

# AUSTIN CITY COUNCIL AGENDA

THURSDAY, MARCH 11, 2004, THE BOARD ROOM AT THE LOWER COLORADO RIVER  
AUTHORITY HANCOCK BUILDING, 3700 LAKE AUSTIN BOULEVARD, AUSTIN, TEXAS.



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, MARCH 11, 2004**

9:55 A.M. Invocation .....	2
10:00 A.M. City Council Convenes .....	2
READING AND ACTION ON CONSENT AGENDA .....	3
Meeting Minutes .....	3
Austin Energy .....	3
City Clerk's Office .....	4
Community Care Services .....	4
Financial and Administrative Services - Communications and Technology Management .....	4
Fire .....	5
Health and Human Services .....	5
Law .....	6
Police .....	6
Public Works .....	6
Purchasing .....	9
Transportation, Planning and Sustainability .....	11
ITEMS FROM COUNCIL .....	11
12:00 P.M. CITIZEN COMMUNICATIONS: GENERAL .....	12
EXECUTIVE SESSION (No Public Discussion On These Items) .....	13
2:00 PM BRIEFINGS .....	13
4:00 P.M. ZONING HEARINGS AND APPROVAL OF ORDINANCES AND RESTRICTIVE COVENANTS .....	14
Zoning Ordinances / Restrictive Covenants .....	14
Neighborhood Plans - Hearings and Approval .....	14
Zoning Hearings and Approval of Ordinances / Restrictive Covenants .....	15
5:30 P.M. LIVE MUSIC AND PROCLAMATIONS .....	17
LIVE MUSIC .....	17
PROCLAMATIONS .....	17
6:00 P.M. PUBLIC HEARINGS AND POSSIBLE ACTION .....	18
Watershed Protection and Development Review .....	18
Neighborhood Housing and Community Development .....	18

**9:55 A.M. Invocation**

*Benjamin Kuipers, Friends Meeting of Austin (Quakers)*

**10:00 A.M. City Council Convenes**

**THE CITY COUNCIL OF THE CITY OF AUSTIN, TEXAS WILL CONVENE AT  
10:00 AM ON THURSDAY, MARCH 11, 2004, IN THE BOARD ROOM AT THE**

**Posted Date: Friday, March 05, 2004**

**LOWER COLORADO RIVER AUTHORITY HANCOCK BUILDING, 3700  
LAKE AUSTIN BOULEVARD, 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 the Electric Utility Department 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 March 4, 2004.

**Austin Energy**

2. Approve and authorize execution of General Agreement for Joint Use of Poles between Austin Energy and Southwestern Bell Telephone, L.P. d/b/a SBC Texas.
3. Approve negotiation and execution of a contract with Robert Sansom, Austin, Texas, for the purchase, including closing costs and moving expenses related to the house and lot located at 3306 South Second, in an amount not to exceed \$130,000. The property is to be used for the reconstruction of a Austin Energy's Cardinal Lane Substation located at Cardinal Lane and South 5th Streets. (Funding is available in the Fiscal Year 2003-2004 Approved Capital Budget of the Electric Utility Department.)

4. Approve negotiation and execution of a contract with Dorothy Weaver, Austin, Texas, for the purchase, including closing costs and moving expenses related to the house and lot located at 3308 South Second, in an amount not to exceed \$170,000. The property is to be used for the reconstruction of a Austin Energy's Cardinal Lane Substation located at Cardinal Lane and South 5th Streets. (Funding is available in the Fiscal Year 2003-2004 Approved Capital Budget of the Electric Utility Department.)

#### **City Clerk's Office**

5. Approve an ordinance calling an election to be held on May 15, 2004, on a proposition to establish collective bargaining for firefighters; and authorizing the City Clerk to negotiate and execute joint election agreements with other political entities. (Funding in the amount of \$250,000 is available in the Fiscal Year 2003-2004 Amended Operating Budget of the Office of the City Clerk.) (Related Item 6)
6. Amend Ordinance No. 030909-1, Fiscal Year 2003-2004 Operating Budget, by appropriating \$250,000 to the Office of the City Clerk Operating Budget for the May 15, 2004 election and to reduce the Support Services Fund Ending Balance by the same amount. (Funding in the amount of \$250,000 is available in the Fiscal Year 2003-2004 Support Services Fund approved Ending Balance. Funding is from the reappropriation of Fiscal Year 2002-2003 excess savings realized in the City Clerks budget.) (Related Item 5)

#### **Community Care Services**

7. Approve a six-month extension of the interlocal cooperative agreement between Travis County and City of Austin for pharmacy services and pharmaceuticals to be provided by the City to Travis County Medical Assistance Program enrollees from April 1, 2004, through September 30, 2004, with reimbursement by County in an amount not to exceed \$690,000. (Funding is included in the Fiscal Year 2003-2004 Operating Budget of the Community Care Services Department Travis County Reimbursed Fund.)

#### **Financial and Administrative Services - Communications and Technology Management**

8. Approve an ordinance changing the street name of a portion of North Hearsey Drive to Apple Orchard Lane. (Street sign replacement costs will be absorbed by Traffic Signs Operations.)

9. Approve an ordinance changing the street name of La Puente Cove to Kisoba Terrace. (Street sign replacement costs will be absorbed by Traffic Signs Operations.)

### **Fire**

10. Approve a resolution affirming that Schirmer Engineering and Doucett & Associates are in compliance with Ordinance 030410-12 requiring that adequate safety measures are planned or are in place to ensure the safety of occupants with limited ability in relation to the expansion of Texas NeuroRehab Center at 1106 W. Dittmar Road.

### **Health and Human Services**

11. Approve renewal and amendment of the Interlocal Cooperation Agreement between the City of Austin, Travis County, and the Austin Travis County Mental Health Mental Retardation Center for the period of January 1, 2004 through December 31, 2004 in an amount not to exceed \$ 2,598,200. (Funding in the amount of \$1,104,110 is included in the Fiscal Year 2003-2004 Approved Operating Budget of the Health and Human Services Department and \$844,540 is available from Travis County. Funding for the remaining three months of the contract is contingent upon available funding in future Operating Budgets.)
12. Approve renewal and amendment of the Interlocal Cooperation Agreement between the City of Austin, Travis County, and the Austin Travis County Mental Health Mental Retardation Center for substance abuse treatment services for the period of January 1, 2004 through December 31, 2004, in an amount not to exceed \$1,416,900. (Funding in the amount of \$426,227 is available in the Fiscal Year 2003-2004 Approved Operating Budget of the Health and Human Services Department. Funding in the amount of \$166, 348 is included in Approved Operating Budget of the Municipal Court. Travis County will fund \$470,099. Funding for the remaining three months of the agreement is contingent upon available funding in future Operating Budgets.)

**Law**

13. Authorize negotiation and execution of an outside counsel contract with SCOTT, DOUGLASS & MCCONNICO, L.L.P, Austin, TX, in *S.R. Ridge Limited Partnership v. City of Austin and Stratus Properties, Inc.*, Cause No. A03CA832 SS in the U.S. District Court for the Western District of Texas, Austin Division, in an amount not to exceed \$60,000. (Funding in the amount of \$60,000 is available in the Fiscal Year 2003-2004 Approved Operating Budget of the Economic Development Fund) (Related Item 42)
14. Authorize negotiation and execution of a First Amendment to the City of Austin/Endeavor Real Estate Group Chapter 380 Economic Development Agreement, to include a "subject to future appropriations" provision and other clarifying amendments. (Related Item 43)

**Police**

15. Approve the Meet and Confer Contract with the Austin Police Association for Austin Police Officers. (Funding in the amount of \$33,404,363 will be included in the proposed Operating Budget for Fiscal Years 2004-2005 through Fiscal Year 2007-2008. Funding in subsequent years is subject to appropriation by City Council.)

**Public Works**

16. Approve resolution to authorize the fee simple acquisition of 10.136 acre tract of land out of the N.M. Bain Survey, Abstract 61, locally known as 7408 Towery Lane, from Oran Graham for the Airport Noise Mitigation Program, in the amount of \$125,000 for the land and improvements, and \$20,254.05 relocation benefits, plus closing costs and moving related expenses in the amount of \$10,000, for an amount not to exceed \$155,254.05. (Funding in the amount of \$155,254.05 is available in Fiscal Year 2003-2004 Capital Budget of the Department of Aviation using airport funds and available Federal Aviation Administration (FAA) Grants.)
17. Approve a resolution to authorize negotiation and execution of an agreement with the State of Texas for the fee simple sale of City of Austin property described as Lot 177A, a resubdivision of Lot 177 of Granada Hills, an Addition in Travis County, TX, which resubdivision is in accordance with a map or plat recorded in Volume 69, Page 70, Plat Records of Travis County, TX, said Lot 177-A being 0.325 of an acre, for the improvement of U.S. Highway 290 from R.M. 1826 to Brodie Lane, in the amount of \$32,000, less 10% being the City of Austin's share in accordance with the Supplemental Contractual Agreement with the Texas Department of Transportation dated June 27, 1986.

18. Approve a resolution to authorize negotiation and execution of an agreement with the State of Texas for the fee simple sale of a 0.021 acre tract of land located in the J. C. Tannehill League in Travis County, TX, and being part of a called 0.82 acre tract of land as described in the Deed to City of Austin in Volume 2971, Page 1776 of the Deed Records of Travis County, TX, for the improvement of U. S. Highway 183 from U.S. Highway 290 to State Highway 71, in the amount of \$2,288, less 10% being the City of Austin's share in accordance with the Supplemental Contractual Agreement with the Texas Department of Transportation dated June 27, 1986.
19. Authorize negotiation and execution of a one (1) year lease renewal for \$69,540 with four (4) one (1) year extension options with 4916 IH 35 PARTNERSHIP, Austin, TX, for approximately 5,300 square feet of space located at 4916 North I.H. 35, Austin, TX, for use by the Health and Human Services Department for day labor services, in an amount not to exceed \$69,540 for the first extension option, \$71,640 for the second extension option, \$73,800 for the third extension option, and \$76,020 for the fourth extension option, for a total amount not to exceed \$360,540. (Funding in the amount of \$11,590 is available in the Fiscal Year 2003-2004 Approved Operating Budget of the Health and Human Services Department. Funding for the remaining ten (10) months of the original contract period and extension options is contingent upon available funding in future budgets.)
20. Authorize execution of a construction contract with CASH CONSTRUCTION CO. LTD., Pflugerville, TX, for East 51<sup>st</sup> Street Reconstruction and Water Reclamation Initiative, Phase 1B; from Cameron Road to Manor Road, in the amount of \$2,535,405 plus a \$126,770.25 contingency, for a total contract amount not to exceed \$2,662,175.25. (Funding in the amount of \$1,748,114.55 is available in the Fiscal Year 2003-2004 Amended Capital Budget of the Public Works Department; \$8,715 is available in the Fiscal Year 1995-1996 Amended Capital Budget of Austin Water Utility; \$862,018.50 is included in the Fiscal Year 2003-2004 Capital Budget of the Austin Water Utility; \$29,799 is available in the Fiscal Year 2003-2004 Approved Capital Budget of Austin Energy; and \$13,528.20 is available in the Fiscal Year 2003-2004 Amended Capital Budget of the Transportation, Planning and Sustainability Department.) Lowest bid of seven received. Project specific sub goals stated in the solicitation were 9.46% MBE and 7.41% WBE.
21. Authorize execution of change order # 2 to the construction contract with GUERRERO-MCDONALD & ASSOCIATES, AUSTIN, TX, (WBE) for Palmer Events Center, Miscellaneous Building Construction in the amount of \$1,970, for a total contract amount not to exceed \$833,102. (Funding in the amount of \$1,970 is available in Fiscal Year 2002-2003 Capital Budget of the Austin Convention Center.) 15.12% MBE and 2.68% WBE subcontractor participation to date.

22. Authorize negotiation and execution of a professional services agreement with the following seven firms: J. ROBINSON & ASSOCIATES, ARCHITECTS, INC., Austin, TX; HATCH PARTNERSHIP, LLP, San Antonio, TX; MARTINEZ, WRIGHT & MENDEZ, INC., (MBE/MH 79.00%) Austin, TX; ARCHITECTURE + PLUS, (WBE/FR 60.50%) Austin, TX; MENDOZA ARCHITECTURE, INC., (MBE/MH 45.00%) Austin, TX; AGUIRRE CORPORATION, Austin, TX; LIMBACHER & GODFREY ARCHITECTS, (WBE/FR 35.00%) Austin, TX, for architectural services for a period of two years or until financial authorization is expended, in an amount not to exceed \$2,100,000, or with a total aggregate amount of the seven agreements not to exceed \$2,100,000. (Funding in the amount of \$2,100,000 is available in the Fiscal Year 2003-2005 Approved Capital Budget and/or Operating Budget of the Public Works Department and various other departments for which services are needed.) Best seven qualification statements of thirty three received. Participation subgoals stated in the solicitation were 8.7% MBE and 18.2% WBE.
23. Authorize negotiation and execution of a professional services agreement with the following eight (8) firms: FREESE & NICHOLS, INC., Austin, TX; HDR ENGINEERING, INC, Austin, TX; CRESPO CONSULTING SERVICES, Austin, TX (MBE/MH); HALFF ASSOCIATES, INC., Austin, TX; ALAN PLUMMER ASSOCIATES, INC., Austin, TX; DANNENBAUM ENGINEERING CORPORATION, Austin, TX; RAYMOND CHAN & ASSOCIATES, INC. (MBE/MA), Austin, TX; and ESPEY CONSULTANTS, INC., Austin, TX for general watershed engineering services such as planning, design and construction phase services for a period of approximately two years or until financial authorization expended, in an amount not to exceed \$3,000,000, or with a total aggregate amount of the eight agreements not to exceed \$3,000,000. (Funding in the amount of \$3,000,000 is included in the Watershed Protection Utility and General Obligation bond accounts. Other accounts will be used depending on location and nature of the project.) Best eight qualification statements of twenty seven received. Participation subgoals stated in the solicitation were 8.7% MBE and 18.2% WBE.



**Purchasing**

24. Authorize execution of a 12-month supply agreement with MILLER UNIFORMS & EMBLEMS, INC., Austin, TX for work shirts in an amount not to exceed \$87,726, with two 12-month extension options in an amount not to exceed \$87,726 per extension option, for a total agreement amount not to exceed \$263,178. (Funding in the amount of \$43,863 is available in the Fiscal Year 2003-2004 Approved Operating Budget of the Electric Utility Department. Funding for the remaining six months of the original contract period and extension options is contingent upon available funding in future budgets.) Low bidder meeting specifications of four 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.
25. Authorize negotiation and execution of a 12-month service agreement with TREEFOLKS, INC., Austin, TX for tree planting services in an amount not to exceed \$152,000, with two 12-month extension options in an amount not to exceed \$152,000 per extension, for a total agreement amount not to exceed \$456,000. (Funding in the amount of \$76,000 is available in the Fiscal Year 2003-2004 Approved Operating Budget of the Electric Utility Department. Funding for the remaining six months of the original contract period and extension options is contingent upon available funding in future budgets.) Best proposal of three 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.
26. Authorize execution of a 12-month supply agreement with AUSTIN WHITE LIME COMPANY, Austin, TX for the purchase of quicklime for the Austin Water Utility in an amount not to exceed \$2,574,000, with two 12-month extension options in an amount not to exceed \$2,574,000 per extension option, for a total agreement amount not to exceed \$7,722,000. (Funding in the amount of \$1,287,000 is available in Fiscal Year 2003-2004 Approved Operating Budget of the Austin Water Utility. Funding for the remaining six months of the original contract period and extension option is contingent upon available funding in future budgets.) Only 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.

27. Authorize execution of Amendment No. 8 to the contract with ECKERD HEALTH SERVICES, Pittsburgh, PA for a six-month holdover for pharmacy services and to increase the contract in an amount not to exceed \$2,025,939, for a total revised contract amount not to exceed \$25,076,312. (Funding in the amount of \$2,025,939 is available in the Fiscal Year 2003-2004 Approved Operating Budget of the Community Care Services Department. Of the \$2,025,939, \$695,898 is from the Fiscal Year 2003-2004 Travis County Reimbursement Fund.) 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.
28. Authorize execution of a six-month service agreement with ADVOCATE RX SOLUTIONS, Kingwood, TX for an Interim Director of Pharmacy in an amount not to exceed \$132,000. (Funding is available in the Fiscal Year 2003-2004 Approved Operating Budget of the Community Care Services Department.) 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.
29. Authorize execution of a contract with APPLIED BIOSYSTEMS, Foster City, CA, for the purchase of DNA laboratory equipment for the Austin Police Department Forensic Unit in an amount not to exceed \$50,120. (Funding is available in the Fiscal Year 2003-2004 Approved Operating Budget of the Austin Police Department.) 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.
30. Authorize negotiation and execution of a contract with Complete Communication Services, Inc. dba CO COM CABLING SYSTEMS, (WBE FR-100%), Pflugerville, TX for a telecommunications distribution cabling system for voice, data and video in the new City Hall Complex currently under construction at 301 W. 2nd Street in an amount not to exceed \$471,615. (Funding is available in the Fiscal Year 2003-2004 Capital Budget of the Communications and Technology Management Office of the Financial & Administrative Services Office.) Best proposal of eight 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.

31. Authorize execution of a 12-month supply agreement with CUSTOM APPAREL, Mount Freedom, NJ for decade uniform T-shirts in an amount not to exceed \$70,383, with two 12-month extension options in an amount not to exceed \$70,383 per extension option, for a total agreement amount not to exceed \$211,149. (Funding in the amount of \$41,057 is available in the Fiscal Year 2003-2004 Approved Operating Budget of various City departments. Funding for the remaining five months of the original contract period and extension options is contingent upon available funding in future budgets.) Low bid of eight 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.

### **Transportation, Planning and Sustainability**

32. Approve execution of an Interlocal Agreement with the City of Lago Vista regarding the process for releasing portions of Austin's extraterritorial jurisdiction to the jurisdiction of the City of Lago Vista and the enforcement of water quality regulations in the proposed release areas.
33. Approve execution of an Interlocal Agreement with the City of Jonestown regarding the process for releasing portions of Austin's extraterritorial jurisdiction to the jurisdiction of the City of Jonestown and the enforcement of water quality regulations within the proposed release areas.
34. Approve an ordinance amending City Code Section 12-4-41 by adding Congress Avenue from 126.2' south of Cesar Chavez Street to 681' south of Cesar Chavez Street to the list of streets having a maximum speed limit of 35 miles per hour; and amending City Code Section 12-4-24 by adding Oak Boulevard, Oak Boulevard (South), Oak Boulevard (East), Oak Boulevard (North) and Oak Boulevard (West) to the list of streets having a maximum speed limit of 25 miles per hour. (Funding in the amount of \$300 for speed limit signs on Congress Avenue is available in the Fiscal Year 2003-2004 Operating Budget of the Transportation, Planning & Sustainability Department; there is no fiscal impact for speed limit on Oak Boulevard.)

### **ITEMS FROM COUNCIL**

35. Board and Commission Appointments.

36. Approve a waiver of various fees, including building permit fees, development review fees, Austin Water Utility fees under the Code, for the Greater Austin First Tee, located at 5501 Ed Bluestein. (For fees waived and expiration date, see Request for Council Action attachments.) (Mayor Will Wynn, Council Member Raul Alvarez and Council Member Betty Dunkerley)
37. Approve an ordinance authorizing the waiver of the signature requirement contained in Section 15-11-18 of the City Code, and authorizing waiver of certain fees under Chapter 15-11 of the City Code in connection with the Austin Farmer's Market to be held on Saturdays from March 20, 2004 to December 18, 2004 at Republic Square Park, 422 Guadalupe, Street. (Mayor Will Wynn, Council Member Betty Dunkerley and Council Member Daryl Slusher)
38. Approve a resolution supporting the creation of a Travis County Hospital District. (Approved by City Council Healthcare Subcommittee) (Related Item 47)(Mayor Pro Tem Jackie Goodman, Council Member Betty Dunkerley and Council Member Raul Alvarez)
39. Approve a resolution regarding the economic impact of the film industry in the Austin region. (Related Item 46)(Mayor Will Wynn, Mayor Pro Tem Jackie Goodman and Council Member Brewster McCracken)

**12:00 P.M. CITIZEN COMMUNICATIONS: GENERAL**

Susana Almanza - TAKE IT TO THE STREETS: PEACE AND JUSTICE MARCH.

Jimmy Castro - Star of Texas Fair and Rodeo

Robert Singleton - Leasing Mueller

Lori C. Renteria - Extremely Long Delay in Proceeding for Closing 2 Illegal Tour Bus Operations on East Cesar Chavez Street that is an even bigger problem since the Major Street Reconstruction Project began.

Mary Lehmann - Mueller Update

Robert Thomas - Labor Relations & Employment at Rosewood Park & Recreation Center

Thomas Cisneros, III. - Outstanding Invoice on a CIP Austin Energy Project

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

40. Discuss legal issues relating to the labor negotiations for a Meet and Confer contract with the Austin Police Association.
41. Discuss legal issues related to meet and confer and collective bargaining for the Austin Fire Department.
42. Discuss legal issues in *S.R. Ridge Limited Partnership v. City of Austin and Stratus Properties, Inc.*; Cause No. A-03-CA-832SS; U.S. District Court, Western District, Austin Division. (concerns alleged breach of a 1996 settlement agreement affecting development rights on property at Slaughter and MoPac, where a Wal-Mart had been proposed.) (Related Item 13)
43. Discuss legal issues related to *Brian Rodgers v. City of Austin and Endeavor Real Estate Group, L.L.C.*, Cause No. GN30466 in the 345<sup>th</sup> Judicial District Court of Travis County, Texas. (concerns the City's economic development sales tax incentives given to the developer of the Domain, a multi-use development located at Mopac Boulevard and Braker Lane) (Related Item 14)
44. Discuss legal issues related to an offer by PB Austin Ridge L.L.C. and MF Austin Ridge L.L.C. in exchange for the release of the lien held by Travis County Health Facilities Development Corporation and the City on the property located at 8509 FM 969 (formerly known as Vision Village).
45. Discuss legal issues related to an amendment of the regulations applicable to the Mission Bethany Subdivision, generally located at the intersection of Slaughter Lane and Wolftrap Drive, that would allow for the transfer of impervious cover within the subdivision and the extension of the expiration date of the ordinance. The subdivision is located in the area subject to the Save Our Springs Initiative.

**2:00 PM BRIEFINGS**

46. Conduct a briefing regarding the economic impact of the film industry in the Austin region. (Related Item 39)
47. Briefing by the Hospital District Steering Committee on the proposed Travis County Hospital District. (Related Item 38)

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

48. C14-03-0141 - Bouldin Avenue Rezoning- Approve third reading of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 1505 Bouldin Avenue (West Bouldin Creek Watershed) from family residence-neighborhood plan (SF-3-NP) combining district zoning to single family residence small lot-conditional overlay-neighborhood plan (SF4-A-CO-NP) combining district zoning for Tract 1 and Tract 2. First reading on January 8, 2004. Vote: 7-0. Second reading on January 29, 2004. Vote: 5-0. Wynn of the dais, Thomas absent. Conditions met as follows: Conditional Overlay incorporates the conditions imposed by Council on second ordinance reading. Applicant: Mayhen, LLC. Agent: Vincent Gerard & Associates (Vincent Huebinger). City Staff: Annick Beaudet, 974-2975. Note: A valid petition has been filed in opposition to this rezoning request.

**Neighborhood Plans - Hearings and Approval**

- Z- 1 Approve an ordinance to amend the Southeast Combined Neighborhood Plan, an element of the Austin Tomorrow Comprehensive Plan, for 6800 Burleson Rd., to change the Future Land Use Map from industrial to major planned development. (Recommended by Planning Commission.)  
(Related Item Z-2)

**Zoning Hearings and Approval of Ordinances / Restrictive Covenants**

- Z- 2            C14-03-0116 - Colorado Crossing - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 6800 Burleson Road (Carson Creek and Onion Creek Watersheds) from limited industrial services-conditional overlay-neighborhood plan (LI-CO-NP) combining district zoning for Tract 1 and rural residence-conditional overlay-neighborhood plan (RR-CO-NP) combining district zoning for Tract 2 to limited industrial services-planned development area-neighborhood plan (LI-PDA-NP) combining district zoning. Planning Commission Recommendation: To grant limited industrial services-planned development area-neighborhood plan (LI-PDA-NP) combining district zoning. Applicants: Missile Partners Associates, L.P. (Stephen L. Millham) & Bergstrom Partners, L.P. (Stephen L. Millham and Gregory T. Weaver). Agent: Drenner Stuart Wolff Metcalfe von Kreisler, L.L.P. (Michele Haussmann). City Staff: Wendy Walsh, 974-7719. (Related Item Z-1)
- Z- 3            C14H-03-0024 - Harris-Carter House. Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 603 Carolyn Avenue from family residence (SF-3) district to family residence-historic (SF-3-H) combining district. Historic Landmark Commission Recommendation: To grant family residence-historic (SF-3-H) combining district. Planning Commission Recommendation: To grant family residence-historic (SF-3-H) combining district. Applicant: Edward Lindlof, Jr. and Cynthia Lindlof (owners). City Staff: Steve Sadowsky, Historic Preservation Office, Transportation, Planning and Sustainability Department, 974-6454.
- Z- 4            C14-04-0011 - Frenchville - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by zoning property locally known as 2859 State Highway 71 East (Colorado River Watershed) from interim-single family residence standard lot (I-SF-2) district zoning to general commercial services (CS) district zoning. Zoning and Platting Commission Recommendation: To grant community commercial-conditional overlay (GR-CO) combining district zoning. Applicant and Agent: Xavier Jay Ortiz. City Staff: Wendy Walsh, 974-7719.

- Z- 5      C14-04-0006 - Dawson Mixed Use Building - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 3507 South First Street (East Bouladin Creek Watershed) from neighborhood commercial-neighborhood plan (LR-NP) combining district zoning to neighborhood commercial-conditional overlay-neighborhood plan (LR-CO-NP) combining district zoning. Zoning and Platting Commission Recommendation: To grant neighborhood commercial-conditional overlay-neighborhood plan (LR-CO-NP) combining district zoning. Applicant: Sandra Steadham. Agent: City of Austin.(Neighborhood Planning & Zoning Department). City Staff: Annick Beaudet, 974-2975.
- Z- 6      C14H-04-0001 - Driver-Metcalf House. Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 1204 Travis Heights Boulevard from family residence (SF-3) district to family residence-historic (SF-3-H) combining district. Historic Landmark Commission Recommendation: To grant family residence-historic (SF-3-H) combining district. Planning Commission Recommendation: To deny family residence-historic (SF-3-H) combining district. Applicant: Historic Landmark Commission. City Staff: Steve Sadowsky, Historic Preservation Office, Transportation, Planning and Sustainability Department, 974-6454.
- Z- 7      C14H-04-0003 - Un-named Houses. Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 802, 804, and 806 West Lynn Street from multi-family residence moderate high density neighborhood plan (MF-4-NP) district to multi-family residence moderate high density-historic-neighborhood plan (MF-4-H-NP) combining district. Historic Landmark Commission Recommendation: To grant multi-family residence moderate high density historic neighborhood plan (MF-4-H-NP) combining district. Planning Commission Recommendation: Postponed to March 9, 2004. Applicant: Historic Landmark Commission. City Staff: Steve Sadowsky, Historic Preservation Office, Transportation, Planning and Sustainability Department, 974-6454.



- Z- 8            C14-03-0049 - House of Tutors - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 2400 Pearl Street (Shoal Creek Watershed) from general office-mixed use (GO-MU) combining district zoning to general commercial services-mixed use-conditional overlay (CS-MU-CO) combining district zoning and multi-family residence highest density-conditional overlay (MF-6-CO) combining district zoning. Planning Commission Recommendation: To grant general commercial services-mixed use-conditional overlay (CS-MU-CO) combining district zoning and multi-family residence highest density-conditional overlay (MF-6-CO) combining district zoning. Applicant: House of Tutors Inc. (Hussain Malik). Agent: Holland Architectural (James Holland). City Staff: Glenn Rhoades, 984-2775.

### **5:30 P.M. LIVE MUSIC AND PROCLAMATIONS**

#### **LIVE MUSIC**

Jane Bond

#### **PROCLAMATIONS**

Proclamation - Absolutely Incredible Kids Day - to be presented by Mayor Will Wynn and to be accepted by TBA

Proclamation - Red Cross Month - to be presented by Mayor Will Wynn and to be accepted by Bob Lucas

Proclamation - Martin Middle School Eaglettes -- to be presented by Council Member Raul Alvarez and accepted by the honorees.

**6:00 P.M. PUBLIC HEARINGS AND POSSIBLE ACTION****Watershed Protection and Development Review**

49. Conduct a public hearing to consider an ordinance 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 and approve an amendment of Ordinance No. 030908-04 (fee ordinance) to add a sign removal and relocation fee. (To be reviewed by Planning Commission on March 9, 2004.)

**Neighborhood Housing and Community Development**

50. Conduct a public hearing on community needs in order to develop the following documents: (1) the Five-Year Consolidated Plan for 2005-2009, which is the document submitted by the City to the U.S. Department of Housing and Urban Development that serves as the planning document of the City and an application for federal funding; (2) the 2004-2005 Action Plan, which is a description of the activities the City will undertake during the year to address priority community-development needs, and (3) the 2004-2005 Community Development Program, which addresses the City's efforts to improve the living and economic conditions of persons of low- and moderate-income, benefit low- or moderate-income neighborhoods, aid in the prevention or elimination of slums and blighted areas, aid federally assisted new communities, and meet other community development needs. The public hearing is required by HUD and by Chapter 373 of the Texas Local Government Code, and is in accordance with the City's Citizen Participation Plan. (Citizen Participation Plan recommended by the Community Development Commission.)

**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.**

Council Work Sessions

January 8, 2003  
January 15, 2003

January 29, 2003  
February 5, 2003  
February 12, 2003

February 26, 2003  
March 5, 2003

March 19, 2003  
March 26, 2003  
April 2, 2003  
April 9, 2003

April 23, 2003

May 7, 2003  
May 14, 2003  
May 21, 2003

June 4, 2003  
June 11, 2003

Council Meetings

January 9, 2003  
January 16, 2003

January 30, 2003  
February 6, 2003  
February 13, 2003

February 27, 2003  
March 6, 2003

March 20, 2003  
March 27, 2003  
April 3, 2003  
April 10, 2003

April 24, 2003

May 8, 2003  
May 15, 2003  
May 22, 2003

June 5, 2003  
June 12, 2003

July 17, 2003

July 31, 2003  
August 7, 2003  
August 14, 2003

August 28, 2003

September 8,9,10 (Budget)

September 25, 2003  
October 2, 2003  
October 9, 2003

October 23, 2003  
October 30, 2003  
November 6, 2003

November 20, 2003

December 4, 2003  
December 11, 2003

Cancelled Meetings

January 2, 2003

January 23, 2003

February 20, 2003

March 13, 2003

April 17, 2003

May 1, 2003

May 29, 2003

June 19, 2003  
June 26, 2003  
July 3, 2003  
July 10, 2003  
July 16, 2003  
July 24, 2003  
July 30, 2003  
August 6, 2003  
August 13, 2003  
August 21, 2003  
August 27, 2003  
September 4, 2003  
September 11, 2003  
September 18, 2003  
September 24, 2003  
October 1, 2003  
October 8, 2003  
October 16, 2003  
October 22, 2003  
October 29, 2003  
November 5, 2003  
November 13, 2003  
November 19, 2003  
November 27, 2003  
December 3, 2003  
December 10, 2003  
December 18, 2003