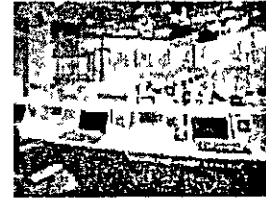
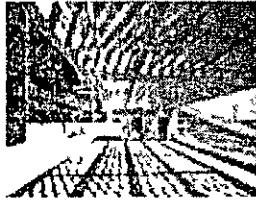
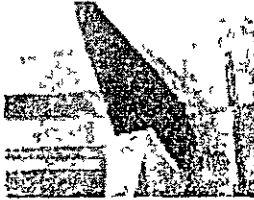


# AGENDA



**Thursday, March 1, 2007**

The Austin City Council will convene at 10 00 AM on  
Thursday, March 1, 2007 at Austin City Hall  
301 W Second Street, Austin, TX



AUSTIN CITY CLERK  
POSTING DATE/TIME  
2007 FEB 23 PM 4 05

Mayor Will Wynn  
Mayor Pro Tem Betty Dunkerley  
Council Member Lee Edgingwell, Place 1  
Council Member Mike Martinez, Place 2  
Council Member Jennifer Kim, Place 3  
Council Member Brewster McCracken, Place 5  
Council Member Sheryl Cole, Place 6

For meeting information, contact City Clerk, 974-2210

*The City Council will go into a closed session under Chapter 551 of the Texas Government Code to receive advice from legal counsel, to discuss matters of land acquisition, to discuss personnel matters, to discuss or take action on a "competitive matter" of Austin Energy as provided for under Section 551.086, or for other reasons permitted by law as specifically listed on this agenda. If necessary, the City Council may go into a closed session as permitted by law regarding any item on this agenda.*

## **Reading and Action on Consent Agenda**

### ***Action on the Following:***

#### **Ordinances / Resolutions / Motions -**

**All of the following items may be acted upon by one motion. No separate discussion or action on any of the items is necessary unless desired by a Council Member.**

## **9 55 AM -- Invocation**

Rev. Linda Kessie, Grace United Methodist Church

## **10 00 AM -- City Council Convenes**

**Announcements of proposed items for upcoming council meeting (No discussion on these items)**

### **Approval of Minutes**

- 1 Approval of the minutes of the Austin City Council from the regularly scheduled meeting of February 15, 2007

### **Economic Growth & Redevelopment Services**

- 2 Approve an ordinance amending the Fiscal Year 2006-2007 Operating Budget of Ordinance No. 20060911-001 to create the Business Retention and Enhancement Fund, to appropriate revenue in the amount of \$766,722 for the fund beginning balance, and to show projected fund expenditures in the amount of \$766,722 for the purpose of retaining and attracting businesses to designated areas of Congress Avenue and East 6th Street. Revenue in the amount of \$766,722 is available from various funding sources including \$715,415 from temporary use of Right-of-Way (ROW) fees and sales, and \$51,307 in license agreement fees that have been collected and are anticipated to be collected within the BRE Program revenue area.

### **Health and Human Services**

- 3 Authorize execution of three nine-month contracts under the Ryan White Title III HIV Early Intervention grant for the delivery of HIV-related services with AIDS SERVICES OF AUSTIN, INC., Austin, TX, in an amount not to exceed \$115,099, with one three-month extension option in the amount of \$38,366, for a total 12-month contract amount of \$153,465, and four 12-month renewal options in an amount not to exceed \$153,465 per

renewal option, for a total contract amount not to exceed \$767,325, AUSTIN-TRAVIS COUNTY MENTAL HEALTH MENTAL RETARDATION CENTER C A R E PROGRAM, Austin, TX in an amount not to exceed \$28,812, with one three-month extension option in the amount of \$9,604, for a total 12-month contract amount of \$38,416, and four 12-month renewal options in an amount not to exceed \$38,146 per renewal option, for a total contract amount not to exceed \$192,080, and COMMUNITY ACTION, INC , Austin, TX, in an amount not to exceed \$56,668, with one three-month extension option in the amount of \$18,889, for a total 12-month contract amount of \$75,557, and four 12-month renewal options in an amount not to exceed \$75,557 per renewal option, for a total contract amount not to exceed \$377,785 Funding in the amount of \$220,579 is available in the Fiscal Year 2006-2007 Operating Budget of the Health and Human Services Department (HHSD) Special Revenue Fund, Ryan White Title III HIV Emergency Relief Services grant The contract period is January 1, 2007 to September 30, 2007 The grant period is January 1, 2007 to December 31, 2007

### **Library**

- 4 Approve an ordinance amending the Fiscal Year 2006-2007 Financial Services Department Capital Budget of Ordinance No 20060911-002 to transfer \$2,000,000 to the Library Department Capital Budget, and amending the Fiscal Year 2006-2007 Library Department Capital Budget of Ordinance No 20060911-002 to appropriate the \$2,000,000 transfer from the CIP Contingency Program to the North Village Branch Library Replacement Project Funding in the amount of \$2,000,000 is available in the Fiscal Year 2006-2007 CIP Contingency (Related to #15)

### **Neighborhood Housing and Community Development**

- 5 Approve the negotiation and execution of a loan to McCullen Academy Incorporated dba Baby Boomers Academy, Austin, Texas, in compliance with applicable federal requirements, including Title 24 Code of Federal Regulations Section 85 40 performance goals, under the Neighborhood Commercial Management Program in an amount not to exceed \$90,000 for the development of a private children's preparatory academy to be located at a proposed site on RR 620 South of FM 2222, Austin, TX Funding is available in the Neighborhood Housing and Community Development Department Special Revenue Fund - Neighborhood Commercial Management Program Section 108 This loan is subject to completion of the federal environmental assessment and fund release process
- 6 Approve the negotiation and execution of a loan to SGSS, LTD dba Primizie, Austin, Texas, in compliance with applied federal requirements, including Title 24 Code of Federal Regulations Section 85 40 performance goals, under the Neighborhood Commercial Management Program and the East 11th and 12th Street Redevelopment Program in an amount not to exceed \$200,000 to construct a restaurant and purchase equipment to be located at 1000 East 11th Street, Austin, TX \$100,000 in funding is available in the Neighborhood Housing and Community Development Department Special Revenue Fund - Neighborhood Commercial Management Program Section 108, \$100,000 in funding is available in the East 11th and 12th Street Redevelopment Program Section 108, for a a maximum loan investment of \$200,000 This loan is subject to completion of the federal environmental assessment and fund release process

### **Parks and Recreation**

- 7 Approve an ordinance amending the Fiscal Year 2006-2007 Financial Services Department Capital Budget of Ordinance No 20060911-002 to transfer \$700,000 to the Parks and Recreation Department Capital Budget, and amending the Fiscal Year 2006-2007 Parks & Recreation Department Capital Budget of Ordinance No 20060911-002, to

appropriate the \$700,000 transfer from the CIP Contingency Program for the Turner-Roberts Recreation Center project. Funding in the amount of \$700,000 is available in the Fiscal Year 2006-2007 CIP Contingency (Related to #16)

## **Public Works**

- 8 Approve a resolution to authorize the fee simple acquisition of Lot 4, Block H, Onion Creek Forest, Section 2, Amended Plat, a subdivision in Travis County, Texas, located at 5511 Vine Hill Drive from John Paul Diaz Sr. and Theresa Diaz, for the Onion Creek Voluntary Flood Buyout-FEMA-1606-DR Project, in the amount of \$115,000 for the land and improvements and \$14,900 in owner-assisted relocation benefits, plus moving related expenses not to exceed \$10,000, for a total amount not to exceed \$139,900. Funding in the amount of \$139,900 is available in the Fiscal Year 2006-2007 Capital Budget of the Watershed Protection and Development Review Department.
- 9 Approve a resolution to authorize the fee simple acquisition of Lot 17, Block J, Onion Creek Forest, Section 2, Amended Plat, a subdivision in Travis County, Texas, located at 6903 Onion Crossing Court from David P. Gomez for the Onion Creek Voluntary Flood Buyout-FEMA-1606-DR Project, in the amount of \$100,000 for the land and improvements and \$14,900 in owner-assisted relocation benefits, plus moving related expenses not to exceed \$10,000, for a total amount not to exceed \$124,900. Funding in the amount of \$124,900 is available in the Fiscal Year 2006-2007 Capital Budget of the Watershed Protection and Development Review Department.
- 10 Approve a resolution to authorize the fee simple acquisition of Lot 4, Block H, Onion Creek Forest, Section 2, Amended Plat, a subdivision in Travis County, Texas, located at 6904 Onion Crossing Drive from Connie L. Mickelson for the Onion Creek Voluntary Flood Buyout-FEMA-1606-DR Project, in the amount of \$35,000 for the land and improvements and \$50,000 in owner-assisted relocation benefits, plus moving related expenses not to exceed \$10,000, for a total amount not to exceed \$95,000. Funding in the amount of \$95,000 is available in the Fiscal Year 2006-2007 Capital Budget of the Watershed Protection and Development Review Department.
- 11 Approve a resolution to authorize the fee simple acquisition of Lot 2, Block J, Onion Creek Forest, Section 2, Amended Plat, a subdivision in Travis County, Texas, located at 6909 Onion Crossing Drive from Linda Tabor for the Onion Creek Voluntary Flood Buyout-FEMA-1606-DR Project, in the amount of \$36,000 for the land and improvements and \$52,000 in owner-assisted relocation benefits, plus moving related expenses not to exceed \$10,000, for a total amount not to exceed \$98,000. Funding in the amount of \$98,000 is available in the Fiscal Year 2006-2007 Capital Budget of the Watershed Protection and Development Review Department.
- 12 Approve negotiation and execution of an amendment to the purchase contract with Montopolis Land Company to increase the non-refundable earnest money payment in the amount of \$106,000 for a total amount not to exceed \$200,000, related to the acquisition of approximately 50 acres located along Hergotz Road and Thompson Lane, Austin, Travis County, TX. Funding in the amount of \$106,000 is in the Fiscal Year 2005-2006 Capital Improvement Budget of the Austin Water Utility.
- 13 Authorize execution of an Interlocal Agreement between the City and the TEXAS DEPARTMENT OF TRANSPORTATION to provide funds received from W and G Partnership, Ltd. for signing and striping modifications on the northbound and southbound frontage roads of Loop 1 at the Barton Skyway Bridge. Funding in the amount of \$23,737 has been provided by W and G Partnership, Ltd. to be deposited into an escrow account for this project (Related to #14).

- 14 Authorize execution of a contract with W and G PARTNERSHIP, LTD, to receive funds from this company and apply them towards signing and striping modifications on the northbound and southbound frontage roads of Loop 1 at the Barton Skyway Bridge Funding in the amount of \$24,528 has been provided by W and G Partnership, Ltd to be deposited into an escrow account for this project (Related to #13)
- 15 Authorize execution of a construction contract with WILLIAMS AND THOMAS dba JAMAIL CONSTRUCTION, Austin, TX, for the North Village Branch Library in an amount of \$3,526,956, plus a \$73,044 contingency for a total contract amount not to exceed \$3,600,000 Funding in the amount of \$3,600,000 is included in the Fiscal Year 2006-2007 Capital Budget of the Library Department Lowest of five bids received This contract will be awarded in compliance with Chapter 2-9A of the City Code (Minority-Owned and Woman-Owned Business Enterprise Procurement Program) through the achievement of Good Faith Efforts 7 91% MBE and 1 06% WBE subcontractor participation (Related to #4)
- 16 Authorize execution of a construction contract with JOURNEYMAN CONSTRUCTION, L P , (MBE/MA 22 27%), Austin, TX, for the Turner-Roberts Recreation Center Project in the base bid amount of \$3,530,000 and \$33,600 for six alternates for a sub-total amount of \$3,563,600 plus a \$356,360 contingency, for a total contract amount not to exceed \$3,919,960 Funding in the amount of \$3,919,960 is available in the Fiscal Year 2006-2007 Capital Budget of the Parks and Recreation Department Best proposal of two proposals received This contract will be awarded in compliance with Chapter 2-9A of the City Code (Minority-Owned and Woman-Owned Business Enterprise Procurement Program) through the achievements of Good Faith Efforts 2 44% MBE and 13 69% WBE subcontractor participation (Related to #7)
- 17 Authorize negotiation and execution of an amendment to the professional services agreement with WILBUR SMITH ASSOCIATES (Non-DBE), Houston, TX, for engineering services for the construction phase of the Lance Armstrong Bikeway in the amount of \$50,000 for a total contract amount not to exceed \$723,736 78 Funding in the amount of \$50,000 is available in the Fiscal Year 2006-2007 Capital Budget of the Public Works Department 33 79% DBE subconsultant participation to date
- 18 Approve an ordinance amending Section 12-4-24 of the City Code to establish a maximum speed limit of 25 miles per hour on certain streets within the area bounded by 35th Street (West), Shoal Creek, Loop 1 (MoPac Expressway)(North), Windsor Road, and 24th Street (West), and amending Ordinance No 20061214-022 to correctly reflect boundary streets for Crestview Neighborhood in the caption of the ordinance Funding in the amount of \$8400 is available in the Fiscal Year 2006-2007 Operating Budget of the Public Works Department for the installation of necessary signs

#### **Purchasing Office**

- 19 Authorize award and execution of a contract with PRIESTER-MELL & NICHOLSON INC, Austin, TX, for 138kV high strength insulators in an amount not to exceed \$49,446 Funding is available in the Fiscal Year 2006-2007 Operating Budget of Austin Energy Lowest bid of four bids received This contract will be awarded in compliance with Chapter 2-9D of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program) No subcontracting opportunities were identified, therefore, no goals were established for this solicitation
- 20 Authorize award and execution of a seven-month requirements supply contract with VAUGHN MANUFACTURING CORP , Salisbury, MA, for the purchase of digital load control water heater timers in an estimated amount not to exceed \$163,349, with two 12-month extension options in an estimated amount not to exceed \$280,027 per extension option,

for a total estimated contract amount not to exceed \$723,403. Funding in the amount of \$163,349 is available in the Fiscal Year 2006-2007 Approved Operating Budget of Austin Energy. Funding for the extension options is contingent upon available funding in future budgets. Sole Source. This contract will be awarded in compliance with Chapter 2-9D of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified, therefore, no goals were established for this solicitation.

21. Authorize award, negotiation and execution of a contract with ABOUTWEB LLC, Rockville, MD, to provide professional services for eCOMBS, eCAPRIS, and other related city-wide software systems for the Financial and Administrative Services Department in an amount not to exceed \$450,000. Funding is available in the 2006-2007 Capital Budget of the Financial and Administrative Services Department. Professional Service. This contract will be awarded in compliance with Chapter 2-9 of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified, therefore, no goals were established for this purchase.
22. Authorize award and execution of a 36-month requirements supply contract with INGRAM LIBRARY SERVICES, INC., La Vergne, TN, for the purchase of books and cataloging/processing services in an estimated amount not to exceed \$6,394,398, with three 12-month extension options in an estimated amount not to exceed \$2,131,466 per extension option, for a total estimated contract amount not to exceed \$12,788,796. Funding in the amount of \$870,355 is available in the Fiscal Year 2006-2007 Operating Budget of the Library Department. Funding in the amount of \$373,000 is available in the Fiscal Year 2006-2007 Capital Budget of the Library Department. Funding for the remaining 29 months of the original contract period and extension options is contingent upon available funding in future budgets. Lowest bid of three bids received. This contract will be awarded in compliance with Chapter 2-9D of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified, therefore, no goals were established for this solicitation.
23. Authorize award and execution of Amendment No. 2 to a contract with APPLIED BIOSYSTEMS, Foster City, CA, for DNA lab supplies to increase the contract in an amount not to exceed \$38,077, and to increase the two remaining extension options in an amount not to exceed \$47,212 per extension option, for a total revised contract amount not to exceed \$261,229. Funding in the amount of \$22,212 is available in the Fiscal Year 2006-2007 Operating Budget of the Austin Police Department. Funding for the remaining extension options is contingent upon available funding in future budgets. Contract Amendment. This contract was awarded in compliance with Chapter 2-9D of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified, therefore, no goals were established for this solicitation.
24. Authorize award and execution of a contract with MATTHEWS SPECIALTY VEHICLES, Greensboro, NC, for the purchase of one Thomas rear engine mobile breath alcohol testing unit (BATU) in an amount not to exceed \$251,096. Funding is available in the Fiscal Year 2006-2007 Special Revenue Fund of the Austin Police Department. Sole Source. This contract will be awarded in compliance with Chapter 2-9D of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified, therefore, no goals were established for this solicitation.
25. Authorize award and execution of a 24-month requirements supply contract with MILLER UNIFORMS & EMBLEMS, Austin, TX, for bomber jackets in an estimated amount not to exceed \$117,290, with two 12-month extension options in an estimated amount not to exceed \$58,645 per extension option, for a total estimated contract amount not to

exceed \$234,580 Funding in the amount of \$33,525 is included in the Fiscal Year 2006-2007 Operating Budget of the Austin Police Department Funding in the amount of \$685 is available in the 2006-2007 Operating Budget of the Public Safety Emergency Management Department Funding for the remaining four months of the original contract period and extension options is contingent upon available funding in future budgets Sole bid received This contract will be awarded in compliance with Chapter 2-9D of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program) No subcontracting opportunities were identified, therefore, no goals were established for this solicitation

#### **Item(s) from Council**

- 26 Approve appointments to citizen board and commissions, to Council subcommittees and other intergovernmental bodies and removal and replacement of members
- 27 Approve an ordinance relating to the compensation and benefits for the Municipal Court Judges (Recommended by the Judicial Committee -Related to items #43 and #44) (Mayor Will Wynn, Council Member Sheryl Cole and Council Member Mike Martinez)
- 28 Approve an ordinance relating to the compensation and benefits for the Municipal Court Clerk (Recommended by Judicial Committee -Related to #45) (Mayor Will Wynn, Council Member Sheryl Cole and Council Member Mike Martinez)
- 29 Approve a resolution amending the City's Legislative Program to add opposition to House Bill 904 and direct the City Manager to inform the members of the Austin area delegation of the City's position (Council Member Mike Martinez, Council Member Jennifer Kim and Council Member Brewster McCracken)
- 30 Approve a resolution to amend the City's Legislative Program to support the passage of certain "meet and confer" pieces of legislation covering City of Austin non-civil service employees (Council Member Mike Martinez, Council Member Sheryl Cole and Council Member Lee Leffingwell)
- 31 Set a public hearing to receive input on the proposed construction of the Waller Creek tunnel and consider action to seek the participation of Travis County as a financing partner (Suggested date and time March 8, 2007 at 6 00 PM, Austin City Hall, 301 W Second Street, Austin, TX) (Council Member Sheryl Cole and Mayor Pro Tem Betty Dunkerley)
- 32 Approve waiver of certain fees and requirements, and authorize payment of certain costs for the Celebration of Texas Independence Day, Inc 's 2007 Celebrate Texas Parade and Run to be held on March 3, 2007 (Mayor Will Wynn, Mayor Pro Tem Betty Dunkerley and Council Member Sheryl Cole)
- 33 Approve waiver of Parks and Recreation rental fees in an amount not to exceed \$280, for the Olive Baptist Church Event, to be held on March 23, 2007 at the Carver Museum (Council Member Sheryl Cole and Mayor Pro Tem Betty Dunkerley)
- 34 Approve the waiver of certain fees and requirements under Chapter 14 of the Code for Southwest Key's Go for the Gold 10K and Fiesta 5K Fun Run, to be held on March 10, 2007 (Council Member Brewster McCracken, Council Member Jennifer Kim and Council Member Mike Martinez)
- 35 Approve the wavier of EMS standby fees in an amount not to exceed \$475 for the Austin Marathon Kids Final Mile Celebration to be held on March 24, 2007, at the Austin Independent School District's Tony Burger Stadium, located at 3200 Jones Road (Mayor Will Wynn and Council Member Jennifer Kim )

## **Item(s) to Set Public Hearing(s)**

- 36 Set a public hearing to receive citizen comments on community needs to develop (1) the annual Action Plan Fiscal Year 2007-2008, required by the U S Department of Housing and Urban Development (HUD), and (2) Texas Local Government Code Chapter 373 Community Development 2007-2008 Program, including proposed funding allocations for Fiscal Year 2007-2008 (Suggested date and time March 8, 2007 at 6 00 p m , Austin City Hall, 301 W Second Street, Austin, TX)
- 37 Set a public hearing on an appeal by Nicki Mebane and Walter Olenick of the Planning Commission's decision to approve a revision to a conditional use permit (LDC 25-2-491) to increase the number of beds from 35 to 58 for a transitional housing use in CS-CO, Commercial Services, for Bannum, Inc located at 1109 E 52nd St (Site Plan Number SPC-05-0027A) (Suggested date and time March 22, 2007, at 6 00 p m , Austin City Hall, 301 W Second Street, Austin, TX) Conditional Use Permit approved by Planning Commission Parking variance denied by Board of Adjustment
- 38 Set a public hearing to discuss and receive public comments regarding the addition of an Industrial Rider to the Large Primary Service - Special Contract Riders I & II in the Electric Rate Schedule in Exhibit A of Ordinance No 20060911-004 (Suggested date and time March 8, 2007 at 6 00 PM, Austin City Hall, 301 W Second Street, Austin, TX) Recommended by the Electric Utility Commission

## **10 30 AM -- Morning Briefings**

- 39 Presentation of Recommendations to Improve City Services to Downtown Austin

## **12. 00 PM -- Citizen Communications General**

Danny Stamper - Firefighters' Pension

Becky Brook - Firefighters' Pension

Linda Hutson - Smoking in Public Places be enforced at all Capital Metro Bus Stops

Larry McKee - Austin Firefighters' Pension Fund

Paul Maldonado - Austin Firefighters' Pension Fund

John Kindschi - Firefighters' Pension

Jake Sullivan - Firefighters' Pension

Aage Jund - Trans Fat

Ray Henricks - Firefighters' Pension Fund

Colin Clark - Protecting Barton Springs

## **Executive Session**

- 40 Discuss legal issues concerning legislation in the 80th Legislative Session (Private



Consultation with Attorney - Section 551 071)

- 41 Discuss legal issues concerning development at Northcross Mall (Private Consultation with Attorney - Section 551 071)
- 42 Discuss legal issues related to the possible acquisition of approximately 5 564 acres of real property in Northeast Austin (Private Consultation with Attorney, Section 551 071)
- 43 Evaluate the performance of and consider compensation and benefits for the Municipal Court Presiding Judge (Personnel Matters - Section 551 074 - Related to #27)
- 44 Consider compensation and benefits for the Municipal Court Associate and Substitute Judges (Personnel Matters - Section 551 074 - Related to #27)
- 45 Evaluate the performance of and consider compensation and benefits for the Municipal Court Clerk (Personnel Matters - Section 551 074 - Related to #28)
- 46 Discuss the possible acquisition of approximately 5 564 acres of real property in Northeast Austin (Real Property - Section 551 072)
- 47 Discuss the sale of an interest in real property located at 920-926 West 3rd Street (301 North Lamar Boulevard) (Real Property - Section 551 072--Related to #48)

#### **Action on Executive Session**

- 48 Approve an ordinance authorizing the City Manager to accept or reject sealed bid offers for the sale of a tract of land consisting of 11,376 square feet, locally known as 920-926 West 3rd Street (301 North Lamar Boulevard), Austin, TX (Related to #47)

#### **3 00 PM -- Austin Housing Finance Corporation Board of Directors Meeting**

The Mayor will recess the City Council meeting to conduct a Board of Directors' Meeting of the Austin Housing Finance Corporation. Following adjournment of the AHFC Board meeting the City Council will re-convene (See attached AHFC agenda)

#### **4 00 PM -- Zoning Ordinances / Restrictive Covenants (HEARINGS CLOSED)**

- 49 C14-05-0112 – Riverside Neighborhood Plan Combining District (Tracts 45 and 45B)- Approve third reading of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning two tracts locally known as 1801-1919 E Riverside Drive (Tract 45) and 1905 E Riverside Drive (Tract 45B) (Town Lake Watershed). The proposed zoning change will create the Riverside Neighborhood Plan Combining District (NPCD) and implement the land use recommendations of the East Riverside/Oltorf Combined Neighborhood Plan. Under the proposed Riverside NPCD, "Small Lot Amnesty", "Garage Placement", "Impervious Cover and Parking Placement Restrictions" and "Prohibited Parking in the Front Yard" may apply. The City Council may approve a zoning change to any of the following: Rural Residential (RR), Single-Family Residence – Large Lot (SF-1), Single-Family Residence--Standard Lot (SF-2), Family Residence (SF-3), Single-Family – Small Lot & Condominium Site (SF-4A/B), Urban Family Residence (SF-5), Townhouse & Condominium Residence (SF-6), Multi-Family Residence - Limited Density (MF-1), Multi-family Residence - Low Density (MF-2), Multi-family Residence - Medium Density (MF-3), Multi-family Residence – Moderate-High Density (MF-4), Multi-family Residence - High Density (MF-5), Multi-family Residence - Highest Density (MF-6), Mobile Home Residence

(MH), Neighborhood Office (NO), Limited Office (LO), General Office (GO), Commercial Recreation (CR), Neighborhood Commercial (LR), Community Commercial (GR), Warehouse / Limited Office (W/LO), Commercial Services (CS), Commercial-Liquor Sales (CS-1), Commercial Highway (CH), Industrial Park (IP), Major Industrial (MI), Limited Industrial Services (LI), Research and Development (R&D), Development Reserve (DR), Agricultural (AG), Planned Unit Development (PUD), Historic (H), and Public (P) A Conditional Overlay (CO), Planned Development Area Overlay (PDA), Mixed Use Combining District Overlay (MU), Neighborhood Conservation Combining District (NCCD), or Neighborhood Plan Special Use (NP) may also be added to these zoning base districts First and second readings approved on November 16, 2006 Vote 6-0-1 (Kim-abstained) Applicant and Agent City of Austin, Neighborhood Planning and Zoning Department City Staff Robert Heil 974-2330 and Melissa Laursen 974-7226

- 50 C14-05-0186 - 404 Sterzing - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 404 Sterzing (Town Lake Watershed) from general commercial services (CS) district zoning to general commercial services-conditional overlay (CS-CO) combining district zoning First reading approved on March 9, 2006 Vote 6-0 (Kim off the dais) Applicant Marjorie Saad Agent John Wooley City Staff Robert Heil, 974-2330
- 51 C14-05-0189 - 1900 Barton Springs Rd - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 1900 Barton Springs Rd (Town Lake Watershed) from general commercial services-conditional overlay (CS-CO) combining district zoning and limited office-conditional overlay (LO-CO) combining district zoning to general commercial services-conditional overlay (CS-CO) combining district zoning First reading approved on March 9, 2006 Vote 6-0 (Kim off the dais) Applicant and Agent John Wooley City Staff Robert Heil, 974-2330
- 52 C14H-05-0017 - Baugh-Colby House - Approve third reading of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 1102 Enfield Road (Shoal Creek Watershed) from multi-family residence-medium density-neighborhood plan (MF-3-NP) district zoning to multi-family residence-medium density-conditional overlay-neighborhood plan (MF-3-CO-NP) combining district zoning First and second readings approved on December 14, 2006 Vote 6-1 (Leffingwell-Nay) Applicant Historic Landmark Commission Agent Neighborhood Planning and Zoning Department City Staff Steve Sadowsky, 974-6454 Valid Petitions have been submitted in opposition to this rezoning request
- 53 NP-05-0021 (Part) - East Riverside/Oltorf Combined Neighborhood Plan (Tracts 45 and 45B) - Approve third reading of an ordinance amending Ordinance 20061116-055, adopting the East Riverside/Oltorf Combined Neighborhood Plan, to establish a land use designation of Mixed Use on the future land use map for the following tracts 1801-1919 E Riverside Drive (Tract 45) and 1905 E Riverside Drive (Tract 45B) The combined planning area is bounded by IH-35 on the west, Town Lake and the Colorado River on the north, Grove Boulevard and Montopolis Drive on the east and State Highway 71 (Ben White Boulevard East) on the south First and second readings approved on November 16, 2006 Vote 6-0-1 (Kim-abstained) Applicant and Agent City of Austin, Neighborhood Planning and Zoning Department City Staff Melissa Laursen 974-7226
- 54 C14-06-0183 - CLB/7th and Rio Grande - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 605 and 615 West 7th Street (Shoal Creek Watershed) from community commercial (GR) district zoning to central business district-central urban redevelopment-conditional overlay (CBD-CURE-CO) combining district zoning First reading approved on February 15, 2007 Vote 6-0 (Wynn-abstained) Applicant Michael J McGinnis Agent Drenner &

**4:00 PM -- Zoning and Neighborhood Plan Amendments (Public Hearings and Possible Action)**

- 55 PH C14-06-0183 - CLB/7th and Rio Grande - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 605 and 615 West 7th Street (Shoal Creek Watershed) from community commercial (GR) district zoning to central business district-central urban redevelopment-conditional overlay (CBD-CURE-CO) combining district zoning First reading approved on February 15, 2007 Vote 6-0 (Wynn-abstained) Applicant Michael J McGinnis Agent Drenner & Golden Stuart Wolff, L L P (Michele M Rogerson) City Staff Jorge E Rousselin, 974-2975
- 56 PH NP-05-0021 (Part) - East Riverside/Oltorf Combined Neighborhood Plan - 1818 S Lakeshore Blvd - Conduct a public hearing and approve an ordinance amending Ordinance 20061116-055, adopting the East Riverside/Oltorf Combined Neighborhood Plan, to establish a land use designation of Mixed Use on the future land use map for 1818 S Lakeshore Blvd The combined planning area is bounded by IH-35 on the west, Town Lake and the Colorado River on the north, Grove Boulevard and Montopolis Drive on the east and State Highway 71 (Ben White Boulevard East) on the south Staff Recommendation To grant mixed use designation Planning Commission Recommendation To grant mixed use designation Applicant and Agent City of Austin, Neighborhood Planning and Zoning Department City Staff Melissa Laursen 974-7226
- 57 PH C14-05-0112 - Riverside Neighborhood Plan Combining District - 1818 S Lakeshore Blvd - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 1818 S Lakeshore Blvd (Town Lake Watershed) from multi-family residence-medium density (MF-3) district zoning to multi-family residence-medium density-neighborhood plan (MF-3-NP) combining district zoning The proposed zoning change will create the Riverside Neighborhood Plan Combining District (NPCD) and implement the land use recommendations of the East Riverside/Oltorf Combined Neighborhood Plan Under the proposed Riverside NPCD, "Small Lot Amnesty", "Garage Placement", "Impervious Cover and Parking Placement Restrictions" and "Prohibited Parking in the Front Yard" may apply Staff Recommendation To grant multi-family residence-medium density-neighborhood plan (MF-3-NP) combining district zoning Planning Commission Recommendation To grant multi-family residence-medium density-neighborhood plan (MF-3-NP) combining district zoning Applicant and Agent Neighborhood Planning and Zoning Department City Staff Robert Heil, 974-2330
- 58 PH C14-06-0085 SH - Zachary Scott Subdivision Tract 1 - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 10016-10136 Old Lockhart Highway East of Bradshaw Road (Rinard Creek Watershed) from interim-rural residence (I-RR) district zoning to single-family residence-small lot (SF-4A) district zoning Staff Recommendation To grant single-family residence-small lot (SF-4A) district zoning with conditions Zoning and Platting Commission Recommendation To grant single-family residence-small lot (SF-4A) district zoning with conditions Applicant Lennar Buffington Zachary Scott, L P (Bryan Sims) Agent Cuatro Consultants, Ltd (Hugo Elizondo, Jr ) City Staff Wendy Walsh, 974-7719
- 59 PH C14-06-0084 SH - Zachary Scott Subdivision Tract 2 - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning

property locally known as 10142-10620 Bradshaw Road (Onion Creek and Rinard Creek Watersheds) from interim-rural residence (I-RR) district zoning to single-family residence-small lot (SF-4A) district zoning Staff Recommendation To grant single-family residence-small lot (SF-4A) district zoning Zoning and Platting Commission Recommendation To grant single-family residence-small lot (SF-4A) district zoning Applicant Lennar Buffington Zachary Scott, L P (Bryan Sims) Agent Cuatro Consultants, Ltd (Hugo Elizondo, Jr ) City Staff Wendy Walsh, 974-7719

- 60 PH C14-06-0210 - Burger King - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 7105 IH-35 North Service Road (Buttermilk Branch Watershed) from limited industrial service (LI) district zoning to general commercial services-conditional overlay (CS-CO) combining district zoning Staff Recommendation To grant general commercial services-conditional overlay (CS-CO) combining district zoning Planning Commission Recommendation To grant general commercial services-conditional overlay (CS-CO) combining district zoning Applicant Leemak, L P (Fazil Malik) Agent A J Ghaddar, P E and Associates (A J Ghaddar) City Staff Robert Heil, 974-2330
- 61 PH C14-06-0211 - Valdez Zoning - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 2819-2823 Manor Drive (Boggy Creek Watershed) from neighborhood commercial-mixed use-neighborhood plan (LR-MU-NP) combining district zoning to general commercial services-mixed use-conditional overlay-neighborhood plan (CS-MU-CO-NP) combining district zoning Staff Recommendation To grant general commercial services-mixed use-conditional overlay-neighborhood plan (CS-MU-CO-NP) combining district zoning Planning Commission Recommendation To grant general commercial services-mixed use-conditional overlay-neighborhood plan (CS-MU-CO-NP) combining district zoning Applicant Valdez Trust (F Gary & Doyle Valdez) Agent Alice Glasco Consulting (Alice Glasco) City Staff Robert Heil, 974-2330
- 62 PH C14-06-0230 - Nomad Wine and Cheese - conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 1213-1215 Corona Drive (Tannehill Branch Watershed) from general commercial services (CS) district zoning to commercial-liquor sales-conditional overlay (CS-1-CO)district zoning Staff Recommendation To grant commercial-liquor sales-conditional overlay (CS-1-CO)district zoning Planning Commission Recommendation To grant commercial-liquor sales-conditional overlay (CS-1-CO)district zoning Applicant Sam Calliham Agent Permit Me (Maureen Morphew) City Staff Robert Heil, 974-2330
- 63 PH C14-06-0220 - Thornton Bungalows - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 2206-2210 Thornton Road (West Bouldin Creek Watershed) from urban family residence-conditional overlay (SF-5-CO) combining district zoning to single-family residence-condominium-conditional overlay (SF-4B-CO) combining district zoning Staff Recommendation To grant single-family residence-condominium-conditional overlay (SF-4B-CO) combining district zoning Planning Commission Recommendation To be reviewed on February 27, 2007 Applicant Thornton Cottages Austin, L P (James Austin) Agent Stansberry Engineering (Blayne Stansberry) City Staff Robert Heil, 974-2330
- 64 PH C14-06-0121 - The Domain - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 10700-11000 Burnet Road, 11100-11900 Burnet Road, 2800 Block of Braker Lane and 3300 West Braker Lane (Walnut Creek Watershed) from major industrial-planned development area (MI-PDA) combining district zoning to major industrial-planned development area (MI-PDA) combining district zoning to change a condition of zoning

Staff Recommendation To grant major industrial-planned development area (MI-PDA) combining district zoning to change a condition of zoning with conditions Planning Commission Recommendation To be reviewed on February 13, 2007 Applicant RREEF Domain, L P (Chad Marsh) Agent Drenner+Golden, Stuart, Wolff, L L P (Michele Haussmann) City Staff Jorge E Rousselin, 974-2975

- 65 NPA-06-0019 01 - East Avenue PUD - Conduct a public hearing and approve an  
PH ordinance amending Ordinance No 040826-56, the Central Austin Combined Neighborhood Plan, an element of the Austin Tomorrow Comprehensive Plan, to establish high density-mixed use designation on the future land use map (FLUM) for the property located at 3400 N I H 35 (Concordia University) Staff Recommendation To approve mixed use designation Planning Commission Recommendation To approve high density mixed use designation Applicant Concordia University (David Kluth) Agent Alice Glasco Consulting (Alice Glasco) and Armbrust and Brown, L L P (Richard Suttle) City Staff Mark Walters, 974-7695
- 66 C814-06-0175 - East Avenue PUD - Conduct a public hearing and approve an ordinance  
PH amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 3400 North IH-35 Service Road (Waller Creek and Boggy Creek Watersheds) from general office-neighborhood plan (GO-NP) combining district zoning, limited office-mixed use-neighborhood plan (LO-MU-NP) combining district zoning, and general commercial services-mixed use-neighborhood plan (CS-MU-NP) combining district zoning to planned unit development-neighborhood plan (PUD-NP) combining district zoning Staff Recommendation To grant planned unit development-neighborhood plan (PUD-NP) combining district zoning with conditions Planning Commission Recommendation To grant planned unit development-neighborhood plan (PUD-NP) combining district zoning with conditions Applicant Concordia University (David Kluth) Agent Alice Glasco Consulting (Alice Glasco) and Armbrust and Brown, L L P (Richard Suttle) City Staff Jorge E Rousselin, 974-2975

## **5. 30 PM -- Live Music**

Idgy Vaughn

## **5 30 PM -- Proclamations**

Proclamation -- Peace Corps Week -- to be presented by Mayor Will Wynn and to be accepted by Michelle Lalonde

Distinguished Service Award -- Raul Calderon -- to be presented by Mayor Will Wynn and City Manager Toby Hammett Futrell and to be accepted by the honoree

Proclamation -- Fire Island Glass -- to be presented by Mayor Pro Tem Betty Dunkerley and to be accepted by Matthew LaBarbera and Teresa Ueltschey


Proclamation -- Entrepreneurship Week USA -- to be presented by Council Member Jennifer Kim and to be accepted by Chelsea McCullough


## **6 00 PM -- Public Hearings and Possible Actions**

- 67 Conduct a public hearing for the full purpose annexation of the following annexation  
PH areas (1) Avery Ranch Area, Group 2 Approximately 45 acres in Williamson County south of the intersection of Avery Ranch Boulevard and Nearabout Road , and (2) Blazier

Elementary School Area Approximately 16 acres in southern Travis County south of the intersection of Thaxton Road and Nuckols Crossing Road

- 68 PH Conduct a public hearing and consider floodplain variances requested by Mr Mickey Bentley on behalf of Mr William Sisco and Ms Elizabeth Sisco to allow construction of a duplex at 5613 Joe Sayers Avenue in the 100-year and 25-year floodplains of the Hancock Branch of Shoal Creek and to waive the requirement to dedicate a drainage easement to the full limit of the 100-year floodplain to exclude the footprint of the proposed duplex

 The City of Austin is committed to compliance with the Americans with Disabilities Act  
Reasonable modifications and equal access to communications will be provided upon request

 For assistance please call 974-3256 OR 974-2445 TDD

A person may request a Spanish language interpreter be made available by contacting the City Clerk's Office not later than two hours before the scheduled time of the item on which the person wishes to speak  
Please call 974-3256 in advance or inform the City Clerk's staff present at the council meeting

Cualquier persona puede solicitar servicios de interprete en español comunicandose con la oficina del Secretario/a Municipal a no mas tardar de dos horas antes de la hora determinada para el asunto sobre el cual la persona desea comentar Por favor llame al 974-3256 con anticipo o informe al personal del Secretario/a Municipal presente en la sesion del Consejo

## CITY COUNCIL AGENDA

### Council Meetings

January 11, 2007  
January 25, 2007

February 1, 2007  
February 15, 2007

March 1, 2007  
March 8, 2007  
March 22, 2007

April 5, 2007  
April 12, 2007  
April 19, 2007

May 3, 2007  
May 17, 2007  
May 24, 2007

June 7, 2007  
June 21, 2007

July 26, 2007

August 9, 2007  
August 23, 2007  
August 30, 2007

September 10, 11, 12  
(Budget Readings)  
September 27, 2007

October 11, 2007  
October 18, 2007

November 1, 2007  
November 8, 2007  
November 29, 2007

December 6 2007  
December 13 2007

### Cancelled Meetings

January 4, 2007  
January 18, 2007

February 8, 2007  
February 22 2007

March 15, 2007  
March 29, 2007

April 26, 2007

May 10, 2007  
May 31, 2007

June 14, 2007  
June 28, 2007

July 5, 2007  
July 12, 2007  
July 19, 2007

August 2, 2007  
August 16, 2007

September 6, 2007  
September 13, 2007  
September 20, 2007

October 4, 2007  
October 25, 2007

November 15, 2007  
November 22, 2007

December 20, 2007  
December 27 2007