

**AUSTIN CITY COUNCIL
MINUTES****REGULAR MEETING
THURSDAY, May 3, 2007**

Invocation: Mark Heinrich, City Employee

The following represents the actions taken by the Austin City Council in the order they occurred during the meeting. While the minutes are not in sequential order, all agenda items were discussed. The City Council of Austin, Texas, convened in a regular meeting on Thursday, May 3, 2007 in the Council Chambers of City Hall, 301 West Second Street, Austin, Texas.

Mayor Wynn called the Council Meeting to order at 10:15 a.m.

The Mayor asked Council Members to report on upcoming agenda items:

Council Member Martinez reported the Public Safety Task Force will bring their recommendations to Council at the June 4 meeting.

CONSENT AGENDA

The following items were acted on by one motion. No separate discussion or action occurred on any of the items. The consent items were approved on Mayor Pro Tem Dunkerley's motion, Council Member Martinez' second on a 7-0 vote.

1. Approval of the minutes of the Austin City Council from the regularly scheduled meeting of April 19, 2007.
The minutes from the regularly scheduled meeting of April 19, 2007 were approved.
2. Authorize reimbursement of costs to HIGH STREET RAINEY, L.P., a Delaware Corporation, for the purchase and installation of heat exchanger(s) and associated piping to interconnect their new residential condo project located at 603 Davis Street to Austin Energy's downtown district cooling system in an amount not to exceed \$135,000. Funding is available in the Fiscal Year 2006-2007 Capital Improvement Budget of Austin Energy. Recommended by the Electric Utility Commission.
The motion authorizing the reimbursement of costs to High Street Rainey, L.P. was approved.
3. Approve an ordinance authorizing acceptance of \$15,000 in grant funds from the United States Department of Energy through the State of Texas Energy Conservation Office; and amending the Fiscal Year 2006-2007 Austin Energy Operating Budget of Ordinance No. 20060911-001 to appropriate \$15,000 for the purpose of continuing the Clean Cities Program for the grant period of April 1, 2007, through August 31, 2008. Funding in the amount of \$15,000 in grant funds is available from the State of Texas Energy Conservation Office. No match is required. Recommended by the Electric Utility Commission.
Ordinance No. 20070503-003 was approved.
4. Authorize negotiation and execution of an Interlocal Agreement with the State of Texas Energy Conservation Office (SECO) for grant funding in the amount of \$15,000 to extend the City's involvement

in the Clean Cities program with funding from April 1, 2007 to August 31, 2008. Grant funding is available from the State of Texas Energy Conservation Office. No match is required. Recommended by the Electric Utility Commission.

The motion authorizing the negotiation and execution of an interlocal agreement was approved.

5. Authorize execution of a contract with FRANKLINCOVEY, 2200 West Parkway Boulevard, Salt Lake City, UT; for xQ assessment and 4 Disciplines of Execution and Certification Process in an amount not to exceed \$139,896. Funding is available in the Fiscal Year 2006-2007 Operating Budget of the Aviation Department. Sole Source. Recommended by the Austin Airport Advisory Commission.
The motion authorizing the execution of a contract with FranklinCovey was approved.
6. Approve an ordinance amending the Fiscal Year 2006-2007 Health and Human Service Department Operating Budget Travis County Reimbursed Fund of Ordinance No. 20060911-001, to appropriate revenue from Travis County in the amount of \$71,366 and to increase operating expenditures in the amount of \$71,366 for summer youth employment stipends. An amount of \$71,366 is available from the increased expense reimbursement revenue from Travis County.
Ordinance No. 20070503-006 was approved.
7. Authorize negotiation and execution of Amendment No. 4 to the Interlocal Agreement between the City and Travis County to fund and administer the Summer Youth Employment Stipend program for the period October 1, 2006 through September 30, 2007, at a cost in an amount not to exceed \$400,000 (\$245,000 City; \$155,000 County), with two 12-month renewal options in an amount not to exceed \$400,000 (\$245,000 City; \$155,000 County) per renewal option, for a total agreement amount not to exceed \$1,200,000 (\$735,000 City; \$465,000 County). Funding in the amount of \$198,777 is available in the Fiscal Year 2006-2007 Operating Budget for the Health and Human Services Department. Funding in the amount of \$46,223 is available in the Fiscal Year 2006-2007 Operating Budget for the Human Resources Department. Funding in the amount of \$155,000 is available in the Fiscal Year 2006-2007 Operating Budget of the Health and Human Services Department's Travis County Reimbursed Fund. Funding for each contract extension is contingent upon available funding in future budgets
The motion authorizing the negotiation and execution of amendment number 4 to the interlocal agreement was approved.
8. Approve an ordinance adopting the Eleventh Amendment to the Agreement Concerning the Creation and Operation of the North Austin Municipal Utility District (MUD) No. 1. This amendment will revise the consent agreement and the land use plan to change the land use for a 25.75 acre tract of land owned by the North Austin MUD No.1 from community commercial (GR) uses to multifamily use and address issues of parkland dedication and water quality standards. Recommended by Planning Commission.
Ordinance No. 20070503-008 was approved.
9. Approve the waiver of the entry fee for Barton Springs Pool for the family members of City Employees on Saturday, May 12, 2007 as part of Employee Appreciation Week.
The motion authorizing the waiver of the entry fee for Barton Springs Pool for the family members of city employees was approved.
10. Approve a resolution authorizing the application for renewal funding from the Texas Department of Transportation, Texas Automobile Theft Prevention Authority in the amount of \$442,211 in grant funds for the continuation of the Auto Theft Interdiction Project in the Austin Police Department. Funding is available from the Texas Department of Transportation, Texas Automobile Theft Prevention Authority for the grant period September 1, 2007 - August 31, 2008. An in-kind match is required. Funding for the continued operation of this program is contingent upon available funding in future budgets.
Resolution No. 20070503-010 was approved.

11. Approve a resolution authorizing the fee simple acquisition of Lot 12, Block J, Onion Creek Forest, Section 2, Amended Plat, a subdivision in Travis County, Texas, located at 6906 Shady Cedar Drive; from Timothy J. Pabich for the Onion Creek Voluntary Flood Buyout-FEMA-1606-DR Project, in the amount of \$60,000 for the land and improvements and \$23,500 in owner assisted relocation benefits, plus moving related expenses not to exceed \$10,000, for a total amount not to exceed \$93,500. Funding is available in the Fiscal Year 2006-2007 Capital Budget of the Watershed Protection and Development Review Department.
Resolution No. 20070503-011 was approved.
12. Approve a resolution authorizing the filing of eminent domain proceedings for the Govalle 3-Parker Lane/Metcalf Road Wastewater Improvements Project, a portion of the Austin Clean Water Program, to acquire a 4,706 square-foot permanent wastewater line easement and an 871 square-foot temporary working space easement out of Tract A, Willow Creek Commercial, a subdivision in Travis County, TX, in the amount of \$5,610. The owner of the needed property interests is Intco-Bristol Square Partnership, a Texas general partnership. The property is located at 2364 Douglas Street, Austin, Travis County, TX. Funding is included in the Fiscal Year 2006-2007 Capital Improvement Budget of the Austin Water Utility. Recommended by the Water and Wastewater Commission.
Resolution No. 20070503-012 was approved.
13. Authorize the advertisement for sealed bid offers and authorize the negotiation of final offers for the sale or exchange of an approximately 7.07 acre tract of land out of an 820 acre tract known as Reicher Ranch, Balcones Canyonland Preserve (BCP), located at 3635 RR 620 South, for not less than the fair market value. Recommended by BCCP Citizens Advisory Committee, BCCP Scientific Advisory Committee, BCCP Coordinating Committee, US Fish and Wildlife Service, Environmental Board and by the Water and Wastewater Commission.
The motion authorizing the advertisement for sealed bid offers and authorizing the negotiation of final offers for the sale or exchange of an approximately 7.07 acre tract of land was approved.
14. Authorize execution of a construction contract with BENITEZ CONSTRUCTION, INC., (MBE/MH), Manor, TX, for the Austin Clean Water Program: Angelina Street Area Wastewater Improvements Project in an amount not to exceed \$794,138. Funding is included in the Fiscal Year 2006-2007 Capital Improvement Budget of the Austin Water Utility. Lowest of seven bids received. This contract will be awarded in compliance with Chapter 2-9A of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program) by meeting the goals at 78.21% Prime MBE and 12.85% WBE subcontractor participation. Recommended by the Water and Wastewater Commission.
The motion authorizing the execution of a construction contract with Benitez Construction, Inc. was approved.
15. Authorize negotiation and execution of an amendment to the professional services agreement with URS CORPORATION, Austin, TX, for engineering services relative to decommissioning and deconstruction of the Thomas C. Green Water Treatment Plant (WTP) and related facilities in the amount of \$250,000 for a total contract amount not to exceed \$1,000,000. Funding is available in the Fiscal Year 2006-2007 Capital Improvement Budget of the Austin Water Utility. This contract was awarded in compliance with Chapter 2-9B of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program) with 18.31% MBE and 15.41% WBE subconsultant participation to date. Recommended by the Water & Wastewater Commission.
The motion authorizing the negotiation and execution of an amendment to the professional services agreement with URS Corporation was approved.

16. Authorize execution of a construction contract with MATOUS CONSTRUCTION, LTD, Belton, TX, for the Albert H. Ullrich Water Treatment Plant 160 MGD Expansion - Contract 4 in the amount of \$1,996,000 plus a \$490,000 contingency, for a total contract amount not to exceed \$2,486,000. Funding in the amount of \$2,486,000 is in the Capital Improvement Budget of the Austin Water Utility. This contract will be awarded in compliance with Chapter 2-9A of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program) through the achievement of Good Faith Efforts with 32.92% MBE and 0.27% WBE subcontractor participation.
The motion authorizing the execution of a construction contract with Matous Construction, Ltd. was approved.
17. 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 an area bounded by Riata Trace Parkway/Riata Vista Circle to the north, Duval Road to the south, U.S. Highway 183 (Research Boulevard) to the west, and Dorsett Road to the east. The Angus Valley Area Neighborhood Association is included in this area. Funding in the amount of \$6,600 is available in the Fiscal Year 2006-2007 Operating Budget of the Public Works Department for the installation of necessary signs.
Ordinance No. 20070503-017 was approved.
18. Approve an ordinance dedicating an easement to the Board of Regents of the University of Texas System for communication and electric lines along Whitis Avenue between West 20th and West 21st Streets and along West 21st Street from Whitis Avenue, approximately 360 feet east, serving the University of Texas Executive Education and Conference Center.
Ordinance No. 20070503-018 was approved.
19. Authorize award and execution of a contract with BARE SPOT SOLUTIONS, Wharton, Texas for Tifway 419 Bermuda grass sprigs and sod in an amount not to exceed \$88,945. Funding is available in the Fiscal Year 2006-2007 Operating Budget of the Parks and Recreation Department. Lowest bid of three bids received. This contract will be awarded in compliance with Chapter 2-9C 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.
The motion authorizing the award and execution of a contract with Bare Spot Solutions was approved.
20. Authorize award and execution of a 24-month requirements supply contract with AUSTIN WHITE LIME COMPANY, Austin, TX, for the purchase of quicklime for the Austin Water Utility in an estimated amount not to exceed \$11,649,000, with two 12-month extension options in an estimated amount not to exceed \$5,824,500 per extension option, for a total estimated contract amount not to exceed \$23,298,000. Funding in the amount of \$2,912,250 is available in the Fiscal Year 2006-2007 Operating Budget of the Austin Water Utility. Funding for the remaining 18 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. Recommended by the Water & Wastewater Commission.
The motion authorizing the award and execution of a requirements supply contract with Austin White Lime Company was approved.
21. Authorize award and execution of a 12-month requirements service contract with SENTRY SECURITY AND INVESTIGATIONS, L.P., Austin, TX (MBE/MH) for security guard services in an estimated amount not to exceed \$123,615, with two 12-month extension options in an estimated amount not to exceed \$123,615 per extension option, for a total estimated contract amount not to exceed \$370,845.

Funding in the amount of \$51,506 is available in the Fiscal Year 2006-2007 Operating Budget of the Austin Water Utility. Funding for the remaining seven months of the original contract period and extension options is contingent upon available funding in future budgets. Lowest bid of four bids received. This contract will be awarded in compliance with Chapter 2-9C 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. Recommended by the Water & Wastewater Commission.

The motion authorizing the award and execution of a requirements service contract with Sentry Security and Investigations, L.P. was approved.

22. Authorize award and execution of a 24-month requirements service contract with TEXAS RECRUITERS LTD., Tyler, TX for medical personnel recruitment services in an estimated amount not to exceed \$300,000, with two 12-month extension options in an estimated amount not to exceed \$150,000 per extension option, for a total estimated contract amount not to exceed \$600,000. Funding in the amount of \$62,500 is available in the Fiscal Year 2006-2007 Approved Operating Budget of the Community Care Services Department. Funding for the remaining 19 months of the original contract period and extension options is contingent upon available funding in future budgets. Lowest bid meeting specifications of three bids received. This contract will be awarded in compliance with Chapter 2-9C 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.
- The motion authorizing the award and execution of a requirements service contract with Texas Recruiters Ltd was approved.**

23. Authorize award and execution of three contracts through the HOUSTON-GALVESTON AREA COUNCIL OF GOVERNMENTS (H-GAC) with: BAYLAR EQUIPMENT CORPORATION, Houston, TX for the purchase of two catch basin cleaner bodies in an amount not to exceed \$317,848.86; SANTEX INTERNATIONAL, San Antonio, TX for the purchase of 14 cab & chassis in an amount not to exceed \$1,016,964; HI-WAY EQUIPMENT COMPANY, Houston, TX for the purchase of two vibratory trench rollers in an amount not to exceed \$68,512.50. Funding in the amount of \$889,117.36 is available in the Fiscal Year 2006-2007 Capital Budget of the Austin Water Utility. Funding in the amount of \$72,850 is available in the Fiscal Year 2006-2007 Capital Budget of the Solid Waste Services Department. Funding in the amount of \$441,358 is available in the Fiscal Year 2006-2007 Capital Budget of the Public Works Department. Cooperative Purchase. This contract will be awarded in compliance with Chapter 2-9D of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). This contract is a Cooperative Purchase; therefore, it is exempted under Chapter 252.022 of the Texas Local Government Code and no goals were established for this solicitation.
- The motion authorizing the award and execution of three contracts through the Houston-Galveston Area Council of Governments (H-GAC) with: Baylar Equipment Corporation, Santex International, and Hi-Way Equipment Company was approved.**

24. Authorize award and execution of a 36-month requirements supply contract with CAPITOL BEARING SERVICE, Austin, TX for hydraulic hose repair parts and services in an estimated amount not to exceed \$750,000, with three 12-month extension options in an estimated amount not to exceed \$250,000 per extension option, for a total estimated contract amount not to exceed \$1,500,000. Funding in the amount of \$104,167 is available in the Fiscal Year 2006-2007 Operating Budget of the Financial and Administrative Services Department, Fleet Fund. Funding for the remaining 31 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 2-9C 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.

The motion authorizing the award and execution of a requirements supply contract with Capitol Bearing Service was approved.

25. Authorize award and execution of a 24-month requirements service contract with MUNICIPAL SERVICES BUREAU, Austin, TX, for the collection of delinquent Municipal Court cases with estimated annual net to general fund revenue of \$2,250,000, with two 12-month extension options with estimated revenue of \$2,250,000 per extension option, for a total estimated contract revenue of \$9,000,000. \$468,750 estimated revenue in the current fiscal year. Revenue for the remaining 19 months of the original contract period and extension options will be included in future budgets. Best value bid of seven bids received. This contract will be awarded in compliance with Chapter 2-9C 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.

The motion authorizing the award and execution of a requirements service contract with Municipal Services Bureau was approved.

26. Authorize award and execution of a 12-month requirements supply contract with CENTERLINE SUPPLY, San Antonio, TX, for reflectorized pavement markers for the Public Works Department in an estimated amount not to exceed \$96,200, with two 12-month extension options in an estimated amount not to exceed \$96,200 for each extension option, for a total contract amount not to exceed \$288,600. Funding in the amount of \$40,084 is available in the Fiscal Year 2006-2007 Operating Budget of the Public Works Department. Funding for the remaining seven months of the original contract period and extension options is contingent upon available funding in future budgets. Lowest bid of two 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.

The motion authorizing the award and execution of a requirements supply contract with Centerline Supply was approved.

27. Authorize award and execution of a 12-month requirements supply contract with PARADIGM TRAFFIC SYSTEMS, INC, Fort Worth, TX, for traffic signal cabinets for the Public Works Department in an estimated amount not to exceed \$269,730, with two 12-month extension options in an estimated amount not to exceed \$269,730 per extension option, for a total estimated contract amount not to exceed \$809,190. Funding in the amount of \$112,388 is available in the Fiscal Year 2006-2007 Operating Budget of the Public Works Department. Funding for the remaining seven 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.

The motion authorizing the award and execution of a requirements supply contract with Paradigm Traffic System, Inc. was approved.

28. Approve appointments to citizen board and commissions, to Council subcommittees and other intergovernmental bodies and removal and replacement of members.

The following appointments were made:

Board/
Appointee

Consensus/
Council Nominee

Appointment/
Reappointment

Construction Advisory Committee

Martin Prisant

Council Member Kim's

Appointment

Electric Utility Commission

Stephen Smaha	Council Member Cole's	Appointment
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Residential Design and Compatibility Commission

Katrina Daniel	Council Member Martinez'	Appointment
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Urban Forestry Board

Damon Waitt	Mayor Wynn's	Appointment
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Waller Creek Citizen Advisory Committee

Tracy Atkins	Consensus <i>recommended by - Downtown Austin Alliance</i>	Appointment
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Josh Allen	Consensus <i>recommended by - Pecan Street Owners</i>	Appointment
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Dave Anderson	Consensus <i>recommended by - Environmental Board</i>	Appointment
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Sam Archer	Consensus <i>recommended by - Rowing Club</i>	Appointment
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Jeb Boyt	Consensus <i>recommended by - Parks and Recreation Board</i>	Appointment
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George Cofer	Consensus <i>recommended by - City</i>	Appointment
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Dave Foster	Consensus <i>recommended by - Clean Water Action</i>	Appointment
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Bill Ikard	Consensus <i>recommended by - City</i>	Appointment
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Saundra Kirk	Consensus <i>recommended by - Planning Commission</i>	Appointment
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Donato Rodriguez	Consensus <i>recommended by - Mexican American Cultural Center</i>	Appointment
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Ann Schorno	Consensus <i>recommended by - Hotel & Lodging Association</i>	Appointment
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Ted Siff	Consensus <i>recommended by - Downtown Austin Neighborhood Association</i>	Appointment
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Bill Spelman	Consensus <i>recommended by - Liveable City</i>	Appointment
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Diana Zuniga	Consensus <i>recommended by - City</i>	Appointment
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Item 29 was pulled for discussion.

30. Approve a resolution directing the City Manager to negotiate and execute an agreement with the Austin Public Library Foundation to establish a special City account, funded with all proceeds (\$9,988,640) from the sale of Block 21, and use the interest income generated and certain Foundation funds for operating costs of the new central library. (Mayor Pro Tem Betty Dunkerley Mayor Will Wynn Council Member Lee Leffingwell)
Resolution No. 20070503-030 was approved.
31. Approve a resolution directing the City Manager to analyze the potential costs and benefits of making a three-dimensional digital model of the City available for public use. (Recommended by the Design Commission and the Planning Commission.) (Council Member Jennifer Kim Council Member Brewster McCracken and Mayor Pro Tem Betty Dunkerley)
Resolution No. 20070503-031 was approved.
32. Approve a resolution requesting the Planning Commission to make and forward a recommendation concerning amendments to Title 25 of the City Code concerning the dedication of Parkland at its meeting on May 22, 2007, and directing the City Manager to timely bring to Council the recommendations of the Planning Commission, staff and other boards and commissions that have considered the changes such that those recommendations may be considered by Council at its earliest possible meeting thereafter. (Mayor Will Wynn Council Member Lee Leffingwell Council Member Mike Martinez)
Resolution No. 20070503-032 was approved.
33. Approve a resolution amending the City's Legislative Program to reflect support for Senate Bill 50, relating to early childhood education. (Council Member Mike Martinez Mayor Pro Tem Betty Dunkerley Council Member Sheryl Cole)
Resolution No. 20070503-033 was approved.
34. Approve a resolution giving the City of Austin's consent to the Riesel Cultural Facilities Corporation to issue one or more loans to the Girl Scouts - Lone Star Council to refinance the Girl Scouts Program Center located at 12012 Park Thirty Five Circle, Austin, Texas; and to finance erosion control, infrastructure facilities, building renovations, and other improvements for Camp Texlake, located at Pace Bend Park, RR 2322, Spicewood Springs, Texas. (Mayor Pro Tem Betty Dunkerley Council Member Lee Leffingwell Council Member Brewster McCracken)
Resolution No. 20070503-034 was approved.
35. Approve waiver of the signature requirement under Chapter 14-8 of the City Code for use of streets associated with the Capital of Texas Triathlon to be held on May 27-28, 2007. (Mayor Will Wynn Council Member Mike Martinez)
The motion authorizing the waiver of the signature requirement was approved.
36. Set a public hearing to consider the use of approximately 0.271 acres of parkland for a wastewater line, 0.341 acres for temporary work space and 0.285 acres for a temporary staging area and material storage site to construct, use, maintain, repair, and replace a wastewater line for construction of a portion of the Manor/Comal/Rosewood Avenue Project through dedicated parkland known as Kealing Park, in accordance with Section 26.001 et seq. of the Texas Parks and Wildlife Code. (Suggested date and time: June 7, 2007 at 6:00 p.m., Austin City Hall, 301 West Second Street, Austin, TX.) All costs associated with construction, as well as any parkland restoration, will be paid by requester. Recommended by the Parks Board and the Water and Wastewater Commission.
The public hearing was set for June 7, 2007 at 6:00 p.m., Austin City Hall, at 301 West Second Street, Austin, Texas.

37. Set a public hearing to consider the use of approximately 7.07 acres out of an 820 acre tract to allow for construction and the relocation of the Reicher Ranch driveway through dedicated Balcones Canyonland Preserve (BCP) tract known as Reicher Ranch located at 3635 RR 620 South in accordance with Section 26.001 et seq. of the Texas Parks and Wildlife Code. (Suggested date and time: June 7, 2007 at 6:00 p.m., Austin City Hall, 301 West Second Street, Austin, TX) Recommended by BCCP Citizens Advisory Committee, BCCP Scientific Advisory Committee, BCCP Coordinating Committee, US Fish and Wildlife Service, Environmental Board and the Water and Wastewater Commission.
The public hearing was set for June 7, 2007 at 6:00 p.m., Austin City Hall, at 301 West Second Street, Austin, Texas.
38. Set a public hearing to amend City Code Section 25-8-514 (Pollution Prevention Required), grant a waiver to Section 25-8-213 (D) (Water Quality Control Standards), and grant variances to Sections 25-8-65 (Roadways), 25-8-301 (Construction of a Roadway or Driveway), 25-8-341 (Cut Requirements), 25-8-342 (Fill Requirements), and 25-8-454 (Uplands Zone) of the City Code to allow construction of the Westbank Community Library facility and parking at the intersection of Bee Caves Road and Cuernavaca Drive. (Suggested date and time: May 17, 2007 6:00 p.m., Austin City Hall, Council Chambers, 301 West Second Street, Austin, TX). This action requires a site-specific amendment of the Save Our Springs Initiative and concerns property in the Barton Springs Zone. Scheduled for Environmental Board consideration on May 2, 2007 and Planning Commission consideration on May 8, 2007.
The public hearing was set for May 17, 2007 at 6:00 p.m., Austin City Hall, Council Chambers, at 301 West Second Street, Austin, Texas.
39. Set a public hearing to amend City Code Section 25-8-514 (Pollution Prevention Required), grant a waiver of Section 25-8-213 (D) (Water Quality Control Standards), and grant a variance to Section 25-8-483 (Water Quality Transition Zone) of the City Code to allow construction of the Zion Rest Baptist Church facility and parking at 3341 Paisano Trail. (Suggested date and time: May 17, 2007 at 6:00 p.m., Austin City Hall, Council Chambers, 301 West Second Street) This action requires a site-specific amendment of the Save Our Springs Initiative and concerns property in the Barton Springs Zone. Scheduled for Environmental Board consideration on May 2, 2007 and Planning Commission consideration on May 8, 2007.
The public hearing was set for May 17, 2007 at 6:00 p.m., Austin City Hall, Council Chambers, at 301 West Second Street, Austin, Texas.
69. Approve a resolution authorizing payment of up to 50% of the total cost, not to exceed \$36,500, for peace officers providing security at the Old Pecan Street Festival street events to be held on May 5-6, and September 29-30, 2007; and, the Victorian Christmas street event to be held on November 21 and 26, 2007, all to be held on East 6th Street. (Mayor Pro Tem Betty Dunkerley, Mayor Will Wynn and Council Member Mike Martinez)
Resolution No. 20070503-069 was approved.
70. Directing the City Manager and the City Attorney of the City of Austin to take any and all actions necessary or appropriate, including without limitation the filing of motions and the requesting of judicial orders, to cause the modification of Section 5 of the Order Deferring Dispositions – Zoning Violations: Prohibited Use (12/5/05) in State of Texas v. Ben Ogbodiegwu, Cause No. 623380 in the Municipal Court of the City of Austin, County of Travis. (Council Member Mike Martinez and Council Member Sheryl Cole)
This item was withdrawn.

Item 40 was a briefing item set for 10:30 a.m.

Items 41 through 44 were Executive Session items.

Items 45 through 65 were zoning items set for 4:00 p.m.

Items 66 through 68 were public hearing items set for 6:00 p.m.

Items 69 and 70 were addendum items from Council.

BRIEFING

40. Presentation on the City's Five Year Financial Forecast.
The presentation was made by Toby Futrell, City Manager; Jon Hockenyos, Managing Director of TXP; Greg Canally, Budget Officer; and Leslie Browder, CFO.

CITIZEN COMMUNICATIONS: GENERAL

James Tinsley - Summer Event on East Side of Austin. He was not present when his name was called.

Mary Patrick - Densification

Liz Vega - Summer Event for East Side of Austin. She was not present when her name was called.

Jimmy Castro - Cinco De Mayo

Don Bennett - Community Access Television - People who have current contact

Latrishia Love - East Austin Summer Program. She was not present when her name was called.

Deborah Shaw-Boatner - Summer Event on East Side of Austin. She was not present when her name was called.

Tyrone Gordon - Summer Program on East Side of Austin. He was not present when his name was called.

John Goldstone – TBA. He was not present when his name was called.

Jennifer Vance - East Austin Summer Event. She was not present when her name was called.

Mayor Wynn recessed the Council Meeting to go into Executive Session at 12:28 p.m.

EXECUTIVE SESSION

The City Council went into Executive Session, pursuant to Chapter 551 of the Texas Government Code, to receive advice from Legal Counsel, to discuss matters of land acquisition, litigation, and personnel matters as specifically listed on this agenda and to receive advice from Legal Counsel regarding any other item on this agenda.

41. Discuss legal issues concerning legislation in the 80th Legislative Session. (Private Consultation with Attorney - Section 551.071)

42. Discuss legal issues concerning development at Northcross Mall. (Private Consultation with Attorney - Section 551.071)
This item was withdrawn.
43. Discuss legal issues regarding expansion of the Ullrich Water Treatment Plant Expansion Project and associated construction contract with Archer Western Contractors, Ltd , in connection with project resolution and potential litigation (Private Consultation with Attorney - Section 551.071)
44. Discuss the exchange, lease, sale, and value of certain real property located in eastern Travis County managed by Austin Energy and purchased using tax exempt bonds and of certain real property located in Bastrop County. (Real Property- Section 551.072)

Executive Session ended and Mayor Wynn recessed the Council Meeting at 3:04 p.m.

Mayor Wynn called the Council Meeting back to order at 3:30 p.m.

DISCUSSION ITEMS

29. Approve a resolution adopting the Water Conservation Task Force recommendations, and direct the City Manager to return to Council with any council actions necessary to implement the recommendations. Recommended by the Water and Wastewater Commission; and, the Environmental Board. (Council Member Lee Leffingwell Mayor Will Wynn Council Member Sheryl Cole)

Resolution No. 20070503-029 was approved with the following amendments on Council Member Leffingwell's motion, Mayor Wynn's second on a 7-0 vote. The amendments to the Water Conservation Strategies Policy Document are: Redraft IN-1 to read: "Clarify that single family must have plumbing fixtures that meet current plumbing code at the time of sale only, and not by a date certain. Add the following exceptions for single family residential and commercial and multi family:

- Properties where replacement of fixtures would pose a public health threat.**
- Certain designated historical structures.**
- Properties where all of the toilets have been replaced under the City's toilet replacement programs.**
- Properties built after the 1992 plumbing code change.**
- Responsibility for retrofit may be transferred from the seller to the buyer upon agreement of both parties; an appropriate process/mechanism for timely enforcement shall be developed.**

Add a statement expressing certificates of compliance can be applied for at any time, and will be issued after an inspection. Once a property is classified as compliant, it will be entered into a Water Conservation database and is not subject to any further inspections."

Section IN-2 redraft last two sentences of the second paragraph of IN-2 to read: "The Task Force recommended that residential condo units not be required to use submeters or utility meters for billing, but did recommend that they should be encouraged to do so. Mixed-use and multiple-use properties must bill commercial occupants for water using either individual City meters or submeters."

Section OU-1(c) should read: "Require rain shut off devices on both new and existing commercial and multi-family automatic irrigation systems that must be operational at all times and set to turn off the system after 1/8 inch of rainfall."

Revise OU-2 #4 to read: "Irrigation sub-meters with automatic readouts for customer monitoring will be encouraged but not required. Staff will research the potential for offering rebates to incentivise the use of irrigation sub-meters."

Section OU-3(2)(Commercial landscapes) should be amended to read: "Turfgrasses included in the landscape shall be low water-use species."

Section OU-4(2) that reads "The task force did not recommend requiring particular grass species for new single-family properties" should be deleted entirely.

Section OU-5(1)(b) should be amended to read: "have no more than 50% of the landscape area covered in turfgrass, and require that turfgrasses be low water-use species."

Section OU-4, delete the word "volume" in the Applies To heading.

Section OU-5, delete the word "volume" in the Applies To heading.

New Section should be added to read, "A citizen's advisory group will be established that will include large users, experts in the field of water conservation and other advisors as Council deems appropriate. It is envisioned that this group will:

- Meet quarterly to review water conservation efforts and results;
- Recommend changes or adjustments to water conservation policies and strategies; and
- Present reports and findings to the Resource Management Commission on a regular basis."

ZONING CONSENT ITEMS

The following zoning items were acted on by one motion. No separate discussion or action occurred on any of the items. The consent items were approved on Council Member Martinez' motion, Council Member Leffingwell's second on a 7-0 vote.

45. NPA-06-0009.05 - Calavan - Approve second/third readings of an ordinance amending Ordinance No. 011213-41, the Central East Austin Neighborhood Plan, an element of the Austin Tomorrow Comprehensive Plan, to establish office mixed use designation on the future land use map (FLUM) for the property located at 1701, 1703 and 1705 East Martin Luther King Boulevard (Boggy Creek Watershed). First reading approved on April 5, 2007. Vote: 6-0 (Martinez off the dais.) Applicant and Agent: Calavan Family Partnership (Brooks Calavan). City Staff: Katie Halloran, 974-3500.
Ordinance No. 20070503-045 for office mixed use designation on the future land use map was approved
46. C14-06-0160 - Calavan - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 1701, 1703 and 1705 East Martin Luther King Boulevard (Boggy Creek Watershed) from family residence-neighborhood plan (SF-3-NP) combining district zoning to limited office-mixed use-conditional overlay-neighborhood plan (LO-MU-CO-NP) combining district zoning. First reading approved on April 5, 2007. Vote: 6-0 (Martinez off the dais.) Applicant and Agent: Calavan Family Partnership (Brooks Calavan). City Staff: Robert Heil, 974-2330.
Ordinance No. 20070503-046 for limited office-mixed use-conditional overlay-neighborhood plan (LO-MU-CO-NP) combining district zoning was approved.
47. C14-06-0203 - Cullen Zoning - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 9006 Cullen Lane (Onion Creek Watershed)

from interim-rural residence (I-RR) district zoning to community commercial-conditional overlay (GR-CO) combining district zoning. First reading approved on April 19, 2007. Vote: 7-0. Applicant: Weldon J. Schmidt. Agent: Armbrust & Brown, L.L.P. (Richard T. Suttle, Jr.) City Staff: Wendy Walsh, 974-7719.
Ordinance No. 20070503-047 for community commercial-conditional overlay (GR-CO) combining district zoning was approved.

48. C14-06-0204 - Slaughter Zoning - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 160 Slaughter Lane (Onion Creek Watershed) from interim-rural residence (I-RR) district zoning to community commercial-conditional overlay (GR-CO) combining district zoning. First reading approved on April 19, 2007. Vote: 7-0. Applicant: A. King Enterprises Management (Alma King Fancher). Agent: Armbrust & Brown, L.L.P. (Richard T. Suttle, Jr.) City Staff: Wendy Walsh, 974-7719.
Ordinance No. 20070503-048 for community commercial-conditional overlay (GR-CO) combining district zoning was approved.
49. C14-06-0231 - Mowinkle - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 7219 Mowinkle Drive (Williamson Creek Watershed-Barton Springs Zone) from rural residence (RR) district zoning to single-family residence-large lot-conditional overlay (SF-1-CO) combining district zoning. First reading approved on April 5, 2007. Vote: 7-0. Applicant: Bobby Gloyd and Danny Quiroz. Agent: Ross Frie (Frie Planning and Development). City Staff: Robert Heil, 974-2330.
Ordinance No. 20070503-049 for single-family residence-large lot-conditional overlay (SF-1-CO) combining district zoning was approved.

ZONING CONSENT ITEMS

The following zoning items were acted on by one motion. No separate discussion or action occurred on any of the items. The public hearings were closed and consent items were approved on Mayor Pro Tem Dunkerley's motion, Council Member McCracken's second on a 7-0 vote.

51. C14-07-0004 - Burger King/Shell Food Store Scofield Ridge Parkway - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 13205 Burnet Road (Walnut Creek Watershed) from neighborhood commercial (LR) district zoning to community commercial (GR) district zoning. Staff Recommendation: To grant community commercial-conditional overlay (GR-CO) combining district zoning. Zoning and Platting Commission Recommendation: To grant community commercial-conditional overlay (GR-CO) combining district zoning. Applicant: Tiger Creek Partners. Agent: A.J. Ghaddar, P.E. & Associates (A.J. Ghaddar). City Staff: Jorge E. Rousselin, 974-2975.
This item was postponed to June 7, 2007 at the applicant's request.
52. NPA-06-0009.02 - Los Abogados Gueros - Conduct a public hearing and approve an ordinance amending Ordinance 011213-41, the Central East Austin Neighborhood Plan, an element of the Austin Tomorrow Comprehensive Plan, to establish office mixed use designation on the future land use map (FLUM) for the property located at 1214 East 7th Street (Waller Creek and Town Lake Watersheds). Staff Recommendation: To grant office mixed use designation. Planning Commission Recommendation: To grant office mixed use designation. Applicant: Los Abogados Gueros, L.L.C. Agent: Lopez-Phelps & Associates (Amelia Lopez-Phelps). City Staff: Katie Halloran, 974-3509.
This item was postponed to May 24, 2007 at the staff's request.
53. C14-06-0162 and C14H-07-0002 - Los Abogados Gueros - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 1214

East 7th Street (Waller Creek and Town Lake Watersheds) from family residence-neighborhood plan (SF-3-NP) combining district zoning to general office-historic-mixed use-conditional overlay-neighborhood plan (GO-H-MU-CO-NP) combining district zoning. Staff Recommendation: To grant general office-historic-mixed use-conditional overlay-neighborhood plan (GO-H-MU-CO-NP) combining district zoning. Planning Commission Recommendation: To grant general office-historic-mixed use-conditional overlay-neighborhood plan (GO-H-MU-CO-NP) combining district zoning. Owner: Los Abogados Gueros, L.L.C. Agent: Lopez-Phelps & Associates (Amelia Lopez-Phelps). City Staff: Robert Heil, 974-2330.

This item was postponed to May 24, 2007 at the staff's request.

55. C14-07-0011 - Lamar/Manchaca Mixed Use - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 2711-2715 South Lamar and 2803-2901 Manchaca (West Bouldin Creek Watershed) from general commercial services (CS) district zoning to general commercial services-conditional overlay (CS-CO) combining district zoning to permit Vertical Mixed use on the site. Staff Recommendation: To grant general commercial services-conditional overlay (CS-CO) combining district zoning to permit Vertical Mixed use on the site. Planning Commission Recommendation: To be reviewed on May 8, 2007. Applicant: Alexander Madison Land Co. (Robert Watts); JBS Holdings, L.P. (Winston Krause). Agent: Drenner & Golden Stuart Wolff (Michele Rogerson). City Staff: Robert Heil, 974-2330.

This item was postponed to May 17, 2007 at the staff's request.

56. C14H-06-0044 - Leonidas W. Payne, Jr. House - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 2104 Pearl Street (Shoal Creek Watershed) from multi-family residence-moderate-high density-neighborhood plan (MF-4-NP) combining district zoning to multi-family residence-moderate-high density-historic-neighborhood plan (MF-4-H-NP) combining district zoning. Staff Recommendation: To grant multi-family residence-moderate-high density-historic-neighborhood plan MF-4-H-NP) combining district zoning. Historic Landmark Commission Recommendation: To grant multi-family residence-moderate-high density-historic-neighborhood plan (MF-4-H-NP) combining district zoning. Planning Commission Recommendation: To grant multi-family residence-moderate-high density-historic-neighborhood plan (MF-4-H-NP) combining district zoning. Applicant: Historic Landmark Commission. City Staff: Steve Sadowsky, 974-6454.

This item was postponed to August 9, 2007 at the applicant's request.

60. C14-07-0015 - Village at Walnut Creek, Ph. 2, Section 15 - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 2217 Park Bend Drive (Walnut Creek Watershed) from multi-family residence-low density-conditional overlay (MF-2-CO) combining district zoning to general office-mixed use (GO-MU) combining district zoning. Staff Recommendation: To grant general office-mixed use-conditional overlay (GO-MU-CO) combining district zoning. Zoning and Platting Commission Recommendation: To grant general office-mixed use-conditional overlay (GO-MU-CO) combining district zoning. Applicant: MCS Inc. (M. Yusuf Bora). Agent: Alice Glasco Consulting (Alice Glasco). City Staff: Jorge E. Rousselin, 974-2975.

Ordinance No. 20070503-060 for general office-mixed use-conditional overlay (GO-MU-CO) combining district zoning was approved.

61. C14-07-0021 - 5308 Nuckols Crossing Road - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 5308 Nuckols Crossing Road (Williamson Creek Watershed) from neighborhood commercial-neighborhood plan (LR-NP) combining district zoning to community commercial-neighborhood plan (GR-NP) combining district zoning. Staff Recommendation: To deny community commercial-neighborhood plan (GR-NP) combining district zoning. Planning Commission Recommendation: To grant community commercial-mixed use-

conditional overlay-neighborhood plan (GR-MU-CO-NP) combining district zoning. Applicant: Fernando Dreux. Agent: Thrower Design (Ron Thrower). City Staff: Wendy Walsh, 974-7719.

Ordinance No. 20070503-061 for community commercial-mixed use-conditional overlay-neighborhood plan (GR-MU-CO-NP) combining district zoning was approved.

62. C14-07-0027 - Limerick Avenue Zoning Case- Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 12500 Limerick Avenue (Walnut Creek Watershed) from single-family residence-standard lot (SF-2) district zoning to neighborhood office (NO) district zoning. Staff Recommendation: To grant neighborhood office-mixed use (NO-MU) combining district zoning. Zoning and Platting Commission Recommendation: To grant neighborhood office-mixed use (NO-MU) combining district zoning. Applicant and Agent: J.B. Phillips. City Staff: Sherri Sirwaitis, 974-3057.

Ordinance No. 20070503-062 for neighborhood office-mixed use (NO-MU) combining district zoning was approved.

63. C14-07-0028 - Staubach Retail-Parmer - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 2406 West Parmer Lane (Walnut Creek Watershed) from neighborhood office (NO) district zoning and community commercial-conditional overlay (GR-CO) combining district zoning to community commercial-conditional overlay (GR-CO) combining district zoning. Staff Recommendation: To grant neighborhood commercial-conditional overlay (LR-CO) combining district zoning. Zoning and Platting Commission Recommendation: To grant community commercial-conditional overlay (GR-CO) combining district zoning. Applicant: Long Chau. Agent: Alice Glasco Consulting (Alice Glasco). City Staff: Sherri Sirwaitis, 974-3057.

Ordinance No. 20070503-063 for community commercial-conditional overlay (GR-CO) combining district zoning was approved with the following amendment. The amendment was to add back the following prohibited uses: food sale and general retail sales (convenience).

64. C814-98-0001.03 - WineStyles at Arbor Trails - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 4301 West William Cannon Drive (Williamson Creek Watershed - Barton Springs Zone) from planned unit development (PUD) district zoning to planned unit development (PUD) district zoning to change a condition of zoning. Staff Recommendation: To grant planned unit development (PUD) district zoning to change a condition of zoning. Planning Commission Recommendation: To grant planned unit development (PUD) district zoning to change a condition of zoning. Applicant: CP Austin Forum 71 L.P. (William Chaffe). Agent: DAVCAR Engineering Services (Jim Herbert). City Staff: Wendy Walsh, 974-7719.

Ordinance No. 20070503-064 for planned unit development (PUD) district zoning to change a condition of zoning was approved.

65. C814-04-0055.01 - Tract TC-2 Mueller PUD - Conduct a public hearing and approve an ordinance amending Chapter 25-02 of the Austin City Code by rezoning property locally known as 4700-4724 block of James Wheat Street (Boggy Creek and Tannehill Watersheds) from planned unit development (PUD) district zoning to planned unit development (PUD) district zoning to change a condition of zoning. Staff Recommendation: To grant planned unit development (PUD) district zoning to change a condition of zoning. Planning Commission Recommendation: To grant planned unit development (PUD) district zoning to change a condition of zoning. Applicant and Agent: Catellus Austin, L.L.C. (Mark Whellan). City Staff: Jorge E. Rousselin, 974-2975.

Ordinance No. 20070503-065 for planned unit development (PUD) district zoning to change a condition of zoning was approved.

ZONING DISCUSSION ITEM

54. C14-07-0013 - Caswell Lofts - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 2205 North Lamar Boulevard and 2209 Shoal Creek Boulevard (Shoal Creek Watershed) from general office-mixed use-conditional overlay-neighborhood plan (GO-MU-CO-NP) combining district zoning to general office-mixed use-conditional overlay-neighborhood plan (GO-MU-CO-NP) combining district zoning to change a condition of zoning. Staff Recommendation: To grant general office-mixed use-conditional overlay-neighborhood plan (GO-MU-CO-NP) combining district zoning to change a condition of zoning. Planning Commission Recommendation: To grant general office-mixed use-conditional overlay-neighborhood plan (GO-MU-CO-NP) combining district zoning to change a condition of zoning. Applicant: Caswell Lofts, LP (Allen Cowden). Agent: Smith, Robertson, Elliott, Glen, Klein (David Hartman). City Staff: Jorge E. Rousselin, 974-2975.
- This item was postponed to May 17, 2007 on Council Member McCracken's motion, Council Member Kim's second on a 7-0 vote.
50. C814-06-0109 - Lakeshore PUD - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 2201 Lakeshore Boulevard (Town Lake Watershed) from multi-family residence medium density-neighborhood plan (MF-3-NP) combining district zoning to planned unit development-neighborhood plan (PUD-NP) combining district zoning. First reading approved on April 12, 2007. Vote: 7-0. Applicant: Lakeshore LTD. Agent: Armbrust and Brown (David Armbrust). City Staff: Robert Heil, 974-2330.
- Ordinance No. 20070503-050 for planned unit development-neighborhood plan (PUD-NP) combining district zoning was approved with the following amendments on Mayor Pro Tem Dunkerley's motion, Council Member Leffingwell's second on a 6-1 vote. Council Member Kim voted nay. The amendment was to delete Part 4, Section E of the ordinance and replace with the following: "Chapter 25-4, Article 3, Division 5 (Parkland Dedication) is modified to provide for the following parkland dedication requirement for residential development in the Lakeshore PUD.
- 1) Except as otherwise provided in this section, a payment instead of the dedication of land in an amount of \$650 per residential unit is required. If parkland dedication regulations subsequently adopted by the City establishes a per unit amount that is less than \$650, the payment requirement is reduced to the amount established in the regulations.
 - 2) Payment shall be submitted before approval of a site plan.
 - 3) Payment is required for all residential units included on a site plan, except that payment is not required for the first 380 units developed on the property.
 - 4) A credit equal to 50 percent of the payment that is due under this section shall be granted for expenditures related to on-site recreational improvements, facilities and amenities in accordance with City criteria effective on May 14, 2007. Any payment in excess of a credit allowed under this subsection shall be reimbursed by the City.
 - 5) The City shall use payments made under this section for public park and recreational purposes within one mile of the Lakeshore PUD.
 - 6) The foregoing shall satisfy all City of Austin requirements regarding parkland dedication/payment instead of dedication. Existing or future City parkland dedication requirements that may otherwise be applicable to the project do not apply."
57. C14-06-0181 - McComis Estate - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 3510 and 4003 Ben Garza Lane (Williamson Creek Watershed - Barton Springs Zone) from single-family residence - standard lot (SF-2) district zoning to community commercial-mixed use-conditional overlay (GR-MU-CO) combining district zoning. Staff Recommendation: To grant community commercial-mixed use-conditional overlay (GR-MU-CO) combining district zoning. Planning Commission Recommendation: To grant community

commercial-mixed use-conditional overlay (GR-MU-CO) combining district zoning. Applicant: The Earl McComis Revocable Living Trust Agreement (Marcy Calhoun, Teresa Touchstone and Sheila Otterpohl). Agent: Lopez-Phelps & Associates (Amelia Lopez-Phelps). City Staff: Wendy Walsh, 974-7719.

The public hearing was closed and Ordinance No. 20070503-057 for community commercial-mixed use-conditional overlay (GR-MU-CO) combining district zoning was approved on Council Member Martinez' motion, Council Member McCracken's second on a 7-0 vote with the following amendments. The amendments were as follows: trip limitation of 2,000 trips per day and prohibition of the following uses: automotive rentals; automotive repair services; automotive sales; automotive washing (of any type); exterminating services; funeral services; pawn shop services and service station.

58. C14-06-0197 - McComis Estate/Garza Estate - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 3801-4001 Block of Ben Garza Lane (Williamson Creek Watershed - Barton Springs Zone) from interim-rural residence (I-RR) district zoning; development reserve (DR) district zoning; and single-family residence-standard lot (SF-2) district zoning to community commercial-mixed use-conditional overlay (GR-MU-CO) combining district zoning. Staff Recommendation: To grant community commercial-mixed use-conditional overlay (GR-MU-CO) combining district zoning with conditions. Planning Commission Recommendation: To grant community commercial-mixed use-conditional overlay (GR-MU-CO) combining district zoning with conditions. Applicant: The Earl McComis Revocable Living Trust Agreement (March Calhoun, Teresa Touchstone and Sheila Otterpohl); Rancho Garza, Ltd. and Rancho Garza II, Ltd. (Ron White). Agent: Lopez-Phelps & Associates (Amelia Lopez-Phelps). City Staff: Wendy Walsh, 974-7719.

The public hearing was closed and Ordinance No. 20070503-058 for grant community commercial-mixed use-conditional overlay (GR-MU-CO) combining district zoning with conditions was approved on Council Member Martinez' motion, Council Member McCracken's second on a 7-0 vote with the following amendments. The amendments were as follows: trip limitation of 2,000 trips per day and prohibition of the following uses -- automotive rentals; automotive repair services; automotive sales; automotive washing (of any type); exterminating services; funeral services; pawn shop services and service station. A restrictive covenant limits the number of multi-family residences to 450 units.

59. C14-06-0199 - Garza Estate - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 3800-4004 Ben Garza Lane (Williamson Creek Watershed - Barton Springs Zone) from interim-rural residence (I-RR) district zoning; development reserve (DR) district zoning; and multi-family residence-low density-conditional overlay (MF-2-CO) combining district zoning to community commercial-mixed use-conditional overlay (GR-MU-CO) combining district zoning. Staff Recommendation: To grant community commercial-mixed use-conditional overlay (GR-MU-CO) combining district zoning with conditions. Planning Commission Recommendation: To grant community commercial-mixed use-conditional overlay (GR-MU-CO) combining district zoning with conditions. Applicant: Estate of Eli J. Garza Estate and Rancho Garza, Ltd. (Ron White). Agent: Lopez-Phelps & Associates (Amelia Lopez-Phelps). City Staff: Wendy Walsh, 974-7719.

The public hearing was closed and Ordinance No. 20070503-059 for community commercial-mixed use-conditional overlay (GR-MU-CO) combining district zoning with conditions was approved on Council Member Martinez' motion, Council Member McCracken's second on a 7-0 vote with the following amendments. The amendments were as follows: trip limitation of 2,000 trips per day and prohibition of the following uses -- automotive rentals; automotive repair services; automotive sales; automotive washing (of any type); exterminating services; funeral services; pawn shop services and service station. A restrictive covenant limits the number of multi-family residences to 450 units.

Mayor Wynn recessed the Council Meeting at 5:14 p.m.

LIVE MUSIC

Bocaabajo

PROCLAMATIONS

Proclamation -- Latino Music Month -- to be presented by Mayor Will Wynn and to be accepted by Rose Reyes

Proclamation -- Preservation Month -- to be presented by Mayor Will Wynn and to be accepted by Mike Ward

Proclamation -- Lyme Disease Awareness Month -- to be presented by Mayor Will Wynn and to be accepted by Suzanne Shaps

Proclamation -- Children's Mental Health Month -- to be presented by Mayor Will Wynn and to be accepted by Beverly Scarborough

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

Proclamation -- Public Service Recognition Week -- to be presented by Mayor Will Wynn and City Manager Toby Hammett Futrell and to be accepted by representatives of City of Austin departments

Mayor Wynn called the Council Meeting back to order at 6:22 p.m.

PUBLIC HEARINGS AND POSSIBLE ACTIONS

66. Conduct a public hearing and approve an ordinance amending Chapter 25-2, Subchapter E, Article 5, of the Land Development Code (Design Standards & Mixed Use) to add roadway segments in the University Hills/Windsor Park Combined Neighborhood Planning Area to the list of Core Transit Corridors.
This item was postponed to May 24, 2007 at staff's request.
67. Conduct a public hearing to consider an ordinance amending the Austin Tomorrow Comprehensive Plan by adopting the University Hills/Windsor Park Combined Neighborhood Plan. The combined planning area is bounded by IH-35 on the west, Highway 290 on the north, Highway 183 on the east and Manor Road and East 51st Street on the south.
This item was postponed to May 24, 2007 at staff's request.
68. Conduct a public hearing regarding a proposed strategic partnership agreement (SPA) between the City and Lost Creek Municipal Utility District (MUD) (approximately 788 acres located in Travis County west of Capital of Texas Highway west of the intersection of Lost Creek Boulevard and Capital of Texas Highway).
The public hearing was closed on Council Member Martinez' motion, Council Member McCracken's second on a 5-0 vote. Mayor Pro Tem Dunkerley and Council Member Cole were off the dais.

Mayor Wynn adjourned the meeting at 6:45 p.m. without objection.

The minutes for the Regular Meeting of May 3, 2007 were approved on this the 17th day of May, 2007 on Council Member Kim's motion, Council Member Leffingwell's second on a 7-0 vote.