

AUSTIN CITY COUNCIL AGENDA

THURSDAY, FEBRUARY 17, 2005, THE COUNCIL CHAMBERS OF CITY HALL, 301 WEST
2ND STREET, AUSTIN, TEXAS.



AUSTIN CITY CLERK
POSTAGE DATE/TIME

05 FEB 11 PM 3:41

For meeting information, contact the City Clerk, 974-2210

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.

WILL WYNN, MAYOR ♦ JACKIE GOODMAN, MAYOR PRO TEM ♦ DARYL SLUSHER
RAUL ALVAREZ ♦ BETTY DUNKERLEY ♦ BREWSTER MCCrackEN ♦ DANNY THOMAS

**NOTICE OF REGULAR MEETING
THURSDAY, FEBRUARY 17, 2005**

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9:55 A.M. Invocation

Fr. Raj, Pastoral Administrator, St. Theresa's Catholic Church

10:00 A.M. City Council Convenes

**THE CITY COUNCIL OF THE CITY OF AUSTIN, TEXAS WILL CONVENE AT
10:00 AM ON THURSDAY, FEBRUARY 17, 2005, IN THE COUNCIL
CHAMBERS OF CITY HALL, 301 WEST 2ND STREET, AUSTIN, TEXAS.**

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.

Meeting Minutes

1. Approval of minutes from the meeting of February 10, 2005.

Austin Water Utility

2. Authorize negotiation and execution of an amendment to the May 1999 Settlement Agreement and Mutual Release between the Barton Springs Edwards Aquifer Conservation District and the City of Austin to allow the District to withhold an amount not-to-exceed \$15,000 per year in conservation credits due to the City during Fiscal Years 2004-2005, 2005-2006, and 2006-2007. (Funding is available in the Fiscal Year 2004-2005 Operating Budget of the Austin Water Utility and the remaining amounts will be included in future budgets.) (Recommended by the Water and Wastewater Commission)
3. Approve Service Extension Request No. 2381 for water service not to exceed a peak hour flow of 2 gallon per minute (gpm) for a tract of approximately 32.30 acres owned by Steve and Rose Monreal, located within the Drinking Water Protection Zone in the extraterritorial jurisdiction of Austin at 6620 West Creek View Drive. (Recommended by the Water and Wastewater Commission)

City Clerk's Office

4. Approve an ordinance ordering a general municipal election to be held on May 7, 2005, to elect Council Members to Place 1, Place 3, and Place 4 of the City Council, providing for the conduct of the election, and authorizing the City Clerk to enter such joint election agreements with other local political subdivisions as may be necessary for the orderly conduct of the election. (Funding in the amount of \$939,517 is included in the Fiscal Year 2004-2005 Approved Operating Budget of the Office of the City Clerk.)
5. Receive the city clerk's certification of the result of her examination of the initiative petition filed February 1, 2005, entitled "An Ordinance Repealing and Replacing City Code Chapter 10-6 Relating to Smoking in Public Places, Creating Offenses, and Providing Penalties."

Financial and Administrative Services - Building Services

6. Approve an ordinance amending Ordinance No. 040913-05, the Fiscal Year 2004-2005 Fee Ordinance, relating to parking rates for City facilities, to allow the City Manager to modify or waive parking rates in certain situations.

Law

7. Approve an ordinance amending Ordinance No. 031023-6 to correct the reference from wastewater service to water service to the Zachary Scott Tract located in the south corner of the Old Lockhart Highway and Bradshaw Road intersection.

Neighborhood Planning and Zoning

8. Approve third reading of an ordinance to annex the Brandt Road Area (Approximately 32.951 acres in Travis County east of IH 35 at the northeast corner of the intersection of IH 35 and Brandt Road) and grant I-GR (Interim-Community Commercial) designation. (Funding necessary to provide general governmental services to this tract is available in the budgets of the department which will be providing the services.) (Related Item 47)

Public Works

9. Approve a resolution authorizing the filing of eminent domain proceedings for the Upper Shoal Creek-Lower Hancock Branch project of the Austin Clean Water Program to acquire a permanent wastewater line easement containing 2,456 square feet and two temporary working space easements, one containing 3,500 square feet and the other containing 284 square feet, all out of Lot 2, Amended Plat of Tract A, North Loop Plaza Resubdivision #1, and Block 12 Rosedown, a subdivision in the City of Austin, and one permanent wastewater line easement containing 2,709 square feet out of Lot 16, Block 10, Rosedown, a subdivision in the City of Austin, in the amount of \$133,500. The owner of the property sought to be condemned is MWM FUND III, LTD., located in Houston, TX. The property is located at 5218 Burnet Road, Austin, Texas. (Funding is included in the Fiscal Year 2004-2005 Capital Budget of the Austin Water Utility.)
10. Authorize negotiation and execution of an amendment to the professional services agreement with CAROLLO ENGINEERS, P.C., Austin, TX, for professional preliminary engineering design services for the Travis Water Treatment Plant, in an amount not to exceed \$6,500,000, for a total contract amount not to exceed \$10,000,000. (Funding in the amount \$6,500,000 is available in the Fiscal Year 1995-1996 Amended Capital Budget of the Austin Water Utility.) 15.29% MBE and 14.37% WBE subcontractor participation to date. (Recommended by the Water and Wastewater Commission.)
11. Authorize negotiation and execution of a professional services agreement with the following three firms: HBC/TERRACON, INC., Austin, TX; BAER ENGINEERING AND ENVIRONMENTAL CONSULTING, INC. (WBE-79.10%), Austin, TX; JENKINS ENVIRONMENTAL CONSULTING, LLC, Austin, TX for the Asbestos and Lead Based Paint Consultants Services Rotation List 2004-2007 for various Capital Improvement Projects for an estimated period of two (2) years or until financial authorization is expended, in an amount not to exceed \$500,000, for the total of the three (3) agreements not to exceed \$500,000. (Funding in the amount of \$500,000 is available in the Capital budgets and /or operating budgets of the various departments for which services are needed.) Best qualification statement of nine received. 15.9% MBE and 14.2% WBE subconsultant participation.
12. Approve execution of a construction contract with CEN-TEX UNDERGROUND, INC, Burleson, TX, for the Austin Clean Water Program: Buttermilk Creek Area Wastewater Rehabilitation – Loyola Lane Project in an amount not to exceed \$309,107.35. (Funding is included in the Fiscal Year 2004-2005 Capital Budget of the Austin Water Utility.) Lowest bid of four received. 18.02% MBE and 9.06% WBE subcontractor participation.

13. Authorize negotiation and execution of an Amendment to an Interlocal Cooperation Agreement between Travis County and the City of Austin for sharing the cost of improvements to the section of the Cameron Road/Harris Branch Parkway Project that is within the city limits of the City of Austin in an amount not to exceed \$85,000. (Funding is available in the Fiscal Year 2004-2005 Amended Capital Budget of the Public Works Department.)

Purchasing

14. Authorize execution of Amendment No.1 to three 24-month supply agreements with TECHLINE, INC., Austin, TX; POWER SUPPLY, Austin, TX; and KBS ELECTRICAL DISTRIBUTORS, Austin, TX, to increase the agreements for padmount transformers in an amount not to exceed \$1,137,316, \$734,570, and \$259,028 respectively; and to increase each of the three 12-month extension options for each contract in amounts not to exceed \$568,658, \$367,285, and \$129,514 respectively, for revised total agreement amounts not to exceed \$3,996,292, \$6,179,350, and \$1,480,680 respectively. (Funding in the amount of \$621,516.63 is available in the Fiscal Year 2004-2005 Amended Operating Budget of Austin Energy. Funding for the remaining 17-months of the original contract term and the extension options is contingent upon available funding in future budgets.) This contract was 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 solicitation.
15. Authorize execution of Amendment No. 2 to the contract with POWER SUPPLY, Austin, TX, to contractually modify the current pricing structure for oil and goods manufactured from steel and non-ferrous metals to allow price surcharges due to prevailing market conditions. (Funding is available in the Fiscal Year 2004-2005 Amended Operating Budget of Austin Energy.) 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 solicitation.
16. Authorize negotiation and execution of a contract with R. W. BECK, Austin, TX, for the development of an employee-focused training and communications program for Austin Energy to improve customer satisfaction in an amount not to exceed \$79,500. (Funding is available in the Fiscal Year 2004-2005 Amended Operating Budget of Austin Energy.) Best evaluated proposal of six proposals received. 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 solicitation.

17. Authorize execution of a contract with DATASTREAM, INC., Greenville, SC, for the upgrade of the Austin Water Utility's MP5 V6.3 Plant Maintenance Management System software in an amount not to exceed \$75,000. (Funding is included in the Fiscal Year 2004-2005 Approved Operating Budget of the Austin Water Utility.) Sole Source. 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 solicitation.
18. Authorize execution of a 12-month supply agreement with LEIF JOHNSON FORD, Austin, TX, for the purchase of captive repair parts for Ford heavy trucks in an amount not to exceed \$50,000, with three 12-month extension options in an amount not to exceed \$50,000 per extension option, for a total agreement amount not to exceed \$200,000. (Funding in the amount of \$37,500 is available in the Fiscal Year 2004-2005 Approved Operating Budget of the Financial and Administrative Services Department, Fleet Fund. Funding for the remaining three months of the original contract period and extension options is contingent upon available funding in future budgets.) Lowest responsive bid. 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 solicitation.
19. Authorize execution of a 12-month supply agreement with RDO EQUIPMENT CO., Pflugerville, TX, for captive repair parts for John Deere heavy equipment in an amount not to exceed \$65,000, with three 12-month extension options in an amount not to exceed \$65,000 per extension option, for a total agreement amount not to exceed \$260,000. (Funding in the amount of \$37,917 is available in the Fiscal Year 2004-2005 Approved Operating Budget of the Financial and Administrative Services Department, Fleet Fund. Funding for the remaining five months of the original contract period and extension options is contingent upon available funding in future budgets.) One bid received. 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 solicitation.

20. Authorize execution of a contract with TASER INTERNATIONAL, INC., Scottsdale, AZ, for ninety tasers and associated equipment for the Austin Police Department in an amount not to exceed \$75,291. (Funding is available in the Fiscal Year 2004-2005 Approved Operating Budget of the Austin Police Department.) Lowest bids of two bids received. 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 solicitation.
21. Authorize execution of a contract through the State of Texas, Texas Building and Procurement Commission with HAWORTH INCORPORATED, Austin, TX, and the authorized distributor FURNITURE MARKETING GROUP, Austin, TX, for the purchase and installation of modular office systems for built-in cubicle arrangements including wall panels, and modular office furniture, for a total contract amount not to exceed \$229,531.56. (Funding is available in the Fiscal Year 2004-2005 Approved Capital Budget of the Financial Services Department.) Purchasing Cooperative

Watershed Protection and Development Review

22. Approve an ordinance on second/third reading amending Chapter 25-10 of the City Code relating to nonconforming signs to allow location of new off-premise signs (billboards) in various locations in the City if an existing off-premise sign is removed. (Planning Commission voted for no change to the current code.)

ITEMS FROM COUNCIL

23. Board and Commission appointments.
24. Authorize waiver of a portion of the park rental fee for the Spamarama event to be held on April 2, 2005. (Mayor Pro Tem Jackie Goodman, Council Member Raul Alvarez and Council Member Betty Dunkerley)
25. Approve an ordinance authorizing payment of \$200 in police charges for the Allendale Neighborhood Association's Fourth of July Parade to be held on July 4, 2005. (Mayor Pro Tem Jackie Goodman, Council Member Raul Alvarez and Council Member Betty Dunkerley)

26. Approve an ordinance authorizing payment of \$182.80 for costs associated with a police escort for Mikail Davenport and supporters traveling to the State Capitol of Texas on March 1, 2005, to increase awareness of issues affecting persons with disabilities. (Mayor Will Wynn and Mayor Pro Tem Jackie Goodman)
27. Approve a resolution renaming the City Council Health Care Subcommittee to the Public Health and Human Services Subcommittee. (Mayor Pro Tem Jackie Goodman, Council Member Raul Alvarez and Council Member Betty Dunkerley)
28. Approve a resolution accepting a mission statement for, and directing the staff to develop a program for Council approval for the Austin City Hall Artists Exhibition Program. (Mayor Will Wynn, Mayor Pro Tem Jackie Goodman and Council Member Betty Dunkerley)

Item(s) to Set Public Hearing(s)

29. Set a public hearing to receive comment and take action on proposed design standards for commercial and retail development. (Suggested date and time: March 3, 2005 at 6:00 p.m., City Hall Council Chambers, 301 West 2nd Street.)

12:00 P.M. CITIZEN COMMUNICATIONS: GENERAL

Ryan Hastings - Banning the use of Tasers in Austin by the Police Dept.

Joe Quintero - The legacy and history of Council Member Raul Alvarez on the Austin City Council will be that of assisting Anglo Liberal Council accelerate the gentrification and displacement of poor Mexican-American Homeowners from their homes in East Austin

Paul Hernandez - Don't Blame me I voted against Light Rail. T.O.D. Ordinance

Frances Martinez - Setting up appointments for a doctor's visit at the clinics is still in disarray. Neighbors have called me that they have tried to call the appointment telephone number for more than two weeks to no avail. Please Help!!

Pat Johnson - CTECC Update to the Public - When are we going to have a product we paid for - Inspectors now required to provide cell phones at their expense for City Business

Susana Almanza - TOD Ordinance just another Gentrification Tool! People of Color and working poor deserve to live in East Austin

Gavino Fernandez, Jr. - The T.O.D. ordinance will forever change the land use development and character of our beloved East Austin Barrio. Please look into building Public Housing within the Capmetro 11 acres to include A small business incubater. Seek Federal Dollars!!

Marcos De Leon - Send A delegation to Washington D.C to lobby for Federal Dollars to build Public Housing on the Capitol Metro 11 acres located between East 4th and 5th streets

Ramon Maldonado - I support building public housing on the capmetro 11 acres located between 4th and 5th streets. Therefore send a delegation to Washington D.C. to lobby for federal dollars to build public housing for Senior Citizens and working poor families and to create small business incubators

Jennifer Gale - All emergency personnel should have a vacation required every six months for their health and well-being

EXECUTIVE SESSION (No Public Discussion On These Items)**Private Consultation with Attorney - Section 551.071**

30. Discuss legal issues in *Angelita Hernandez, Individually and as Sole Heir of Edward Arreola, Deceased v. City of Austin*; Cause No. GN400808; 353rd Judicial District; Travis County, Texas (concerns a motor vehicle accident involving a fire truck). (Related Item 37)
31. Discuss legal issues concerning proposed legislation in the 79th Legislative Session.
32. Discuss legal issues regarding Cause No. GV-400101; *City of Sunset Valley, Save Our Springs, et al. v. City of Austin and Lowe's*; in the 201st Judicial District of Travis County, Texas. (concerns a challenge to the Garza Brodie agreement by which the Lowe's litigation was resolved)
33. Discuss legal issues concerning easements needed from Austin Country Club for the Loop 360 Lift Station Project and related issues. (Related Item 39)
34. Discuss legal issues related to TCEQ Docket No. 2001-1170-MLM-E; SOAH Docket No. 482-04-7650; *Executive Director of the Texas Commission on Environmental Quality vs. Rainbow Materials, L.P. and Jack Anderson, Trustee*, before the State Office of Administrative Hearings. (concerns discharge of concrete and concrete waste on the upland areas, banks, and bed of the Colorado River)

Real Property - Section 551.072

35. Discuss the exchange, lease, and value of the City's interest in certain real property located in eastern Travis County.
36. Discuss the exchange, lease, or value of the Seaholm Power Plant property located on Cesar Chavez between Lamar Boulevard and Guadalupe Street west of the Green Water Treatment Plant and Block 21 (bounded by Second Street, Guadalupe Street, Third Street, and Lavaca Street).

Action on Executive Session

37. Approve negotiation and execution of a settlement in Cause No. GN400808; *Angelita Hernandez, Individually and as Sole Heir of Edward Arreola, Deceased v. City of Austin*; in the 353rd Judicial District; Travis County, Texas (concerns a motor vehicle accident involving a fire truck).(Related Item 30)
38. Authorize negotiation and execution of a settlement agreement in Cause No. GV-400101; *City of Sunset Valley, Save Our Springs, et al. v. City of Austin and Lowe's*; in the 201st Judicial District of Travis County, Texas. (concerns a challenge to the Garza Brodie agreement by which the Lowe's litigation was resolved)
39. Authorize negotiation and execution of a settlement with Austin Country Club, including related documents, funding and fee waivers.(Related Item 33)

1:00 P.M. BRIEFINGS

40. Briefing concerning sustainable yield and other related issues of the Barton Springs segment of the Edwards Aquifer.
41. Briefing on the proposed creation of Winfield Municipal Utility Districts No. 1, 2, 3, and 4 on approximately 2428 acres owned by 2428 Partners, Ltd. located east of IH-35, south of Turnersville Road, west of S. Turnersville Road, east of County Road 118 and north of Satterwhite Road (County Road 107).
42. Presentation of redevelopment proposals for the Seaholm Power Plant property located on Cesar Chavez between Lamar Boulevard and Guadalupe Street west of the Green Water Treatment Plant.

4:00 P.M. ZONING HEARINGS AND APPROVAL OF ORDINANCES AND RESTRICTIVE COVENANTS**Zoning Ordinances / Restrictive Covenants**

43. C14-04-0188 - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 205 East Rundberg Lane (Little Walnut Creek Watershed) from family residence (SF-3) district zoning to limited office-conditional overlay (LO-CO) combining district zoning. First reading on January 27, 2005. Vote: 7-0. Conditions met as follows: Conditional Overlay incorporates the conditions imposed by Council on first ordinance reading. Applicant and Agent: Duc Nguyen. City Staff: Glenn Rhoades, 974-2775.
44. C14-04-0174 - Lyly Fisher's Rezoning - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 11920 North IH-35 Service Road Southbound (Walnut Creek Watershed) from limited office (LO) district zoning to community commercial-conditional overlay (GR-CO) combining district zoning. First reading on January 13, 2005. Conditions met as follows: Conditional Overlay incorporates the conditions imposed by Council on first ordinance reading. Applicant: Lyly Fisher. Agent: The Hertz Corporation (Paul Wucker). City Staff: Glenn Rhoades, 974-2775.
45. C14-04-0181.SH - Shire's Court - Approve third reading of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 2610, 2626, 2700 and 2902 Metcalfe Road; 1910 and 1916 Wickshire Lane (Country Club Creek Watershed) from family residence (SF-3) district zoning and limited office (LO) district zoning to townhouse & condominium residence-conditional overlay (SF-6-CO) combining district zoning. First Reading on January 13, 2005. Vote: 6-0, Goodman off the dais. Second Reading on January 27, 2005. Vote: 6-0, Dunkerley-off the dais. Conditions met as follows: Conditional overlay and restrictive covenant incorporate the conditions imposed or accepted by Council at second ordinance reading. Applicants: The Estate of Opal Ault (Donna Koch), Henry W. Ault and June Oliver Ault, Herby's Joint Venture (Jimmy Nassour), George Washington Sanders, and Stephen G. Jackson). Agent: Benchmark Land Development, Inc. (David C. Mahn). City Staff: Wendy Walsh, 974-7719.

46. C14H-04-0027 – Brown-Ledel-Silverman House - Approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 609 West Lynn Street from multi-family residence, neighborhood plan (MF-4-NP) district to multi-family residence, neighborhood plan - Historic (MF-4-H-NP) combining district zoning. Historic Landmark Commission Recommendation: To grant multi-family residence, neighborhood plan - Historic (MF-4-H-NP) combining district zoning. Planning Commission Recommendation: Forwarded to Council without a recommendation. Applicant: Historic Landmark Commission. City Staff: Steve Sadowsky, Historic Preservation Office, Neighborhood Planning and Zoning Department, 974-6454. Note: A valid petition has been filed by the property owner in opposition to this rezoning request.
47. C14-04-0204 - Northeast corner of IH-35 South, northbound service road and Brandt Road - Approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 9701-9817 IH-35 South, northbound service road (Onion Creek Watershed) from interim-community commercial (I-GR) district zoning to community commercial (GR) district zoning. Zoning and Platting Commission Recommendation: To grant community commercial-conditional overlay (GR-CO) combining district zoning for Tract 1 and general office-conditional overlay (GO-CO) combining district zoning for Tract 2. Applicant: City of Austin. Agent: Neighborhood Planning and Zoning Department. City Staff: Wendy Walsh, 974-7719. (Related Item 8)

Zoning Hearings and Approval of Ordinances / Restrictive Covenants

- Z- 1 C14-04-0179 - Big 4 - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 8602 Cullen Lane (Onion Creek Watershed) from development reserve (DR) district zoning and single family residence standard lot (SF-2) district zoning to general commercial services (CS) district zoning. Zoning and Platting Commission Recommendation: To grant general commercial services-conditional overlay (CS-CO) combining district zoning, with conditions. Applicant: Big 4 (Jim Pallas). Agent: Bennett Consulting (Jim Bennett). City Staff: Wendy Walsh, 974-7719.

- Z- 2 C14-04-0150 - Neighbor's Stop & Go - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 6008 Manchaca Road (Williamson Creek Watershed) from limited office (LO) district zoning to neighborhood commercial-conditional overlay (LR-CO) combining district zoning. Zoning and Platting Commission Recommendation: To grant neighborhood commercial-conditional overlay (LR-CO) combining district zoning, with conditions. Applicant: Anthony R. Bertucci. Agent: Brown McCarroll, L.L.P. (Annick C. Beaudet). City Staff: Wendy Walsh, 974-7719.
- Z- 3 C14-04-0205 - Earthgrains Baking Companies, Inc. - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 6532-6534 South Congress Avenue (Williamson Creek Watershed) from neighborhood commercial (LR) district zoning, community commercial (GR) district zoning and general commercial services (CS) district zoning to community commercial (GR) district zoning. Planning Commission Recommendation: To grant community commercial-conditional overlay (GR-CO) combining district zoning. Applicant: Earthgrains Baking Companies, Inc. (Kevin J. Dollhopf). Agent: CB Richard Ellis (Cinco Cocke). City Staff: Wendy Walsh, 974-7719. (Related Item Z-4)
- Z- 4 C14-81-239 (RCT) - Earthgrains Baking Companies, Inc. - Conduct a public hearing and approve a restrictive covenant termination for the property locally known as 6534 South Congress Avenue (Williamson Creek Watershed). Planning Commission Recommendation: To grant the restrictive covenant termination, with conditions. Applicant: Earthgrains Baking Companies, Inc. (Kevin J. Dollhopf). Agent: CB Richard Ellis (Cinco Cocke). City Staff: Wendy Walsh, 974-7719. (Related Item Z-3)
- Z- 5 C814-88-0001.08 - Gables at Westlake - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 3100-3320 North Capital of Texas Highway (Lake Austin Watershed) from planned unit development (P.U.D.) district zoning to planned unit development (P.U.D.) district zoning to change a condition of zoning. Zoning and Platting Commission Recommendation: To grant planned unit development (P.U.D.) district zoning with conditions. Applicant: Protestant Episcopal School Council (Brad Powell). Agent: Drenner Stuart Metcalfe von Kreisler (Steve Drenner). City Staff: Glenn Rhoades, 974-2775. (Related Item Z-6)

- Z- 6 C814-88-0001(RCA) - Gables at Westlake - Conduct a public hearing and approve a restrictive covenant amendment for the property locally known as 3100-3320 Capital of Texas Highway (Lake Austin Watershed). Zoning and Platting Commission Recommendation: To approve the restrictive covenant amendment. Applicant: Protestant Episcopal School Council (Brad Powell). Agent: Drenner Stuart Metcalfe von Kreisler (Steve Drenner). City Staff: Glenn Rhoades, 974-2775. (Related Item Z-5)

5:30 P.M. LIVE MUSIC AND PROCLAMATIONS

LIVE MUSIC

PROCLAMATIONS

Proclamation - 10th Anniversary of Austin City Connection - to be presented by Mayor Will Wynn and to be accepted by Kristen Vassallo and David Matustik

Proclamation - Kite Day in honor of the 77th Annual Zilker Kite Festival - to be presented by Mayor Will Wynn and to be accepted by Bunnie Twidwell

Distinguished Service Award - Ben Luckens - to be presented by Mayor Will Wynn and City Manager Toby Futrell and to be accepted by the honoree

Certificates of Congratulations - Volunteers of the Month for January and February - to be presented by Council Member Brewster McCracken and to be accepted by John Traber and Penny Petrich

6:00 P.M. PUBLIC HEARINGS AND POSSIBLE ACTION

Watershed Protection and Development Review

48. Conduct a public hearing to consider a request for a variance from the Land Development Code to allow construction of a residential condominium in the 100-year and 25-year floodplains of Hancock Branch at 1605 Houston Street.
49. Consider action on an appeal Ed King (Long Canyon Home Owners Association, Phase I) and Joseph Konopka (Long Canyon Home Owners Association, Phase II/III) of the Zoning and Platting Commission's decision to grant a Hill Country Roadway Site Plan with waiver/variances for Potter's Dentistry at 7901 FM 2222 (site plan no. SPC-04-0022A). (Granted by the Zoning and Platting Commission on December 7, 2004 (6-2).)

ADJOURN

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 intérprete en español comunicándose con la oficina del Secretario/a Municipal a no más 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 sesión del Consejo.

Council Meetings

January 13, 2005
January 27, 2005

February 3, 2005
February 10, 2005
February 17, 2005

March 3, 2005
March 10, 2005
March 24, 2005

April 7, 2005
April 14, 2005
April 28, 2005

May 12, 2005
May 19, 2005
May 26, 2005

June 9, 2005
June 23, 2005

July 28, 2005

August 4, 2005
August 18, 2005
August 25, 2005

September 1, 2005
September 12,13,14
(Budget Readings)
September 29, 2005

October 6, 2005
October 20, 2005
October 27, 2005

November 3, 2005
November 17, 2005

December 1, 2005
December 15, 2005

Cancelled Meetings

January 6, 2005

January 20, 2005

February 24, 2005

March 17, 2005
March 31, 2005

April 21, 2005

May 5, 2005

June 2, 2005
June 16, 2005
June 30, 2005

July 7, 2005
July 14, 2005
July 21, 2005

August 11, 2005

September 8, 2005

September 15, 2005
September 22, 2005

October 13, 2005

November 10, 2005
November 24, 2005

December 8, 2005
December 22, 2005
December 29, 2005