTH PEDESTRIAN AND CARS AND EMERGENCY RESPONSE IS ALREADY OUTSIDE OF THE FLOODPLAIN.

YES, SIR, THAT'S CORRECT. THE FRONT THIRD OF LOT IS OUT OF THE 100 YEAR FLOODPLAIN.

Mayor Wynn: SO THIS -- OCCASIONALLY WE DO HAVE CASES WHERE EMERGENCY VEHICLES HAVE TO TRANSFER SOME ELEMENT OF THE -- TRANSVERSE SOME ELEMENT OF THE FLOODPLAIN TO GET TO THE PROPERTY THAT MAY NOT BE IN A FLOODPLAIN, THAT'S ALWAYS A BIG CONFLICT FOR US. BUT HERE, IF I READ THAT CORRECTLY, EMERGENCY RESPONSE WOULD REMAIN OUT OF THE 100 YEAR FLOODPLAIN SEEMINGLY THE ENTIRE TRIP TO THIS COWS, IN FACT COULD ENTER -- THIS HOUSE, IN FACT COULD ENTER THE HOUSE AND STILL REMAIN OUT OF THE FLOODPLAIN.

THAT IS CORRECT. ACCESS IS AVAILABLE DURING THE 100 YEAR FLOOD EVENT.

Mayor Wynn: AND I GUESS THE EXPANSION OF THE HOUSE, IF YOU WILL, IS PRIMARILY A SECOND FLOOR EXPANSION?

YES, SIR.

Mayor Wynn: SO THEY ARE NOT EXPANDING, IF YOU WILL, INTO THE -- THEY ARE NOT EXPANDING THEIR FOOTPRINT INTO THE FLOODPLAIN, BUT CLEARLY EXPANDING THE HOUSE AND LIKELY THE -- IN THE SQUARE FOOTAGE AND THE NUMBER OF BODIES THAT COULD BE IN THERE.

THAT IS CORRECT. THE LOWER LEVEL OF THE HOUSE, AS YOU SEE HERE, IS BELOW THE REGULATORY FLOODPLAIN, WHICH IS ONE FOOT ABOVE THE 100 YEAR FLOODPLAIN IS THE DATUM. THE LOWER LEVEL IS ABOUT A THIRD OF A FOOT BELOW THE REGULATORY FLOODPLAIN. OUR ORDINANCE REQUIRES THAT WHEN THEY DO THE SUBSTANTIAL IMPROVEMENT THEY CONFORM WITH OUR CODE SUCH THAT THEY ELEVATE THAT FLOOR A THIRD OF A

FOOT. THAT'S ONE OF THE ITEMS THAT THEY SEEK A VARIANCE ON.

Mayor Wynn: THANK YOU. FURTHER QUESTIONS? I'LL JUST SAY THAT I'M VERY RESPECTFUL OF STAFF'S LINE THAT THEY MAINTAIN ON THESE VARIANCE REQUESTS, WE HAVE THEM FREQUENTLY, THERE'S -- THERE'S DIFFERENT, YOU KNOW, FACTS ON THE GROUND IN EVERY CASE, IT'S AMAZING HOW WE CAN'T COME UP WITH A POLICY BECAUSE THERE'S SO MANY DIFFERENT MOVING PARTS, EMERGENCY RESPONSE, SCOPE AND SCALE OF THE FOOTPRINT, THE REGULATORY FLOODPLAIN VERSUS THE 100 YEAR AND 25 YEAR FLOODPLAINS. BUT IN THIS CASE I SEE A -- I SEE RATIONALE FOR THE VARIANCE, BUT I WILL OPEN IT UP TO QUESTIONS. COUNCILMEMBER DUNKERLY?

Dunkerly: I THINK YOU ANSWERED MY QUESTION. FROM WHAT I UNDERSTOOD BOTH YOU TO SAY, THE THE FIRST FLOOR IS NOT BEING CHANGED AT ALL. THE NEW ADDITION IS GOING ON TO THE TOP, BUT BECAUSE IT'S A SIGNIFICANT ADDITION YOU ARE RECOMMENDING THEY RAISE THAT FIRST FLOOR, THE FOUNDATION THREE OR FOUR INCHES, IS THAT CORRECT?

THAT IS CORRECT. UNDER THE REGS SUBSTANTIAL IMPROVEMENT INCREASES THE VALUE OF THE HOME BY 50%. THIS WILL DO THAT AND UNDER THE REGS THEY NEED TO BRING THEIR EXISTING STRUCTURE UP TO CODE REQUIREMENTS AND THAT REQUIRED RAISING THE LOWER LEVEL BY THIS THIRD OF A FOOT.

Dunkerly: TECHNICALLY, WHAT'S IN THE FLOODPLAIN NOW IS GOING TO BE IN THE FLOODPLAIN LATER, IT'S JUST GOING TO BE TALLER.

THAT IS CORRECT.

> MAYOR WYNN: AGAIN, ONE CITIZEN SIGNED UP NOT WISHING TO SPEAK, IN FAVOR. ERIC [INDISCERNIBLE] COMMENTS, QUESTIONS? I WILL ENTERTAIN A MOTION ON ITEM NO. 65 THAT WILL INCLUDE CLOSING THE PUBLIC HEARING.

Thomas: I MAKE A MOTION TO CLOSE THE PUBLIC HEARING AND GRANT THE -- THIS APPLICANT'S REQUEST.

Mayor Wynn: MOTION MADE BY COUNCILMEMBER THOMAS, SECONDED BY COUNCILMEMBER MCCracken TO CLOSE THE PUBLIC HEARING AND APPROVE THIS ORDINANCE. I'M SORRY, APPROVE THE VARIANCE.

Thomas: ONE QUESTION FOR STAFF. HOW LONG -- WHEN DID YOU ALL REALLY ACTUALLY NOTICE THAT THEY WERE NOT COMPLYING WITH THE VARIANCE? STAFF?

UM ... SHORTLY AFTER IT WAS PRESENTED, I THINK IT WAS PRESENTED IN MARCH.

Thomas: IN MARCH? ARE THEY STILL BUILDING ON THIS, DID YOU ALL STOP THEM?

THEY HAVE AN EXISTING PERMIT, A REMODELING PERMIT ISSUED IN DECEMBER. THIS WORK YOU SEE HERE IS DONE I BELIEVE UNDER THE EXISTING PERMIT. THEY HAVEN'T STARTED -- THEY DON'T HAVE THE PERMIT FOR THE -- TO PUT ON THE SECOND STORY, I UNDERSTAND.

Thomas: ALL RIGHT. THANK YOU.

Mayor Wynn: MOTION AND SECOND ON THE TABLE TO CLOSE THE PUBLIC HEARING AND GRANT THE VARIANCE. FURTHER COMMENTS? HEARING NONE, ALL THOSE IN FAVOR PLEASE SAY AYE.

AYE.

Wynn: OPPOSED? MOTION PASSES ON A VOTE OF 7-0. THANK YOU.

COUNCIL, THAT LEAVES US WITH OUR PUBLIC HEARING ON WHAT WE REFER TO AS THE DESIGN STANDARDS AND THEN THE CONTINUATION OF OUR DISCUSSIONS ON ITEMS 18 AND 19 WITH A TRANSIT ORIENTED DEVELOPMENT DISTRICT OR TOD'S. COUNCILMEMBER ALVAREZ?

THANK YOU, MAYOR. MAYBE SOME FOLKS WHO HAVE BEEN

HERE ALL DAY THAT AREN'T TOO HAPPY WAITING THIS LONG TO DO THIS. I THINK ONE THING THAT I DISCUSSED, WHEN WE VOTED ON BOTH FIRST AND SECOND READING FOR THE ORDINANCE, VARIOUS VERSIONS OF THE ORDINANCE WE DID SAY WE WERE GOING TO OPEN IT UP FOR PUBLIC HEARING. AND THIS REALLY WASN'T ADVERTISED AS A PUBLIC HEARING AND SO I WAS -- I WAS GOING TO SUGGEST THAT WE DO BRING IT BACK. IN TWO WEEKS FOR A TIME CERTAIN, I MEAN WE CAN TALK ABOUT WHAT THAT SHOULD BE 3:00 OR 4:00, THAT WAY FOLKS DON'T HAVE TO WAIT ALL DAY LONG TO FIGURE OUT WHEN IT'S GOING TO COME UP. SO HE COULD EITHER HAVE SOME DISCUSSION ON IT NOW, WAIT UNTIL NEXT TIME. I THINK THE MAIN, THERE WAS A COUPLE OF ISSUES THAT I THINK ARE PRETTY MAJOR ISSUES THAT NEED TO BE DECIDED. AFFORDABLE HOUSING, SO I THINK THERE PROBABLY ARE -- IS STILL A LITTLE MORE WORK THAT NEEDS TO BE DONE ON THOSE COUPLE OF ISSUES. SO I WOULD SAY THAT -- THAT UNLESS SOMEONE IS REALLY DYING TO HAVE SOME DISCUSSION HERE, THAT WE JUST POSTPONE THAT CONVERSATION TO THE NEXT MEETING AND THEN SET IT UP, SET IT FOR A 3:00 OR 4:00 TIME CERTAIN, WHATEVER, 3:30 OR SO WE KNOW -- PEOPLE WILL KNOW WHEN TO BE HERE TO DISCUSS IT.

Mayor Wynn: COUNCILMEMBER, MY SUGGESTION IS HOW OUR MOST RECENT MEETINGS HAVE GONE, THAT A 3:00 TIME CERTAIN WOULD GIVE US TIME TO -- IF WE ARE RUNNING A LITTLE BIT BEHIND WOULD STILL GET THAT DONE IN THE ZONINGS AND PUBLIC HEARINGS ON THOSE ORDINANCES. SO MOTION BY COUNCILMEMBER ALVAREZ IS TO POSTPONE ACTION ON ITEMS 18 AND 19 TO MAY 12th, 2005 AND SET A TIME CERTAIN ITEM FOR 3:00 P.M.

Slusher: SECOND.

Mayor Wynn: SECONDED BY COUNCILMEMBER SLUSHER. FURTHER COMMENTS? AGAIN, I APOLOGIZE TO FOLKS WHO SPENT MUCH OF THE DAY HERE. WE HAVE YOUR COMMENTS, WE APPRECIATE THE HARD COPIES THAT YOU HAVE HANDED OUT, BUT WE WANT TO MAKE SURE THAT WE HAVE THE RIGHT DISCUSSION IN TWO WEEKS TIME. FURTHER COMMENTS? HEARING NONE, ALL THOSE IN FAVOR PLEASE



SAY AYE.

AYE.

Wynn: OPPOSED? MOTION PASSES ON A VOTE OF 7-0. THANK YOU.

Mayor Wynn: COUNCIL, I BELIEVE THAT JUST LEAVES THE PUBLIC HEARING ON OUR DESIGN STANDARDS, POSTED AS ITEM NO. 64. I WILL RECOGNIZE COUNCILMEMBER MCCRACKEN.

McCracken: MAYOR PRO TEM?

Mayor Wynn: MAYOR PRO TEM?

Goodman: I DEFER TO COUNCILMEMBER MCCRACKEN WHO -- WHOSE ENERGETIC LEADERSHIP DESERVES TO GO FIRST.

YOU KNOW --

McCracken: YOU KNOW THE JOKE WAS WELL SO IS THIS YOUR FAULT? A LOT OF PEOPLE WORKING TOGETHER, YOU KNOW, MAYOR PRO TEM GOODMAN IS THE -- REALLY IS THE PERSON IN HERE -- HERE IN LOCAL GOVERNMENT WHO -- WHO FIRST RECOGNIZED THE -- THAT THIS WAS SOMETHING THAT NEEDED TO BE DONE AND HAS PROVIDED CONSISTENT VISIONARY LEADERSHIP FOR YOU WERE BAN PLANNING IN THE CITY, STARTING OFF TONIGHT WE ARE GOING TO HAVE A PRESENTATION ON A POLICY DOCUMENT. I WANT TO START OFF WITH SOME QUOTES BY DAVID BROOKS IN HIS NEW BOOK, ON PARADISE DRIVE. AND DAVID BROOKS IS THE CONSERVATIVE COLUMNIST FOR THE NEW YORK TIMES. THIS IS WHAT HE WRITES ABOUT WHAT IT'S LIKE ON OUR URBAN ROADS IN THE U.S. YOU FIND YOURSELVES IN THIS COMMERCIAL PIPE WITH STRIP MALLS UP AND DOWN EITHER SIDE, A BURGER KING EVERY 400 YARDS, SO MANY TURN SIGNALS AND LEFT-HAND TURN LANES THAT CROSSING THE STREET IS IMPOSSIBLE BECAUSE YOU NEVER KNOW WHERE THE CARS ARE COMING FROM. THESE AVENUES ARE ABOUT THE UGLIEST SPOTS IN THE FACE OF THE EARTH. ONE RED LIGHT AFTER ANOTHER ... STORAGE CENTER WAREHOUSE FACADES, MORE NAIL SALONS THAN THE MIND CAN

COMPREHEND. THE STRIP MALLS HAVE NAMES LIKE PIKE CENTER, TOWN PLAZA, BECAUSE NO ONE EVER BOTHERED TO THINK UP A DISTINCTIVE TITLE. EVERY HALF MILE OR SO, BETWEEN CAR LOTS, CELL PHONE STORES, DISCOUNT MATTRESS OUTLETS THERE WILL BE A LONE FIVE STORY OFFICE BUILDING THAT HAS THE AT AESTHETIC CHARM OF A 60-FOOT WATER HEATER. YOU CAN'T TELL WHERE ONE TOWN ENDS AND ANOTHER BIGS BUT YOU BEGIN TO SEE ANOTHER ROUND OF 7-11S AND BURGER KINGS, YOU CAN'T DRAW A MAP BECAUSE YOU DON'T KNOW WHERE TO CENTER IT. THEN HE WRITES ABOUT MORE SUBURBAN DEVELOP PATTERN, WRITES THIS: MEGA STORES SURROUND YOU ON ALL SIDE LIKE TRAINS AND MIGHTY PACHYDERMS, OFF TO THE RIGHT, A WAL-MART, SPORTS AUTHORITY, AN OLD NAVY LARGE ENOUGH TO QUALIFY FOR MEMBERSHIP IN THE U.N. WE BARELY VISIBLE BECAUSE THE CURVE ... A ROW OF HEAVILY THEMED SUBURBAN CHAIN RESTAURANTS WHICH IF THEY ALL MERGED WOULD BE KNOWNED AS CHILLY'S OLIVE GARDEN OUT BACK HARD ROCK CANTINA ... IN FACT IN THE MODERN AMERICAN SUBURBS, THERE'S NOT JUST ONE BIG BOX MALL ... YOU CAN STAND ON THE EDGE OF ONE, LOOK DOWN INTO A VALLEY AND SEE THREE MORE ... THAT MIGHT BE PAINTED IN RACING STRIPES TO BREAK UP THE MONDAY KNOTTY OF THE WINDOW'S EXTERIORS. WHAT'S THE ALTERNATIVE? AND -- IT'S KNOWN GENERALLY LIKE FORM BASED OR NEW URBANISM, BUT THERE'S A PURPOSE BEHIND IT AND BROOKS WRITES THE NEW URBAN ETHOS STARTED OFF IN SOCIALLY CONSCIOUS COMMUNITIES LIKE PORTLAND, OREGON BUT SPREAD NATION-WIDE, IT'S MADE LIFE BETTER AND MORE COMMUNITY ORIENTED. WE HAVE DONE IT HERE WITH THE MUELLER REDEVELOPMENT IN PARTICULAR. IT'S SPURRED BY THIS. THAT PEOPLE WANT A SENSE OF PLACE. AND I THINK WHAT WE ALL KNOW IS THAT THE DEVELOPMENT PATTERNS IN OUR COMMUNITY DON'T GIVE US THAT ANYMORE AND THEN ACTUALLY IT'S WHY A BROAD RANGE OF PEOPLE HAVE COME FORWARD, EVERYBODY FROM -- FROM FOLKS ACTIVE IN THE NEIGHBORHOOD ASSOCIATION, TO FOLKS WHO DEVELOPED REAL ESTATE AND SAID THEY NEEDED CHANGE. THE PROBLEMS ARE THESE, THE AESTHETICS OF THE ENVIRONMENT, OF COURSE, ALSO PRACTICAL, MORE PRACTICAL STUFF.

ALTHOUGH [INDISCERNIBLE] IT'S A REAL TANGIBLE IMPORTANT THING. URBAN HEAT ISLAND, WE HAVE LEARNED SHOPPING CENTERS HAVE TEMPERATURES UP TO SIX DEGREES HIGHER IN THE PARKING AREA THAN THE SURROUNDING LAND, FOUND NATIONAL RETAILERS HAVE HEAVILY DEEMED PROTOTYPES DIFFICULT TO REUSE. YEARS LATER YOU CAN TELL THAT IT WAS A SHORT STOP BEFORE AT THE INSURANCE AGENCY. WE LEARNED DEVELOPMENT PATTERNS CALLED TRAFFIC CONGESTION, SUBURBAN SPRAWL. LEAD TO A SITUATION, PFLUGERVILLE RECENTLY DISCOVERED WHERE YOU HAVE MASSIVELY EXPENSIVE TAXPAYER FUNDED INFRASTRUCTURE, THAT THE DEVELOPMENT DOES NOT PAY FOR ITSELF WITH. AND THE CAUSE OF THESE PROBLEMS ARE HEAVILY THEMED RETAIL BUILDING, DIFFICULT TO REUSE, BUT ALSO SUPER BLOCKS AND DEVELOPMENT ORIENTATION AND THE URBAN LAND INSTITUTE WRITES ABOUT THIS IS AUTO PROBLEM THAT IS DRIVEN -- THIS IS A PROBLEM DRIVEN BY PRIMARILY TWO THINGS, THE SIZE OF OUR BLOCKS, BY THE ORIENTATION OF OUR BUILDINGS. WHAT THEY HAVE RECOMMENDED THE URBAN LAND INSTITUTE HAS 10 URBAN PLANNING PRINCIPLES FOR DOING IT RIGHT. TO AVOID RECREATING MISTAKES FOR THE LAST 50 YEARS AND START DOING IT THE WAY WE DID IT FOR THE PREVIOUS FIVE MILLENNIA AND THERE ARE -- SOME OF THE KEY RECOMMENDATIONS ARE TO BREAK UP THE SUPER BLOCKS AND OPTIMIZE CONNECTIVITY THROUGH A GRID LIKE STREET SYSTEM, WHICH IS WHAT THE GALLERIA AREA IN HOUSTON IS ABOUT TO HAVE TO GO TO. EMBRACE MIXED USES, HONOR THE HUMAN SCALE, CREATE A PEDESTRIAN FRIENDLY PLACE, THINK DENSITY. WHEN YOU TALK ABOUT PRACTICAL STUFF, TALKING ABOUT THINGS LIKE PROMOTING SMALLER BLOCKS AND CONNECTIVITY AND PEDESTRIAN ENVIRONMENTS BECAUSE THEY HAVE DISCOVERED THAT IN SUBURBAN BUSINESS DISTRICTS, THE EMPLOYEES IN SUBURBAN BUSINESS DISTRICTS, 5,500 GREATER PERCENT IMPACT ON THE ROAD SYSTEM, EVERYBODY KNOWS THAT BECAUSE YOU GO DOWNSTAIRS AND GO WALK OVER TO SOMEWHERE TO EAT. IT'S A LOCAL PROBLEM IDENTIFIED THROUGH ENVISION CENTRAL TEXAS, WHICH IS CHRONICLED OUR SINGLE USE, DISCONNECTED DEVELOPMENT APPARENTS ALONG OUR HIGHWAYS. THE

CAMPO STAFF HAS TOLD THE CAMPO BOARD WE HAVE GOT TO DO SOMETHING ABOUT GETTING INTO SMALLER BLOCKS, MORE MIXED USE, AND TO THINKING ABOUT THESE ISSUES AND DOING SOMETHING ABOUT THEM. THE 2222 STUDY THAT MAYOR PRO TEM GOODMAN COMMISSIONED, WHY IS IT OUR MOST CONGESTED AREAS IN THE CITY ARE IN THE SUBURBS, IT'S BECAUSE OF SUPER BLOCKS, LACK OF CONNECTIVITY. WE FOUND THAT ONE BLOCK IN THE ARBORETUM GATEWAY AREA IS THE SIZE OF 53 DOWNTOWN BLOCKS. THE AUSTIN BIG BOX STUDY ALSO FOUND THAT THE SINGLE USE SIZE DID NOT LEVERAGE IN THE OPPORTUNITY TO BRING IN LOCAL SMALL BUSINESSES IN WITH BIG BOX DEVELOPMENTS OR LARGER USES. SO WE CAN COME UP WITH AN APPROACH THAT STRESSES PRACTICAL RESULTS THROUGH BUILDING DESIGN OR LANDSCAPE ORDINANCE AND SIGN ORDINANCE CHANGES, ADDRESS THINGS LIKE BUILDING AESTHETICS AND LACK OF REUSABILITY. THE BUILDING DESIGN AND LANDSCAPE ORDINANCE PROVISIONS RELATE TO URBAN HEAT ISLAND, URBAN HEAT ISLAND ISSUES. WE HAVE CONNECTIVITY, BLOCK SIZE, DEVELOPMENT ORIENTATION THAT ADDRESS TRAFFIC CONGESTION, SUBURBAN SPRAWL, GETTING THE HIGHEST AND BEST USE OF THE TAXPAYERS FOR TAXPAYER FUNDED INFRASTRUCTURE. WHAT DID WE DO ABOUT IT? TOOK OUR TIME FOR STARTERS. A YEAR AND A HALF TODAY. WE DIDN'T FIGHT TOO MUCH. WE ALSO WORKED TOGETHER, WHICH IS A -- SOMETHING THAT HAS BEEN A GOOD PART OF OUR TRADITION AND WE REDISCOVERED IT ON THIS. BECAUSE WE ARE ALSO GOOD AT FIGHTING. BUT WE DID A GREAT JOB OF WORKING TOGETHER. AT THE TABLE, THE LAST SEVERAL MONTHS, WE'VE HAD REPRESENTATIVES OF THE AUSTIN NEIGHBORHOOD COUNCIL, LIVABLE CITY, THE REAL ESTATE COUNCIL OF AUSTIN, AND MEMBERS OF THE DESIGN COMMISSION, THE PLANNING COMMISSION, THE CITY COUNCIL, CITY STAFF AND ACTUALLY WHOEVER ELSE JUST WANTED TO SHOW YOU MENT SO YOU ARE GOING TO -- SHOW UP. SO YOU ARE GOING TO HEAR ABOUT THE PROPOSED SOLUTIONS NEXT, AS A GENERAL RULE THERE ARE THREE GENERAL RULES ABOUT THE PROPOSAL. THAT IS THE LOCAL BUSINESSES WILL NOTICE VIRTUALLY NO CHANGE. NATIONAL RETAILERS WILL NEED TO START DOING THE SAME THINGS IN AUSTIN THAT THEY ARE ALREADY

DOING ALL OVER THE COUNTRY, INCLUDING A LOT OF THE CITIES IN THIS METRO AREA. YOU ALSO FIND THAT THIS PROPOSAL, THIS PROPOSAL VERTICAL MIXED USE DEVELOPMENTS WILL BECOME EASIER AND MORE WIDE-SPREAD. BASED ON WHAT JANE JACOBS WROTE IN HER SEMINAL BOOK ON URBAN PLANNING, THE DEATH AND LIFE URBAN CITIES, PROMOTE MIXED USE, SMALL BLOCKS, EYES ON THE STREET WINDOWS. SMALLER BLOCKS, WINDOW, SHADE BECAUSE WE ARE A HOT PLACE TO BE. I JUST WANT TO ADDRESS AS WE START OFF THIS EVENING, BECAUSE I KNOW WE HAVE FOLKS THAT ARE CONCERNED BECAUSE THIS IS THEIR LIVING. THESE ARE SOME BIG CHANGES THAT ARE BEING PROPOSED AND THEY ARE NOT BEING MADE -- PROPOSED LIGHTLY. THERE HAVE BEEN A LOT OF CHANGES IN THESE PROPOSALS BECAUSE WE NEED TO MAKE SURE THAT WE GET IT RIGHT. IF WE DO THE -- GET IT RIGHT, DO THE RESPONSIBLE THING. IT'S AMAZING HOW MUCH WE HAVE ALL LEARNED FROM EACH OTHER. FIRST CONCERN IS SMALL BUSINESSES IT'S A LEGITIMATE CONCERN. THIS PROPOSAL DOES NOT EXEMPT SMALL RETAIL USES THAT ARE LESS THAN 10,000 SQUARE FEET THAT DON'T HAVE NATIONAL RETAIL FRANCHISE BRANDING ON THEM. SO IN OTHER WORDS IF YOU ARE LIKE A -- LIKE, YOU KNOW, LIKE A -- A FAST FOOD RESTAURANT OR SOMETHING LIKE THAT, YOU COME IN UNDER IT, IF YOU ARE UNDER 10,000 SQUARE FEET, BUT IF YOU ARE A LOCAL SMALL BUSINESS LIKE AN UPPER CRUST BAKERY, MARIA'S TACO, THAT YOU WOULD NOT COME UNDER IT. ANOTHER QUESTION IS OFFICE INVOLVED, THE ANSWER IS LARGELY NO. WHAT WE HAVE HEARD, THE URBAN LAND INSTITUTE HAS LOOKED AT THE SOURCE OF THE PROBLEM WHICH THE FAMOUS BOOK EDGE CITY CHRONICLED TYSON'S CORNERS, HAVING A PLACE WITH SO MUCH DEVELOPMENT CAN BE SO COMPLETELY SOULLESS AND EMPTY, TERRIBLE TRAFFIC, CANNOT BECOME COHESIVE AS AN URBAN ENTITY, ISSUES OF BLOCKS AND BUILDINGS UP TO THE STREET. DEVELOPMENT ORIENTATION. SO ON BLOCK SIDES, DEVELOPMENT OWNERSHIP, URBAN ROADS -- ORIENTATION, URBAN ROADS, OFFICE IS IMPLEMENTED BECAUSE WE NEED BETTER TRAFFIC AND DEAL WITH URBAN PLANNING PROBLEMS. BUT OFFICE IS NOT IN FOR BUILDING DESIGN. NOR IS WAREHOUSE. WAREHOUSE IS ONLY INVOLVED ON

THIS URBAN ROADS THAT INVOLVE -- TRYING TO MAKE RAPID TRANSIT BUS WORK. IF YOU DON'T, IF YOU HAVE BIG PARKING LOTS, THE MEGA BLOCKS, RAPID TRANSIT BUS LINES THERE, GUESS WHAT'S GOING TO HAPPEN, THE BUS LINE WILL FAIL. ONCE AGAIN WE HAVE TO MAKE SURE TO USE TAXPAYER FUNDED RESOURCES WELL. ANOTHER CONCERN IS THAT THIS PROPOSAL CALLS FOR EVERY BUILDING TO BE BROUGHT UP TO THE STREET. IT DOES NOT DO THAT. NOT EVEN ON OUR URBAN ROADS, WHICH I WISH IT DID. THAT'S BEEN PART OF THE COMPROMISES. I'M GOING TO TALK ABOUT THE NEXT STAGE HERE IN A SECOND. BUT IT DOESN'T DO THAT. THERE'S A CONCERN THIS WILL JACK UP THE DEVELOPMENT COSTS. AND THIS PROPOSAL IS ALMOST ENTIRELY SAYING LET'S JUST DO IT THE WAY IT ALWAYS USED TO BE DONE WHEN WE DID IT RIGHT. IN SO AS THE BUILDING BROUGHT UP TO THE STREET OR BEHIND THE PARKING LOT, DOES THAT CHANGE THE COST? IT JUST CHANGES WHERE WILL BUILDING IS FOR INSTANCE. IT'S A LEGITIMATE CONCERN AND A LEGITIMATE QUESTION WHETHER IT WILL JACK UP THE COST. I THINK WHAT COUNCILMEMBER DUNKERLY SUGGESTED SOME FOLKS IN THE INDEPENDENT BUSINESS ALLIANCE IS LET'S LOOK AT THE COSTS OF THIS OVER THE NEXT FEW MONTHS WHILE THIS IS DRAFTED IN ORDINANCE FORM, GOOD PUBLIC POLICY. MAKE SURE THAT YOU GET YOUR I'S DOTTED, T'S CROSSED. ANOTHER CONCERN IS WELL, RETAILERS WILL LEAVE THE CITY. THAT IS ACTUALLY BEEN SHOWN NOT EVER TO HAPPEN ANYWHERE IN THE UNITED STATES. IN FACT RETAILERS ARE SO EAGER NOT TO LEAVE THE CITY. THEY BUILT ... WAL-MART BUILT TWO SMALLER STORES NEXT TO EACH OTHER TO STILL BE IN THE CITY. VERY MUCH A VERY HOT MARKET. IF WE DON'T DO SOMETHING NOW, WE ARE GOING TO HAVE AN INCREDIBLE INFLUX OF NEW DEVELOPMENT, WHICH IS A GREAT BLESSING AND GREAT OPPORTUNITIES BUT IF WE DO IT WRONG, I HAVE LIVED IN CITIES THAT DID IT WRONG. AND YOU WILL NEVER RECOVER FROM IT IN YOUR LIFETIME. IT'S VERY EXPENSIVE TO UNDO THE MISTAKES OF THE PAST. THIS IS A GREAT CITY. WE HAVE THE OPTION TO LIVE UP TO OUR POTENTIAL. TONIGHT IS A PUBLIC HEARING TO VOTE ON THE POLICIES THAT WILL BE TRANSFORMED INTO -- INTO AN ORDINANCE SEVERAL MONTHS FROM NOW. THERE ARE ABOUT 8 DIFFERENT

PROVISIONS IN THIS PROPOSAL. TWO OF THEM I AGREE STILL NEED SOME MORE CONSENSUS BUILDING, MORE FINE TUNING, THAT PARTICULARLY DEVELOPMENT ORIENTATION NEEDS MORE WORK TOGETHER. I THINK WE ALL AGREE WE ARE VERY CLOSE ON THAT. ALSO THAT ON BUILDING DESIGN I THINK WE ARE THERE. BUILDING DESIGN PROVISION PROMOTES THINGS LIKE GREEN STAR BUILDING, SUSTAINABLE BUILDING, VEGETATIVE ROOTS. ALSO IF YOU ARE BUILDING A NON-BRANDED BUILDING YOU DON'T HAVE TO DO ANYTHING DIFFERENT. WE ARE JUST TRYING TO CREATE A SUSTAINABLE ENVIRONMENT. I DO THINK IT BEHOOVES US TO HAVE A A LITTLE MORE TIME. TAKE MORE TIME ON DEVELOPMENT ORIENTATION AND DESIGN TAKE A COUPLE MORE WEEKS ON THAT. ABOVE ALL AS A COMMUNITY WE SHOULD BE VERY PROUD OF OURSELVES BECAUSE, YOU KNOW, WE HAVE LOOKED AT THE HISTORY OF THE WAY THESE THINGS GO EVERYWHERE. THEY ALWAYS END UP VOTED ON A BIG FIGHT AND WE DID IT DIFFERENTLY. AND WE ARE NOT ALL THE WAY THERE YET. BUT REAL CLOSE AND SO VERY PROUD OF EVERYBODY FOR PARTICIPATING. THANKS VERY MUCH.

THANK YOU, COUNCILMEMBER. FURTHER COMMENTS?  
MAYOR PRO TEM?

Goodman: I THINK I'LL WAIT AND SEE WHAT FOLKS HAVE TO SAY. AND THERE ARE SOME SALIENT POINTS THAT WE NEED TO PUT FORWARD TO REMIND EACH OTHER OF WHAT THIS REALLY IS AND WHAT IT REALLY IS NOT. AND FOR THE MOMENT, I'LL BE OUT OF THE ROOM FOR A SHORT TIME, I'LL BE BY A MONITOR, THOUGH, BECAUSE I WANT TO HEAR WHAT FOLKS HAVE TO SAY.

Mayor Wynn: THANK YOU, MAYOR PRO TEM. AND ACTUALLY BEFORE WE START THE HEARING FROM SPEAKERS, WE HAVE 30 SOME ODD FOLKS WHO WOULD LIKE TO ADDRESS US. I MAY HAVE MISSED THIS EARLIER COUNCILMEMBER MCCracken, BUT IF YOU COULD JUST POINT OUT WHAT IT IS THAT WE WOULD BE DOING TONIGHT. THAT IS WE ARE BOASTED TO PROVIDE DIRECTION TO THE CITY MANAGER -- POSTED TO PROVIDE DIRECTION. THAT IS CRAFT THE ORDINANCE FOR THEM TO BRING BACK, WHICH WE NORMALLY HAVE PUBLIC HEARINGS WITH ORDINANCES AND

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McCracken: MAYOR, THIS IS NOT LIKE THE FINAL WORD OR ANYTHING LIKE THAT. THIS IS TO PROVIDE THE POLICY DIRECTION TO CITY STAFF TO -- TO DRAFT THE ORDINANCE. WE KNOW THAT THE TASK FORCE [INDISCERNIBLE] ON THE EFFORT HAVE BEEN VERY HELPFUL. I THINK IT'S -- IT WILL BE VERY USEFUL IN THE NEXT MONTHS THAT I BELIEVE WHAT WE SHOULD DO, WHAT WE WILL DO IS TO CONTINUE TO HAVE STAKEHOLDER REVIEW AS THESE THINGS GET DRAFTED SO WE HAVE NO SURPRISES SO WE CAN FIX MISTAKES, CATCH THINGS. WE HAVE CAUGHT SO MANY THINGS ABLE TO DO IT BETTER AND DIFFERENTLY. THE PROCESS DOES NOT STOP TONIGHT OR IN TWO WEEKS. BUT THIS IS JUST POLICY. IT'S NOT THE ORDINANCE. SOME FOLKS CAME UP TO ME AND SAID WELL YOU GOT TO THINK ABOUT THESE ISSUES AS YOU ARE DRAFTING THE ORDINANCE. I HOPE THAT FOLKS WILL DO THAT TONIGHT, LIKE IF YOU SAID WELL THE HEAD SHOULD ONLY BE SO HIGH OR ISSUES ABOUT HOW FAR TREES SHOULD BE SPACED. THOSE ARE GREAT ISSUES, DETAILS FOR THE DRAFTING OF THE ACTUAL LANGUAGE OF THE ORDINANCE. I THINK NOW WE ARE GOING TO ACTUALLY RECEIVE THE PRESENTATION ABOUT THE SPECIFICS, MAYOR, STARTING WITH RICHARD WEISS THE CHAIR OF THE DESIGN COMMISSION.

THE THING WE SHOULD -- THE ORDINANCE LANGUAGE, IT'S EASIER TO BE MORE CLEAR IN UNDERSTANDING AND INTERPRETING. SO IT REALLY IS A GOOD THING TO DO FOR -- FOR WHOEVER AND WHATEVER YOU THINK.

Mayor Wynn: WELCOME, MR. WEISS.

MAYOR AND COUNCIL, BEFORE WE REVIEW THE POLICY DOCUMENT, I WOULD LIKE TO TALK ABOUT THE PROCESS THAT INFORMED THESE DESIGN STANDARDS A LITTLE BIT AND THE MAJOR GOALS THAT WE ARE TRYING TO ACHIEVE. AS MAYOR PRO TEM GOODMAN CAN ATTEST TO, THE IDEA OF IMPLEMENTING DESIGN STANDARDS IN AUSTIN HAS BEEN AROUND FOR OVER A DECADE. IN FEBRUARY OF 2004 THE CURRENT COUNCIL PASSED THE RESOLUTION TO PREPARE RECOMMENDATIONS FOR CITY-WIDE DESIGN STANDARDS FOR COMMERCIAL AND RETAIL DEVELOPMENT. OVER THE



NEXT THREE MONTHS, A SERIES OF COMMUNITY MEETINGS AND AN EXTENSIVE WEB SURVEY WHICH WAS RESPONDED TO BY OVER 5,000 PARTICIPANTS HELPED TO ESTABLISH THE GOALS FOR THESE STANDARDS. AND THESE GOALS WERE PRIMARILY TO CREATE PEDESTRIAN FRIENDLY PLACES THAT PROMOTE CONNECTIVITY, SHADE, OPEN SPACES, MIXED USES, SUSTAINABILITY AND FUTURE ADAPTABILITY. THE MEETINGS ALSO HELPED CLARIFY DEVELOPMENT TRENDS THAT HAVE CONTRIBUTED TO THE VISUAL POLLUTION IN OUR CITY, WHICH INCLUDE THE STREETS LINED WITH PARKING LOTS, POLE SIGNS AND BRANDED ARCHITECTURE THAT LESS SENSE THE UNIQUE QUALITY THAT AUSTIN CHERISHES. THE LARGE SCALE COMMUNITY MEETINGS CULMINATED IN A SERIES OF FOCUS GROUPS AND ROBERT GIBBS HELPED FORMULATE A PLAN FOR IMPLEMENTING DESIGN GUIDE LINES HERE IN AUSTIN. THEN A TASK FORCE CONSISTING OF REPRESENTATIVES FROM COUNCIL STAFF, THE DESIGN AND PLANNING COMMISSION, NEIGHBORHOOD REPRESENTATIVES AND THE REAL ESTATE AND DEVELOPMENT COMMUNITIES STARTED THE PROCESS OF FLESHING OUT THESE AMENDMENTS WITH SOME GUIDING PRINCIPLES. PRIMARILY THE GUIDELINES SHOULD [INDISCERNIBLE] TAKING INTO ACCOUNT AUSTIN'S CLIMATE AND CONDITIONS AND THE WAY THE PROJECTS CONTRIBUTE TO THE OVERALL URBAN ENVIRONMENT WHILE TRYING TO MITIGATE SOME OF THE VISUAL POLLUTANTS THAT DEFINE OUR MAIN CORRIDORS. FOR THE PAST NINE MONTHS, THE STAKEHOLDER GROUPS HAVE REVIEWED STAFF PROPOSALS AND WORKED WITH THE COMMUNITY TO TRY TO CLARIFY AND SIMPLIFY THE POLICY DOCUMENT THAT WE HAVE TODAY. WE ALSO TRIED TO ENSURE THAT THE GUIDELINES WOULD NOT HAVE A NEGATIVE IMPACT ON SMALL BUSINESS AND WOULD PROVIDE GREATER FLEXIBILITY OUTSIDE OF THE URBAN CORE, BE EASY TO INTERPRET AND ALLOW FOR ALTERNATIVE MEANS OF COMPLIANCE WHERE WARRANTED. THERE ARE ALSO DEVELOPMENT INCENTIVES FOR BUILDING MIXED USE PROJECTS. THE DESIGN STANDARDS HAVE EVOLVED CONSIDERABLY OVER THE PAST FEW MONTHS AND WHILE WE BELIEVE THAT THIS POLICY DOCUMENT WILL -- WILL HELP TO IMPLEMENT THE COMMUNITY GOALS, THERE ARE STILL SEVERAL TECHNICAL ISSUES THAT NEED

CLARIFICATION, RESOLUTION AND FURTHER TESTING. DURING THE DRAFTING OF THE TECHNICAL LANGUAGE, THESE GUIDELINES WILL CONTINUE TO BE ANALYZED AND TESTED. AND BY CITY STAFF AND THE COMMUNITY AS A WHOLE. TO ENSURE THAT THE CODIFIED AMENDMENTS ACHIEVE ALL OF THE GOALS THAT WE SET OUT TO. NOW WE ARE GOING TO GO THROUGH THE POLICY DOCUMENT AND I WOULD LIKE TO INTRODUCE CHRIS RILEY WHO IS THE CHAIR OF THE PLANNING COMMISSION WHO IS GOING TO TALK ABOUT DEVELOPMENT ORIENTATION, CONNECTIVITY AND PARKING. THREE OF THE PRIMARY GOALS MUCH THE DESIGN STANDARDS.

WELCOME,.

MY ANYMORE NAME IS CHRIS RILEY, CHAIR OF THE CITY'S PLANNING COMMISSION. AS RICHARD MENTIONED THESE STANDARDS HAVE EVOLVED A BIT OVER THE PAST FEW MONTHS AS WE HAVE TRIED TO WORK THROUGH HOW THEY WOULD APPLY IN VARIOUS SITUATIONS, TALK THROUGH SOME PROBLEMS WITH A NUMBER OF STAKEHOLDER, THE RESULT OF THAT WORK IS A PACKAGE THAT REMAINS FAITHFUL TO THE PIPS PRINCIPLES THAT WE HAVE TALKED ABOUT SINCE THE BEGINNING, BUT ALLOWS A GOOD DEAL OF NEXTIBILITY. YOU WILL SEE THAT FLEXIBILITY THROUGHOUT THE STANDARDS. STARTING WITH DEVELOPMENT ORIENTATION. I'M GOING TO START ON PAGE 9 OF THE CURRENT DRAFT WITH DEVELOPMENT AND ORIENTATION 1, DO 1, DEFINITIONS. THE BASIC CONCEPT HERE THE MAIN DEVELOPMENT ORIENTATION RULES APPLY WITH STRICTEST FORCE IN AN URBAN CORE AND ON SOME TRANSIT ROADWAYS THAT EXTEND OUT FROM THAT URBAN CORE. THAT'S WHY THE ROADWAYS THAT WE'RE TALKING ABOUT ARE REFERRED TO AND URBAN AN TRANSIT ROADWAYS. THAT'S WHERE DEVELOPMENT AND ORIENTATION IS REALLY APPLIED THE MOST SERIOUSLY. IN PARTICULAR, YOU WILL SEE THE CHART OVER ON PAGE 10, ON AN URBAN AND TRANSIT ROADWAY THERE IS 15-FOOT MAXIMUM FRONT SETBACK. IN OTHER WORDS GENERALLY BUILDINGS WILL BE EXPECTED TO MOVE UP TO THE STREET. TO BE SITUATED AT THE STREET. THAT'S NOT IN EVERY CASE, THERE ARE EXCEPTIONS TO THAT WHICH WE ADDRESS STARTING WITH DO 2, DEVELOPMENT AND

ORIENTATION ON URBAN AND TRANSIT ROADWAYS. THERE ARE SPECIAL PROVISIONS ADDRESSING HOW YOU DEAL WITH SITES THAT ARE SHALLOWER THAN 200 FEET AND SITES THAT ARE DEEPER THAN 200 FEET ON SITES THAT ARE SHALLOWER THAN 200 FEET THE PARKING CAN BE IN FRONT OF THE BUILDING. AT LEAST 30% OF THE STREET FRONTAGE IS A CONTINUOUS BUILDING FACADE, THERE'S A ROW OF SHADE TREES BETWEEN THE CURB AND PARKING AREA AND THREE OF FOUR OPTIONS ARE MET, SIDEWALK AT LEAST SIX FEET WIDE, OPEN SPACE IN THE FRONT, PARKING AREA DOESN'T EXCEED 75 FEET OR THE PARKING AREA COMPRISES LESS THAN 30% OF THE FRONT STREET AREA. THE IDEA IS TO PROVIDE A MENU OF OPTIONS. INSTEAD OF DICTATING EXACTLY HOW THE CONCERNS WILL BE ADDRESSED, YOU PROVIDE A MENU OF OPTIONS AND ALLOW THE DEVELOPER TO CHOOSE FROM THOSE OPTIONS JUST BASED ON WHAT THE DEVELOPER FEELS IS MOST APPROPRIATE FOR THAT SITE. ON SITES 200 FEET OR DEEPER, SINCE THOSE ARE A LITTLE -- A LITTLE BIT MORE ROOM TO WORK WITH, THE STANDARD EXPECTATIONS ARE A LITTLE HIGHER ON THAT SITE. ON THAT KIND OF SITE. IF YOU DON'T HAVE YOUR BUILDING RIGHT UP AT THE FRONT OF THE STREET, THEN THE REQUIREMENT WOULD BE THAT 50% OF STREET FRONTAGE WOULD NEED TO CONSIST OF A BUILDING FACADE OR 25% OF A DURABLE MIXED USE BUILDING LOCATED WITHIN 15 FEET OF THE PROPERTY LINE. THERE WOULD NEED TO BE A ROW OF SHADE TREES BETWEEN THE CURB AND PARKING AREA, AGAIN A SIMILAR MENU OF OPTIONS FROM WHICH THE DEVELOPER WOULD BE EXPECTED TO CHOOSE THREE. LASTLY, UNDER D02, ON THOSE URBAN AND TRANSIT ROADWAYS, THERE ARE SPECIAL PROVISIONS ADDRESSING BUILDINGS ON CORNERS, SINCE THOSE ARE CONSIDERED ESPECIALLY IMPORTANT. SHOULDN'T HAVE A PARKING AREA BETWEEN THE BUILDING AND THE PROPERTY LINE AND THEN A -- AGAIN REALLY A DEVELOPMENT ON A CORNER SHOULDN'T CONTAIN AN AUTO ORIENTED USE EXCEPT FOR A DRIVE THROUGH AISLES LOCATED BEHIND THE STORE. THOSE ARE ALL REQUIREMENTS JUST ON THE URBAN AND TRANSIT ROADWAYS. THE NEXT PROVISION DEALS WITH DEVELOPMENT ORIENTATION ON LOCAL ROADWAYS, THESE WOULD BE ANY ROADWAYS OUTSIDE THE URBAN CORE

THAT ARE NOT LOCATED ON THOSE MAIN TRANSIT ART  
ARTERIALS. THE RAPID BUS TRANSIT LINES. IN THOSE AREAS  
YOU ARE NOT REQUIRED TO HAVE YOUR BUILDING UP TO  
THE STREET. ALTHOUGH IT IS ENCOURAGED. GENERALLY  
YOUR PARKING ALONG THE STREET FRONTAGE HAS TO  
HAVE A ROW OF SHADE TREES BETWEEN THE CURB AND  
THE PARKING AREA, THERE WOULD NEED TO BE A SHADED  
SIDEWALK, THERE ARE AGAIN SPECIAL PROVISIONS ABOUT  
SITES ON THE CORNER AND ALSO AUTO ORIENTED USES.  
FINALLY DEALING WITH THE OTHER TYPE OF ROADWAY,  
THAT WE ARE CREATING, WITH THESE DESIGN GUIDELINES,  
THE INTERNAL CIRCULATION ROUTES. THIS WOULD BE A  
TYPE OF ROADWAY ON THE VERY LARGE SITE WHEN YOU  
HAVE MULTIPLE BUILDINGS AND YOU HAVE ROADWAYS  
CONNECTING THEM, KIND OF AS YOU SEE IN THIS SLIDE  
HERE. NOT PUBLIC STREETS, THEY ARE INTERNAL  
CIRCULATION ROUTES WITHIN A LARGE DEVELOPMENT AND  
ALONG THOSE INTERNAL CIRCULATION ROUTES PARKING  
WOULD BE PROHIBITED BETWEEN THE BUILDING ENTRANCE  
AND THE CURB EDGE OF THE INTERNAL CIRCULATION  
ROUTE AND GENERALLY THAT -- THAT THE SIDEWALK  
WOULD BE EXPECTED ADJACENT TO THE BUILDING LEADING  
TO THE ENTRANCE. THEN ALSO PARALLEL PARKING WOULD  
BE ALLOWED ON AN INTERNAL ISSUE CONSOLIDATION  
DRIVE. IT WOULD LOOK LIKE A REGULAR STREET. WITH THE  
SIDEWALK. EVEN THOUGH IT'S AN INTERNAL CIRCULATION  
DRIVE. DO 5 DISCUSSIONS ORIENTING THE BUILDING TO THE  
ROADWAY TYPE OF HIERARCHY, THIS DEALS MAINLY WITH  
THE BUILDING ENTRANCE GENERALLY THE EXPECTATION IS  
THAT YOUR BUILDING ENTRANCE IS GOING TO BE ON  
TRANSIT ROADWAY. IF THAT'S NOT THE CASE SPECIAL  
PROVISIONS UNDER PARAGRAPH B WHAT YOU NEED TO DO  
IF YOU REALLY DON'T WANT TO PUT YOUR ENTRANCE ON  
THE TRANSIT ROADWAY. DO 6, PART OF THE SAME  
FLEXIBILITY I MENTIONED BEFORE. THERE ARE SITUATIONS,  
WE KEPT COMING UP WITH ADDITIONAL SITUATIONS IN  
WHICH IT COULD BE A PROBLEM TO HAVE YOUR BUILDING AT  
THE FRONT. FOR INSTANCE IF THERE'S A PROTECTED TREE  
UP THERE, SIGNIFICANT STANDARD TREE, CRITICAL  
ENVIRONMENT FEATURE, NATURAL DRAINAGE FEATURE OR  
MAYBE YOU HAVE TO PUT YOUR STORM WATER DETENTION  
FACILITY IN THE FRONT BECAUSE OF TOPOGRAPHIC ISSUES,

OR MAYBE YOU ARE ON THE WATERFRONT AND YOU WANT YOUR BUILDING TO BE BACK THERE NEXT TO THE WATER. IN ANY OF THOSE SITUATIONS THE DO 6 ALLOWS FOR AN EXCEPTION TO THE GENERAL REQUIREMENT ABOUT THE MOVING YOUR BUILDING UP TO THE STREET. THE NEXT CATEGORY OF REQUIREMENTS IS REFERRED TO AS CONNECTIVITY. THIS IS JUST A SIMPLE CONCEPT OF MAKING IT EASIER FOR PEOPLE TO GET AROUND, ESPECIALLY BY -- BY BICYCLE OR ON FOOT. C 1 DISCUSSES THE STREET-LIKE INTERNAL CIRCULATION SYSTEM THAT I MENTIONED BEFORE. GENERALLY INSTEAD OF HAVING AN OCEAN OF ASPHALT SURROUNDING A BUILDING IN THE CENTER, WE WOULD EXPECT TO SEE SOMETHING MORE OR LESS RESEMBLING AN URBAN GRID. WHERE EVEN IF YOU DON'T HAVE BUILDINGS NOW, YOU CAN CONSTRUCT YOUR -- YOU LAY OUT THE STREETS IN SUCH A WAY THAT EVENTUALLY BUILDINGS COULD GO THERE AND YOU COULD DENSIFY OVER TIME IN A WAY THAT IS APPROPRIATE FOR AN URBAN AREA. THIS APPLIES TO ALL ZONING DISTRICTS ON URBAN TRANSIT ROADWAYS. ANDMENTS FOR CERTAIN TYPES OF DISTRICTS ON -- ON OTHER TYPES OF ROADWAYS. THERE ARE MAXIMUM BLOCK LENGTH SET OUT THERE ON PAGE 18. AND SPECIAL PROVISIONS ADDRESSING THE DRINKING WATER PROTECTION ZONE, THE CORPORATE CAMPUS AND DEVELOPMENT IN THE DESIRED DEVELOPMENT ZONE. GENERALLY BLOCKS -- THE EXPECTATION IS IN MOST CASES BLOCKS ARE GOING TO BE NO BIGGER THAN 660 FEET. WHICH IS A SIGNIFICANT CURTAILMENT FROM THE CURRENT ALLOWANCE OF 2,000-FOOT BLOCKS. THIS GENERALLY IS GOING TO MAKE THE AREAS MOR WALKABLE. JUST GOING TO BE EASIER TO GET FROM ONE PLACE TO ANOTHER ON FOOT OR ON BIKE. C 2 ADDRESSES, OFFERS A NUMBER OF WAYS TO ADDRESS CONNECTIVITY ISSUES WHEN THE BUILDING IS SET BACK FROM THE STREET. AS COUNCILMEMBER MCCRACKEN INDICATED, WE ARE FOR THE EXPECTING THAT BUILDINGS ALWAYS -- NOT EXPECTING THAT BUILDINGS ALWAYS BE MOVED UP, BUT WHEN WE DO THAT, YOU HAVE CERTAIN EXPECTATIONS ABOUT WHAT YOU OUGHT TO DO IN ORDER TO OFFSET THE NEGATIVE IMPACT OF HAVING YOUR BUILDINGS SET BACK FROM THE STREET. THERE'S A -- THERE'S A -- WE WORKED VERY HARD TO COME UP WITH A LONG LIST OF OPTIONS SO THAT DEVELOPERS

COULD HAVE A LOT OF FLEXIBILITY IN TERMS OF MEETING THESE CONCERNS. FOR CONNECTIVITY. THERE ARE OPTIONS LIKE PROVIDING VEHICULAR AND PEDESTRIAN CONNECTIONS BETWEEN SITES, PROVIDING A SHADED SIDEWALK ALONG THE BUILDING FACADE, PROVIDING SHADED SIDEWALK WITHIN THE SITE 12 BUILDINGS, PROVIDING BIKE PAD CONNECTIONS FROM THE ADJACENT RIGHT-OF-WAY AND SO. A LONG LIST OF 12 THINGS ALL RELATED TO CONNECTIVITY. GENERALLY ON A SITE THAT'S LARGER THAN THREE NET DEVELOPABLE ACRES, THE DEVELOPER WOULD BE EXPECTED TO PICK AT LEAST FIVE OF THOSE OPTIONS. [ONE MOMENT PLEASE FOR CHANGE IN CAPTIONERS]

DIRECTOR OF PLANNING AND ZONING IS ALSO EXPECTED TO PREPARE A PLAN TO COST OF BUILDING SIDEWALKS IN THE ZONE AND STREET TREES AND BURYING UTILITY LINES ALONG THE TRANSIT ROADWAYS, AGAIN, DOING EVERYTHING TO MAKE THE TRANSIT ROADWAYS MORE HOSPITAL SPITABLE TO PEDESTRIANS AND BICYCLES. THE LAST THING, THE PARKING IS ACTUALLY NOTABLE FOR THE FACT THAT WHAT IT DOES IS LESSENS -- IT ACTUALLY EASES CURRENT REQUIREMENTS. I KNOW THERE ARE A LOT OF CONCERNS ABOUT THE IMPACT THAT THESE STANDARDS ARE GOING TO HAVE ON SMALL BUSINESSES. THIS SECTION ACTUALLY WILL MAKE IT SIGNIFICANTLY EASIER FOR BUSINESSES, AND PARTICULARLY SMALL BUSINESSES TO LOCATE IN AUSTIN. THE FIRST ONE ALLOWS REACTION OF MINIMUM PARKING REQUIREMENTS. THE MINIMUM OFF STREET PARKING REQUIREMENT IS REDUCED BY ALL THESE VARIOUS THINGS, BY ONE SPACE FOR EACH SPACE LOCATED IN RIGHT-OF-WAY ADJACENT TO THE SITE. BY 40% FOR ALL VERTICAL APPEARED MIXED USE BUILDINGS. BY UP TO 10% PRESERVED SIGNIFICANT TREES. UP TO 20% TO PRESERVE PROTECTED TREES. AND THEN THREE SPACES FOR EACH DRIVE THAT CONNECTS TO A DRIVE ON ADJACENT PROPERTY. AND THEN THE NEXT PAGE, 20 SPACES FOR EVERY CAR SHARING AND ONE SPACE FOR EACH SHOWER FACILITY AND THREE LOCKERS PROVIDED. AGAIN, ALL OF THESE THINGS, IT MAKES SENSE TO REDUCE YOUR PARKING REQUIREMENTS IF YOU'RE DOING THESE THINGS TO MAKE IT EASIER FOR PEOPLE TO ACCESS YOUR

SITE BY MEANS OTHER THAN YOUR CAR. AND SECONDLY, ALLOW PARKING TO BE CONSTRUCTED IN THE PUBLIC RIGHT-OF-WAY. WE'VE HEARD AGAIN AND AGAIN OUT NON-STREET PARKING IS TO STREET LEVEL BUSINESSES, ESPECIALLY SMALL BUSINESSES REALLY NEED TO HAVE THAT SCUCIAL ACCESS RIGHT IN FRONT OF THE BUILDING. SO P 2 2 WOULD CREATE A PRESUMPTION THAT ON STREET PARKING WOULD BE ALLOWED IN FRONT OF THE BUILDING. GENERALLY THE DIRECTOR CAN'T DESIGNATE MORE THAN 20% OF THE FRONTAGE OF ANY TRANSIT ROADWAY IN THIS ENTITLEMENT. SO THE IDEA IS JUST TO MAKE IT EASIER FOR SMALL BUSINESSES TO MEET THEIR NEEDS TO HAVE CONVENIENT ACCESS FOR CARS AS WELL AS BICYCLES AND PEDESTRIANS. WITH THAT I'M GOING TO TURN IT OVER TO GEORGE ADAMS TO ADDRESS THE NEXT FEW CATEGORIES. I SURE APPRECIATE YOU TAKING THE TIME ON THIS AND ALL THE EFFORT THAT'S BEEN GOING INTO IT.

Mayor Wynn: THANK YOU, MR. RILEY. WELCOME, GEORGE.

THANK YOU, MAYOR, COUNCILMEMBERS. MY NAME IS GEORGE ADAMS. I'M WITH THE NEIGHBORHOOD PLANNING AND ZONING DEPARTMENT. AND I AM ONE OF NUMEROUS STAFF MEMBERS WHO HAVE WORKED WITH THE TASKFORCE ON THIS PROPOSAL. THE FIRST TOPIC THAT I'LL BE COVERING IS THE LANDSCAPING SECTION. THIS SECTION DOES A COUPLE OF THINGS. FIRST OF ALL, IT IDENTIFIES A SERIES OF NEW CITY-WIDE -- NEW REQUIREMENTS THAT WOULD APPLY CITYWIDE. THESE ARE GENERALLY AIMED AT INCREASED PRESERVATION OF EXISTING TREES AND ENCOURAGING GREATER TREE COVERAGE IN PARKING AREAS TO HELP RUSSIAN THE HEAT EYE -- TO HELP REDUCE THE HEAT ISLAND EFFECT. BEYOND THAT THE GOAL OF THE LANDSCAPE SECTION IS TO TAYLOR THE LANDSCAPE REQUIREMENTS TO THE ROADWAY TYPES THAT CHRIS RILEY MENTIONED BECAUSE WE'RE TRYING TO CREATE A DIFFERENT ENVIRONMENT BASED ON THE ROADWAY TYPES, AND IT MAKES SENSE TO TAILOR THE LANDSCAPING REQUIREMENTS TO THAT. FOR EXAMPLE, IN THE URBAN TRANSIT AND NEIGHBORHOOD ROADWAYS, THE FOCUS IS ON CREATING SHADE ALONG STREETS AND PEDESTRIAN PATHS, ALONG HIGHWAYS. THE FOCUS -- ON HIGHWAYS THE FOCUS IS ON HIGHWAYS AND BETWEEN THE BUFFER AREA.

AND ALONG THE HILL COUNTRY ROADWAYS THERE'S REALLY MINIMAL CHANGES TO THE EXISTING REQUIREMENTS. THE NEXT SECTION I'M COVERING IS THE LAND USE SECTION, AND THIS IS ON PAGE 28, BEGINNING ON PAGE 28 OF THE DOCUMENT. THERE'S A NUMBER OF PROVISIONS IN HERE, THE FIRST OF WHICH IS THAT A DRIVE-IN USE THAT DOES NOT PROVIDE WALK-IN SERVICE WOULD BE REQUIRED TO PROVIDE SAFE AND CONVENIENT ACCESS FOR PEDESTRIANS. IT DEFINES STANDARDS TO IMPROVE THE APPEARANCE OF SERVICE STATIONS, INCLUDING SCREENING REQUIREMENTS FOR SERVICE STATIONS AND A LIMITATION ON THE MAXIMUM NUMBER OF PUMPS THAT CAN BE PROVIDED IN A SERVICE STATION. IT ALSO DEFINES OPEN SPACE REQUIREMENTS FOR LARGER SITES. WHERE THE STANDARD IS CURRENTLY IS AT -- FOR A SITE THAT HAS FIVE ACRES OF NET DEVELOPABLE AREA OR GREATER, TWO PERCENT OF THE SITE WOULD NEED TO BE IN SOME FORM OF OPEN SPACE. AND IT COULD BE IN URBAN FORM, SOMETHING LIKE A PLAZA OR A SQUARE OR IT COULD BE A NATURAL AREA THAT'S BEEN PRESERVED OR CREATED AS PART OF THE PROJECT. SO LAND USE SECTION ALSO DEFENDS STANDARDS AND INCENTIVES FOR VERTICAL MIXED USE. THE EXTERIOR LIGHTING SECTION IS ON PAGE 31. CURRENTLY THE CITY'S REQUIREMENTS FOR LIGHTING ARE FAIRLY MINIMAL. REALLY THE ONLY TIME THAT WE HAVE ANY STANDARDS IS WHEN THE COMPATIBILITY STANDARDS APPLY TO A PROJECT. WE DO HAVE SOME SOME SHIELDING REQUIREMENTS IN THAT CASE. IN THE CASE OF THE COMMERCIAL DESIGN STANDARDS, IT WOULD REQUIRE FULLY SHIELDED AND FULL CUTOFF FIXTURES THROUGHOUT THE CITY. AND THIS WOULD GREATLY REDUCE THE LIGHT POLLUTION WITHIN THE CITY THAT CONTAINED OUTSIDE LIGHT ON THE SITE AND PREVENT IT LEAKING OVER INTO ADJACENT RESIDENTIAL OR COMMERCIAL PROPERTIES. THE SIGNAGE SECTION BEGINS ON PAGE 33. THE FIRST THING THAT IS ESTABLISHED IN THE SIGN SECTION IS A SET OF NEW DEFINITIONS THAT -- FOR SIGNAGE THAT IS COMPATIBLE WITH THE ROADWAY TYPES, SO, FOR EXAMPLE, AUSTINING SIGNS ARE DEFINED FOR THE FIRST TIME, HANGING SIGNS. ANOTHER MAJOR PROVISION OF THE SIGNAGE SECTION IS TO PROHIBIT NEW POLE SIGNS ON THE URBAN AND TRANSIT ROADWAYS. THEY WOULD STILL BE



PERMITTED ON HIGHWAYS. AND ALONG THOSE LINES, EXISTING POLE SIGNS WOULD BECOME NONCONFORMING, AND -- EXISTING POLE SIGNS ALONG ROADWAYS WOULD BECOME NONCONFORMING. AND IF A NEW PERMIT WERE REQUESTED TO REPLACE ANY PORTION OF THAT SIGN, IT WOULD NEED TO BE REPLACED WITH A MONUMENT SIGN. FINALLY UNDER THE SIGNAGE SECTION THERE ARE LIMITATIONS ON PROTO TYPICAL BUILDING FEATURES. THE GOAL IS TO IN A SITUATION WHERE YOU HAVE TRADEMARKED OR PROPERTY TOW TYPICAL -- PROTO TYPICAL FEATURES. THE FINAL TWO SECTIONS THAT I WILL BE COVERING ARE THE SCREENING AND CAPABILITY, WHICH IS ON PAGE 39, AND THIS IS BASICALLY ESTABLISHING FOR DUMPSTERS AND UTILITIES. AND ONCE AGAIN PROVIDES A MENU OF OPTIONS THAT CAN BE CHOSEN IN ORDER TO ACHIEVE THAT. THEN FINALLY, THE STORM WATER MANAGEMENT SECTION, WHICH IS BASICALLY DEALING WITH THE APPEARANCE OF STORM WATER PONDS, TRYING TO -- WITHIN 50 FEET OF PUBLIC RIGHT-OF-WAYS TO MAKE SURE THAT OUR PONDS ARE -- HAVE A BETTER APPEARANCE BY REQUIRING GENERALLY FACING IN STONE AND A DECORATIVE FENCING AS OPPOSED TO JUST A CHAIN-LINK FENCE. WITH THAT I'LL TURN IT BACK OVER TO RICHARD WEISS.

THANK YOU. THE FINAL SECTION OF THIS POLICY DOCUMENT IS THE BUILDING DESIGN STANDARDS. AND THESE WERE SET UP TO TRY AND STRENGTHEN AUSTIN'S CHARACTER, BUT NOT DICTATE A LOOK FOR AUSTIN OR MANDATED USE OF MATERIALS. IT WAS REALLY SET UP TO TRY AND HELP BUILDINGS FUNCTION BETTER WITHIN AUSTIN'S CLIMATE. THE FIRST SECTION IS BD 1, WHICH IS PEDESTRIAN FROJZ. AND THE IDEA HERE IS TO ADDRESS THE PUBLIC FACE OF THE BUILDING TO ADD INTEREST AND TO ALSO ADD ITEMS TO HELP MITIGATE AUSTIN'S CLIMATE. THIS IS BROKEN UP INTO THREE SECTIONS, WHICH IS GLAZING ON BUILDING FACADES. THE IDEA BEHIND THIS -- WHILE THE PERCENTAGES STILL NEED TO BE WORKED OUT, THE IDEA IS THAT GLAZING PROVIDES INTEREST FOR THE PEDESTRIAN AND IT CONNECTS THE BUILDING'S EXTERIOR AND INTERIOR. SO A CERTAIN PERCENTAGE OF THE BUILDING FACADE THAT FACES THE STREET OR IS UP AGAINST THE STREET OR IS

VISIBLE TO THE PUBLIC WOULD HAVE TO HAVE FWLAIZING. ADDITIONALLY, ITEM B, BUILDING ENTRANCES THAT BUILDINGS -- LARGE BUILDINGS WOULD BE REQUIRED TO HAVE BUILDING ENTRANCES WHICH WOULD PROMOTE PEDESTRIAN ACTIVITY EVERY X NUMBER OF FEET. AND THEN FINALLY, SHADE AND SHELTER. THAT BUILDINGS ALONG THE PEDESTRIAN FRONTAGES WOULD BE REQUIRED TO HAVE -- PROVIDE SHADE AND SHELTER IN ORDER TO CONNECT TO THE PRIMARY ENTRANCES AND ALSO TO THE REST OF THE URBAN ENVIRONMENT. THIS ITEM IN PARTICULAR CAN BE HANDLED WITH EITHER PROVIDING AUSTININGS OR IT -- AWNINGS OR IT CAN BE HANDLED WITH LANDSCAPING REQUIREMENTS. THE DEVELOPER WOULD JUST HAVE TO SHOW HOW HE'S COMPLYING WITH THIS SECTION. BD 2 IS AIMED AT WAIVING THE ANNUAL LICENSE FEE FOR PEDESTRIAN COVER AND TREES IN RIGHT-OF-WAY. I KNOW IN A FORMER LIFE THE MAYOR HAD THIS ISSUE WITH PROVIDING A CANOPY OVER -- IN THE RIGHT-OF-WAY, WHICH IS SOMETHING THAT THE CITY WANTS, BUT IT'S A DIFFICULT PROCESS, SO THE IDEA WOULD BE TO LESSEN THE DIFFICULTY OF THE PROCESS AND WAIVE THE LICENSE FEES. UNDER BD 3, ONGSS TO IMPROVE BUILDING DESIGN, THIS IS THE SECTION THAT'S REALLY AIMED AT TRYING TO DEAL WITH BRANDED ARCHITECTURE, AND THIS SECTION DOES NOT APPLY TO BUILDINGS LESS THAN 10,000 SQUARE FEET UNLESS THEY ARE BRANDED BUILDINGS. AND A TYPICAL BUILDING WOULD ONLY HAVE TO COMPLY WITH ONE POINT OUT OF THIS MATRIX OF OPTIONS. AND THEN AS YOUR BUILDING MASSES DISCOURAGE DESIGN FEATURES, WHICH ARE ESSENTIALLY THE FEATURES WHICH CREATE BRANDED TECH TUR, THEY WOULD HAVE TO AMASS MORE POINTS ON THE MATRIX, WHICH INCLUDES SUSTAINABILITY OPTIONS SUCH AS PROVIDING GREEN BUILDING RATING, PROVIDING A SUSTAINABLE ROOF, INTEGRATING SOLAR POWER, AND THEN ALSO BUILDING DESIGN OPTIONS, INCLUDING FACADE ARTICULATION, EMPHASIZING PRIMARY ENTRANCES, ROOF DESIGNS AND USING HIGHER QUALITY BUILDING MATERIALS. THE FINAL SECTION OF BD 4, WHICH JUST ADDRESSES DRIVE-IN SERVICES AND PAD BUILDINGS ON LARGER SITES, AND THIS IS AIMED AT DEALING WITH THE MCDONALD'S SYNDROME, HAVING BUILDINGS THAT ARE PART OF A LARGER COMPLEX, BUT ARE BRANDED

STRUCTURES THAT CAN BE FOUND ANYWHERE. AND IT BASICALLY DISCOURAGES THAT BY SAYING THAT IF YOU'RE PART OF A LARGER COMPLEX THAT YOU WOULD NEED TO INTEGRATE EITHER THE MATERIALS OF THAT COMPLEX INTO YOUR BUILDING OR ABANDON THE PROTO TYPICAL DESIGN. AND THAT COVERS THE POLICY DOCUMENT. THANK YOU.

Mayor Wynn: THANK YOU, MR. WEISS.

I DON'T KNOW IF WE'RE OPEN UP TO QUESTIONS OR -- OKAY, GREAT. THANK YOU.

Mayor Wynn: BEAR WITH ME HERE. WE HAVE 30 FOLKS WISHING TO SPEAK. AND A NUMBER OF FOLKS IS UP NOT -- SIGNED UP NOT WISHING TO SPEAK. OUR FIRST SPEAKER SIGNED UP IS MARY DOSIER. WELCOME. IS SIS MEYERS STILL HERE? HELLO. HOW ABOUT JANIS CARTWRIGHT. HELLO. AND DIRK DOSIER? IS DIRK HERE? OKAY. SO ALL THREE OF THOSE FOLKS ARE PREPARED TO DONATE THEIR MINUTES TO YOU, MAYOR, SO YOU WILL HAVE 12 MINUTES IF YOU NEED IT.

THANK YOU, MAYOR WYNN, MEMBERS OF THE CITY COUNCIL AND OUR CITY MANAGER AND STAFF. THANK YOU FOR THIS OPPORTUNITY TO VISIT WITH YOU ABOUT THE PROPOSED COMMERCIAL DESIGN STANDARDS. WE'VE BEEN WORKING WITH COUNCILMEMBER MCCrackEN TO ADDRESS THESE ISSUES THAT SERIOUSLY AFFECT OUR BUSINESS. MY PURPOSE HERE IS TO MAKE THE CASE THAT WE ARE A UNIQUE FAMILY-OWNED AUSTIN BUSINESS, WHICH HAPPENS TO BE THE BENEFIT FROM THE TOOLS THAT WERE GIVEN TO US BY NATIONAL FRANCHISE AGREEMENTS. I WANT TO SHARE WITH YOU OUR STORY. I AM MARY ANNE DOSIER, FOUNDER WITH MY DECEASED HUSBAND, AND OWNER OF AUSTACO, DOING BUSINESS AS TACO BELL. WE ARE A FAMILY BUSINESS. MY SON DIRK, WHO STARTED MAKING TACOS WHEN HE WAS 12, AND I WON'T DIVULGE HIS AGE BECAUSE THEN YOU CAN FIGURE OUT HOW OLD I AM. DIRK IS PRESIDENT, CEO AND CO-OWNER OF TACO BELL WITH ME. DICK WAS A BASKETBALL COACH. 38 YEARS AGO ONE OF HIS FIRST ALL-AMERICAN BASKETBALL PLAYERS CALLED AND SAID, WE WANT YOU TO COME AND SEE THIS FRANCHISE. WE FLEW TO DOWNY CALIFORNIA, MET WITH THE OWNER OF

TACO BELL AND ENTREPRENEUR. WE LOOKED AT THE FRANCHISE, WE TOOK ALL OF OUR SAVINGS, WE MORTGAGED EVERYTHING WE HAD, AND WE BOUGHT THIS FRANCHISE. I WAS A MOM AND A SUBSTITUTE SCHOOL TEACHER. WE BROUGHT OUR LIFE AND OUR FAMILY TO AUSTIN, TEXAS. WE BUILT OUR FIRST STORE ON BURNET ROAD AND EXPANDED TO BEN WHITE. WE COULD HAVE STAYED A VERY SMALL BUSINESS WITH TWO UNITS; HOWEVER, WE HAD GREAT EMPLOYEES AND WE TOOK PRIDE IN THEIR DEVELOPMENT. IF WE COULD JUST GO BORROW ENOUGH MONEY, WE THEN COULD GIVE THEM THE OPPORTUNITY WE WANTED THEM TO HAVE. CURRENTLY WE HAVE 1400 EMPLOYEES, AND OF THOSE, 372 HAVE BEEN EMPLOYED FOR MORE THAN THREE YEARS. YOU SEE, THAT'S WHAT COACHES AND MOTHERS DO. WE DEVELOP AND WE NURTURE OUR FAMILIES, WHICH IN THIS CASE IS OUR EMPLOYEES. FOR US TO BECOME BUSINESS PEOPLE, WE NEEDED THE TOOLS FROM THE FRANCHISE. WE COULD BUILD TEAMS AND WE COULD ENHANCE PEOPLE, BUT WE NEEDED TACO BELL CORPORATION AND THE FRANCHISE CONCEPT PROVIDED. THESE WERE THE GUIDELINES WE MOVED IN, FOOD SERVICE, FOOD SAFETY, BUILDINGS, PUBLIC RELATION CAMPAIGNS, HUMAN RESOURCES, MARKETING, RESEARCH AND DEVELOPMENT. IN OTHER WORDS -- AND I KNOW THAT COUNCILMEMBER MCCRACKEN UNDERSTANDS THIS -- IT'S A PARTNERSHIP. SO THAT WE CAN LEVERAGE OUR RESOURCES AND PROVIDE FOR OUR 40,000 DAILY CUSTOMERS A QUALITY PRODUCT WITH A MOST REASONABLE PRICE FROM A TRUSTED FRANCHISEE. OUR COMPANY MOTTO IS HERE TO SERVE. WE SERVE ON BOTH SIDES OF THE COUNTER. WE TAKE CARE OF OUR CUSTOMER. WE SERVE OUR CUSTOMER WHAT THE BRAND PROMISES, HOSPITALITY, CLEANLINESS, QUALITY AND SERVICE. OUR EMPLOYEES ARE OUR PASSION. THERE'S ANOTHER SIDE OF THE COUNTER WHICH IS SERVING OUR COMMUNITY. WE ENHANCE THE CITY BY THESE FINANCIAL CONTRIBUTIONS. THIS MONEY GOES TO PROVIDE AND IMPROVE SERVICES NOT ONLY FOR OUR EMPLOYEES, BUT FOR THE ENTIRE COMMUNITY. WE ARE PROUD THAT WE WORK WITH ANY BABY CAN, LEUKEMIA AND LIMB FOAM I CAN'T SOCIETY, AUSTIN ADOPT A SCHOOL, JAMES UNINSTEAD AWARD FOR EXCELLENCE IN EDUCATION,

EDUCATION IN HOW TO KEEP KIDS IN SCHOOL, ENGLISH AS A SECOND LANGUAGE, PRENATAL, POST NATAL CARE, LOCAL CHURCHES, SCHOOLS AND SEVERAL UNIVERSITIES, BOY BOY SCOUTS AND PRISON MINISTRY. AS A RESULT, OUR INTEGRATED AND COMPREHENSIVE COMMUNITY INVOLVEMENT, WE WERE RECOGNIZED BY GLEN BELL AS THE OUTSTANDING GRAN CHIEZ IN THE UNITED STATES -- FRANCHISE IN THE UNITED STATES. THIS IS THE MOST PRESTIGIOUS AWARD THAT TACO BELL GIVES BECAUSE IT EMBODIES WHAT WE DO FOR OUR PEOPLE, FOR OUR BUSINESS, AND FOR OUR COMMUNITY. LET'S WORK TOGETHER, NOT TO ADD COST TO OUR BUSINESS. IT'S THE -- IT IS THE ADDED COST AND POTENTIAL LOSS OF IDENTITY THAT CAUSES US TO FOCUS ON THE DESIGN SECTION OF THE PROPOSED POLICY AS IT APPLIES TO NEW FRANCHISE STRUCTURE. THESE ARE THE ELEMENTS IN THE CURRENT DRAFT THAT WOULD VIOLATE OUR FRANCHISE AGREEMENT AND SERIOUSLY DAMAGE OUR BUSINESS VOLUME. SO WHAT WE ARE ASKING IS THE ABILITY TO WORK WITH THE DESIGN ORDINANCE BECAUSE WE LOVE AUSTIN. WE WANT AUSTIN TO BE BEAUTIFUL. AND WE WANT TO CONTINUE TO DEVELOP OUR BUSINESS AND OUR EMPLOYEES IN AUSTIN. BUT WE NEED TO KEEP OUR BRAND NAME AND THE ELEMENTS OF OUR BRAND ON THE BUILDING TO IDENTIFY TO OUR CUSTOMERS, WHO WE ARE AND WHERE WE ARE. WE WOULD BE HAPPY TO ASSIST AND SUPPORT ANY STUDY THAT WOULD EVALUATE THE ECONOMIC HARDSHIPS. WE BOUGHT THIS LAND TO DEVELOP A SUCCESSFUL BUSINESS. PLEASE DON'T TAKE THE IDENTITY THAT WE HAVE WORKED TO ACHIEVE FOR THE PAST 36 YEARS. THANK YOU. THANK YOU. THE NEXT SPEAKER WILL BE DALLAS KELLY. WELCOME, DALLAS. LET'S SEE, IS REBECCA BRAY HERE? JANIS, YOU'VE ALREADY GIVEN UP YOUR TIME, SO DALLAS, YOU WILL ONLY HAVE THREE MINUTES. YOU WILL BE FOLLOWED BY JET POWER, WHO WILL BE FOLLOWED BY JOHN JOSEPH JUNIOR.

GOOD EVENING, MAYOR, COUNCIL, ASSISTANT CITY MANAGER. MY NAME IS DALLAS KELLY. I'M WITH THE REAL ESTATE COUNCIL OF AUSTIN, AND I APPRECIATE THE OPPORTUNITY TO SPEAK TO YOU TONIGHT ABOUT THE COMMERCIAL DESIGN GUIDELINES. THIS HAS BEEN A VERY OPEN PROCESS AND WE COMMEND COUNCILMEMBER

MCCRACKEN AND HIS ERTS TO CHANGE THE RETAIL AND COMMERCIAL DEVELOPMENT IN OUR CITY AS WE KNOW IT TODAY. THIS IS A VERY IMPORTANT INITIATIVE. WE HAVE TAKEN MANY MONTHS AND MUCH CARE TO DRAFT A PROPOSAL IN FRONT OF YOU. I KNOW IT'S BEEN A LITTLE DAUNTING GETTING NEW PROPOSALS EVERY FEW DAYS, BUT THAT EXEMPLIFIES THE WORK AND PROGRESS WE'RE MAKING TOGETHER INVOLVING MULTIPLE STAKEHOLDERS AND RESOLVING OUTSTANDING ISSUES. IF AS COUNCILMEMBER MCCRACKEN POINTED OUT, THERE ARE CONCERNS IN THE DEVELOPMENT ORIENTATION AND BUSINESS DESIGN SECTIONS. I WON'T TAKE MUCH OF YOUR TIME THIS EVENING, BUT I DO WANT YOU TO TAKE A LOOK AT A CERTAIN AREA, FOR EXAMPLE, ON PAGE 15, THE DO 5 SECTION. UP IN THE TOP YOU'VE GOT A HEADER THAT SAYS, FOR TRANSIT ROADWAYS, COMMA, ALL ZONING DISTRICTS. THIS COULD LEAD ONE TO BELIEVE THAT THIS WOULD APPLY TO RETAIL, OFFICE, INDUSTRIAL, SINGLE FAMILY AND MULTI-FAMILY USES. THE TRANSIT AREAS, WHICH IS WHERE THE STRICTEST REQUIREMENTS APPLIES, AND WE DON'T EVEN KNOW THE ROADWAYS BEYOND THE URBAN CORE WHERE THAT WOULD APPLY. WE HAVEN'T SET OUR LIST OF OUR ROADWAYS AND WE HAVEN'T SET OUR EXEMPTION LIST. I WOULD ASK THE COUNCIL TO POSTPONE TAKING ANY OPINION ON THIS DRAFT DOCUMENT THAT'S IN FRONT OF YOU AND ALLOW US AND ALL THE OTHER STAKEHOLDERS TO CONTINUE WORKING WITH COUNCILMEMBER MCCRACKEN ON THIS VERY IMPORTANT INITIATIVE. AT THIS TIME RECA CANNOT SUPPORT THE DRAFT THAT IS IN FRONT OF YOU. THANK YOU.

Mayor Wynn: THANK YOU. WELCOME, MR. HOWARD. YOU WILL BE FOLLOWED BY JOHN JOSEPH JUNIOR.

WELCOME, COUNCILMEMBERS. MY NAME IS JEFF HOWARD. I'M HERE TONIGHT TO ADDRESS THE COMMERCIAL SIGN STANDARDS. FIRST LET ME APPLAUD STAFF AND STAKEHOLDERS, COMMISSION MEMBERS AND COUNCILMEMBERS WHO HAVE BEEN WORKING SO HARD ON THIS PROJECT. I WANT TO THANK THEM ALL AND APPLAUD THEM FOR THEIR GOOD IDEAS AND HARD WORK. I WOULD AGREE THAT WE NEED BETTER COMMERCIAL DESIGN STANDARDS IN AUSTIN, ESPECIALLY IN THE AREAS OF

BUILDING DESIGN AND LANDSCAPING, AS STET TICK ISSUES. I THINK WE CAN DO BETTER. I DON'T NECESSARY ANY AGREE ON THE DEVELOPMENT ORIENTATION OF POLICIES THAT ARE IN THIS PARTICULAR DRAFT. WHAT I WOULD ENCOURAGE YOU TO DO, ALTHOUGH I KNOW THERE'S BEEN NUMEROUS MEETINGS AMONGST THE STAKEHOLDERS, IS TO TAKE SOME MORE TIME TO CONSIDER THIS PARTICULAR POLICY AND ITS IMPACT ON OUR CITY. I DON'T THINK THAT THE PARTICULAR POLICY IN FRONT OF YOU TONIGHT SHOULD BE THE BASIS OF AN ORDINANCE THAT STAFF COMMENCES TO DRAFT. I THINK MORE TIME IS NEEDED FOR SEVERAL REASONS. NUMBER ONE, THE LATEST DRAFT WE RECEIVED IS AN APRIL 25TH DRAFT. I THINK THAT'S UNDERSTANDABLE BECAUSE THERE'S BEEN A LOT OF HARD WORK AND GOOD FAITH WORK TO TRY TO ADDRESS ISSUES, BUT IT STILL NEEDS TO BE CAREFULLY EVALUATED. NUMBER TWO, I THINK THE CITY NEEDS TO STUDY ECONOMIC IMPACTS AND NOT JUST ON SMALL BUSINESSES, BUT ON PROPERTY VALUES. AND THE CORRESPONDING EFFECT THAT COULD HAVE ON CITY SALES AND PROPERTY TAX REVENUES. THE IMPACT ON RENTS AND WHAT HIGHER RENTS AND HOW IT AFFECTS BUSINESSES. I THINK THERE'S BEEN ONE DESIGN CHARRETTE, AND THAT MAY HAVE RAISED MORE QUESTIONS THAN ANSWERS, FRANKLY, AND I THINK THERE NEEDS TO BE SOME REAL WORKSHOPS DONE TO DETERMINE HOW THE DEVELOPMENT STANDARDS WILL IMPACT DEVELOPMENT PRACTICALLY. THE CURRENT DEVELOPMENT ORIENTATION STANDARDS HAVE A 15-FOOT MAXIMUM SET BACK FOR URBAN ROADWAYS, AND A 35-FOOT MAXIMUM SET BACK IN ALL THE OTHER LOCAL STREETS. AND THAT IS A VERY, VERY, SIGNIFICANT, MAJOR CHANGE THAT WILL HAVE A POTENTIALLY DRAMATIC EFFECT ON HOW DEVELOPMENT IS CONDUCTED IN THIS TOWN, AND I THINK IT NEEDS TO BE STUDIED AND CONSIDERED FURTHER. FINALLY, AUSTIN HAS MANY DIFFERENT TYPES OF STANDARDS, AND WHAT MIGHT BE A PRIORITY FOR NEIGHBORHOODS IN SOUTHWEST AUSTIN, MAY NOT BE THE SAME PRIORITY IN OTHER PARTS OF AUSTIN. I WOULD ENCOURAGE YOU TO REACH OUT TO OTHER NEIGHBORHOODS AS WELL. IF YOU DO ACT, I WOULD URGE YOU TO TAKE A DIFFERENT APPROACH ON DEVELOPMENT ORIENTATION, PARTICULARLY BUILDINGS ALONG THE

STREET. [ BUZZER SOUNDS ] AM I OUT OF TIME, MAYOR?

Mayor Wynn: YOU'RE OUT OF TIME. PLEASE CONCLUDE.

THANK YOU VERY MUCH FOR YOUR TIME. AND I WOULD ENCOURAGE YOU TO TAKE A LITTLE ADDITIONAL TIME, PARTICULARLY IN EVALUATING THE DEVELOPMENT ORIENTATION STANDARDS. THANK YOU. I'D BE HAPPY TO ANSWER ANY QUESTIONS YOU MAY HAVE.

Mayor Wynn: THANK YOU. THE NEXT SPEAKER IS MR. JOHN JOSEPH JUNIOR. HE WILL BE FOLLOWED BY TED ENDISTRIBUTION. TED HENDRIX, WHO WILL BE FOLLOWED BY MARK TENOR. MR. HENDRIX? YOU'RE UP. IS BRIETS EST -- IS BRYAN ESTES STILL WITH US, HOW ABOUT STEVE BUTLER? NEED TO PAY THESE PEOPLE MORE, MR. HENDRIX.

EVERYBODY LEFT. AND THANK YOU FOR THE NEW CHAIRS. THEY'RE A LOT MORE COMFORTABLE.

Mayor Wynn: YOU WILL HAVE THREE MINUTES. TIM, YOU WILL BE FOLLOWED BY MARK TANNER.

APPRECIATE THE OPPORTUNITY TO SPEAK TO Y'ALL TODAY. I'VE HAD JUST ABOUT I GUESS 60 DAYS INTO THE PROCESS, AND I DO WANT TO STOP BEFORE ANY GO ANY FURTHER AND THANK BREWSTER AND HIS STAFF. YOU GUYS HAVE DONE A GREAT JOB. YOU'VE REALLY OPENED UP THE PROCESS FOR US, AND THAT'S VERY REFRESHING FROM THE DEVELOPMENT PERSPECTIVE. THE OFFICE OF INDUSTRY REALLY HAS NOT BEEN ENGAGED IN THIS PROCESS FROM DAY ONE, AND WHAT I WOULD LIKE US TO ENCOURAGE Y'ALL TO DO IS TRY AND POSTPONE THIS FOR A COUPLE MORE WEEKS, LET US GET CAUGHT UP. BREWSTER AGAIN HAS REALLY BEEN VERY ACCOMMODATING IN ALLOWING US TO TRY TO GET SOME THINGS IN TO MAKE IT WORK A LITTLE BIT BETTER. BUT RIGHT NOW WE'RE UP THERE -- I TOLD BREWSTER TODAY I WOULDN'T BE ABLE TO STAND UP AND SUPPORT IT. I COULDN'T SUPPORT IT. I REALLY COULDN'T GO NEUTRAL, SO I HAD TO SIGN UP AGAINST IT, WHICH IS AS I TOLD BREWSTER, I DIDN'T REALLY WANT TO DO. SO IF I COULD ENCOURAGE Y'ALL TO GIVE US A COUPLE MORE WEEKS AND SEE IF WE CAN IRON A COUPLE



MORE THINGS OUT, THEN HOPEFULLY I'LL BE ABLE TO SUPPORT IT. THANKS.

Mayor Wynn: THANK YOU. MARK TANNER, WELCOME. YOU WILL HAVE THREE MINUTES. YOU WILL BE FOLLOWED BY ALLEN SMITH, WHO WILL BE FOLLOWED BY NICKLAUS HARRIS.

THANK YOU, MR. MAYOR AND GOOD EVENING, COUNCILMEMBERS. THANK YOU. MY NAME IS MARK TANNER WITH THE AUSTIN CON IN THIS CASE DRIVE-INS. WE APPRECIATE THE OPPORTUNITY TO SPEAK TO YOU THIS EVENING. WE OWN AND OPERATE 57 SONICS, 37 OF THOSE BEING WITHIN THE AUSTIN CITY LIMITS. THE COMMUNITY OF AUSTIN AND THE CITY HAS BEEN VERY GOOD TO SONIC OVER THE YEARS, AND WE'VE BEEN VERY BLESSED, BUT WE'D LIKE TO ECHO MANY OF THE COMMENTS BY MRS. DOSEIER EARLIER. WE WANT TO THANK HER FOR HER COMMENTS AND ECHO THOSE. I MYSELF, I'VE WORKED IN AUSTIN MANY, MANY YEARS, LONGER THAN I WOULD LIKE TO ADMIT. I HELPED AS A TEENAGER OPEN OUR FIRST SONIC ON SOUTH LAMAR IN 1977. WE BUILT THAT STORE FOR A ROUGH COST OF \$65,000 FOR THE BUILDING AND SITE WORK AND LANDSCAPING. TODAY THAT SAME STORE WOULD COST US 10 TIMES THAT MUCH. OF COURSE, THAT WAS BACK WHEN A HAMBURGER WAS 55 CENTS, BUT WE DON'T SELL IT FOR 5.55 CENTS ANY MORE. WE PURCHASED LAND WITH THE INTENTION OF REBUILDING OUR CURRENT STORE ON BRODIE. IT TOOK US A YEAR TO GET A PERMIT. WE DID RECEIVE THE PERMIT IN DECEMBER OF '04. THE PRESENT DEVELOPMENT COSTS ON THAT SITE, WHICH IS ROUGHLY \$775,000 FOR THE BUILDING, PARKING, UTILITIES AND SITE WORK, WE ALREADY DECIDED LONG BEFORE THIS CAME UP THAT WE JUST CAN'T JUSTIFY RELOCATING THIS STORE DUE TO THE ECONOMICS. THAT'S NOT THE CITY'S FAULT OR ANYONE'S FAULT, BUT IT'S JUST VERY EXPENSIVE THESE DAYS TO BUILT A SONIC AND DEVELOP ONE. I JUST WANT TO POINT OUT THE HIGH DEVELOPMENT COSTS WE'RE ALREADY FACING. WE UNDERSTAND THE NEED FOR UPDATING AND BEING CONSISTENT ON THE DESIGN CRITERIA, AND ON THE STANDARDS, AND WE COMMEND ALL THOSE WHO HAVE SPENT I'M SURE COUNTLESS HOURS PROPOSING THE NEW CODES. WE'RE NOT COMPLETELY FINISHED REVIEWING IT

OURSELVES. AND WE'D LIKE TO SEE HOW IT AFFECTS SONIC ACTUALLY. WE HAVE OUR ENGINEERS AND ARCHITECTS REVIEWING IT. THERE ARE MANY GREAT IDEAS IN THERE THAT I'VE SEEN ALREADY, BUT WE NEED TO BETTER UNDERSTAND HOW IT'S GOING TO EFFECT OUR GROUP AND WE'D LIKE MORE TIME ACTUALLY, LIKE MANY OF THE ONES BEFORE ME HAVE ASKED FOR, SO THAT WE CAN BETTER UNDERSTAND THIS AND REVIEW IT, SEE HOW IT AFFECTS US. OBVIOUSLY WE HAVE A UNIQUE SITUATION WHERE OUR PARKING STALLS ARE, OUR CUSTOMER'S ORDERING SPACES. WE'RE ESPECIALLY CONCERNED ALSO ABOUT ANY LANGUAGE NOT ALLOWING ANY NATIONAL CHAINS SUCH AS OURSELVES TO FOLLOW THE STANDARD PROTOTYPE FEATURES. WE SPEND LOTS OF ADVERTISING DOLLARS IN AUSTIN TO ESTABLISH OUR BRAND, BRANDING AND THE RECOGNITION OF OUR RESTAURANTS ARE VERY IMPORTANT TO US. WE HAVE A SONIC IN A PRIME LOCATION LOCATED AT WELLS BRANCH PARKWAY AT INTERSTATE 35. AFTER THE NEIGHBORHOOD ASSOCIATION FINISHED REDESIGNING THE APPEARANCE OF OUR DRIVE-IN, YOU DON'T EVEN RECOGNIZE IT AS SONIC ANY MORE, AND IT'S AFFECTED US ENORMOUSLY, SO WE WOULD JUST LIKE THE COUNCIL TO KEEP THAT IN MIND, THAT OUR BRANDING IS VERY IMPORTANT TO US. AND I WANT TO THANK YOU VERY MUCH FOR LISTENING TO MY COMMENTS.

Mayor Wynn: THANK YOU. COUNCILMEMBER SLUSHER.

Slusher: SIR, WOULD YOU REPEAT FOR ME, I'M SORRY, THE LOCATION YOU JUST SAID WHERE YOU HAD TO REDESIGN IT?

THAT IS WELLS BRANCH PARKWAY AT INTERSTATE 35.

Slusher: OKAY. THANK YOU.

YOU WOULDN'T RECOGNIZE IT AS A SONIC.

Slusher: I WILL HAVE TO CHECK THAT OUT. THANK YOU.

PLEASE. THANK YOU.

Mayor Wynn: ALLEN SMITH, WELCOME. YOU WILL HAVE THREE

MINUTES AND YOU WILL BE FOLLOWED BY NICKLAUS HARRIS, WHO WILL BE FOLLOWED BY THOMAS CLAUSE.

GOOD EVENING, COUNCIL, AND APPRECIATE Y'ALL GIVING US THE OPPORTUNITY TO SPEAK ON THESE DESIGN STANDARDS. I WANT TO THANK FIRST OF ALL BREWSTER FOR HIS OPENNESS AND FOR TAKING THE INPUT ON THIS. I AM PRESIDENT OF TRIP WEST PETROLEUM, WHICH IS A LONG TIME AUSTIN FUEL SUPPLIER, WHOLESALER AND CONVENIENCE STORE OPERATOR. I ECHO THE WORDS OF MARION DOSIER AS A LIFELONG AUSTINITE THAT WE HAVE OVER THE YEARS BUILT UP OUR BUSINESS IN BUILDING CONVENIENCE STORES. AND IN REVIEWING THE SITE PLAN, MOST OF OUR STATIONS ARE ON THE URBAN TRANSIT WAYS. WE RECENTLY, AS MANY OF Y'ALL SAW, MOVED FROM TEXACO TO SHELL, NOT TO OUR OWN DOING, BUT FOR OUR RESOURCES OUT OF OUR HANDS THROUGH CORPORATE MERGERS AND SO FORTH. HAD THIS BEEN IN EFFECT, IT WOULD HAVE COST US WELL IN EXCESS OF A QUARTER OF A MILLION MORE TO PULL DOWN OUR POLE SIGNS AND GO TO ALL MONUMENT SIGNS AT THESE LOCATIONS. SO THE ECONOMIC IMPACT IS GREAT. ONE OTHER AREA THAT I'D LIKE TO ADDRESS IS THE SCREENING AREAS OF THE BASICALLY CONVENIENCE STORE FUELING LOCATIONS. THEY'VE BEEN PRETTY MUCH PUT AS A HIGH PRIORITY TARGET AS FAR AS CORNER SITES AND SO FORTH, AND WE RELY ON NOT HAVING NOT ANY LANDSCAPE, BUT APPROPRIATE LANDSCAPE SO THAT YOU CAN STILL SEE THE FRONT OF THE CONVENIENCE STORES FOR SECURITY. IF REQUIREMENTS GO IN THERE THAT YOU WANT TO SCREEN NOT BEING ABLE TO SEE ANY CARS FILLING UP, AS YOU KNOW, CONVENIENCE STORES ARE HIGH RISK TARGET FOR ROBBERY AND THEFT. PART OF THAT RISK FACTOR TO REDUCE THE RISK OF ROBBERY AND THEFT IS HAVING THAT VISUAL FROM THE ROAD SO THAT CARS PASSING BY AND POLICE OFFICERS PASSING BY HAVE A GOOD VISUAL OF THAT LOCATION. IF THE SCREENING REQUIREMENTS GO TO A LEVEL THAT WOULD REQUIRE THAT YOU DON'T WANT TO BE ABLE TO SEE CARS FILLING UP AT A CONVENIENCE STORE OR A FUELING LOCATION, SERVICE STATION, YOU COULD ENHANCE THE RISK AND THE DANGER TO OUR EMPLOYEES. I THINK THAT'S SOMETHING THAT NEEDS TO BE

VERY MUCH CONSIDERED. AS FAR AS ALSO -- I'M NOT QUITE SURE EXACTLY HOW THE ORIENTATION OF THE BUILDINGS, BUT YOU WOULD NEVER WANT TO ORIENTATE A CONVENIENCE STORE OR FUEL FACILITIES WHERE YOU COULD NOT SEE THE PUMPS AND SO FORTH. [ BUZZER SOUNDS ] SO THOSE ARE A COUPLE OF ITEMS THAT I WOULD LIKE YOU TO CONSIDER AND WE WOULD LIKE SOME MORE TIME IN REVIEWING THE POLICY. THANK YOU VERY MUCH.

Mayor Wynn: THANK YOU, MR. SMITH. NICKLAUS HARRIS. WELCOME. YOU WILL BE FOLLOWED BY THOMAS CLAUS.

GOOD EVENING, MAYOR AND CITY COUNCIL, MY NAME IS NICKLAUS HARRIS. I'M A PROJECT MANAGER FOR COMMENT SIGN COMPANY, WHO IS LICENSED FOR SIGNS ALL OVER THE CITY OF AUSTIN. I'M HERE TO VOICE CONCERN ON THE PROPOSED CODE AMENDMENTS TO IMPROVE COMMERCIAL DESIGNS, ESPECIALLY ON SIGNAGE. QUALITY OF LIFE IS ALWAYS DIFFICULT TO DEFINE. IN CASE OF SIGNAGE IT ALWAYS PITS THE CITIZEN'S RIGHT TO AN UNOBSTRUCTED VIEW VERSUS THE RIGHT TO ADVERTISE FOR BUSINESSES. WE'RE ASKING THE PROPOSALS TO BE REVISITED TO ALLOW MORE FEEDBACK FROM THE STAKEHOLDERS AND SMALL BUSINESS COMMUNITY. WE RESPECT THE CONCERNS OF THE TASKFORCE AND THEIR INPUT INTO THIS. WE FEEL THE PROPOSED TABLES, THE NEW HEIGHTS AND SIZES NEED TO BE CLARIFIED AND STUDIED MORE. WE HOPE BEFORE IT GETS INTO ORDINANCE THAT THE NEEDED INPUT FROM THE BUSINESS STAKEHOLDERS ARE ADDRESSED AS THEY WILL BE THE ONES TO BURDEN THE ECONOMIC IMPACT. IN REVIEWING THE PROPOSALS THEMSELVES, WE WOULD LIKE MORE CERTIFICATION ON THE NONCONFORMING USES, THE ENFORCEMENT ASPECTS, THE LIMITATION OF THE WALL SIGNS THAT ARE REDUCED ACCORDING TO WHAT'S CURRENTLY EXISTING NOW. AND THEN ALSO IN THOSE CASES WHERE PROPERTIES THAT MIGHT BE AFFECTED THAT MIGHT HAVE HIGHWAY DISTRICT CLASSIFICATION, BUT YET IF THEY HAVE A SIDE STREET THAT COULD BE CONSIDERED A TRANSIT, THEN THAT WOULD LIMIT THEM NOW TO MONUMENT VERSUS A FREESTANDING POLE SIGN. AND THEN ALSO THAT THE -- SEE WHAT KIND OF OTHER ADDITIONS WE MIGHT LOOK AT AS FAR AS THE MONUMENTS THAT ARE BEING PROPOSED FOR CERTAIN DISTRICTS. I

KNOW IN SOME CASES IT WORKS REAL WELL CITYWIDE. I KNOW THE DISTRICTS HAVEN'T BEEN CLARIFIED YET, BUT THAT'S ONE OF THE THINGS WE WANT TO LOOK AT. LOOKING AT SOME OF THE PHOTOS THAT GOES WITH ENFORCEMENT, I SEE A LOT OF CLUTTER. I'M THINKING HOW MUCH OF THAT IS REALLY PERMITTED SIGNS VERSUS MAYBE ADDITIONAL SIGNS THAT SHOULDN'T BE THERE IN THE FIRST PLACE. SO ONCE WE REDUCE THAT CLUTTER, IT WOULD BE MORE AESTHETIC AND THEN THE SIGNS WOULD LOOK MORE IN HARMONY IN ADDITION TO THE BUILDINGS THAT CURRENTLY EXIST. AND WE'RE JUST ASKING TO TAKE SOME MORE TIME INTO THE MATTER AND THAT WAY WE CAN ADDRESS SOME OTHER SIGN USERS THAT WE REPRESENT TO HAVE A MORE CLARIFICATION ON WHAT'S BEING PROPOSED AND THEY CAN HAVE SOME MORE INPUT ON HOW THEY WOULD AFFECT THEIR BUSINESSES. THAT'S ALL WE'RE ASKING. THANK YOU.

Mayor Wynn: COUNCILMEMBER MCCRACKEN.

McCracken: DO YOU SELL SIGNS?

ACTUALLY, WE MANUFACTURE AND INSTALL SIGNS FOR BUSINESSES, YES.

McCracken: DO YOU INSTALL SIGNS THROUGHOUT THIS ENTIRE METRO AREA?

YES, SIR.

McCracken: ONE OF THE THINGS WE LEARNED IN THIS PROCESS IS THAT IT'S NOT VIRTUALLY ALL, QUITE A FEW OF OUR NEIGHBORING COMMUNITIES, LAKEWAY, WESTLAKE HILLS, ROLLING WOOD, ROUND ROCK, CEDAR PARK, BUDA, DON'T ALLOW POLE SIGNS. AND IF YOU COULD GIVE US SOME GUIDANCE ON HOW THAT WORKS IN ALL OF OUR NEIGHBORING COMMUNITIES.

WELL, BASICALLY ON THE HIGHWAYS, WHICH IS REALLY THE MAIN CONCERN THAT WE'RE LOOKING AT, WE HAVE THAT KIND OF VISIBILITY FOR OUR CLIENTS. AND OUR STAKEHOLDERS ARE THE ONES THAT ESPECIALLY DICTATE TO US WHAT TYPE OF SIGNS THEY'RE LOOKING FOR. THERE HAS BEEN NUMEROUS COUNTLESS STUDIES OF WHAT IS

CONSIDERED TOO HIGH, TOO SMALL, WHAT IS CONSIDERED VIEWING DISTANCE, AND TYPICALLY IF YOU'RE ON A MAJOR HIGHWAY, YOU WANT TO BE ABLE TO SEE SOMETHING THAT YOU CAN AUTOMATICALLY GET OFF AT THE NEXT AVAILABLE EXIT SO YOU CAN GET TO THAT BUSINESS, ESPECIALLY IF IT INVOLVES A RESTAURANT, GAS STATION OR EVEN A GROWTHRY STORE. AND THAT'S OUR MAJOR CLIENTS THAT WE TYPICALLY REPRESENT NOW TODAY. AND THAT'S WHY WE'RE STILL LOOKING AT THE HEIGHT THAT CURRENTLY EXISTS NOW IS NOT A PROBLEM. THEY FEEL THAT THESE ARE COMPATIBLE, WORKABLE. AND THE DISTRICTS THAT ARE IN THE SCENIC CORRIDOR, SCENIC DISTRICTS, THOSE ARE JUSTIFIABLE BECAUSE YOU HAVE OPEN AREAS THAT HAVE NOT BEEN DEVELOPED YET. BUT YET NOW YOU HAVE A COMMERCIALIZED AREA TO DOWNTOWN OR COMMERCIALIZED AREA THAT ACTUALLY FRONT THE EXPRESSWAY. THAT'S THE PEOPLE THAT WE FEEL THE BUSINESSES NEED THE BIGGER SIGNAGE. AND ONCE YOU START DICTATING, BUT ONCE IT BECOMES NECESSARY TO GO TO MONUMENT, THEN THEY LOSE THAT VISIBILITY THEY NEED FOR THE TRFLING PUBLIC.

McCracken: AS I THINK YOU PROBABLY ALREADY KNOW, THIS PROPOSAL DOES NOT BAN POLE SIGNS ON HIGHWAYS.

THAT'S CORRECT, BUT OUR CONCERNS WERE IT'S AN ADJACENT STREET. BUT IF I HAVE FRONTAGE AND I HAVE A PROPERTY THAT HAS AN EXPRESSWAY STANDARD, BUT YET MY SIDE STREET IS A TRANSIT, AND DEPENDING ON THE ORIENTATION OF THE BUILDING, NOW I'M LIMITED TO MONUMENT SIGNS. IF I HAD THE PROPERTY NEXT DOOR, BUT I ONLY HAD FRONTAGE TO THE EXPRESSWAY, THEN I GET THE POLE SIGN. SO I'M AT A DISADVANTAGE IF I'M ON A CORNER. I HAVE TO GO 12 TO AN OVERALL HEIGHT, 64 TO 100 FEET, DEPENDING ON WHETHER THE VARIABLE IS LAND, BUT THEN MY NEIGHBOR WOULD HAVE A POLE SIGN WITH PROBABLY 100 FEET. THOSE ARE THE ISSUES THAT I WISH WE COULD REVISIT OR LOOK AT ONCE WE START TO DEVELOP THOSE TABLES.

McCracken: IN ROUND ROCK WHERE THEY BANNED POLE SIGNS, HOW DO THEY DO IT?

IT JUST DEPENDS ON THE STREET CLASSIFICATIONS ALSO. WHERE THEY GO IN THE ORIENTATION TO THE EXPRESSWAY. THE OTHER THING IS MULTITENT SIGNS ARE ALLOWED OR ENCOURAGED TO GO FROM SIGNAL POLE SIGNS DEPENDING UPON A STREET FRONTAGE, MAXIMUM NUMBER OF SIGNS, TO A BIG POLE SIGN. IT WILL GIVE YOU BIGGER HEIGHT, BIGGER SCWAIRNL, BUT NOW YOU'RE LIMITED AS TO ONE SIGN VERSUS MAYBE HAVING SIX OR SEVEN OR SPREAD OUT AS TO THAT VISUAL.

MCCRACKEN: THAT SOUNDS LIKE IT WOULD BE A GREAT ADDITION TO OUR PROPOSAL.

AND YOU COULD GET THE STAKEHOLDERS INVOLVED AND SEE IF WE'RE WANTING TO KEEP THE SAME SIGN HEIGHT AND INCREASE THE SQUARE FOOTAGE, THEN MAYBE WE WILL LIMIT IT TO ONE SIGN PER DEVELOPMENT.

McCracken: ONE OF THE WEAKNESSES IS THAT OUR PROPOSAL DOES NOTHING TO ADDRESS THAT WE COULD HAVE 40 POLE SIGNS ON ONE PROPERTY ON THE HIGHWAY. SO IT SOUNDS LIKE WHAT YOU'RE SUGGESTING IN ROUND ROCK, IF WE COULD START ENCOWRNLING CONSOLIDATION ON THE HIGHWAY.

Mayor Wynn: THANK YOU, MR. HARRIS. THOMAS CLAUS. WELCOME. IS STEVE FRED RIKZ STILL HERE? HOW ABOUT JIM ALLEN? HOW ABOUT DAVE BRADY? HELLO, DAVE, WELCOME. AND BRAD LEWIS? ALSO MR. CLAUS, YOU WILL HAVE UP TO SIX MINUTES IF YOU NEED IT. I ASK THOSE NAMES BECAUSE OUR RULES ARE THAT PEOPLE HAVE TO BE PRESENT IN THE CHAMBERS IN ORDER TO DONATE THEIR THREE MINUTES TO YOU. SO YOU'VE GOT SIX MINUTES.

SIX MINUTES. ALL RIGHT. THEN I WILL HAVE TO SHORTEN MY COMMENTS DOWN. THANK YOU VERY MUCH FOR THIS OPPORTUNITY TO ADDRESS THE COUNCIL. MY NAME IS --

Mayor Wynn: HANG ON, MR. CLAUS. PEOPLE ARE WAVING THEIR HANDS AT ME.

[INAUDIBLE - NO MIC].

Mayor Wynn: YOU HAVEN'T SPOKEN, SO I'LL ACCEPT THAT. SO JOHN LEWIS, THAT GIVES YOU NINE MINUTES. WHAT'S YOUR NAME, SIR?

[INAUDIBLE - NO MIC]. WHAT

Mayor Wynn: WHAT IS YOUR NAME AGAIN?

[INAUDIBLE - NO MIC].

Mayor Wynn: OKAY, MR. CLAUSE, YOU WILL HAVE UP TO 15 MINUTES IF YOU NEED IT.

THANK YOU VERY MUCH. AND AGAIN, THANK YOU FOR THE OPPORTUNITY TO ADDRESS THIS BODY. MY NAME IS THOMAS CLAUSE. I AM THE DIRECTOR OF GOVERNMENT AND TECHNICAL AFFAIRS FOR THE INTERNATIONAL SIGN ASSOCIATION. AND I HAVE BEEN ASKED BY CONCERNED MEMBERS AND CITIZENS WITHIN YOUR COMMUNITY TO COME HERE AND ADDRESS THIS BODY ON THE TOPIC OF YOUR DESIGN STANDARDS AND THEIR APPLICABILITY SPECIFICALLY TO SIGNS. NOW, I'M A LAWYER BY PROFESSION, SO I WOULD BE REMISS IF I DIDN'T START OUT BY TALKING ABOUT THE LAW OF SIGNAGE. AND I COULD SPEND QUITE A BIT ON THAT. I ROUTINELY LECTURE LAWYERS AND MUNICIPAL ATTORNEYS ON THIS SUBJECT. I COULD TALK ABOUT THE CENTRAL HUDSON FOUR-PRONGED TEST AND HOW I DON'T BELIEVE THIS PROPOSAL COME PORTS TO THAT TEST. I COULD TALK ABOUT THE FREEDMAN, THE MARYLAND DRIVERS STATE PROTECTIONS AND HOW AGAIN THIS PROPOSAL DOES NOT COMPORT WITH THOSE THREE-PART REQUIREMENTS. I COULD TALK ABOUT OTHER CASES, BUT I'M ALSO AN ENGINEER BY EDUCATION, SO I COULD TALK ABOUT THE SCIENCE OF SIGNAGE. I COULD TALK ABOUT THE MANUAL ON UNIFORM TRAFFIC CONTROL -- ON THE MANUAL OF UNIFORM TRAFFIC CONTROL DEVICES THAT IS THE CONTROLLING DOCUMENT ON THE FEDERAL INTERSTATE SYSTEM TO WHICH ALL FEDERAL SIGNAGE MUST CONFORM. I COULD TALK ABOUT THE SIGNAGE SOURCE BOOK. IN MY OPINION THE DEFINITIVE BEST PRACTICES MANUAL ON ON PREMISE SIGN REGULATION. I COULD TALK ABOUT THE TABLES AND LINE THAT GOVERN SAFE SIGN DESIGN, THAT ARE ACCEPTED BY THE FEDERAL



HIGHWAY DEPARTMENT, BY STATE DEPARTMENT OF -- BY STATE DEPARTMENTS OF TRANSPORTATION AND HOW THESE PROPOSALS DO NOT CONFORM WITH THOSE FORMULA OR TABLES. BUT MOST APPLICABLE IN THIS SITUATION, I THINK, ARE THE PRACTICALITIES. WHAT IS THE EFFECT ON AUSTIN AND AUSTIN BUSINESSES? WHAT IS THE PROBABLE EFFECT BECAUSE THAT'S WHAT WE'RE TALKING ABOUT HERE. AND I'D LIKE TO TALK ABOUT THE INTENT OF THIS PROPOSAL AND WHAT THE PROBABLE EFFECTS OF IT WILL BE. WHEN SPEAKING OF THE INTENT, DOCUMENT ITSELF SPEAKS TO THAT. THE INTENT OF THESE NEW REGULATIONS IS TO CREATE A BUILT ENVIRONMENT OF AESTHETIC AND SUSTAINABLE VALUE THAT ENHANCES DEVELOPMENT EFFORTS TO PROMOTE AUSTIN'S UNIQUE CHARACTER AND NATURAL ENVIRONMENT. AND THAT UP HOLDS AN EFFICIENT DEVELOPMENT REVIEW PROCESS. THIS IS A GOAL AND A LAUDABLE ONE AND ONE THAT MANY PEOPLE HAVE BEEN WORKING TOWARDS. [ONE MOMENT, PLEASE, FOR CHANGE IN CAPTIONERS] DEVELOPMENT BUSINESS HERE IN AUSTIN. WE HAD A GROUP OF PEOPLE THAT REALLY COULDN'T AGREE ON HARDLY ANYTHING. THE FIRST TIME WE MET. AND -- AND WE -- AND WE EVOLVED INTO A GROUP THAT STILL HAS SOME FUNDAMENTAL DISAGREEMENTS. I DON'T THINK ANY OF US LOVE THE DOCUMENT IN FRONT OF YOU TONIGHT. IF IT WAS UP TO ME, I WOULD WRITE IT DIFFERENTLY. IF IT WAS UP TO RICHARD WEISS OR CHRIS RILEY, I THINK THEY WOULD ALSO WRITE IT DILL. BUT THE FACT IS THAT WE WORK TOGETHER TO FIND AREAS OF COMMON AGREEMENT AND COMPROMISE. I THINK THAT WE HAVE BEEN VERY SUCCESSFUL IN A NUMBER OF AREAS. WHEN WE STARTED OFF, MY PRIMARY OBJECTIVE WAS TO -- TO PARTICIPATE IN THE PROCESS THAT WOULD RAISE STANDARDS ABOUT HOW BUILDINGS AND PROJECTS LOOK. WITHOUT DRAMATICALLY OR SIGNIFICANTLY IMPACTING HOW RETAILERS FUNCTION. AND I THINK FOR THE MOST PART WE HAVE BEEN VERY SUCCESSFUL. AS THE COUNCILMEMBER ALLUDED TO AT THE BEGINNING OF THIS HEARING, THERE STILL ARE SOME ISSUES REMAINING TO BE RESOLVED IN THE DEVELOPMENT ORIENTATION AREA, IN THE BUILDING DESIGN AREA. I THINK THOSE AREAS NEED SOME WORK. AND I DON'T THINK WE ARE IN AGREEMENT. AND THAT WAS -- THAT'S WHY YOU ARE HEARING WREAK

CAN AND PEOPLE LIKE THAT -- RECA AND PEOPLE LIKE THAT SAYING THEY ARE NOT PREPARED TO SUPPORT THIS DOCUMENT TONIGHT. THE FACT IS IN -- THERE ARE MANY OF THE PARTICIPANTS THAT ARE IN REALLY TOTAL SUPPORT OF -- OF THOSE SECTIONS. I WOULD BE ONE OF THOSE PEOPLE. SIGNAGE, CONNECTIVITY, LANDSCAPING, LAND USE, WARM WATER, LIGHTING, THOSE SECTIONS, I THINK THEY NEED SOME TECHNICAL TWEAKING AND SOME CLARIFICATION. BUT THE KINDS OF OF THINGS THAT IF YOU GIVE SOME LATITUDE TO -- TO THE STAKEHOLDER GROUP THAT CONTINUE TO BE INVOLVED IN THE -- TO HELP CLARIFY SOME OF THE MINOR INCONSISTENCY, I THINK THAT CAN ALL GET WORKED OUT. THERE ARE SOME FUNDAMENTAL ISSUES LEFT IN THE DEVELOPMENTAL ORIENTATION AREA. THERE ARE SOME PHILOSOPHY DISAGREEMENTS. IT REMAINS TO BE SEEN WHETHER WE WILL BRIDGE THEM OR NOT. I BELIEVE THAT GREATER FLEXIBILITY IS NEEDED TO ALLOW FOR VARIED RESPONSES TO CREATIVE AND GOOD DESIGN. IT TROUBLES ME, FOR INSTANCE, THAT THE BUILDING THAT WE ARE IN HERE TONIGHT, THIS BRAND NEW CITY HALL, WHICH IS A PAIR GONE OF YOU WERE -- PARAGON OF URBAN DESIGN COULDN'T BE BUILT UNDER THESE NEW STANDARDS AS THEY ARE CURRENTLY DRAFTED. I'M HOPEFUL THAT WE WILL EVOLVE INTO SOME MORE FLEXIBILITY, WHETHER IT BE ALTERNATIVE COMPLIANCE OPTIONS OR THINGS OF THAT [BUZZER SOUNDING] THAT WILL ALLOW THINGS LIKE THIS TO OCCUR. THANK YOU VERY MUCH.

THANK YOU, MR. TURKELL. COUNCILMEMBER MCCRACKEN?

McCracken: TOM, IF YOU COULD -- YOU HAVE BEEN I THINK ONE OF THE MOST VISIONARY PEOPLE, NOT JUST ON GOOD URBAN PLANNING, BUT ALSO GIVING US A SENSE OF SOME OF THE BATTLES THAT -- THAT DEVELOPERS HAVE BEEN FIGHTING AND TRYING TO GET BETTER URBAN DESIGN AND I WONDER IF YOU COULD, WITHOUT NAMING NAMES OF RETAILERS, GIVE US JUST SOME OF THE EXAMPLES OF HOW OUR CURRENT ORDINANCE INHIBITS YOUR ABILITY TO BUILD BETTER -- BUILD BETTER DEVELOPMENTS IN OUR COMMUNITY.

WELL, WHEN WE PLAN A PROJECT WITH THE MAJOR NATIONAL RETAILER, WE ENGAGE IN NEGOTIATION WITH

THEM ABOUT WHERE THEIR BUILDING IS GOING TO BE LOCATED, WHAT WILL IT LOOK LIKE, WHAT SORT OF COMMON AMENITY, COMMON AREA AMENITIES WILL WE PROVIDE FOR THE CUSTOMERS THAT ARE GOING TO COME AND SHOP IN OUR PROJECT. WE HAVE AN INCENTIVE AND DESIRE TO CREATE A PROJECT OF THE FIRST QUALITY BECAUSE THOSE MAKE FOR THE BEST INVESTMENTS. WE BELIEVE THEY ALSO RESULT IN HIGHER SALES FOR THE TENANTS. BUT SOME TENANTS ARE MORE BOTTOM-LINE DRIVEN, MORE FRANKLY EXPEDIENT. WHEN WE -- EXPEDIENT. WHEN WE GET INVOLVED IN THESE CONVERSATIONS WE HAVE HAD EXPERIENCE WHERE NATIONAL TENANTS SAID ARE WE REQUIRED TO DO THIS, DO WE HAVE TO DO IT TO GET OUR APPROVAL. WE HONESTLY TELL THEM YOU ARE NOT REQUIRED TO, WE THINK IT'S A GOOD IDEA. IF WE ARE NOT REQUIRED TO ITS GOING TO ADD SOME COST TO OUR BUILDING, WE DON'T WANT TO DO IT. SO I HAVE BEEN A PROPONENT OF RAISING OUR STANDARDS SO WHEN WE GET INTO THOSE CONVERSATIONS ON THE NEXT DEVELOPMENT WE WILL HAVE SOME LEVERAGE IN THOSE CONVERSATIONS WHERE WE CAN REQUIRE THESE NATIONAL USERS TO DO THE SAME KINDS OF THINGS IN AUSTIN THAT THEY DO IN MANY OTHER COMMUNITIES AROUND THE COUNTRY WHERE THEY ARE REQUIRED TO DO MORE.

THANKS, TOM.

Slusher: MAYOR?

Mayor Wynn: COUNCILMEMBER SLUSHER?

Slusher: MR. TERKEL, I HAVE A QUESTION FOR YOU. FIRST I ALL I WANTED TO SAY I'M IMPRESSED WITH YOUR PARTICIPATING IN A GROUP THAT COULDN'T AGREE ON ANYTHING TO ONE WITH JUST FUNDAMENTAL DISAGREEMENTS. THAT'S QUITE A JOURNEY THERE. [LAUGHTER] PERHAPS I MISSPOKE. WELL, WE'LL SEE. I WAS WONDERING, YOU MADE A -- YOU MADE A SORT OF A SWEEPING STATEMENT THERE THAT -- THAT I GUESS NEEDS ELABORATION THAT THIS BUILDING THAT WE ARE IN COULDN'T BE BUILT UNDER THESE STANDARDS, WOULD YOU

ELABORATE ON THAT?

CERTAINLY. THE SETBACK REQUIREMENTS IN DO 1, THERE ARE MAXIMUM SETBACKS FOR CERTAIN BUILDINGS. URBAN AND TRANSIT ROADWAY, WHICH THIS WOULD BE, THAT SETBACK AT 15 FEET. THERE ARE EXCEPTIONS, IF YOU WANT -- PARKING IN FRONT OF YOUR BUILDING IN DO I THINK 2 OR 3, DO 2, BUT IT DOESN'T SAY ANYTHING ABOUT THE BUILDING SETBACKS. THERE ARE NO EXCEPTIONS FOR THE VOTING SETBACK AS IT'S CURRENTLY DRAFTED. THIS MAY BE A DRAFTED OVERSIGHT OR IT MAY BE A PHILOSOPHICAL DISAGREEMENT. I'M NOT REALLY SURE WHICH IT IS. BUT AS IT'S DRAFTED TODAY, THERE ARE NO EXCEPTIONS TO THE SETBACK. BECAUSE THE BUILDING IS FARTHER AWAY THAN 15 STREET FROM CHAVEZ, IT WOULDN'T QUALIFY.

Slusher: DID WE HAVE THE RESPONSE OREGON MANAGER ADDRESS THAT EITHER NOW OR IF YOU WANT TO LOOK AT IT FURTHER.

McCracken: COUNCILMEMBER, THAT'S CLEARLY NOT INTENDED. THAT'S ONE OF THE REASONS WHY TOM AND I ARE IN TOTAL AGREEMENT THAT IT MAKES SENSE TO SPENDS A COUPLE OF WEEKS IN THE DEVELOPMENT ORIENTATION PORTION BECAUSE I THINK THE -- ACTUALLY WHEN WE TALK, THAT WE ARE -- THAT WE ARE ABLE TO FIND COMMON GROUND ON A LOT OF THINGS, EVEN THOUGH WE ARE COMING FROM DIFFERENT PERSPECTIVES. THAT'S ONE PART, THE SECOND PART IS WE DEFINITELY HAVE SOME OF THE GLITCHES ON DEVELOPMENT ORIENTATION TO WORK OUT. WE WILL GET THERE BECAUSE WE HAVE ALL BEEN WORKING HARD TOGETHER. THAT'S WHY I'M SUGGESTING THIS EVENING WE NOT VOTE ON THE DEVELOPMENT ORIENTATION PORTION OR THE BUILDING DESIGN PORTION. THOSE TWO NEED A LITTLE MORE WORK.

THANK YOU.

THANK YOU, MR. TERK KEL.

THANK YOU, MR. TERK KEL.

LET'S SEE, OUR NEXT SPEAKER, BRAD GREENBLOOM.

WELCOME, BRAD. LET'S SEE TYSON JAMISON HERE? BOB STROBECK, ANDY LOEFFLER, YOU ARE BAITING A THOUSAND I GUESS, BRAD. VICTOR DEERMAN. IS VICTOR HERE? BRAD, YOU WILL HAVE UP TO 12 MINUTES IF YOU NEED IT, FOLLOWED BY DICK BRADY.

WELL, THE GOOD NEWS, MAYOR AND COUNCILMEMBERS, IS I WON'T USE THE 12 MINUTES. I'M HERE TONIGHT REPRESENTING A COALITION OF BUSINESS OWNERS AND SIGN MANUFACTURERS AND SIGN INSTALLERS. GENERALLY WE LAUD THE JOB THAT COUNCILMEMBER MCCrackEN AND HIS STAFF HAS LED. WE SUPPORT THE AESTHETIC ENVIRONMENT UPGRADE, WE BASICALLY HAVE SOME ISSUES WITH SPECIFIC SECTIONS IN THE SIGN CODE. THOMAS KLAUSS EARLIER GAVE YOU DISCUSSION ON SIGNAGE, I WILL SKIP OVER THOSE KINDS OF ITEMS. THIS DRAFT HAS BEEN A MOVING TARGET. AS MANY OF YOU KNOW THERE'S BEEN DRAFTS COMING OUT BUT UNFORTUNATELY THERE HAVE BEEN NO STAKEHOLDER FROM THE SIGN INDUSTRY OR THE LARGE SIGN USERS AT THE TABLE. WHAT WE WOULD ASK IS THAT YOU NOT VOTE ON THE SIGN SECTION TONIGHT BUT THAT YOU ALLOW US TO WORK WITH COUNCILMEMBER MCCrackEN'S OFFICE AND STAFF TO TRY TO WORK THROUGH SOME OF THESE SIGNAGE ISSUES.

THERE'S BASICALLY TWO COMPONENTS OF THE SIGN ORDINANCE. ONE HAS TO DO WITH THE PYLON SIGN OR THE POLE SIGN, ONE WITH BUILDING FACADE SIGNS. ONE QUESTION THAT I HAVE RAISED WITH STAFF IS THE PROHIBITION AGAINST POLE SIGNS, DOES THAT INCLUDE BILLBOARDS AND BECAUSE THE BILLBOARD STANDS ON A POLE SITE. WE JUST WOULD LIKE CLARIFICATION ON THAT. WE WOULD ALSO LIKE TO BRING YOUR ATTENTION THAT SIGNAGE IS THE MOST EFFECTIVE, LEAST EXPENSIVE ADVERTISING FOR BUSINESSES, WHICH IS ESPECIALLY IMPORTANT FOR SMALL BUSINESSES, NOT ONLY DOES IT GIVE YOU IDENTIFICATION, IT GIVES YOU LOCATION ASSISTANCE TO THE MOTORING TRAFFIC AND ALSO INCLUDES COMMERCIAL SPEECH WHICH IS PROTECTED BY THE SUPREME COURT. ONE ITEM IN THE SIGN CODE ESPECIALLY TROUBLESOME, S 24 WHICH GRANDFATHERS OR MAKES ALL EXISTING POLE SIGNS NON-CONFORMING OR

COMPLYING, ANY TIME A BUSINESS OWNER OR SMALL BUSINESS USER WOULD MAKE AN APPLICATION FOR ANY SIGN SUCH AS A DELIVERY HERE SIGN OR A PHARMACY SIGN, YOUR NON-COMPLIANCE SIGN WOULD HAVE TO COME DOWN. SO, FOR EXAMPLE, IN THE RECENT ACQUISITION OF THE HE ERD'S BY CVS, MY UNDERSTANDING FROM STAFF IS THAT ALL THOSE POLE SIGNS ACROSS THE CITY WOULD HAVE COME DOWN. WE BELIEVE THAT SHOULD YOU BE ABLE TO REPLACE OR REPAIR YOUR SIGN WITHOUT THE FEAR OF LOSING THAT GRANDFATHERED SIGN. WE BELIEVE IT WILL NOT FOSTER REDEVELOPMENT AND UPGRADING AND MAINTENANCE OF SIGNS IF PEOPLE HAVE THE FEAR THEY MIGHT LOSE THAT SIGN. MR. KLAUSS PROVIDED YOU WITH SCEM MAKE IT TICKS -- SCHEME MAKE IT TICKS SHOWING YOU THE MONUMENT SIGN WOULD BE BLOCKED BYPASSING CARS AND TRUCKS. WE THINK THAT IS HARMFUL. WHEN YOU LAYER ON THE LANDSCAPE REQUIREMENTS AND THE BUILDING ORIENTATION, NOT ONLY THE LANDSCAPING AND BUFFERING ALONG THE STREET FRONTAGE, BUT THROUGHOUT THE PARKING LOT, AND THE SHADE TREES WERE AFRAID THAT THE BUILDING FACADE SIGNAGE, ALSO REDUCED IN THIS PROPOSAL, WOULD BASICALLY BE NON-EXISTENT AND TAKE AWAY YOUR BUILDING OWNERS ABILITY TO ADVERTISE THEIR BUSINESS. I WOULD ALSO BRING TO YOUR ATTENTION THAT CERTAIN SVA LENDING REGULATIONS, THE LIFE BLOOD FOR SMALL BUSINESS HAS CERTAIN SIGNAGE REQUIREMENTS. I'M NOT ABLE TO TODAY TO CITE YOU CHAPTER AND VERSE OF WHAT THEY ARE, BUT WE WOULD LIKE TO SHOW THOSE, SHARE THOSE WITH COUNCILMEMBER MCCRACKEN TO MAKE SURE THAT WE DON'T ELIMINATE SBA FUNDING OPPORTUNITIES FOR OUR SMALL BUSINESSES. ANOTHER ITEM OF CONCERN IS WHAT HAPPENS IN THE EVENT IF YOU ARE AN EXISTING PROPERTY OWNER AND YOU HAVE AN EXISTING PYLON SIGN. AND A NEW BUSINESS OWNER WANTS TO COMPLY WITH THESE, LOCATED DIRECTLY NEXT TO THE GRANDFATHERED SIGN. YOU WOULD HAVE TWO POTENTIAL COMPORS AT AN UNEVEN ADVANTAGE, ONE WITH A SIGN, ONE WOULD NOT. AS I MENTIONED THE OTHER PART OF THE SIGN ORDINANCE THAT WE HAVE CONCERN WITH ARE THE FACADE SIGNS. THERE ARE REDUCTIONS IN SIZE FOR THE SIGNAGE. SOME OF OUR QUESTIONS HAVE TO DO WITH HOW MUCH SEENS,

EARLIER YOU SAW THE CHAIR KING SIGN AT A SHOPPING CENTER UNDER CURRENT CODE AND FUTURE CODE. WE HAVE SOME QUESTIONS UNDER THE CALCULATIONS. I BELIEVE IT'S 400 SQUARE FEET MAXIMUM SIGNAGE. A TYPICAL H.E.B. WALL SIGN IS ABOUT 295 SQUARE FEET. IF YOU HAVE 10 MORE TENANTS, YOU ONLY HAVE 100 OR SO SQUARE FEET LEFT FOR ALL OF THEM COMBINED FOR THOSE BUILDINGS. AND WE WOULD LIKE SOME CLARIFICATION ON THAT. THE USE OF FLAGS, BOTH COMMERCIAL FLAGS AND THE AMERICAN FLAG COUNTS AS A SIGN AND SO THEREFORE YOU WOULD LOSE ONE OF YOUR SIGNS AND WE WOULD LIKE SOME ATTENTION OR CLARIFICATION ON THAT ISSUE. AS MR. KLAUSS MENTIONED, THERE ARE LOTS OF STUDIES THAT REVENUES GO DOWN DRASTICALLY WHEN SIGNAGE IS LOST. A FEW YEARS AGO YOU MIGHT REMEMBER I CAME IN WITH A RED LOBSTER VARIANCE THAT WAS IMPACTED BY AN ELEVATED SIGN. WE DID NOT GET THE VARIANCE AND THEIR REVENUES DROPPED DRASTICALLY, WE BELIEVE THE LIMITATIONS IN THESE GUIDELINES WILL TRIGGER AN AVALANCHE OF VARIANCE APPLICATIONS, I DON'T BELIEVE THAT'S THE INTENDED CONSEQUENCE. SO IN SUMMARY, WHAT I'M HERE TONIGHT ON BEHALF OF THE USERS OF SIGNS, BOTH POLE SIGNS AND FACADE SIGNS, IS TO TELL YOU THAT WE DO SUPPORT AND WE LAUD THE POLICIES AND THE GOALS, WE WOULD REQUEST THE ECONOMIC STUDY THAT'S BEEN MENTIONED TONIGHT TO SEE WHAT THE IMPACTS WOULD BE ON SMALL BUSINESSES. BOTH THE COST OF COMPLYING WITH THE SIGNS AND THE LOSS OF REVENUES. WE WOULD ASK THAT YOU WORK WITH THE SIGN COMPANY, THE SIGN INDUSTRY, THE LARGE USERS AND THE STAKEHOLDERS TO TRY TO FLUSH OUT SOME OF THESE SIGN ISSUES. CLARIFY THE REGULATIONS, I GAVE YOU JUST A FEW EXAMPLES TONIGHT. WE WOULD ALSO ASK YOU NOT TO VOTE ON THE SIGN SECTION TONIGHT AND GIVE US 30 OR 60 DAYS TO WORK WITH COUNCILMEMBER MCCRACKEN'S OFFICE AND FINALLY I WOULD ASK YOU TO CONSIDER THE IMPACTS ECONOMICALLY AND BUSINESS ORIENTED ON BUSINESS. BOTH EXISTING BUSINESS, FUTURE BUSINESS AND SMALL BUSINESS. THANK YOU FOR ALLOWING US TO PRESENT OUR POSITION AND HOPE YOU WILL TAKE THOSE INTO

CONSIDERING. THANK YOU.

McCracken: I WANT TO CLARIFY FOR EVERYBODY THAT YOU HAVE BEEN AT THE TABLE EVER SINCE THIS PROCESS BEGAN A YEAR AND A HALF AGO, THAT'S RIGHT, ISN'T IT?

TO BE HONEST I CAME TO THE FIRST FEW MONTHS OF THE PROCESS, I DROPPED OUT BECAUSE I DIDN'T SEE A -- CONTRARY TO TOM, THAT WE WERE GETTING A LOT OF BENEFIT. ONLY RECENTLY WAS I ENGAGED ON BEHALF OF THE SIGN INDUSTRY. I'VE BEEN TO THE MEETINGS, THERE'S BEEN A LOT OF GIVE AND TAKE. A LOT OF MY PEOPLE ARE SPREAD THROUGHOUT THE STATE. SIGN COMPANIES ARE NOT ONLY BASED IN AUSTIN. I HAD A HARD TIME, KAREN WAS VERY HELPFUL OF JUST DISSEMINATING THE STANDARD OUT TO THE GROUP OF -- THEY DON'T HAVE A WELL-FORMED ORGANIZATION. AND THEY ARE NOT -- THEY ARE ALL MOM AND POPS.

McCracken: I'M ASKING, YOU'VE BEEN PART, YOU HAVE RECEIVED EVERY E-MAIL.

YES, SIR, THAT IS ACCURATE.

McCracken: ON THIS ISSUE ABOUT, YOU KNOW, THE POLE SIGNS IN AUSTIN, YOU KNOW, AS WE HEARD FROM THE GENTLEMAN, IT'S BEEN CON -- VIRTUALLY EVERY SINGLE ONE OF OUR COMMUNITIES, ROLLINGWOOD, WESTLAKE HILLS, LAKEWAY, BANNED POLE SIGNS. DO YOU HAVE ANY INFORMATION WHETHER ALL OF OUR NEIGHBORING COMMUNITIES THAT BANNED POLE SIGNS HAVE HAD ALL OF THE BAD THINGS HAPPEN THAT YOU SAY WILL HAPPEN IN AUSTIN?

UNFORTUNATELY, I DO NOT. BUT I CAN COMMIT TO YOU WITHIN A FEW DAYS THAT WE WILL COLLECT THAT INFORMATION FOR YOU.

McCracken: CAN YOU GIVE US A GOOD POLICY ROPE WHY AUSTIN SHOULD -- REASON WHY AUSTIN SHOULD HOLD OURSELVES TO A LOWER STANDARDS THAN MOST OF OUR COMMUNITIES IN THE METRO AREA?



NO, I COULD.

McCracken: OKAY.

Mayor Wynn: DICK BRADY, YOU WILL HAVE THREE MINUTES, FOLLOWED BY PAUL [INDISCERNIBLE] FOLLOWED BY CHARLIE BETTS.

THANK YOU, MAYOR WIN, CITY COUNCIL MEMBERS, I'M DICK BRADY WITH MORRIS SIGN GRAPHICS. I HAVE BEEN IN THE BUSINESS SELLING SIGNS SINCE 1987 AND HAVE MET A LOT OF THE -- OF THE OTHER SIGN VENDORS AND MANUFACTURERS AND I THINK THAT MAYBE THE CITY HAS NOT TAKEN ADVANTAGE OF THEIR EXPERTISE. I WILL AGREE OVER THE YEARS I HAVE SEEN A LOT OF ABUSES OF THE SIGN ORDINANCE, MAYBE SOME PARTS OF A LITTLE TOO LENIENT COULD BE FIRMED UP, WE DO NOT THINK THAT CHANGE IS GOING TO BE A BAD THING. BUT I THINK CHANGE NEEDS TO BE DONE GOING IN A GOOD DIRECTION THAT COULD BENEFIT THE BUSINESS COMMUNITY AS A WHOLE. WE CALLED MANY OF OUR CLIENTS OVER THE PAST FEW DAYS TO SEE IF THEY WERE AWARE OF ALL OF THESE DESIGN STANDARDS THAT MAY BE CHANGED. VERY FEW WERE EVER MADE AWARE OF THIS. WE THINK THAT WE COULD BE HELPING IN THAT PART OF THE PROCESS TO -- TO BRING THE BUSINESS COMMUNITY, THAT TYPE OF INFORMATION, AND SEE WHAT THEIR REACTION IS EVEN IF IT WAS IN SOME SORT OF A FORMAL OR NON-FORMAL SURVEYS. I THINK A LOT OF SIGN PEOPLE HERE IN AUSTIN DO WORK VERY HARD AT TRYING TO BUILD THE QUALITY PRODUCT BUT THEN SEVERAL OTHER COMPANIES MAY NOT BE DOING THAT. SO THAT COULD BE CONTROLLED BETTER. BUT I THINK YOU'LL FIND THAT THE SIGN GUYS IN AUSTIN REALLY HAVE WORTHWHILE INPUT TO BE LOOKED INTO. SO IF YOU WOULDN'T MIND, WE WOULD LIKE TO HAVE THAT -- THIS VOTE POSTPONED MAYBE SEE IF SOME OF THESE SIGN PEOPLE WOULD BE BROUGHT IN AS VOLUNTEERS TO GIVE YOU A LITTLE BIT MORE INPUT AND GIVE YOU A LITTLE BIT NOT NECESSARILY OPPOSING VIEW, BUT JUST A DIFFERENT VIEW. WE HAVE BEEN OUT THERE FOR MANY YEARS, WORKING WITH THE DIFFERENT SIGN BUSINESSES AND WE THINK THAT WE COULD MAYBE TELL YOU THE PROS AND CONS OF EACH PART OF THE SIGN ORDINANCE AS YOU

LOOK AT IT, EVEN ON A PER STREET BASIS. THANK YOU VERY MUCH.

Mayor Wynn: THANK YOU, SIR, PAUL LINEHAN. YOU WILL HAVE THREE MINUTES FOLLOWED BY CHARLIE BETTS.

MAYOR, COUNCIL, I'M PAUL LINEHAN HERE REPRESENTING MYSELF, I'M A LAND PLANNER, LANDSCAPE ARCHITECT AND I HAVEN'T BEEN IN THE CASE THE ENTIRE TIME, BRUCE BREWSTER, WE HAVE -- I HAVE BEEN TIED UP ON THE TOD ORDINANCE, AS SOON AS I GOT CLEAR THERE, I JUMPED OVER ON THIS ONE. THE MAIN THING AFTER SPENDING WHAT THREE OR FOUR HOURS IN THE OTHER DAY IN THE CHARETTE IT'S VERY FAR REACHING. IT'S A VERY SWEEPING ORDINANCE. I THINK YOUR URBAN CORE AREA THAT YOU HAVE TALKED ABOUT IS TOO LARGE. I THINK YOU ARE GOING OUT AND TRYING TO DO THIS OVER THE ENTIRE CITY AND I THINK IT REALLY IS AN ORDINANCE THAT IS DEALING MORE THAT SHOULD BE MORE A DETAILED URBAN CORE AREA. THE SIMILAR READ SESSION OPENED UP A -- CHARETTE SESSION DEALT WITH WHAT IS A TRANSIT STREET, NEIGHBORHOOD STREET, HOW ARE THESE PEDESTRIANS WALKWAYS SUPPOSED TO BE DONE. WE HAVE BEEN DEALING WITH THEM AND A.D.A. HANDICAP ACCESSIBLE PATHWAYS THROUGH THE SITE PLANS. THERE WERE ISSUES SUCH AS SITE SPECIFIC ISSUES LIKE TREES, GRADING, WATER QUALITY PONDS, A LOT -- WHY THINGS ARE WERE LOCATED WHERE THEY WERE. HOW CAR ACCESS NEEDS TO GET THESE PLACES DRIVEWAY CUTS. THERE WERE A LOT OF ISSUES BROUGHT UP IN THAT CHARETTE SESSION THAT WERE JUST UNKNOWN. I THINK THE DEVELOPMENT ORIENTATION IMPORTANCE OF TION -- PORTION OF THIS NEEDS A LOT MORE WORK. I APPLAUD YOUR EFFORTS, I DON'T THINK WE ARE THERE YET. THE OTHER THING THAT HAS NOT BEEN ADDRESSED, I HAVE SPENT MANY, MANY YEARS DOWN HERE TALKING ABOUT IMPERVIOUS COVER ORDINANCES, THIS DOESN'T AFFECT IMPERVIOUS COVER. I THINK EVEN ABOUT A YEAR AGO WE HAD DISCUSSION ABOUT IMPERVIOUS COVER AND THESE URBAN ORDINANCES AND THIS IMPERVIOUS COVER RESTRICTIONS I THINK IT REQUIRES MORE IMPERVIOUS COVER TO DO THESE URBAN ORDINANCES WITH THE GRID PATTERNS THAT YOU HAVE. AND I THINK THAT NEEDS TO BE LOOKED INTO. I THINK

ALSO INSTEAD OF MAKING IT EXCEPTIONS TO THINGS, I THINK YOU HAVE BUILT IN A LOT OF THINGS LIKE LESS PARKING, ON STREET PARKING, DELETING THE LICENSE FEE AGREEMENT, THAT ARE INCENTIVES THAT SHOULD BE BUILT INTO THIS URBAN THING THAT WILL GET THE MARKET TO DO IT. I DON'T THINK YOU COME IN AND LET THE MARKET DRIVE TOWARDS THESE THINGS PUTTING INCENTIVES OUT THERE, INSTEAD OF SAYING THIS IS EXACTLY THE WAY YOU DO IT. I DO BELIEVE I HEARD TODAY WE HAVE LOST ONE OF THE MAJOR PEOPLE, THE MAJOR RETAILERS IN THIS AREA THAT MOVED OUTSIDE OF THE CITY LIMITS BECAUSE THERE WAS - - BECAUSE OF THESE DESIGN STANDARDS ORDINANCE. THEY WERE CONCERNED ABOUT IT OR AFRAID OF IT. I KNOW WE HAVE A VIBRANT COMMUNITY BUT I DON'T LIKE HEARING THAT AUSTIN IS LOSING SOMEBODY BECAUSE OF WE ARE TALKING ABOUT DESIGN STANDARDS. ALTHOUGH I APPLAUD IT. I AM A DESIGNER, I LIKE TO SEE THINGS BUILT WELL. BUT I DON'T LIKE TO SEE THINGS DICTATED AND DESIGNED BY ORDINANCE INSTEAD OF BY INCENTIVE. SO THAT'S WHY I'M HERE. THANK YOU. I WOULD ALSO LIKE TO SAY I'M NOT IN FAVOR OF IT RIGHT NOW, I THINK IT NEEDS A LOT OF WORK.

THANK YOU, CHARLIE. IS ROGER LILI STILL HERE? CHARLIE THREE MINUTES FOLLOWED BY BRUCE SHELTON.

THANK YOU, MAYOR, AND MAYOR WYNN, MEMBERS OF THE COUNCIL, I'M CHARLES BETTS, I REPRESENT THE DOWNTOWN AUSTIN ALLIANCE. WE WANT TO THANK PARTICULARLY COUNCILMEMBER BREWSTER MCCrackEN AND HIS STAFF. WE HAVE WORKED, HAD A TASK GROUP AND ZEROED IN ON THE DESIGN GUIDELINES FOR DOWNTOWN. WE HAVE EFFECTED A NUMBER OF CHANGES THAT WE FEEL WILL WORK AND WE ARE VERY PLEASED TO BE SUPPORTIVE OF THE DESIGN ORDINANCE. WE THANK YOU.

Mayor Wynn: THANK YOU, MR. BETTS, BRUCE SHELTON, BRUCE SHELTON? WELCOME, SIR, YOU WILL HAVE THREE MINUTES, YOU WILL BE FOLLOWED BY LAURIE RENTRYA FOLLOWED BY MIKHAIL MEADE.

GOOD EVENING.

I TOO, HAVE BEEN PLEASED WITH BREWSTER AND HOW HE'S

LETTING ME BE A PART OF THIS HERE. BUT IT'S ONLY BEEN ON A RECENT MATTER. BUT HE HAS BEEN OPEN MINDED TO WHAT I HAVE TO GIVE ABOUT THE SIGN INDUSTRY AND TO SOME IMPROVEMENTS THAT NEED TO BE MADE TO FINE TUNE THIS. I'M ALSO ON THE SIGN REVIEW BOARD. WE HAVE CERTAIN SEGMENTED AREAS LIKE WHERE WE HAVE AN EXISTING BILLBOARD, ANY -- FOR TERMINOLOGY PURPOSES, A MONUMENT SIGN, POLE SIGN, THEY ARE ALL FREESTANDING SIGNS. IF YOU HAVE A SITE THAT HAS AN EXISTING BILLBOARD, WHICH IS A NON-CONFORMING SIGN, BUT A FREESTANDING SIGN, AND YOU HAVE A NEW TENANT - - NEW BUSINESS COME IN, THAT NEEDS A NEW SIGN BUT WAS GUIDE LINED OR NOT, THEN THEY ARE RESTRICTED. WE HAVE TRIED TO SET A PRECEDENCE WHERE WE WILL ALWAYS ALLOW IT. THERE'S LITTLE CONSIDERATIONS THERE THAT WE NEED TO TAKE INTO EFFECT SO THAT SO MANY CASES DO TO DO NOT COME BEFORE THE SIGN REVIEW BOARD. THAT'S NOT THE ONLY INSTANCE. I DON'T HAVE TIME TO GO THROUGH THEM ALL. THAT IS ONE. I THINK THERE IS A BIG MAJORITY OF THE PEOPLE HERE THAT AGREE WITH ME THAT A LOT OF THE WAYS THAT WE HAVE GOTTEN TO WHERE WE ARE AT NOW IS DUE TO A LACK OF CODE ENFORCEMENT. I HAVE UNOFFICIALLY FOR THE LAST SEVERAL YEARS TRIED MY BEST TO PROMOTE CODE ENFORCEMENT AND HAVE NOT BEEN SUCCESSFUL. DUE TO LACK EVER FUNDING WITH THE CITY. LACK OF FUNDING WITH THE CITY. PROBABLY ONLY 15 TO 20% OF THE SIGNS IN AUSTIN ARE PERMITTED. IF WE HAD COMPLIANCE ALL OVER FROM -- FROM THE EXISTING -- SIGNS AND THEN WE WOULD NOT BE IN THIS SITUATION TONIGHT ABOUT ALL OF THE [INDISCERNIBLE] AND ONE THING THAT I WANT TO SUPPORT HERE, I THINK THAT I'M BEING BACKED ON THIS, IS THAT IF THIS DOES GO FORTH, WE WANT TO MAKE SURE THAT ENFORCEMENT IS TAKEN, FOLLOWED THROUGH. MANY BUSINESSES -- BUSINESSES LOSE I'M TALKING ABOUT SIGN BUSINESSES, LOSE CUSTOMERS BECAUSE THEY WILL INFORM THEM THAT THIS IS NOT LEGAL, THEN TELL TURN RIGHT AROUND AND SAY OKAY I WILL FIND SOMEBODY AND DO IT, THAT'S WHAT THEY DO. THEY WILL FIND SOMEBODY AND DO IT BECAUSE THE CITY IS NOT THERE ENFORCING THE REGULATIONS. I'M AVAILABLE FOR ANY QUESTIONS.

Mayor Wynn: THANK YOU, MR. SHELTON. LET'S SEE, LAURIE RENTARIA. SIGNED UP WISHING TO SPEAK, IN FAVOR. MIKHAIL MEADE. WELCOME, MIKHAIL. IS GUY OLIVER STILL HERE? YOU WILL HAVE THREE MINUTES. WELCOME, FOLLOWED BY JENNIFER GALE.

MAYOR AND COUNCILMEMBERS, ASSISTANT CITY MANAGER, MY NAME IS MIKHAIL MEADE I'M HERE SPEAKING ON BEHALF OF MR. OLIVER AND HIS COMPANY VENUS ENTERPRISES, THEY OPERATE AND OWN CONVENIENCE STORES THROUGHOUT THE CITY. AND AMAZINGLY ENOUGH, YOU KNOW WE DON'T KNOW IF WE WANTED TO SIGN UP IN SUPPORT, AGAINST, NEUTRAL. AND I THINK THE -- THE BASIS OF WHAT I WANT TO SAY TONIGHT IS THAT WE ARE -- WE ACTUALLY APPLAUD WHAT COUNCILMEMBER MCCRACKEN HAS CREATED HERE AND HE HAS REALLY REACHED OUT TO US, B AND S ENTERPRISES IS A MEMBER OF THE AUSTIN INDEPENDENT BUSINESS ALLIANCE. WE EXPRESSED VERY SPECIFIC CONCERNS AND COUNCILMEMBER MCCRACKEN REACHED OUT TO US TO MAKE SURE THOSE CONCERNS GOT ADDRESSED. I CAN PERSONALLY SAY THAT JUST ABOUT EVERYTHING, EVERY ISSUE THAT WE RAISED AS A CONCERN WAS CHANGED, LOOKED AT AND CONSIDERED VERY CAREFULLY. AND MODIFICATIONS WERE MADE TO ADDRESS THOSE CONCERNS IN THE DRAFTS THAT WE SEE. WHAT I AM HERE TO ASK, HOWEVER, IS THAT COUNCIL DELAY ACTION TONIGHT ON THE DRAFT THAT WE HAVE IN FRONT OF US. WE -- WE SUBMITTED TO COUNCILMEMBER MCCRACKEN AND WILL SUBMIT TO THE REST OF THE COUNCIL A LETTER THAT SPECIFIES SOME INCONSISTENCIES WE SAW IN THE DRAFT, BUT WE THINK IT NEED SOME CONSIDERABLE WORK BEFORE IT'S AT A POINT WHERE IT CAN BE GIVEN TO STAFF TO HAVE AN ORDINANCE CREATED FROM IT. WE AMAZINGLY ENOUGH, I KEEP SAYING THAT BECAUSE I THINK CONVENIENCE STORE AND GAS STATION OPERATORS ARE THE HARDEST TO BRING AROUND ON SOMETHING LIKE THIS, BUT WE -- I THINK WE'RE THERE. AND COUNCILMEMBER MCCRACKEN WAS GOOD ENOUGH TO GIVE US SOME REAL EXAMPLES ON THE GROUND OF THESE FACILITIES THAT WORK AND SOME DINES THAT ARE WORKING AND -- SOME DESIGNS THAT ARE WORKING AND OPERATING RIGHT NOW. WE ARE LOOKING AT THAT, BUT WHAT WE DON'T SEE IS HOW COUNCILMEMBER

MCCRACKEN'S VISION IS ACTUALLY IN THIS APRIL 25th DRAFT. I THINK IT NEEDS SOME CONSIDERABLE WORK AND WE WOULD ASK THAT THE COUNCIL NOT TAKE ACTION ON IT UNTIL IT'S CLEANED UP AND REALLY IN GOOD FORM. AND AGAIN I WILL -- WE HAVE SUBMITTED A LETTER WITH SOME SPECIFIC CONCERNS TO COUNCILMEMBER MCCRACKEN AND WILL FORWARD THAT TO THE REST OF THE COUNCIL.

Mayor Wynn: THANK YOU, MS. MEADE. SCWEN IF HER GALE. JENNIFER GALE, WELCOME, THREE MINUTES.

HI, THANK YOU, MAYOR, HI AUSTIN. CITY MANAGER McDONALD. COUNCILMEMBERS SLUSHER, MAYOR PRO TEM JACKIE GOOD AN, THANK YOU FOR THE WORK THAT YOU HAVE DONE ON THIS. COUNCILMEMBER BRUS STEER MCCRACKEN I LOVE THE IDEA OF DESIGN STANDARDS. DESIGN STANDARDS THAT HELP MAINTAIN AUSTIN STAYING AUSTIN. BUT I'M ALSO HERE TO SPEAK ON BEHALF OF SMALL BUSINESS WHICH IS POSSIBLY AROUND 92% OF AUSTIN BUSINESSES. I ALSO LOVE THE IDEA OF HAVING DESIGN STANDARDS FOR OUR HANDICAP SO THAT WE KNOW THAT THEY CAN SAFELY GET FROM THEIR CARS OR THE STREET TO THE BUSINESSES. BUT IF YOU LOOK AT THE APRIL 25 DRAFT, 2005 DRAFT, IT LOOKS HARD FOR THOSE -- IT LOOKS LIKE IT WOULD BE VERY HARD FOR THOSE JUST STARTING OUT IN BUSINESS. FOR THOSE WHO ARE ILL PREPARED TO HANDLE THE FINANCIAL DEMANDS THAT THIS DRAFT IS GOING TO PUT ON THOSE DESIGN STANDARDS. NOW, YOU HAVE BEEN HEARING FROM LARGE BUSINESS, TACO BELL, SONIC, SIGN COMPANIES. BUT WE'RE NOT EVEN DEALING WITH SMALL BUSINESS. WE HAVE TO LOOK AT THE BUSINESSES THAT WANT TO LOCATE HERE. THE ENTREPRENEURS THAT WANT TO START OUT HERE. THEY WOULD -- THESE DESIGN STANDARDS ARE DAUNTING. IF THERE'S SOME WAY WHERE WE CAN MOVE THEM INTO THESE STANDARDS EVENTUALLY, SO THAT ALL OF THE DEMANDS DON'T FALL ON THEM, JUST AS THEY WOULDN'T FALL ON THE LARGER COMPANIES AS WELL. KEEPING AN EYE ON THE SETBACKS. HEAT USE MORE TIME -- LET'S USE MORE TIME TO DISCUSS THESE, ALL OF THE ITEMS, THE SCREENING, THE IDEA OF SAFETY FOR EMPLOYEES WORKING IN THE CONVENIENCE STORES. THE -- WHEN I CAME TO YOU THE OTHER DAY ABOUT IMPROVING AUSTIN,

THE IDEA WAS THE IDEA OF A MONUMENT, BUT AS I TRIED TO PUT UP MY LARGE SIGNS MYSELF, I FIND THAT YOU CAN'T SEE THEM. WHEN THEY ARE -- WHEN THEY ARE AT -- AT A PERSON HEIGHT. THEY HAVE GOT TO BE A LITTLE BIT HIGHER SO THAT PEOPLE CAN ACTUALLY SEE THAT THE BUSINESS IS THERE. NOW, WHEN I WAS TALKING TO YOU, I WAS TALKING ABOUT NOT EVEN PEOPLE NOT EVEN BEING ABLE TO SEE THE SIGNAGE. PEOPLE WOULD HAVE TO LEARN THE AREA IN WHICH THEY LIVE IN. BUT WE HAVE GOT TO HAVE SOME WAY TO BE ABLE TO IDENTIFY A BUSINESS FROM THE STREET. THAT'S WHAT I'M ASKING FOR. TO CONTINUE TO LOOK INTO THIS AS YOU ARE AND TO MEET THE DEMANDS OF SMALL, THE ENTREPRENEUR AND THE BIG BUSINESS AS YOU HAVE HEARD TODAY. THANK YOU.

Mayor Wynn: THANK YOU, JENNIFER. MONIQUE BONET? SIGNED UP WISHING TO SPEAK IN FAVOR MUCH KENT COLLINS. WAKE UP, KENT. WELCOME. COLLINS.

[INAUDIBLE - NO MIC]

I LIKE THAT.

BEFORE MR. COLLINS SPEAKS, I WILL ENTERTAIN A MOTION TO WAIVE COUNCIL RULES TO GO PAST 10:00 P.M. MOTION MADE BY COUNCILMEMBER MCCracken, SECONDED BY COUNCILMEMBER DUNKERLY TO WAIVE THE RULES TO GO PAST 10:00 P.M. ALL IN FAVOR ENTHUSIASTICALLY SAY AYE. OPPOSED? MOTION PASSES ON A VOTE OF 5-0. WELCOME, MR. COLLINS, THREE MINUTES.

I WON'T TAKE MY THREE MINUTES. BUT I -- COUNCIL, MR. MAYOR, I WOULD LIKE TO ECHO WHAT MR. BETTS SAID, THAT DOWNTOWN AUSTIN ALLIANCE SUPPORT THE COMMERCIAL AND RETAIL DESIGN STANDARDS FOR AUSTIN. WE ALSO APPRECIATE THAT THE TASK FORCE AND COUNCILMEMBER MCCracken HAVE WORKED WITH US TO ADDRESS ISSUES SPECIFIC TO DOWNTOWN AND LOOK FORWARD TO CONTINUING TO WORK WITH YOU ON THIS. BECAUSE THERE ARE SOME VERY COMPLEX ISSUES AS MANY OF THESE PEOPLE HAVE LAID OUT THAT ARE -- THAT CONTINUE TO NEED TO BE ADDRESSED. I WILL SAY, THOUGH, THAT I SPENT THE DAY, THIS IS ON A PERSONAL NOTE IN DOWNTOWN SAN

ANTONIO AND THERE I WAS ABLE TO SEE THE McDONALD'S THAT WAS INSTALLED AS A TENANT IN AN HISTORIC BUILDING IN 1982 THAT WHEN IT WENT IN WAS THE TALK OF THE RETAIL INDUSTRY BECAUSE McDONALD'S IN 1982 HAD BOWED TO THE HISTORIC STANDARDS OF THE OWNERS AND DEVELOPERS OF THAT BUILDING AND TO THE HISTORIC STANDARDS OF DOWNTOWN SAN ANTONIO TO DESIGN THEIR SIGNAGE AND THEIR STORE FRONT TO FIT THE STANDARDS OF THAT HISTORIC BUILDING AND THAT HISTORIC DISTRICT IN DOWNTOWN SAN ANTONIO. AND THAT TENANT, McDONALD'S, WHICH MANY OF YOU KNOW, IS STILL A TENANT TODAY AND WAS THERE WHEN I WAS THERE IN DOWNTOWN TODAY FOR URBAN LAND INSTITUTE MEETING. THAT'S JUST SOMETHING TO STORE AWAY. SECONDLY, I WOULD LIKE TO SAY THAT IN THE WOOD LANDS, WHICH -- WHICH IS ANOTHER CITY THAT -- 40,000 PEOPLE, THAT'S ABOUT 140 MILES TO THE EAST OF US, THAT -- THAT THERE HAVE BEEN A SET OF VERY STRICT DESIGN STANDARDS THAT GOVERN SIGNAGE, SPECIFICALLY TO FAST FOOD RESTAURANTS, SERVICE STATIONS AND MANY OTHER RETAILERS. THE WOOD LANDS CONTINUES TO BE THE NEIGHBORHOOD THAT HAS BEEN THE LARGEST, THAT HAS THE MOST NUMBER OF NEW HOME SALES IN THE HOUSTON METROPOLITAN REGION FOR THE LAST 10 YEARS. ANNUALLY. THOSE ARE THE LAST TWO THINGS THAT I WILL SAY TO YOU ON A PERSONAL NOTE. THANK YOU.

Mayor Wynn: THANK YOU, MR. COLLINS. DIANA [INDISCERNIBLE] WISHING TO SPEAK, IN FAVOR. GERARD KINNEY. DEBBIE RUSSELL STILL HERE? SO GERARD YOU WILL HAVE THREE MINUTES. FOLLOWED BY ELEANOR McKINNEY.

THANK YOU, MAYOR AND MEMBERS OF THE COUNCIL AND THANK YOU, BREWSTER MCCracken FOR PUTTING ALL OF THIS TOGETHER OVER THE LAST YEAR AND A HALF. I HAVE BEEN REAL PROUD TO SERVE ON THAT TASK FORCE, TO DO WHAT I CAN TO HELP. I'M HERE TO SPEAK IN FAVOR OF THIS. I WANT TO ENCOURAGE YOU TO PASS THIS ORDINANCE. I HOPE THAT YOU DON'T PUT TOO MUCH OF IT OFF TOO LONG BECAUSE IT NEEDS TO HAPPEN SOONER THAN LATER. I THINK -- AS WE KNOW, I MEAN, WELL, LET ME JUST MAKE ONE KIND OF POINT HERE. LET ME MAKE TWO POINT POINTS.



ONE IS THE CHARETTE, FROM MY PERSPECTIVE IT WAS AN EXTREMELY SUCCESSFUL CHARETTE. IT WAS A BETA TEST. IT DID FERRET OUT A LOT OF PROBLEMS, THAT'S WHAT TWO SUPPOSED TO DO -- IT WAS SUPPOSED TO DO AND CAUSED US TO ADDRESS THEM. THOSE PROBLEMS WILL CONTINUE TO BE ADDRESSED AFTER THE POLICY -- RESOLUTION IS PASSED. AFTER YOU HAVE PASSED THIS WE WILL STILL CONTINUE TO REFINE IT AND REFLECT THOSE -- ADDRESS THOSE PROBLEMS. SECOND THING THAT I WANTED TO SAY IS THAT WHEN YOU HAVE ALLOWED STANDARDS TO DETERIORATE TO GO SO LONG WITHOUT ADDRESSING THEM, YOU HAVE INDUSTRIES LIKE SIGNAGE INDUSTRIES THAT EMERGE AND YOU HAVE THE GREAT COMPETITION AMONG SIGNS THAT HAPPEN AND SO YOU HAVE A VERY LARGE NUMBER OF PEOPLE PARTICIPATING IN THAT ENTERPRISE. SO IT'S VERY NATURAL THAT THOSE FOLKS ARE GOING TO COME DOWN AND OPPOSE SOMETHING THAT MIGHT REDUCE THE TOTAL AMOUNT OF SIGNAGE IN THE CITY. THAT SHOULDN'T BE A SURPRISE TO ANYONE. IT -- BUT I -- AS PREVIOUS SPEAKER SAID, THERE ARE MANY COMMUNITIES THAT HAVE CONTROLLED THEIR SIGNAGE AND THE OTHER VISUAL POLLUTION THAT HAPPENS IN THEIR COMMUNITY AND IT ALLOWS ALL SHIPS, ALL BOATS TO RISE. IT HELPS EVERYONE. SO I URGE YOU TO STAY THE COURSE AND ADOPT THESE DESIGN GUIDELINES. THANK YOU.

Mayor Wynn: THANK YOU, MR. KINNEY. ELEANOR McKINNEY. WELCOME, ELEANOR, YOU WILL HAVE THREE MINUTES FOLLOWED BY KATHY HE COULD COLORADOS.

THANK YOU, MAYOR, MEMBERS OF THE CITY COUNCIL, MY NAME IS ELEANOR McKINNEY, I'M A LANDSCAPE ARCHITECT AND MEMBER OF THE DESIGN COMMISSION. I GUESS I WANTED TO SPEAK MORE IN TERMS OF THE BROAD PICTURE AND AS AUSTIN BECOMES MORE DENSE AND MORE URBAN, OPEN SPACE AND LANDSCAPE ARE GOING TO BECOME MORE AND MORE IMPORTANT. WE ARE SO USED TO IT BEING THERE, WE DON'T THINK ABOUT HOW IMPORTANT IT BECOMES. AS THE SPACES NARROW DOWN THE PUBLIC SPACES AND THE SPACES FOR LANDSCAPE NARROW DOWN, THOSE SPACES ARE GOING TO BECOME MORE AND MORE IMPORTANT TO THE PUBLIC AT LARGE. TO THE CITIZENS. IT'S GOING TO BE IMPORTANT THAT THOSE SPACES SUPPORT

LANDSCAPE AND SUPPORT TREES. I THINK THAT THE DOCUMENT AS IT STANDS HAS BEEN REALLY WELL WORKED THROUGH AND BROUGHT TO THIS POINT. BUT THERE ARE VERY -- THERE'S HORTICULTURE STANDARDS ACTUALLY FOR TREES THAT ARE NOT BEING ADHERED TO YET IN THIS CURRENT DRAFT. SO THE OVERALL QUALITY OF THE LANDSCAPE, THE CHANGES AND THE UPGRADE OF THE STANDARD IS REALLY GOOD, THE INTENT IS GOOD, BUT I THINK IT'S REALLY IMPORTANT TO UNDERSTAND HOW IT'S AFFECTING EVERYTHING WHEN THE BUILDINGS PUSH UP TO THE STREET, THE TREES GO INTO THE RIGHT-OF-WAY AND THEN WHAT HAPPENS TO THOSE TREES WHEN THEY ARE IN SMALLER AREAS? HOW IS THAT GOING TO AFFECT OVERALL THE TREE CANOPY IN THE CITY OF AUSTIN? I THINK THAT, YOU KNOW, WHEN I'M -- I FIRST MOVED HERE IN '72, WHAT PEOPLE THINK OF ACROSS TEXAS IS THAT AUSTIN IS GREEN. AND I THINK THAT WE HAVE GOT TO BE REAL AWARE OF HOW THIS IS GOING TO BALANCE OUT OVER TIME. AND THAT WE MAKE THESE NEW SPACES REALLY HABITABLE FOR ALL OF US. THANK YOU.

Mayor Wynn: THANK YOU, MS. McKINNEY. KATHY ECHOLS, THREE MINUTES, FOLLOWED BY SUSAN MOFFETT. FOLLOWED BY ANNE COALMAN.

I'M KATHY ECHOLS, A LIVABLE CITY BOARD MEMBER, I HAVE BEEN PARTICIPATING IN THE DEVELOPMENT OF THE DESIGN STANDARDS AS A MEMBER OF THE STAKEHOLDER GROUP. IT'S BEEN AN ARDUOUS PROCESS AND I THINK BREWSTER ALONG WITH HIS AID KAREN GROSS, I THANK THEM FOR SHEPHERDING THIS SERVE. THE STANDARD SERVE TWO PRIMARY FUNCTIONS. FIRST AS YOU HAVE HEARD THEY WILL IMPROVE THE VISUAL ENVIRONMENT BY ENCOURAGING BETTER DESIGN BUILDINGS AND REDUCING BETTER DESIGN BUILDINGS AND BUILDING SITES. FOR EXAMPLE REDUCING THE FREQUENCY WITH WHICH WE HAVE TO LOOK AT MASSIVE UNDIFFERENTIATED BUILDINGS AND MASSIVE PARKING LOTS. PERHAPS TO IMPROVE THE FUNCTIONS OF OUR RETAIL ENVIRONMENT TO CREATE AN ENVIRONMENT THAT ENCOURAGES PEDESTRIAN ACTIVITY WITHIN AS WELL AS AROUND A DEVELOPMENT. THOUGH THESE ELEMENTS PROMOTE A MORE PLEASANT PEDESTRIAN ENVIRONMENT, THEY ALSO FEED INTO THAT FIRST GOAL, IMPROVING THE

APPEARANCE OF DEVELOPMENTS EVEN FOR THOSE WHO CHOOSE TO DRIVE TO THEM. I SERVED ON A SMALL GROUP THAT BREWSTER BROUGHT TOGETHER TO WORK WITH MEMBERS OF RECA ON CONCERNS THAT THEY HAD RAISED. I WANT TO ECHO THE COMMENTS OF EARLIER SPEAKERS THAT THESE WERE PRODUCTIVE WORKING MEETINGS IN WHICH PEOPLE OF DIFFERENT PERSPECTIVES WORKED HARD TO DEVISE SOLUTIONS. IN OUR EFFORTS TO ADDRESS RECA'S CONCERNS, THE STANDARDS WERE SUBSTANTIALLY REVISED. FOR EXAMPLE THE MOST STRINGENT CONCERNS NOW APPLY ONLY IN THE CENTRAL CITY AND EVEN THOSE ARE FAR MORE FLEXIBLE THAN IN THE ORIGINAL PROPOSAL. GIVEN THE EXTENSIVE EFFORTS AT COMPROMISE. I BELIEVE THAT THE RECA MEMBERS SHOULD JOIN ME IN SUPPORTING THE STANDARD, EVEN IF WE EACH HAVE SOME REMAINING CONCERNS. I BELIEVE THAT THE STANDARD SHOULD BE STRONGER AND IN PARTICULAR THAT THE MORE STRINGENT STANDARDS SHOULD APPLY TO FAR LARGER PART OF THE CITY. BUT I'M SUPPORTING THE STANDARDS AS A TRULY SIGNIFICANT FIRST STEP IN IMPROVING THE CHARACTER OF THE COMMUNITY. I AGREE THAT MORE WORK IS NEEDED, THIS IS A POLICY DOCUMENT NOT THE ORDINANCE. MANY SPECIFIC CONCERNS CAN BE WORKED OUT IN DRAFTING THE ORDINANCE. SO LET'S MOVE FORWARD ON IT. THANKS.

SUSAN MOFFETT WISHING TO SPEAK, IN GAVE. ANNE COLEMAN, WELCOME, THREE MINUTES, FOLLOWED BY KEVIN LEWIS.

THANK YOU FOR STAYING UP SO LATE. I'M NOT USED TO THIS, I KNOW YOU GUYS ARE. I'M ANNE COLEMAN IN MY 23<sup>rd</sup> YEAR IN PRACTICE AS A LANDSCAPE ARCHITECT HERE IN AUSTIN. I WOULD LOOK I LIKE TO START WITH THAT NOTE, I THINK YOUR LANDSCAPE ORDINANCE HAS BEEN VERY CRITICAL, WONDERFUL IN MAINTAINING THE CHARACTER AND NATURE OF AUSTIN. I TRAVEL QUITE A BIT AND AM OFTEN COMPLIMENTED FOR HOW WELL OUR LANDSCAPE ORDINANCE HAS BEAUTIFIED OUR COMMUNITY. ON THAT NOTE, I WOULD LIKE TO SUPPORT THE ORDINANCE AND THANK BREWSTER AND KAREN FOR KEEPING EVERYBODY SO WELL INFORMED AND WELL INCLUDED. IT HAS BEEN A GREAT PROCESS WHEREBY MANY OTHER CONSULTANTS HAVE PARTICIPATED, CIVIL ENGINEER, LANDSCAPE

ARCHITECT DIRECT, DEVELOPERS, IT'S BEEN A REAL GREAT COLLABORATION ON EVERYBODY'S PART. I HAVE LEARNED A LOT FROM IT. ONE THING THAT I WOULD LIKE TO NOTE, WE NEED TO WORK [INDISCERNIBLE] I KNOW COUNCILMEMBER GOODMAN HAS BEEN A BIG ADVOCATE OF THE INDIVIDUAL COMMUNITY. I THINK WE NEED TO BE VERY CERTAIN THAT THIS CODE IS FLEXIBLE TO ALLOW INDIVIDUAL EXPRESSION FOR EACH SITE AND EACH INDIVIDUAL POD WITHIN THE COMMUNITY. WE NEED TO BE REALLY CAREFUL WHEN WE DRAFT THAT ORDINANCE. LIKE WEIGHS CHALLENGED WITH HOW WE HAVE OUR STAFF REVIEW THIS CODE. I THINK IT'S GOING TO BE DIFFICULT, BECAUSE THERE'S GOOD GO TO -- GOING TO BE A LOT OF SUBJECTIVITY A LOT OF DISCUSSION ABOUT WHAT GOOD DESIGN ACTUALLY IS. ONE THING THAT I WOULD LIKE TO DO IS TALK ABOUT THE LANDSCAPE, OF COURSE, I THINK IT'S JUST ABOUT PERFECT. SEVERAL CLIENTS IN THIS ROOM HAVE OFTEN BACKED US UP AS CONSULTANTS IN KEEPING THE LANDSCAPE CODE ABOVE WHAT IS PRESENTLY CONSIDERED THE MINIMUM HERE IN OUR COMMUNITY. FOR EXAMPLE, PRESENTLY THE CODE CALLS FOR AN INCH AND A HALF SHADE TREE. THE CODE NOW AS IT IS PRESENTLY DRAFTED WOULD CALL FOR THREE INCH SHADE TREE, WHICH IS 100% INCREASE RIGHT THERE. ALSO OUR PLANTING ISLANDS ARE PRESENTLY 10 FEET, WITH THIS NEW CODE IT WOULD BE 15 FEET AND I HAVE NOTICED IN MY EXPERIENCE OVER THE LAST 20 CAREERS THAT TREES IN LARGER ISLANDS DO GROW, TO MORE MAXIMUM POTENTIAL. I THINK THAT ALONE WILL BRING UP OUR PARKING LOTS SUBSTANTIALLY. THE OTHER THING THAT I REALLY LIKE IS THE INCENTIVE FOR PRESERVED AREAS. THERE ARE LOTS OF OPPORTUNITIES I HAVE SEEN TO ACTUALLY HAVE AREAS ON A SITE THAT ARE ACTUALLY IN A PRESERVE STATE AND NON-IRRIGATED. I THINK THE WAY THIS CODE IS BEING DRAFTED WHERE A PROJECT WOULD GET I THINK IT'S ONE AND A HALF TIMES ITS IMPERVIOUS COVER -- IT'S PERVIOUS COVER AMOUNT, FOR LACK OF A BETTER WORD, IS GOING TO BE A GREAT NAME FOR THE COMMUNITY. THE OTHER THING THAT I REALLY LIKE IN THIS, PRESENTLY I DON'T THINK MANY PEOPLE ARE AWARE THIS A NON-SURVEYED TREE, FOUR INCHES OR SMALLER IN SOME CASES, SIX INCHES AND SMALLER CAN BE REMOVED WITHOUT ANY RAMIFICATIONS AT ALL. THE WAY

THE CODE IS BEING DRAFTED NOW [BUZZER SOUNDING]  
NON-SURVEYED TREES THAT ARE ON SITE COULD BE  
INCLUDED AND PRESERVED AND I THINK THAT'S GOING TO  
BE GREAT IN PRESERVING SOME OF THE NATURE AND  
CHARACTER OF THE BUFFER AREAS ALONG OUR PROJECTS.  
THANK YOU VERY MUCH. HARRIS THANK YOU, MS. COLE  
MAN. KEVIN LEWIS? WISHING TO SPEAK, IN FAVOR. JENNIFER  
MCPHAIL HAD TO LEAVE BUT LEFT US HER WRITTEN  
COMMENTS FROM ADAPT COMMITTEE ON THE STANDARDS  
THAT WE WILL CERTAINLY TAKE DUE NOTE OF. MARY GROVE  
McDONALD, WELCOME, THREE MINUTES. FOLLOWED BY  
MELISSA MILLER.

GOOD EVENING, MAYOR, MAYOR PRO TEM,  
COUNCILMEMBERS, I'M MARRY McDONALD, I REPRESENT  
BOMB MAKE AUSTIN, BUILDING MANAGERS AND OWNERS  
ASSOCIATION, FOR THE LAST 18 MONTHS AND MORE, IT FELT  
LIKE MORE, BREWSTER, BOMA AUSTIN HAS PARTICIPATED IN  
THE CREATION OF DESIGN STANDARDS FOR COMMERCIAL  
DEVELOPMENT WITH BREWSTER MCCrackEN AND HIS  
STAFF, WE THANK THEM FOR THOSE EFFORTS. THE SIGN  
STANDARDS MAY HELP ESTABLISH A UNIFORM AND  
CONSISTENT DEVELOPMENT PROCESS AND ENCOURAGE  
BETTER LAND USE POLICY. BUT WE MAY BE CAREFUL NOT  
TO DISCOURAGE OR IMPEDE BUSINESS, JOBS OR OVERLY  
DICTATE PRIVATE PROPERTY OWNERS' RIGHTS. THE DESIGN  
STANDARDS MAY HAVE THE CAPABILITY OF A NET NEGATIVE  
IMPACT ESPECIALLY FOR SMALL AND LOCAL BUSINESSES.  
AS ALWAYS, WORLD LIKE TO ENSURE THE JOB CREATORS  
REMAIN IN AUSTIN RATHER THAN TAKING THEIR BUSINESS  
AND TAX GENERATORS TO OTHER LESS COSTLY MORE  
FLEXIBLE AREAS. AT THIS TIME, BOMA AUSTIN IS  
CONCERNED THAT THE DESIGN STANDARDS ARE NOT QUITE  
READY. THIS CONTINUES TO BE A WORK IN PROGRESS. WE  
WILL CONTINUE WORKING WITH THE TASK FORCE FOR AS  
LONG AS IT TAKES TO ENSURE THOROUGH AND WORKABLE  
SOLUTIONS FOR THIS INITIATIVE. WE ALSO AWAIT THE  
OPINION OF THE ENTIRE COMMUNITY INCLUDING  
NEIGHBORHOODS AND OTHER BUSINESS ALLIES AND  
BOARDS AND COMMISSIONS. WE WISH TO READ, DIGEST  
THEIR QUESTIONS, CONCERNS, OPINIONS AS WELL AS  
THOSE OF OUR MEMBERSHIP. IN CONSIDERATION OF THE

MANY CHANGES THERE HAS NOT BEEN ENOUGH TIME. BOMA AUSTIN SUPPORTS REASONABLE AND WELL PLANNED QUALITY OF LIFE RULES BECAUSE WE LIVE AND WE WORK HERE, TOO. SO WE RECOMMEND ALONG THE PERIOD OF -- A LONGER PERIOD OF STUDY AND PLANNING BEFORE THIS INITIATIVE IS CONVERTED TO LAW. THANK YOU FOR THE OPPORTUNITY TO PARTICIPATE IN THE TASK FORCE PROCESS AND FOR PUBLIC DISCUSSION HERE TONIGHT. BOMA AUSTIN WILL CONTINUE TO BE INVOLVED AND WE APPRECIATE THE OPPORTUNITY TO DO SO. THANK YOU.

Mayor Wynn: THANK YOU, MARY. MELISSA MILLER, WELCOME, MELISSA. IS BRANDY CLARK HERE? SO YOU WILL HAVE THREE MINUTES IF YOU NEED IT.

GREAT, THANK YOU VERY MUCH. GOOD EVENING, MAYOR. MAYOR PRO TEM, COUNCILMEMBERS. AND STAFF. I'M MELISSA MILLER, THE DIRECTOR OF THE AUSTIN INDEPENDENT BUSINESS ALLIANCE. HERE TONIGHT REPRESENTING 330 LOCALLY OWNED AND OPERATED BUSINESSES IN AUSTIN. AND WE ARE REQUESTING A LOCAL BUSINESS ECONOMIC IMPACT ANALYSIS TO BE PERFORMED PRIOR TO ANY COUNCIL VOTE ON THE PROPOSED DESIGN STANDARDS BECAUSE WE ARE FOR THE CERTAIN THAT LOCAL BUSINESSES WILL KNOW -- WILL NOTICE NO CHANGE. I UNDERSTAND THAT YOU ARE BEING ASKED TO ENDORSE MOVING FORWARD TONIGHT. TO ALLOW STAFF TO DRAFT POLICY. WHILE THERE CONTINUES TO BE STAKEHOLDER DISCUSSION IN SEWN SON WITH POLICY -- UNISON WITH POLICY DRAFTING, BUT I'M UNCLEAR WHERE THE STAKEHOLDER DISCUSSION CANNOT CONTINUE TO TAKE PLACE BEFORE THE POLICY IS DRAFTED. WHILE WE ARE CERTAINLY SUPPORTIVE OF EFFORTS TO KEEP AUSTIN FROM BECOMING ANYWHERE U.S.A. IN FACT MEMBER BUSINESSES CONTRIBUTE TO AUSTIN'S UNIQUENESS, WE ARE CONCERNED THERE COULD BE UNINTENDED CONSEQUENCES BROUGHT ABOUT BY THIS INITIATIVE. WE APPRECIATE HAVING BEEN INCLUDED IN DIALOGUE MOST RECENTLY SURROUNDING THESE PROPOSED STANDARDS, BUT WE FEEL LOCAL BEES ARE UNAWARE -- BUSINESSES ... COULD PROVIDE ANSWERS TO QUESTIONS SUCH AS WHAT WOULD THE ADDITIONAL COST PASSED FROM THE DEVELOPER, WHAT WOULD BE THE ADDITIONAL COST PASS

IT PASSED FROM THE DEVELOPER TO THE TENANT, WILL THOSE COSTS MAKE IT EVEN MORE DIFFICULT FOR LOCAL INDEPENDENT BUSINESSES TO LOCATE A NEW DEVELOPMENT. AND WHAT SORT OF IMPACT WILL THERE BE ON AN AUSTIN LANDMARK SUCH AS THE AUSTIN MOTEL, FOR INSTANCE, IF THERE IS SIGNAGE THAT HAS BEEN THERE SINCE 1938 REMOVED? HOW MANY HURDLES MIGHT INADVERTENTLY BE PUT INTO PLACE SUCH ADDITIONAL PERMIT, TIME NEEDED FOR THE LOCAL BUSINESS PERSON TO COME DOWN TO CITY HALL TO REPRESENT THAT THEY HAVE ORIGINAL, UNIQUE OR HISTORIC SIGNAGE THAT DESERVES TO BE LEFT IN PLACE? THESE ARE JUST A COUPLE OF EXAMPLES. THERE MAY BE MANY MORE THAT WE ARE NOT EVEN AWARE OF. IT IS TRUE THAT LOCAL BUSINESS OWNERS ARE EXTREMELY PRESSED FOR RESOURCES AND WEAR MANY HATS. FROM RUNNING A BACK OFFICE TO THE FRONT REGISTER, I'M HERE TONIGHT REPRESENTING NOT ONLY OUR 330 LOCAL BUSINESS MEMBERS, BUT FOR ALL LOCAL BUSINESSES TO ASK THAT YOU NOT VOTE ON THESE PROPOSED STANDARDS BEFORE YOU ASSESS THEM FROM A LOCAL BUSINESS PERSPECTIVE. IN FACT I IMPORE YOU TO THINK ABOUT THE LOCAL BUSINESS PERSON AS YOU CONSIDER THESE STANDARDS. I WANT TO MAKE VERY CLEAR THAT WE ARE NOT OPPOSING THESE STANDARDS BUT WE BELIEVE THAT WITH THIS LOCAL BUSINESS ECONOMIC IMPACT ANALYSIS CONSIDERATION CAN BE GIVEN TO PROTECT THE LOCAL BUSINESS PERSON AND TO ACHIEVE THE DESIRED OUTCOME OF THIS PROCESS WHICH IS TO KEEP AUSTIN UNIQUE [BUZZER SOUNDING] FROM LOOKING LIKE ANYWHERE U.S.A. THANK YOU.

Mayor Wynn: THANK YOU, MS. MILLER. COUNCIL, THAT'S ALL OF THE FOLKS WHO WISH TO SPEAK TONIGHT. REAL QUICKLY, I WILL READ INTO THE RECORD FOLK NOT WISHING TO SPEAK, AARON [INDISCERNIBLE] SIGNED UP NOT WISHING TO SPEAK IN OPPOSITION. AARON WELCH, THURMON BLACK BURN, SCOTT FLACK, BEN COGERT, DOMINICK CHAVEZ, CALINDA HOWE, LAUREN [INDISCERNIBLE], ERIC SNIDER, GRAM CARTER, WILL WETTEST, PERIER PAIN, LYNN TON ALL RED. THE FOLLOWING FOLKS NOT WISHING TO SPEAK IN FAVOR, TIMOTHY, SIMILAR MAN, KATHY, KATHY, GEORGE COVER, AMY EVERHART, IAN DAVIS, PERRY LORENZ, PAUL

SILVER, SCOTT JOHNSON, [INDISCERNIBLE], I AM MALE  
FESSEY, NOAH LEVY, CRAIG ADAIR, [INDISCERNIBLE], SORRY,  
DAN AREA SON, MARK STRAWM MAKE, KAREN AS SCOTT,  
DANIEL TIERNEY, KIM CLARK. SO COUNCIL THAT CONCLUDES  
THE -- THE PUBLIC HEARING ASPECT OF THIS POSTED ITEM. I  
WILL ENTERTAIN A MOTION TO CLOSE IT.

SO MOVE.

MOTION MADE BY COUNCILMEMBER MCCRACKEN.  
SECONDED BY COUNCILMEMBER THOMAS TO CLOSE THE  
PUBLIC HEARING. ALL IN FAVOR?

AYE.

Wynn: OPPOSED? MOTION PASSES ON A VOTE OF 7-20.  
QUESTIONS, COMMENTS, 7-0. QUESTIONS, COMMENTS,  
COUNCIL? MAYOR PRO TEM?

BACK WHEN WE HAD THE CITIZEN PLANNING COMMITTEE,  
ONE OF THE COMPONENTS OF THEIR STUDY HAD TO DO  
WITH DESIGN. SO I THOUGHT THAT I WOULD READ YOU THE  
EXCERPT FROM THAT REPORT BECAUSE HOPEFULLY IT WILL  
MAKE PEOPLE STOP FOR A SECOND AND LOOK AT EXACTLY  
WHAT IS BEING PROPOSED IN THE CONTEXT OF -- OF THE  
WORLD WE LIVE IN. URBAN AND ARCHITECTURAL DESIGN  
ARE SIMPLISTICALLY CONSIDERED TO BE PURELY  
AESTHETIC DISCIPLINES AND OF MARGINAL IMPORTANCE TO  
SOCIETY. UNLESS DESIGN IS PERCEIVED TO BE A PART OF A  
REVENUE PRODUCING EQUATION, ITS RELEVANCY IS AT  
BEST MARGINAL. DESIGN IS SEEN AS SUPERFICIAL MAKING  
OF PRETTY OBJECTS UNNECESSARY FOR THEIR PROPER  
FUNCTIONING. RATHER THAN A CENTRAL ORDERING TOOL.  
FOR BUILDINGS AND CITIES. GOOD DESIGN IS A WAY OF  
THINKING ROOTED IN DEEP UNDERSTANDING OF FORCES AT  
PLAY AS WELL AS TRADITION, CHARACTER OF THE REGION,  
AND SPECIFIC LOCATIONS, ULTIMATELY TIMELESS AND  
LASTING DESIGN QUALITIES GO BEYOND THE PHYSICAL AND  
REFLECT AND EXPRESS A DEEPER UNDERSTANDING OF THE  
HUMAN CONDITION. YOU CAN TELL AN ARCHITECT WROTE  
THIS, I KNOW. NOWHERE IN THE ORDINANCES OR IN THE  
REVIEW PROCESSES IS ANY IMPORTANCE GIVEN TO DESIGN.  
OUR CITY PRESENTLY DOES NOT CONCERN ITSELF WITH



THE DESIGN ISSUES ON ANY LEVEL IN APPROVING BOTH PUBLIC AND PRIVATE PROJECTS. THIS WAS '95. SO WE ACTUALLY HAVE [INDISCERNIBLE] THERE IS A GREAT DEAL OF MISTRUST BETWEEN DEVELOPERS AND COMMUNITY, IT'S AN UNNECESSARY CONFLICT BORNE OUT OF MISUNDERSTANDING AND SOMETIMES LACK OF VISION. IN THE LONG RUN IT IS ESSENTIAL NOT TO INHIBIT OUR IMAGINATION BY THE PERCEIVED LIMITS OF OUR CURRENT SOCIAL AND POLITICAL INSTITUTIONS. A GREAT DEAL OF WHY CITIES TODAY LOOK THE WAY THEY DO HAS TO DO WITH THE CONCEPTS OF THE CITY AND ITS ROLE AND A LIFE THAT WE HOLD IN OUR IMAGINATIONS. OUR CITIES DO NOT HAVE TO BE THE WAY THEY ARE. BUT TO MAKE THEM DIFFERENT, WE NEED TO START THINKING ABOUT THEM IN A DIFFERENT WAY. WE NEED TO BEGIN TO DEFINE A PROCESS THROUGH WHICH OUR CITY CAN BE REINTEGRATED IN TERMS OF THE RICHNESS AND VARIETY OF THE URBAN EXPERIENCE UNDER ITS AUSPICES. NOW, ECONOMIC CONSIDERATIONS AND IMPERATIVES ARE PERIPHERAL ISSUES THAT HAVE TO BE CONSIDERED. BUT IT'S NOT A CONCEPT THAT SHOULD BE TOTALLY DISMISSED BECAUSE WE HAVE NEVER DONE IT. WE HAVE TO DO WHAT IS RIGHT FOR US. SOME OF THE THINGS DONE IN THE REST OF THE COUNTRY WILL NOT BE -- IN THE REST OF THE COUNTRY WILL NOT BE RIGHT FOR US. SOME THINGS IN MY MIND I CALL IT STEP FORD VILLAGE. WE DON'T WANT STEPFORD VILLAGE. WE DON'T WANT TO BE LIKE SOME OF THE SMALLER PLACES AROUND US THAT HAVE A PATTERN THAT THEY WANT TO SUPERIMPOSE. WE LIKE THE ECLECTIC. AND WE LIKE THE FUN. AND WE LIKE THE PRETTY AND TOLERATE MANY TIMES THE UTILITARIAN. SO IT'S A BLANKET, A PATCHWORK QUILT. ALL OF THOSE CONCEPTS HAVE TO BE INCLUDED IN WHAT WE DO AS WELL. BUT AT THIS POINT IN THE PROCESS, I THINK WE'VE GOT TO SEPARATE WHAT CAN ONLY BE TALKED ABOUT RHETORICALLY WHICH IS THE VISION AND SEPARATE THAT OUT FROM WHAT WE DO IN FACT WANT TO TRY TO CODIFY. AND TO DO THAT, YOU HAVE TO GO WITH TRYING TO TRANSLATE POLICY NOW INTO SORT OF A DRAWING IN OF THE BOUNDARIES OF THE UNIVERSE. NOW, WE NEED TO SEE HOW THIS WOULD BE IN BLACK AND WHITE SO WE CAN SEE HOW IT IMPACTS OR BENEFITS. AND ONLY WHEN YOU PUT IT IN ORDINANCE LANGUAGE CAN YOU DO

THAT. OTHERWISE, IT KEEPS CHANGING, OOPS, AND IT'S -- IT'S LARGELY TRANSLATION AND INTERPRETATION. SO NOW I THINK THAT IT'S TIME TO LAY IT OUT IN BLACK AND WHITE, LET'S -- SO IT'S EASIER AND CLEARER TO UNDERSTAND AND TO SEE. AND THEN EASIER TO SURGERYALLY PLUNK -- SURGICALLY PLUNK OUT, LEAVE IN, ENHANCE OR CUT BACK. BUT THIS IS STILL THE MIDDLE OF THE PROCESS. WE ARE NOT ADOPTING AN ORDINANCE TONIGHT, BUT I THINK IT'S REALLY TIME TO WE TRY TO CLEARLY SEE WHAT IT IS WE HAVE SO THAT WE CAN CLEARLY SEE WHERE WE WANT TO GO.

Mayor Wynn: THANK YOU, MAYOR PRO TEM. FURTHER COMMENTS? COUNCILMEMBER DUNKERLY?

Dunkerly: YOU SAID SOMETHING REALLY IMPORTANT, WE SHOULDN'T BE AFRAID TO CHANGE THINGS, IS WHAT I HEARD. I HEAR SOME FEAR ESPECIALLY FROM THE SMALL BUSINESSES BECAUSE THEY DON'T REALLY KNOW HOW THIS WILL AFFECT THEM. AS I LISTEN TONIGHT, I FELT LIKE I HEARD SOME THINGS THAT MIGHT MAKE IT BETTER FOR THEM. AT THE SAME TIME, I HEARD SOME THINGS THAT I JUST REALLY DIDN'T KNOW HOW IT WOULD AFFECT THEM. I THINK AS WE ARE BEGINNING TO CODIFY THESE GUIDELINES, ET CETERA, I WOULD HOPE THAT WE COULD TAKE SOME TIME AND DO AN ECONOMIC STUDY AS SEVERAL OF THE FOLKS HERE TONIGHT RECOMMENDED. THERE ARE THREE REALLY THREE OR FOUR ELEMENTS THAT I WOULD LIKE TO SEE ANALYZED. ONE -- PRIMARILY THEY RELATE TO THE SMALLER BUSINESSES. ONE RELATES TO THE INDEPENDENT BUSINESS THAT'S IN A STAND ALONE BUILDING BECAUSE AS I UNDERSTOOD THE DISCUSSION TONIGHT, MANY OF THE GUIDELINES, THAT THEY WILL BE EXEMPT FROM MANY OF THESE GUIDELINES, BUT OTHERS MAY HAVE SOME DIRECT OR INDIRECT INPUT -- NOT IN-- INPUTS ON THEM. I THINK THAT'S ONE GROUP OF SMALL BUSINESSES THAT WE NEED TO TAKE A LOOK AT TO SEE WHAT -- WHAT INDIRECT IMPACTS SOME OF THESE THINGS -- THESE RECOMMENDATIONS MIGHT HAVE ON THEM FROM A REVENUE AND COST PERSPECTIVE. SECONDLY, THE -- THE SMALL BUSINESSES THAT ARE BRANDED, THE FRANCHISE BUSINESSES, THEY MAY HAVE A DIFFERENT AND UNIQUE SET OF COST CIRCUMSTANCES, SO I'M NOT SAYING THAT

THESE BUSINESSES COSTS TO BETTER DESIGNS, BUT I THINK WE NEED TO TAKE A LOOK AT IT TO SEE JUST HOW IT IS IMPACTING THEM. I THINK THE THIRD GROUP OF SMALL BUSINESSES WOULD BE THOSE THAT ARE COMMERCIAL TENANTS WITHIN A LARGER BUILDING. AGAIN AS THE DESIGN STANDARDS AFFECT THAT BUILDING, IT MAY OR MAY NOT AFFECT OR GENERATE COSTS THAT ARE PASSED THROUGH IN THE FORM OF RENTS. SO THOSE THREE SPECIFIC GROUPS OF SMALL BUSINESSES, I MAY HAVE LEFT SOME OUT, BUT I THINK THAT WOULD COVER MOST OF GROUPS. THAT WE WOULD LIKE TO TAKE A LOOK AT AND JUST SEE IF THERE IS A SIGNIFICANT IMPACT. IT MAY NOT BE, I THINK THE FEAR IS THERE, AS WE GO THROUGH AND START TO CODIFY THIS, THIS WILL GIVE US SOME TIME TO TAKE A LOOK AT THAT. AND AS YOU ARE ANALYZING THE COMMERCIAL TENANT OPERATING IMPACT ON THEIR REVENUES AND EXPENDITURES, THAT'S WHEN YOU END UP TELLING A LOOK AT -- AT THE COST OF CONSTRUCTION, LANDSCAPING AND ALL MUCH THOSE -- EVEN PUBLIC INFRASTRUCTURE, ET CETERA. THAT MAY HAVE SOME IMPACT ON THE COST PICTURE. LASTLY, SOMETHING THAT I HADN'T THOUGHT ABOUT UNTIL NOW, UNTIL THIS EVENING, WITH -- WERE THE COMMENTS ON THE IMPACT ON THE CITY ITSELF. I WOULD LIKE TO TAKE SOME TIME, LOOK AT OTHER CITIES THAT ARE IN PLACE, TO SEE OVER TIME IF THERE'S BEEN ANY SIGNIFICANT REVENUE OR COST IMPACT. YOU KNOW, SOMETIMES YOU MAY SEE A TEMPERATURE DROP IN SALES TAX OR PROPERTY TAX, BUT I WOULD LIKE TO AT WLOOES TAKE SOME OF THOSE CITIES THAT HAVE HAD -- AT LEAST TAKE SOME OF THOSE CITIES THAT HAVE HAD SIMILAR GUIDELINES IN PLACE TO SEE IF IT REALLY HAS AFFECTED THEIR MUNICIPALITIES. I HAVE NEVER THOUGHT OF THAT BEFORE. THOSE WOULD BE SOME COMMENTS OR SUGGESTIONS THAT I WOULD OFFER THAT WHILE WE ARE GOING ALONG AND PHYSICAL THERAPYING UP THE TWO SECTION -- FINISHING UP THE TWO SECTIONS, THERE ARE A LOT OF THINGS THAT WE COULD START WORKING ON EARLY. BUT AS THEY ARE DEVELOPED, WE CAN TAKE A LOOK AT THAT AND THEN WHEN WE COME BACK, WE WILL HAVE A CLEARER PICTURE. I THINK THAT THAT SHOULD ALLAY, HOPEFULLY, SOME OF THE FEARS OF THE UNKNOWN. AND I WOULD OFFER THAT AS A SUGGESTION. OR

## RECOMMENDATION.

Mayor Wynn: COUNCILMEMBER MCCRACKEN?

IN FACT, THAT'S SOMETHING WE ARE VERY FOCUSED ON. I THINK THAT WE HAVE LOOKED AT OVER 100 CITIES ORDINANCES, BUT ALSO LOOKED AT, I THINK THERE ARE 3,000 COMMUNITIES IN THE COUNTRY, INCLUDING VIRTUALLY ALL OF OUR NEIGHBORING COMMUNITIES IN THIS METRO AREA HAVE DONE THIS, NOT THIS SPECIFIC PROPOSAL, BUT HAVE DONE COMPREHENSIVE CITY-WIDE DESIGN STANDARD. IN FACT OUR INITIAL POLICY VOTE A YEAR AND A HALF AGO IS TO HAVE THE TOP STANDARDS IN -- I THINK IN SOME WAYS WE WILL WITH THIS, IN SOME WAYS WE WILL NOT. PORTLAND, OREGON IN FACT THE ENTIRE STATE OF OREGON SAYS THAT THERE IS NO PARKING BETWEEN THE BUILDING AND THE CURB, THINGS LIKE THAT. YOU FIND THAT THE GROCERY STORES HAVE APARTMENTS, MIXED USE DEVELOPMENTS AND THINGS LIKE THAT. THERE'S A WAL-MART IN CONNECTICUT WITH MIXED USE ABOVE IT. AND WE HEARD THE EXAMPLE OF -- OF THE WAL-MART THAT'S SPLIT IN TWO OR MAKE THEM TARGET THE TWO, GET AROUND THE BIG BOX BAN IN ANOTHER CITY. I THINK WHAT WE HAVE SEEN IN THIS CITY, REALLY IS THE TALE OF TWO BUILDINGS. ONE IS THERE'S A BUILDING ON CONGRESS AVENUE THAT IS HISTORIC BUILDING ON THE ROAD THERE NEAR THE CORNER OF 7th. AND THERE WAS A WENDY'S IN THERE FOR SEVERAL YEARS THEN A TEXADELPHIA, IT WAS PART OF A STREAM OF TENANTS BECAUSE THAT BUILDING WAS REUSABLE. ALSO OUR GREAT LOCAL FORTUNE 500 COMPANY NOW WHOLE FOODS WHO DOES NOT BUILD ANY BRANDED ARCHITECTURE ANYWHERE IN THE COUNTRY, EVERY BUILDING IS AN ORIGINAL, AS IT'S H.E.B. THE SAME WAY, EVERYTHING IS ORIGINAL WITH H.E.B. AND WHEN WHOLE FOODS LEFT THEIR NON-BRANDED BUILDING AT HE TH AND LAMAR, R -- 6th AND LAMAR, REI WAS RED TO SIGN IMMEDIATELY, AS WAS ANTHROPOLOGY. IT SHOWS WHEN YOU GET THE, RIGHT AND REUSABLE ON THE FRONT END, LOCAL BUSINESSES AND NATIONAL CHAINS ALIKE ARE THERE TO GO IN. THEY CAN SCRAPE THE TAX BASE AND SO I THINK THAT IT IS VERY HELPFUL TO LOOK AT THE COST IMPLICATIONS ON THIS. AND I DO -- I DO WANT TO EMPHASIZE THAT WHAT WE ARE PROPOSING IS NOT

RADICAL STUFF AT ALL. THIS IS THE WAY CITIES HAVE BEEN BUILT FOR FIVE MILLENNIA. JUST WE GOT OFF TRACK FOR ABOUT 50 YEARS. THERE ARE THINGS THAT WE HAVE LEARNED IN THE PROCESS. BUT I THINK WHAT MAYOR PROTEM REALLY HIT ON THE HEAD IS THAT THIS IS A POLICY DOCUMENT WE ARE LOOKING AT. YOU KNOW TO CODIFY IT, I THINK WE ARE OFF TO A GOOD START.

Mayor Wynn: THANK YOU, COUNCILMEMBER, FURTHER COMMENTS, QUESTIONS? COUNCILMEMBER SLUSHER?

Slusher: I DID HAVE A COUPLE OF QUESTIONS. [ONE MOMENT PLEASE FOR CHANGE IN CAPTIONERS]

IN THE SHOPPING CENTER CONTEXT, THERE IS NO REQUIREMENT OF BRICK OR LIMESTONE OR ANYTHING LIKE THAT. THERE'S NO -- IN LOOKING AT THEM, I REALLY DON'T THINK THERE'S ANY ELEMENT THAT CAN DESIGN THE BUILDING THAT WOULD ADD A DIME OF COST. BECAUSE IT DOES NOT MANDATE THAT BUILDINGS HAVE A CERTAIN ARCHITECTURAL LOOK OR QUALITY, WHAT IT DOES DO, COUNCILMEMBER, SAYS IF YOU'RE A NATIONAL RETAILER DOING YOUR FRANCHISE PROTOTYPE THING, YOU CAN HAVE LIMITS. IF YOU DON'T DO THE PROTOTYPES, THEY HAVE A DISTINCT ADVANTAGE, WENDY'S OR MCDONALD'S, THEY CRANK IT OUT HERE IN AUSTIN, WHEREAS WALLY'S OR ANYONE ELSE HAS TO HIRE AN ARCHITECT TO DO IT INDIVIDUALLY. THERE'S AN ENORMOUS MARKET DISADVANTAGE FOR LOCAL BUSINESSES THAT THIS WILL ACTUALLY HELP EQUAL THE PLAYING FIELD ON. AND THE NATIONAL RETAILERS AS WE HEARD FROM OUR NATIONAL REAL ESTATE COUNCIL REPRESENTATIVE WILL DO BETTER THAN WE'RE REQUIRED TO, BUT WE DON'T REQUIRE THEM TO. THAT WILL EQUAL THE PLAYING FIELD FOR BUSINESSES WHO ARE EXEMPT AND MASS RETAILERS.

Slusher: I'VE GOT SOME MORE QUESTIONS. I THINK COUNCILMEMBER DUNKERLEY WANTED TO ADDRESS THAT.

Mayor Wynn: COUNCILMEMBER DUNKERLEY.

Dunkerley: I THOUGHT YOU WERE THREW. I JUST HAD AN E-MAIL FROM WALLY'S AND THEY ARE CONCERNED ABOUT --

THEY JUST DON'T UNDERSTAND WHAT INDIRECT COSTS ARE. THEY MAY NOT ABSOLUTELY NOT BE IMPACTED AT ALL AND I THINK THIS IS ONE OF THE REASONS WE NEEDED TO DO THIS COST STUDY BECAUSE THEY DON'T KNOW. AND I THINK IT WOULD ALLAY THOSE FEARS IN MANY, MANY WAYS THAT THEY ARE CONCERNED OF. SO I THINK IT'S ALMOST SOME POSITIVE REASSURANCE ALMOST NAN ANYTHING ELSE. BUT NOT ONLY THE 300 PLUS BUSINESSES THAT MELISSA REPRESENTS, BUT MANY, MANY E-MAILS CAME IN TODAY FROM LOCAL BUSINESSES THAT ARE NOT BRANDED THAT HAVE SOME CONCERNS THAT THEY'RE GOING TO HAVE SOME IMPACTS THAT THEY DON'T UNDERSTAND YET. SO I THINK THAT'S PART OF THE REASON I'D LIKE TO DO THE STUDY, JUST TO CLARIFY AND PERHAPS ALLAY THEIR FEARS. BREWSTER MCCRACKEN THAT IS A GREAT --

McCracken: THAT IS A GREAT IDEA.

Slusher: I DON'T KNOW WHAT THE NAME OF IT IS, THE URBAN CORE, URBAN ROADWAYS, WHAT IS THAT NOW?

McCracken: COUNCILMEMBER, WE HAD AN INTERESTING MOMENT HERE WHERE ONE SPEAKER SAID THE URBAN CORE IS TOO BIG, THE PLANNING COMMISSION VOTED AND SAID THE URBAN CORE DEFINITION IS TOO SMALL. AND THE COMPROMISE THE GROUP HAS COME UP WITH IS ANDERSON LANE ON THE NORTH, PLEASANT VALLEY AND CAMERON ROAD ON THE EAST TO THE COLORADO RIVER AND THEN I-35, BEN WHITE ON THE SOUTH AND MOPAC ON THE WEST EXCEPT FOR PECOS, MAY SO, OVER TO SPICEWOODSPICEWOOD SPRINGS. BUT THERE ARE SOME TENTACLES THAT HAVE BEEN CALLED RAPID TRANSIT LINES. THOSE EXTENSIONS WILL ALSO BE IDENTIFIED AS URBAN ROADS.

Slusher: LIKE A LOT OF THE PEOPLE THAT SPOKE TONIGHT, I APPRECIATE THE AMOUNT OF TIME AND DETAILED EFFORT YOU PUT INTO THIS. I HAVEN'T BEEN AS INVOLVED IN IT, AND WE JUST GOT THE FINAL DRAFT ON MONDAY, I GUESS IT WAS. SO I'M TRYING TO MAKE SURE I UNDERSTAND ALL THIS BEFORE WE VOTE ON IT. TELL ME ABOUT HOW GROCERY STORES ARE TREATED IN THIS OR ARE THEY TREATED ANY DIFFERENT THROUGH THAN ANYBODY ELSE -- DIFFERENTLY

THAN ANYBODY ELSE? ONE BEING THE STREET GRID PATTERN THAT I UNDERSTAND IS REQUIRED OF THE PARKING LOT. COULD YOU TALK ABOUT THAT A LITTLE BIT?

GROCERY STORES ARE TREATED NO DIFFERENTLY THAN ANYBODY ELSE. THE LARGE USERS DON'T LIKE TYPICALLY TO BUILD UP TO THE STREET IN RECENT YEARS, EVEN THOUGH THAT'S THE WAY EVERYBODY USED TO DO IT, SO THAT HAS BEEN ONE OF THE COMPROMISES THAT'S STILL WORKING ITS WAY IN THE DEVELOPMENT ORIENTATION, BUT THERE'S NO SPECIAL CARVEOUT FOR GROCERY STORES. AND AS FAR AS THE BLOCK SYSTEM, WE'VE TAKEN THE MAXIMUM WALKWAY THAT HAS BEEN RECOMMENDED BY PETER AMONG OTHERS AND IT HAS APPEARED IN A NUMBER OF CODES AROUND THE COUNTRY, 660 FEET MAXIMUM. THAT'S BEEN A BLOCK LENGTH THAT ALL MEMBERS OF OUR TASKFORCE FROM AUSTIN NEIGHBORHOOD COUNCIL, LIVEABLE CITY AND THE REAL ESTATE COUNCIL ALL HAVE AGREED TO.

Slusher: OKAY. JUST A SECOND. THE ADAPT, HAVE YOU SEEN THE COMMENTS ADAPT SENT US?

MCCRACKEN: I JUST SAW THEM A LITTLE BIT. I THINK THERE IS A LITTLE CONFUSION IN TERMINOLOGY. FOR INSTANCE, THERE ARE SEVERAL IMPROVEMENTS IN THIS THAT ARE GOING TO BE OF ENORMOUS BENEFIT TO FOLKS WHO HAVE BOTH THE ABILITY ISSUES FOR WHEEL -- DISABILITY ISSUES IN WHEELCHAIRS. FOR EXAMPLE, SIDEWALKS, WE'RE TAKING ATLANTA'S DEFINITION OF SIDEWALKS AS CLEAR ZONES. THEY'VE GOT TO HAVE SIDEWALKS AND THEY'VE GOT TO BE OPEN SPACES THAT ARE NOT BLOCKED. THEY ALL HAVE TO BE A.D.A. ACCESSIBLE TOO. THERE IS NO ATTEMPT TO GET AROUND THAT. I THINK THAT FOLKS WHO DO HAVE DISABILITY ISSUES ARE GOING TO FIND THAT THIS MAKES A SIGNIFICANT IMPROVEMENT IN THEIR LIFE HERE IN AUSTIN.

Slusher: THEY SAY THEY'RE CONCERNED ABOUT ELIMINATION OF SOME CURB CUTS OR LIMITATIONS ON CURB CUTS. COULD YOU SPEAK DIRECTLY TO THAT?

McCracken: I THINK THAT'S A MISS MIS-- WELL, THE DEFINITION OF CURB CUT HAS BEEN THIS, IT'S NOT WHAT

ADAPT IS VIEWING IT AS. A CURB CUT IS A CUT DOWN TO THE ROADWAY, WHICH IS REALLY BAD FOR TRAFFIC.

Slusher: SO YOU'RE SAYING THEY'RE TALKING ABOUT DRIVEWAYS RATHER THAN WHERE THE SIDEWALK GOES DOWN ACROSS THE STREET.

McCracken: RIGHT. THE CURB CUT LIMITATION THAT IS PURELY OUT OF STREET AND TO MAKE TRAFFIC BETTER.

Slusher: AND THEN AT ONE TIME I THINK THIS IS NOT IN THERE ANY MORE, BUT I WANT TO MAKE SURE. THE DRIVE-THROUGH PHARMACIES, ARE THEY STILL PERMITTED?

McCracken: YEAH, DRIVE-THROUGHS ARE STILL PERMITTED. THERE ARE -- IN THE PORTION OF THE PROPOSAL RELATING TO DEVELOPMENT ORIENTATION, WHICH WE'RE STILL GOING TO WORK ON SOME MORE, THERE ARE PROVISIONS ABOUT ON CORNER LOTS THAT YOU FOLLOW THE MODEL FOR DRIVE-THROUGHS ACTUALLY USED BY THE WALGREEN'S AT 45TH AND GUADALUPE, WHICH IS BEHIND THE BUILDING. ATTACHED, BUT BEHIND. BUT WE KNOW THAT IT'S BEEN IN PLACE ALREADY HERE IN AUSTIN.

Slusher: OKAY. THAT'S ALL I HAVE FOR NOW.

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

Thomas: THANK YOU, MAYOR. I COMMEND YOU, COUNCILMEMBER MCCRACKEN, FOR THE HARD WORK AND OF STAFF. I WAS JUST CONCERNED -- THERE WAS A CONCERN ABOUT THE SIGNAGE, HOW YOU'RE GOING TO ADDRESS THAT. THEY WERE SAYING HOW IT WOULD AFFECT THEIR BUSINESS AND ALSO A BUSINESSLIKE -- (INDISCERNIBLE).

McCracken: CAN YOU PUT THE POWERPOINT BACK ON? I JUST WANT TO SHOW THE ISSUE BECAUSE ON THE ISSUE OF SIGNAGE, IT'S SOMETHING THAT, YOU KNOW, COUNCILMEMBERS, AS YOU HEARD, VIRTUALLY ALL OF OUR NEIGHBORHOOD COMMUNITIES HAVE THIS IN PLACE. THE PURPOSE OF POLE SIGNS ON HIGHWAYS ARE VERY



LEGITIMATE BECAUSE HIGH SPEED TRAVEL. ON LOCAL ROADWAYS, ONE OF THE THINGS WE FOUND IS THAT POLE SIGNS ACTUALLY ACT AS BILLBOARDS. THEY'RE NOT THERE FOR THE AUTO TRAFFIC, THEY'RE THERE SO THAT WHEN I'M IN MY OFFICE I CAN SEE THE MCDONALD'S SIGN FIVE MILES AWAY. BUT BASICALLY WHAT YOU SEE IN THAT TOP PHOTO RIGHT THERE, THAT IS IN AUSTIN. THAT IS ABOUT TWO AND A HALF MILES FROM LAKEWAY, WHICH DOESN'T ALLOW POLE SIGNS. IT IS ACCEPTED PRACTICE THAT NATIONAL RETAILERS AND LOCAL BUSINESSES ALIKE THROUGHOUT THIS METRO AREA, EXCEPT IN AUSTIN, DON'T HAVE POLE SIGNS. SO WE DON'T WANT MORE OF THE SAME BECAUSE I THINK THAT IMAGE AT THE TOP IS EXACTLY WHAT HAS MOTIVATED PEOPLE. WHEN I WAS SPEAKING TO SOME FOLKS UP IN CEDAR PARK, I SHOWED THIS PHOTO AND THEY ALL AUTOMATICALLY KNEW WHERE IT WAS AND THEY WANTED TO TALK MORE ABOUT DESIGN STANDARDS THAN ANYTHING ELSE BECAUSE THEY WERE TIRED OF THAT, OF LIVING IN THAT KIND OF ENVIRONMENT. SO WE'RE JUST TRYING TO GET THE FOLKS THE SAME NICE QUALITY OF LIFE IN AUSTIN THAT WE ARE NOT REQUIRING OF ANYONE WHO HAS A POLE SIGN TO TAKE IT DOWN.

Mayor Wynn: FURTHER COMMENTS, QUESTIONS? GEP, AGAIN, WHAT WE'RE POSTED FOR, AND THIS IS SOMEWHAT UNUSUAL IN A SENSE. WE'RE POSTED FOR PROVIDING DIRECTION REGARDING PROPOSED DESIGN STANDARDS. THAT IS, TELLING THE CITY MANAGER TO GO CRAFT THE ORDINANCE AND BRING IT BACK. BECAUSE SO MANY OF THE COMMENTS THAT I HEARD TONIGHT WERE THINGS LIKE, IT NEEDS MORE WORK, DON'T VOTE ON THE XYZ SECTION TONIGHT, DELAY ACTION FOR A FEW WEEKS, OR WE HAVE SOME SPECIFIC LANGUAGE TO PROPOSE. SO IN FACT, IT SEEMS TO ME AN AFFIRMATIVE VOTE TONIGHT WILL IN FACT HAVE THAT HAPPEN, THAT IS, THE CITY MANAGER NOW HAS THE DIRECTION TO GO SPEND REALTIME AND EFFORT, ALTHOUGH A LOT OF REALTIME AND EFFORT HAS ALREADY BEEN SPENT, TO ACTUALLY TRY TO DRAFT, PUT INTO LANGUAGE THE CON AT THE PRESENT CONCEPTS THAT HAVE COME TOGETHER SO FAR AS MOST FOLKS IN THIS ROOM KNOW, THAT'S WHERE THE RUBBER HITS THE ROAD AND WHERE THE DEVIL CAN BE FOUND IN THE DETAILS. SO I

THINK THIS AFFIRMATIVE DIRECTION, IN FACT, ALLOWS THAT TO HAPPEN, ALLOWS US TO GO FORWARD AND SEE EXACTLY HOW WE TRY TO DEFINE THE SIGNAGE ISSUES AND EXACTLY HOW WE DEFINE THAT CASE WHERE SOMEBODY HAS HIGHWAY FRONTAGE, BUT PREFERS TO USE THE ARTERIAL OR SIDE STREET AS THEIR BUILDING FRONT. BUT I WANT TO SAY I AM SUPPORTIVE OF COUNCILMEMBER DUNKERLEY'S SUGGESTION OF SOME TYPE OF ECONOMIC IMPACT ANALYSIS. ALTHOUGH OBVIOUSLY MANY, MANY COMMUNITIES THROUGHOUT THE COUNTRY HAVE STANDARDS LIKE THESE OR IN SOME CASES AS WE KNOW MORE STRINGENT, BUT I THINK IT WILL HELP US ANALYZE BEFORE WE VOTE AND HOPEFULLY MORE IMPORTANTLY HELP MOSTLY SMALL BUSINESSES IN TOWN UNDERSTAND WHAT MIGHT BE SOME COSTS. AND OBVIOUSLY AT SOME POINT COSTS GET PASSED ON TO BUSINESSES, WHO THEN HAVE A CHALLENGE TRYING TO PASS THOSE COSTS ON TO THEIR CUSTOMERS. SO I'M SUPPORTIVE OF DIRECTING THE CITY MANAGER TO CONTINUE THIS WORK AND NOW TRY TO ACTUALLY BRING IT TO FRUITION. MY INSTINCT IS IT WILL STILL TAKE A LONG TIME AND A LOT OF PEOPLE HAVE WORKED REALLY HARD ON THIS, BUT IT'S IMPORTANT AND WE WANT TO DO IT THE BEST WAY WE CAN. AND AS LONG AS FOLKS CONTINUE TO STAY AT THE TABLE AND WE HAVE SOME GOOD INFORMATION, INCLUDING SOME THIRD-PARTY ANALYSES, PERHAPS, I THINK WE'LL GET THERE. FURTHER COMMENTS? QUESTIONS? COUNCILMEMBER ALVAREZ.

Alvarez: YEAH, A QUESTION FOR COUNCILMEMBER MCCracken OR MAYOR PRO TEM GOODMAN ABOUT THE -- I THINK WE HAD DISCUSSED THE BUILDING ORIENTATION ISSUE THAT THAT WAS ONE OF THE ISSUES THAT WOULD REQUIRE ADDITIONAL WORK. IS THERE A SEPARATE PROCESS THAT WOULD BE UNDERTAKEN TO KIND OF ADDRESS THAT ASPECT OF THE PROPOSAL? I THINK THAT'S WHAT I RECALLED IN OUR CONVERSATION.

McCracken: COUNCILMEMBER, WHAT I'M GOING TO PROPOSE THIS EVENING IS THAT WE FORWARD THE APRIL 25TH POLICY DOCUMENT TO THE CITY MANAGER FOR STAFF TO BEGIN THE PROCESS OF CRAFTING THE ORDINANCE, BUT I'M GOING TO -- IN MY MOTION I'M GOING TO SUGGEST AND PROPOSE THAT WE DO NOT FORWARD THE DEVELOPMENT

ORIENTATION OR BUILDING DESIGN SECTIONS YET. THEY NEED A LITTLE MORE WORK AND A LITTLE MORE CONSENSUS. THE OTHER AREAS, AT LEAST -- I THINK WHAT YOU HEARD THIS EVENING IS THAT EVERY MEMBER OF THE TASKFORCE, FROM ANC, LIVEABLE CITY, THE COMMISSIONERS WERE ALL IN AGREEMENT TO FORWARD ALL OF IT EXCEPT FOR BUILDING DESIGN AND BUILDING ORIENTATION. THEN WE'LL COME BACK IN A COUPLE OF WEEKS AND I EXPECT WE'LL HAVE CONSENSUS ON THOSE TWO.

Alvarez: I KNEW THERE WAS A PARTICULAR INTEREST OF SEVERAL STAKEHOLDERS, AND I JUST DIDN'T KNOW IF WE WERE GOING TO GO AHEAD AND MOVE FORWARD AND THEN COME BACK AND MAKE SOME AMENDMENTS TO THE LANGUAGE OR IF WE WERE GOING TO ACTUALLY PULL IT OUT.

McCracken: IT WILL COME UP AGAIN IN TWO WEEKS. THE MAYOR HAS STATED EXACTLY ACCURATELY WHAT'S GOING TO HAPPEN FROM NOW ON, WHICH IS WE HAVE SEVERAL MONTHS OF WORK TO GO THAT'S GOING TO INCLUDE CONTINUED STAKEHOLDER PARTICIPATION. THIS PROPOSAL HAS ALREADY GOTTEN A TON BETTER BECAUSE EVERYBODY HAS BEEN INVOLVED IN THE PROCESS. AND LIKE I SAID, WE MAY BE THE FIRST COMMUNITY TO EVER DO SOMETHING LIKE THIS WHERE THE PASSAGE DIDN'T INVOLVE A HUGE FIGHT. IT WOULD BE NICE.

Alvarez: I DO WANT TO COMMEND YOU AND MAYOR PRO TEM GOODMAN FOR THE HARD WORK. I KNOW IT'S BEEN A LENGTHY PROCESS FOR EVERYONE INVOLVED. I KNOW THE STAKEHOLDERS HAVE BEEN AT THE TABLE FOR A LONG TIME AS WELL, BUT IT IS AN IMPRESSIVE UNDERTAKING. THANK Y'ALL.

Slusher: MAYOR?

Mayor Wynn: COUNCILMEMBER SLUSHER.

Slusher: FOLLOWING UP ON WHAT YOU AND COUNCILMEMBER ALVAREZ SAID, SO WHAT WE'RE BEING ASKED TO DO TONIGHT, FIR OF ALL, IN THE SWITCH 2

SECTION --

DEVELOPMENT ORIENTATION AND BUILDING DESIGN.

Slusher: AND WE'RE ASKING THE CITY MANAGER TO TAKE THE REST OF IT AND PUT IT INTO ORDINANCE LANGUAGE. SO ONE CONCERN I'VE HEARD EXPRESSED IS IF WE -- IS THERE POLICY INSTRUCTION THAT WE'RE PASSING THIS POLICY AND ASKING HER TO PUT IT INTO A FORMAL DOCUMENT? I WOULD BE MORE COMFORTABLE IF WE'RE JUST ASKING HER TO TAKE WHAT'S BEFORE US AND PUT IT INTO THE LANGUAGE SO THAT THEN THAT GIVES PEOPLE A MORE PRECISE IDEA OF WHAT'S IN THERE AND THEN IT COMES BACK BEFORE THE COUNCIL, BUT BEFORE DISCUSSION AND BEFORE THE PUBLIC FOR FOLKS TO -- THEY CAN STILL BE FOR OR AGAINST SOMETHING. AND THE FACT THAT IT'S IN THAT -- IT WRITTEN UP IN THAT LANGUAGE DOESN'T GIVE IT ANY FORCE OF LAW. IT WOULD STILL BE UP TO THE COUNCIL WHETHER TO INCLUDE THAT. IT WOULDN'T REALLY BE TAKING SOMETHING OUT OR PUTTING IT IN AS FAR AS TAKING OUT SOMETHING THAT'S ALREADY PASSED.

MCCRACKEN: ABSOLUTELY. BY FORWARDING THIS TO THE CITY MANAGER THIS EVENING, ALL WE'RE DOING IS SAYING WE'RE READY TO CONTINUE THE PROCESS AND REALLY GET IT TO ACTUAL ORDINANCE LANGUAGE. THERE WILL BE ANOTHER PUBLIC HEARING AND THERE WILL BE THREE VOTES AT THE TIME THAT IT COMES UP. SO THIS IS NOT AN ENDORSEMENT, PER SE, -- MANY CHANGES WILL STILL BE MADE.

Slusher: OKAY. THANKS.

Mayor Wynn: FURTHER COMMENTS, QUESTIONS? IF NOT, I'LL ENTERTAIN A MOTION ON ITEM 64.

McCracken: MAYOR, I'LL MOVE TO FORWARD THE APRIL 20TH, 2005 DESIGN STANDARDS DEVELOPMENT TO THE CITY MANAGER TO BEGIN PUTTING INTO ORDINANCE FORM EXCEPT TO WITHHELD THE PORTIONS RELATING TO DEVELOPMENT ORIENTATION AND BUILDING DESIGN, WHICH WE WILL BRING UP AT THE NEXT MEETING IN TWO WEEKS.

Goodman: SECOND.

Mayor Wynn: MOTION MADE BY COUNCILMEMBER MCCracken, SECONDED BY THE MAYOR PRO TEM AS OUTLINED BY THE COUNCILMEMBERMENT FURTHER COMMENTS? COUNCILMEMBER SLUSHER.

Slusher: HOW LONG DO WE ANTICIPATE -- CITY MANAGER, IF YOU CAN GIVE US A TIME ON HOW LONG YOU THINK THE ECONOMIC DEVELOPMENT STUDY WOULD TAKE THE -- THE ECONOMIC IMPACT STUDY?

FUTRELL: I'M NOT SURE YET. WE'RE ACTUALLY SPENDING SOME TIME THINKING ABOUT HOW LONG IT'S GOING TO TAKE US TO DO CODIFICATIONS, HOW LONG IT'S GOING TO TAKE US TO DO ALL OF THIS. I'M ACTUALLY GOING TO BE RECOMMENDING THAT WE BRING ON SOME HELP TO GET THIS DONE. IT IS GOING TO BE VERY DIFFICULT TO PULL STAFF TO DEDICATE TO THIS AND MOVE IT ALONG IN ANY REASONABLE TIME FRAME. SO IF YOU WILL GIVE ME JUST A LITTLE BIT OF TIME TO TRY TO PUT A TIME FRAME TOGETHER.

Slusher: NO PROBLEM.

Mayor Wynn: WE PAY A LIVING WAGE OR LESS TO VOLUNTEERS OUT THERE. MOTION AND A SECOND ON THE TABLE. COUNCILMEMBER DUNKERLEY, WOULD YOU LIKE TO PROPOSE A FRIENDLY AMENDMENT REGARDING AN ECONOMIC IMPACT ANALYSIS?

Dunkerley: [ INAUDIBLE ].

Goodman: FOR THE CITY MANAGER, IT MAY BE THAT WE CAN ROLL THIS INTO THE PREVIOUS \$300,000 THAT WE DIDN'T TAKE UP AND MY SUGGESTION THAT SOME OF THAT MONEY RATHER THAN ALL OF IT BE SPENT ON ADDING STAFF TO OUR PLANNING DEPARTMENT WHO CAN ACTUALLY CODIFY. IT'S OKAY. GET WITH LAURA.

GET WITH LAURA, OKAY. I'LL BE SURE TO DO THAT.

Mayor Wynn: SO WE HAVE A FRIENDLY AMENDED MOTION

AND A SECOND ON THE TABLE TO APPROVE ITEM NUMBER 64. IT INCLUDES MORE COMMENT IN TWO WEEKS. FURTHER COMMENTS? HEARING NONE, ALL THOSE IN FAVOR PLEASE SAY AYE.

AYE.

Mayor Wynn: OPPOSED? MOTION PASSES ON A VOTE OF SEVEN TO ZERO. THANK YOU ALL VERY MUCH. MS. BROWN, IS THAT OUR AGENDA? THERE BEING NO MORE BUSINESS BEFORE THE CITY COUNCIL, WITHOUT OBJECTION WE STAND ADJOURNED. THANK YOU.

**End of Council Session Closed Caption Log**