

AUSTIN CITY COUNCIL AGENDA

THURSDAY, APRIL 15, 2004, THE BOARD ROOM AT THE LOWER COLORADO RIVER
AUTHORITY HANCOCK BUILDING, 3700 LAKE AUSTIN BOULEVARD, AUSTIN, TEXAS.



City of Austin
April 15, 2004
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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
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9:55 A.M. Invocation

Rev. Carlos R. Alsina, Pastor, Primera Iglesia Bautista

10:00 A.M. City Council Convenes

THE CITY COUNCIL OF THE CITY OF AUSTIN, TEXAS WILL CONVENE AT 10:00 AM ON THURSDAY, APRIL 15, 2004, IN THE BOARD ROOM AT THE 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 April 1, 2004.

City Clerk's Office

2. Approve an ordinance amending Exhibits A, B, and C of Ordinance No. 040311-05 calling the May 15, 2004, Special Municipal Election to adopt changes to election day polling place locations, the list of election day precinct judges, and early voting places.

Law

3. Authorize negotiation and execution of an amendment to the legal services contract with SCOTT, DOUGLASS & MCCONNICO, L.L.P., Austin, Texas, for representation in *Michael King v. City of Austin*, Texas, Cause No. GN100452, in the 345th Judicial District Court of Travis County, Texas, for an increase of \$25,000, with a total contract amount not to exceed \$175,000 (Funding in the amount of \$25,000 is available in the Fiscal Year 2003-2004 Approved Operating Budget of the Liability Reserve Fund.) (Related Item 38)
4. Authorize negotiation and execution of an amendment to the outside counsel contract with DENTON, NAVARRO, ROCHA & BERNAL, P.C, San Antonio, TX, for representing the City as chief negotiator and legal counsel in matters relating to labor negotiations for a Meet and Confer contract with the Austin Police Association in the amount of \$35,000, with a total contract amount not to exceed \$110,000. (Funding in the amount of \$35,000 is available in the Fiscal Year 2003-2004 Amended Operating Budget of the Austin Police Department.)

Neighborhood Housing and Community Development

5. Ratify the execution of emergency purchase contracts with ABATEMENT REMEDIATION SPECIALISTS, Marble Falls, TX, TLI ENVIRONMENTAL SERVICES, Kempner, TX, WATSON CONSOLIDATED, Sugarland, TX, BOLADO ENVIRONMENTAL, San Antonio, TX, DIAMONDHEAD INTERNATIONAL SALES CO., Crosby, TX, and D-SERVICES, Duncanville, TX, in the total amount of \$333,700 for the abatement of lead-based paint in 17 homes under the City's Healthy Homes and Lead Hazard Control Program. (Funding in the amount of \$1,018,494 is available from a grant from the U.S. Department of Housing and Urban Development under the Healthy Homes and Lead Hazard Control Program. Total grant amount is \$1,851,741.) (Related Item 27)

Parks and Recreation

6. Approve issuing a free lifetime swim pass for Barton Springs Pool to Francis E. McIntyre. (On November 9, 1993 the Parks and Recreation Advisory Board recommended awarding swim passes to citizens 80 years of age or older who are active swimmers at Barton Springs pool.)

7. Approve execution of a contract with MAC, Inc. (DBE 66.86 %) Austin, TX for construction of trail improvements and Americans with Disabilities Act accessibility for Zilker Loop Trail - Phase I, in the amount of \$985,975. (Funding is available in the Fiscal Year 2002-2003 Approved Capital Budget of the Parks and Recreation Department.) 2.47 % DBE subcontractor participation.
8. Authorize the use of Town Lake for two water events associated with the Academy Capital 2K open water race and the Capital of Texas Triathlon (nka America's Triathlon) to be held May 15 and May 31, 2004 respectively.

Police

9. Authorize application for and acceptance of grant funding from the U.S. Department of Justice, Project Safe Neighborhoods (PSN) to reduce gun-related crime in Austin; amend the Fiscal Year 2003-2004 Austin Police Department Operating Budget of Ordinance No. 030909-01 to appropriate \$347,145 to the Police Department Special Revenue Fund for the PSN program and increase full-time equivalents by one. (Funding is available for the grant period April 1, 2004 to August 31, 2005. A cash match is not required.)

Public Works

10. Approve a resolution to authorize the fee simple acquisition of 13.27 acres of land out of the Noel M. Bain Survey in Travis County, TX, locally known as 7201 Bain Road, from Celestine Alexander Thompson for the Airport Noise Mitigation Program, in the amount of \$60,525 for the land and improvements and \$12,063 relocation benefits, plus closing costs and moving related expenses in the amount of \$10,000, for an amount not to exceed \$82,588. (Funding in the amount of \$82,588 is available in Fiscal Year 2003-2004 Capital Budget of the Department of Aviation using airport funds and available Federal Aviation Administration (FAA) Grants.)
11. Approve a resolution to authorize the fee simple acquisition of 5.00 acres out of the Noel M. Bain Survey, Abstract No. 61, Travis County, TX, locally known as 11502-B McAngus, Del Valle, TX, from Eloisa Saldana for the Airport Noise Mitigation Program, in the amount of \$110,000 for the land and improvements and \$30,931.47 relocation benefits, plus closing costs and moving related expenses in the amount of \$10,000, for an amount not to exceed \$150,931.47 (Funding in the amount of \$150,931.47 is available in Fiscal Year 2003-2004 Capital Budget of the Department of Aviation using airport funds and available Federal Aviation Administration (FAA) Grants.)

12. Approve a resolution authorizing the filing of eminent domain proceedings for the Austin Clean Water Program - Upper Tannehill - Broadmoor and Cameron portion to acquire two permanent wastewater line easements containing 108 square feet and 1,742 square feet and also a 21,166 square foot temporary working space easement out of 5.0 acres of land, more or less, in the James P. Wallace Survey No. 7. and Lots 1 and 2 of the Resubdivision of a part of Lot 9, Ridgetop Gardens, in the amount of \$9,735. The owner of the property sought to be condemned is THE EPARCHY OF OUR LADY OF LEBANON OF LOS ANGELES. (Funding is included in the Fiscal Year 2003-2004 Capital Budget of the Austin Water Utility.)
13. Approve a resolution authorizing the filing of eminent domain proceedings for the Austin Clean Water Program - Upper Tannehill - Broadmoor and Cameron portion to acquire a 600 square foot temporary ingress and egress easement and a 1,194 square foot temporary staging area and material storage site easement out of Lot 10, of the CDN Addition No. 2, James P. Wallace Survey, in the City of Austin, Travis County, in the amount of \$1,426. The owner of the property sought to be condemned is WESTHEIMER TRACE L.P., a Texas Limited Partnership. (Funding is included in the Fiscal Year 2003-2004 Capital Budget of the Austin Water Utility.)
14. Approve a resolution authorizing the filing of eminent domain proceedings for the Austin Clean Water Program - Upper Tannehill - Airport and IH 35 portion to acquire a 245 square foot permanent wastewater line easement out of a 0.535 acre tract of land, more or less, being Lots 1, 2 and a portion of Lot 3, F. Haster Subdivision, and the east 50' of Lot 1, Block O, Ridgetop, a subdivision in Travis County, in the amount of \$772. The owner of the property sought to be condemned is MOHAMMAD H. GHARBI. (Funding is included in the Fiscal Year 2003-2004 Capital Budget of the Austin Water Utility.)
15. Authorize negotiation and execution of an amendment to the professional services agreement with CAMP DRESSER & MCKEE, Austin, TX, for engineering and construction phase services for the FM 812 Landfill for erosion control improvements along the north toe of the FM 812 Landfill, abutting Onion Creek, in the amount of \$261,880 for a total contract amount not to exceed \$685,747.27. (Funding in the amount of \$261,880 is available in the Fiscal Year 2003-2004 Capital Budget of the Solid Waste Services Department.) 7.32% MBE and 8.91% WBE subcontractor participation to date.

16. Authorize negotiation and execution of an amendment to the professional services agreement with MALCOLM PIRNIE, INC., Austin, TX, for the Govalle Tunnel Odor/Corrosion Control Project in the amount of \$5,895,192 for a total contract amount not to exceed \$8,247,639. (Funding in the amount of \$5,895,192 is included in the Fiscal Year 2003-2004 Capital Budget of the Austin Water Utility.) 10.1% MBE and 18.3% WBE subcontractor participation to date. (Recommended by the Water & Wastewater Commission.)
17. Authorize execution of a construction contract with SIMPLEX GRINNELL, L.P., Round Rock, TX, for security system improvements at Austin-Bergstrom International Airport in the amount of \$1,481,143 plus a \$148,000 contingency, for a total contract amount not to exceed \$1,629,143. (Funding in the amount of \$1,629,143 is available in the Fiscal Year 2003-2004 Approved Capital Budget of the Department of Aviation.) Lowest bid of four responsive bids received. 21.59% DBE subcontractor participation.

Purchasing

18. Authorize execution of a contract with S.D. PITMAN, INC., Redkey, IN for the purchase of a 40-foot easement aerial device and trailer in an amount not to exceed \$94,135. (Funding is available in the Fiscal Year 2003-2004 Approved Capital Budget of the Electric Utility Department.) Lowest bid meeting specifications of three 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.
19. Ratify execution of a contract with UNINTERRUPTIBLE POWER SUPPLY, INC., Carrollton, TX for the purchase of an uninterruptible power supply in an amount not to exceed \$96,486.30. (Funding is available in Fiscal Year 2003-2004 Approved Capital Budget of the Electric Utility Department.) Critical Business Need. 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 12-month service agreement with SOUTHWEST TURF & EROSION, Manor, TX for hydro mulch services for the Watershed Protection and Development Review Department in an amount not to exceed \$70,800, with two 12-month extension options in an amount not to exceed \$70,800 per extension option, for a total agreement amount not to exceed \$212,400. (Funding in the amount of \$35,400 is available in the Fiscal Year 2003-2004 Approved Operating Budget of the Watershed Protection and Development Review Department. Funding for the remaining six months of the original contract period and extension options is contingent upon available funding in future budgets.) Low bid 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 12 -month supply agreement with EAST JORDAN IRON WORKS, San Antonio, TX for curb inlet covers and rings and grates for the Watershed Protection and Development Review Department in an amount not to exceed \$59,267, with two 12 -month extension options in an amount not to exceed \$59,267 per extension option, for a total agreement amount not to exceed \$177,801. (Funding in the amount of \$29,633 is available in the Fiscal Year 2003-2004 Approved Operating Budget of the Watershed Protection and Development Review Department. Funding for the remaining six months of the original contract period and extension option is contingent upon available funding in future budgets.) Lowest bid of six 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.
22. Authorize execution of a purchase through the State of Texas, Texas Building & Procurement Commission with TEXAS HIGHWAY PRODUCTS, Round Rock, TX, for video detection and ancillary camera equipment in an amount not to exceed \$63,000. (Funding is available in the Fiscal Year 2003-2004 Approved Operating Budget (Inventory Fund) of the Transportation, Planning & Sustainability Department) Cooperative Purchasing.
23. Authorize execution of a 24-month service agreement with AUSTIN TRAFFIC SIGNAL CONSTRUCTION CO., L.P., (MBE/MA-75.55%), Austin, TX, for pull box and conduit installation services in the amount not to exceed \$1,337,700.50. (Funding in the amount of \$650,000 is available in the Fiscal Year 2003-2004 Amended Capital Budget of the Transportation, Planning & Sustainability Department. Funding for the remaining \$687,700.50 is contingent upon available funding in future budgets.) Lowest bid of two bids received. 8.90% MBE and 15.55% WBE subcontractor participation.

24. Authorize execution of contracts through the Interlocal Agreement with Fairfax County Virginia as part of the U.S. COMMUNITIES GOVERNMENT PURCHASING ALLIANCE with HERMAN MILLER INCORPORATED, Austin, TX, in an amount not to exceed \$114,347.10; HAWORTH INCORPORATED, Austin, TX, and their authorized distributor, Furniture Marketing Group, Austin, TX, in an amount not to exceed \$86,933.56; KNOLL INCORPORATED, Austin, TX, and their authorized distributor, Shelton Keller Group, Austin, TX, in an amount not to exceed \$1,383,452.41; and with STEELCASE INCORPORATED, Austin TX, and their authorized distributor, Rockford Business Interior, Austin, TX, in an amount not to exceed \$340,941.55, for the purchase and installation of freestanding furniture and systems furniture for the new City Hall building. (Funding in the amount of \$1,925,674.62 is available in Fiscal Year 2003-2004 Capital Budget of the Economic Growth and Redevelopment Services Department) Purchasing Cooperative.
25. Authorize negotiation and execution of a 6-month supply/service agreement with ENVIRONMENTAL SYSTEMS RESEARCH INSTITUTE, INC., Redlands, CA, for a Geographic Information Systems software enterprise license in an amount not to exceed \$62,500, with four 12-month extension options in an amount not to exceed \$287,500 for the first extension option, \$462,000 for the second extension option, \$487,000 for the third extension option, and \$500,000 for the fourth extension option, for a total agreement amount not to exceed \$1,799,000. (Funding in the amount of \$62,500 is available in the Fiscal Year 2003-2004 Approved Operating Budget of the Communications and Technology Management Department. Funding for the extension options is contingent upon available funding in future budgets.) Sole Source. This contract will be awarded in compliance with Chapter 2-9 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 Amendment No. 1 to a contract with INGRAM LIBRARY SERVICES INC., LaVergne, TN and BAKER & TAYLOR, INC., Charlotte, NC, for adult and juvenile books and cataloging/processing services, to increase the contract in an amount not to exceed \$197,121.86, for a revised current year contract amount not to exceed \$985,609.33, with the total agreement amount not to exceed \$2,365,462.41. (Funding in the amount of \$197,121.86 is available in the Fiscal Year 2003-2004 Approved Operating Budget of the Library Department.) 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 contract.

27. Authorize execution of a 12-month service agreement with TLI ENVIRONMENTAL SERVICES, Kempner, TX, BOLADO ENVIRONMENTAL, San Antonio, TX, DIAMONDHEAD INTERNATIONAL SALES CO., Crosby, TX, ABATEMENT REMEDIATION SPECIALISTS, Marble Falls, TX and WATSON CONSOLIDATED, Sugarland, TX for lead base paint abatement services for the Neighborhood Housing and Community Development Department in an amount not to exceed \$339,498, with two 12-month extension options in an amount not to exceed \$339,498 per extension option, for a total agreement amount not to exceed \$1,018,494 (Funding in the amount of \$1,018,494 is available from a grant from the U.S. Department of Housing and Urban Development under the Healthy Homes and Lead Hazard Control Program. Total grant amount is \$1,851,741.) Low bidders of seven 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. (Related Item 5)
28. Authorize execution of a four-month supply agreement through the State of Texas, Texas Building and Procurement Commission, with GRAY'S WHOLESALE TIRE DISTRIBUTORS, Fort Worth, TX for police pursuit sedan tires in an amount not to exceed \$70,400, with one 12-month extension option in an amount not to exceed \$211,200, for a total agreement amount not to exceed \$281,600. (Funding in the amount of \$70,400 is available in the Fiscal Year 2003-2004 Approved Operating Budget of the Financial and Administrative Services Department, Fleet Fund. Funding for the extension option is contingent upon available funding in future budgets.) Purchasing Cooperative.
29. Authorize execution of a contract with MOBILE VISION, INC., Euless, TX, for the purchase of VoiceLink Plus personal transmitters for use with the Mobile-Vision law enforcement in-car video/audio recording systems for the Austin Police Department in an amount not to exceed \$60,450. (Funding is available in the Fiscal Year 2003-2004 Amended 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 purchase.

Transportation, Planning and Sustainability

30. Approve an ordinance amending Section 12-4-63 of the City Code by adding Arthur Stiles Road from Lotus Lane to Mayhall Drive to the list of streets having a maximum speed limit of 20 miles per hour during certain times to increase the safety of students attending Johnston High School. (Funding in the amount of \$10,000 for the installation of signs and flashers is available in the Fiscal Year 2003-04 Operating Budget of the Transportation, Planning & Sustainability Department.)

Watershed Protection and Development Review

31. Approve execution of a construction contract with SALAS CONSTRUCTORS, INC. (MBE/MH: 83.94%), Buda, TX for construction of the Endangered Species Research Facility in the amount of \$228,457.00 for federally required conservation activities. (Funding in the amount of \$228,457.00 is available in the Fiscal Year 2003-2004 Capital and Operating Budgets of the Watershed Protection and Development Review Department.) 0% MBE and 13.04% WBE subcontractor participation.

ITEMS FROM COUNCIL

32. Board and Commission Appointments.
33. Approve an ordinance waiving the signature requirement under Chapter 14-8 of the City Code for the America's Triathlon to be held on May 31, 2004. (Mayor Will Wynn and Council Member Danny Thomas)
34. Approve an ordinance waiving the signature requirement under Chapter 14-8 of the City Code for the Texas Round-up to be held April 15-18, 2004. (Mayor Will Wynn and Council Member Danny Thomas)

Item(s) to Set Public Hearing(s)

35. Set a public hearing to consider an ordinance adopting a new Chapter 1-3 of the City Code relating to Citation Program; amending Section 10-5-44 of the City Code relating to placing objects on public property; amending Section 25-10-103 of the City Code relating to signs on public property; creating offenses; and providing penalties. (Recommended date and time: April 22, 2004, at 6:00 P.M., Lower Colorado River Authority, Hancock Building.) (There is no fiscal impact associated with setting this public hearing.) (Scheduled for public hearing and consideration before the Planning Commission on Tuesday, April 13, 2004.)
36. Set public hearings for the limited purpose annexation of Ribelin Ranch (Approximately 750 acres located in Travis County north of the intersection of McNeil Drive and FM 2222)(Suggested dates and times: May 6, 2004 at 6:00 p.m., Lower Colorado River Authority Hancock Building; and May 13, 2004 at 6:00 p.m., Lower Colorado River Authority Hancock Building).
37. Set a public hearing to consider an amendment to Title 25 of the City Code (Land Development Code) regarding administrative approval of wastewater lines in the Critical Water Quality Zones in the Harris Branch, Decker, Gilleland and Wilbarger Creek watersheds. (Suggested date and time: April 22, 2004 at 6:00 p.m., Lower Colorado River Authority, Hancock Building). (March 17, 2004 - Environmental Board recommended disapproval. April 6, 2004 - Zoning and Platting Commission recommended disapproval. Amendments will be presented to the Planning Commission on April 13, 2004.)

12:00 P.M. CITIZEN COMMUNICATIONS: GENERAL

Scott Johnson - Electric Lawnmower Program

Rain G.A.C. Castro - Apache/Aztec Beaten Up by an Austin Policeman

Mike Alexander - Idling trucks! Ordinance help!

Chuck Perry - Ft. Branch

Robert Singleton - Mueller 102

Mary Lehmann - More Mueller

Laura Koenig - Week of the Young Child

Eliza Kempner Thomas - Prisoner Re-Entry in Austin and Travis County

Pat Johnson - It's a Shame

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

38. Discuss legal issues relating to *Michael King v. The City of Austin, Texas*, Cause No. GN100452, in the 345th Judicial District Court of Travis County, Texas (concerns a claim for additional pay based on allegedly defective 1993 City ordinance authorizing bi-lingual pay for police officers.) (Related Item 3)
39. Discuss legal issues related to Agreement on Subdivision Platting in the Extraterritorial Jurisdiction Between the City of Austin and Travis County. (concerns House Bill 1445 issues)
40. Discuss legal issues relating to the anticipated Third Special Called Session of the 78th State Legislature.

Real Property - Section 551.072

41. Discuss terms of the disposition for the former Robert Mueller Municipal Airport site to Catellus Austin, L.L.C.

2:00 PM BRIEFINGS

42. Presentation of the Three-Year Financial Forecast to City Council.

3:00 P.M. BOARD OF DIRECTORS MEETING OF AUSTIN HOUSING FINANCE CORPORATION. The Mayor will recess the City Council meeting. A Board meeting of Austin Housing Finance Corporation (AHFC) will be conducted. Following adjournment of the AHFC Board meeting the City Council will reconvene.

- AHFC- 1 Approve the minutes of the February 26, 2004 Board meeting of the Austin Housing Finance Corporation.
- AHFC- 2 Approve the negotiation and execution of a Community Housing Development Organization Program forgivable loan, in an amount not to exceed \$95,200, to AUSTIN HABITAT FOR HUMANITY for the acquisition and development of four affordable single-family homes on lots in the Heritage Village subdivision, located at Martin Luther King Boulevard, Parliament, and Regency Drives for low- and moderate-income first-time homebuyers (Funding is available in HOME grant funds allocated in the Fiscal Year 2003-2004 Austin Housing Finance Corporation budget.)

3:00 P.M. Economic Growth and Redevelopment Services

43. Approve a resolution authorizing revised policies and procedures for the City's Cultural Arts Funding Program. (Recommended by the Arts Commission.)

4:00 P.M. ZONING HEARINGS AND APPROVAL OF ORDINANCES AND RESTRICTIVE COVENANTS**Neighborhood Plans - Approval**

44. Approve second reading of an ordinance amending the Austin Tomorrow Comprehensive Plan by adopting the Brentwood/Highland Combined Neighborhood Plan for the area bounded on the north by Justin Lane and Anderson Lane, on the east by Middle Fiskville Road and Twin Crest Drive, on the south by 45th Street and Koenig Lane, and on the west by Burnet Road. (There is no fiscal impact associated with adopting the Brentwood/Highland Neighborhood Plan. An estimate of the fiscal impact to implement all of the recommendations in the plan is \$11,252,000. This plan is advisory and does not legally obligate the Council to implement any particular recommendation.) (Recommended with conditions by the Planning Commission.)

Zoning Ordinances / Restrictive Covenants

45. C14H-03-0002 - HAMPTON ROAD CALCASIEU HOUSES - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 3403 and 3407 Hampton Road (Waller Creek Watershed) from family residence (SF-3) district, to family residence, standard lot (SF-2-CO) conditional overlay district. Planning Commission recommendation: Forward without a recommendation. Historic Landmark Commission recommendation: To grant family residence (SF-3-H) historic combining district. Applicant: Historic Landmark Commission. Property Owner: Nick Cochran. Agent: Chris Pezold. City Staff: Steve Sadowsky, Transportation, Planning and Sustainability Department, 974-6454. Note: A valid petition has been filed by the property owner in opposition to the grant of historic zoning; the property owner agrees to the conditional overlay and SF-2 zoning.
46. C14-03-0137- Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 500 East Ben White Boulevard (Blunn Creek Watershed) from family residence (SF-3) district zoning to general commercial services-conditional overlay (CS-CO) combining district zoning for Tract 1 and limited office-conditional overlay (LO-CO) combining district zoning for Tract 2. First reading on March 4, 2004. Vote: 6-0: McCracken absent. Conditions met as follows: Conditional Overlay and Restrictive Covenant incorporates the conditions imposed or accepted by City Council at first ordinance reading. Applicant: Galaxie Corporation. Agent: Doucet & Associates (Carol M. Stewart). City Staff: Annick Beaudet, 974-2975.

47. C14-03-0120 - Centrum - Approve third reading of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 3413 North Hills Drive, 6415 Hart Lane and 6426 Mopac Expressway North (Shoal Creek Watershed) from limited office-conditional overlay (LO-CO) combining district zoning and general office-conditional overlay district zoning to general office-conditional overlay (GO-CO) combining district zoning on Tract A and community commercial-conditional overlay (GR-CO) combining district zoning on Tract B. First reading on February 12, 2004. Vote: 7-0. Second reading on April 1, 2004. Vote: 6-0, McCracken off the dais. Conditions met as follows: Conditional Overlay incorporates the conditions imposed by Council on second ordinance reading. Applicant: Balcones Centrum Ltd. (Gerald Kuccera). Agent: Crocker Consultants (Sarah Crocker). City Staff: Glenn Rhoades, 974-2775.
48. C14-03-0167 - Guadalupe Street Lofts - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 4525 Guadalupe Street (Waller Creek Watershed) from general commercial services (CS) district zoning to community commercial-mixed use-conditional overlay (GR-MU-CO) combining district zoning. First reading on February 26, 2004. Vote: 6-0, D. Thomas - off dais. Conditions met as follows: Conditional Overlay incorporates the conditions imposed by Council on first ordinance reading. Applicant: Austin WFD Ltd. Agent: Codney Group Inc. (Mike Rhoades). City Staff: Glenn Rhoades, 974-2775.
49. C14-03-0165 - Shaid Zoning - Approve third reading of an ordinance amending Chapter 25-2 of the Austin City Code by zoning property locally known as 3206 West Slaughter Lane (Slaughter Creek Watershed -Barton Springs Zone) from interim-rural residence (I-RR) district zoning to townhouse & condominium residence (SF-6) district zoning. First reading on February 5, 2004. Vote: 6-1, Slusher nay. Second Reading on March 25, 2004. Vote: 6-1, Slusher nay. Conditions met as follows: Restrictive Covenant incorporates the conditions accepted by City Council at second ordinance reading. Applicant: Orrin Shaid and Orrin Shaid III. Agent: Crocker Consultants (Sarah Crocker). City Staff: Wendy Walsh, 974-7719.

50. C14-04-0004.002 (PART) - Crestview Neighborhood Plan District Rezoning - Approve third reading of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 7700 - 7720 North Lamar Boulevard and 822 Taulbee Lane (Tract 123); and property located south of Morrow Street, west of Lamar Boulevard and northeast of the Southern Pacific Railroad tracks (Tracts 160a, 160b and 160c) (Waller Creek Watershed.) The Residential Infill special use is proposed for Tract 160a, the Neighborhood Mixed Use Building special use is proposed for Tract 123, and the Neighborhood Urban Center special use is proposed for Tract 160a. The proposed zoning change will also change the base district on 4 tracts of land from: family residence (SF-3) district zoning; multi-family residence medium density (MF-3) district zoning; multi-family residence moderate-high density (MF-4) district zoning; general commercial services (CS) district zoning; commercial-liquor sales (CS-1) district zoning; and limited industrial services (LI) district zoning to: general commercial services-mixed use-conditional overlay-neighborhood plan (CS-MU-CO-NP) combining district zoning for Tract 123; and limited industrial services-planned development area-neighborhood plan (LI-PDA-NP) combining district zoning for Tract 160a, Tract 160b and Tract 160c, with conditions. First reading on March 4, 2004. Vote: 6-0, McCracken off the dais. Second Reading on April 1, 2004. Vote 6-0, Goodman off the dais. Conditions met as follows: Conditional Overlay and Restrictive Covenant incorporates the conditions imposed or accepted by City Council at second ordinance reading. Applicant: City of Austin. Agent: Neighborhood Planning and Zoning Department (Wendy Walsh). City Staff: Wendy Walsh, 974-7719 and Scott Whiteman, 974-2865.

51. C14-04-0012 - Brentwood/Highland Neighborhood Plan Rezoning - Approve second reading of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as the Brentwood/Highland Neighborhood Planning area is bounded on the north by Justin Lane and Anderson Lane, on the east by Middle Fiskville Road and Twin Crest Drive, on the south by 45th Street and Koenig Lane, and on the west by Burnet Road. The proposed zoning change will create two Neighborhood Plan Combining Districts (NPCD) covering the entire area. Under the proposed Highland NPCD, "Small Lot Amnesty" and "Secondary Apartment" special uses are proposed for the entire plan area. "Garage Placement," "Front Porch Setback" and "Impervious Cover and Parking Placement Restrictions" are proposed for the entire area, with the exception of St. Johns Avenue. The Cottage Lot special use is proposed for the North and South Highland subdistricts. The North Highland subdistrict is bounded on the north by Crestland Drive, on the east by Twin Crest Drive, on the south by St. Johns Avenue, and on the west by Lamar Blvd. The South Highland subdistrict is bounded on the north and east by Airport Blvd., on the south by Denson Drive, and on the west by Lamar Blvd. The Neighborhood Mixed Use Building special use is proposed for Tract 221 and the Neighborhood Urban Center special use is proposed for Tracts 200, 201, 202, 222a, 222b, 222c, 223, 241, 242, 243a, 243b, 243c, 275, 276, and 277. Under the proposed Brentwood NPCD, "Small Lot Amnesty," "Secondary Apartment," "Garage Placement," "Front Porch Setback" and "Impervious Cover and Parking Placement Restrictions" are proposed for the entire area. The Urban Home special use is proposed for the Romeria Gateway subdistrict, which includes all lots adjacent to Romeria, between Lamar Blvd. and the Grover Drainage Channel. The Neighborhood Urban Center special use is proposed for Tracts 1 and 2. (Buttermilk Creek, Shoal Creek, Tannchill Creek and Waller Creek Watersheds) Also, to approve base district changes on certain parcels of land from: Family Residence (SF-3) district zoning; Multi-family Residence-Low Density (MF-2) district zoning; Multi-family Residence - Medium Density (MF-3) district zoning; Neighborhood Office (NO) district zoning; Limited Office (LO) district zoning; Limited Office-Conditional Overlay (LO-CO) combining district zoning; General Office (GO) district zoning; General Office-Conditional Overlay (GO-CO) combining district zoning; Neighborhood Commercial (LR) district zoning; Neighborhood Commercial-Conditional (LR-CO) combining district zoning; Community Commercial (GR) district zoning; Community Commercial-Conditional Overlay (GR-CO) combining district zoning; General Commercial Services (CS) district zoning; General Commercial Services-Conditional Overlay (CS-CO) combining district zoning; Commercial-Liquor Sales (CS-1) district zoning; Commercial-Liquor Sales-Conditional Overlay (CS-1-CO) combining district zoning; Limited Industrial Services-Conditional Overlay (LI-CO) combining district zoning; Multi-Family Residence - Limited Density-Conditional Overlay (MF-1-CO) combining district zoning; Multi-family Residence - Moderate-High Density (MF-4) district zoning; Limited Industrial Services (LI) district zoning; and unzoned (UNZ) to: Rural Residential-Neighborhood (RR-NP) combining district zoning; Single-Family Residence - Large Lot-Neighborhood (SF-1-NP) combining district zoning;

Single-Family Residence-Standard Lot-Neighborhood (SF-2-NP) combining district zoning; Family Residence-Neighborhood (SF-3-NP) combining district zoning; Single-Family - Small Lot & Condominium Site-Neighborhood (SF-4A-NP) combining district zoning; Urban Family Residence-Neighborhood (SF-5-NP) combining district zoning; Townhouse & Condominium Residence-Neighborhood (SF-6-NP) combining district zoning; Multi-Family Residence - Limited Density-Neighborhood Plan (MF-1-NP) combining district zoning; Multi-family Residence - Low Density-Neighborhood Plan (MF-2-NP) combining district zoning; Multi-family Residence - Medium Density-Neighborhood Plan (MF-3-NP) combining district zoning; Multi-family Residence - Moderate-High Density-Neighborhood Plan (MF-4-NP) combining district zoning; Multi-family Residence - High Density-Neighborhood Plan (MF-5-NP) combining district zoning; Multi-family Residence - Highest Density-Neighborhood Plan (MF-6) combining district zoning; Mobile Home Residence-Neighborhood (MH-NP) combining district zoning; Neighborhood Office-Neighborhood Plan (NO-NP) combining district zoning; Limited Office-Neighborhood Plan (LO-NP) combining district zoning; General Office-Neighborhood (GO-NP) combining district zoning; Commercial Recreation-Neighborhood Plan (CR-NP) combining district zoning; Neighborhood Commercial-Neighborhood Plan (LR-NP) combining district zoning; Community Commercial-Neighborhood Plan (GR-NP) combining district zoning; Warehouse / Limited Office-Neighborhood Plan (W/LO-NP) combining district zoning; General Commercial Services Plan (CS-NP) combining district zoning; Commercial-Liquor Sales-Neighborhood Plan (CS-1-NP) combining district zoning; Commercial Highway Plan (CH-NP) combining district zoning; Industrial Park-Neighborhood Plan (IP-NP) combining district zoning; Major Industrial-Neighborhood (MI-NP) combining district zoning; Limited Industrial Services Plan (LI-NP) combining district zoning; Research and Development-Neighborhood Plan (R&D-NP) combining district zoning; Development Reserve-Neighborhood Plan (DR-NP) combining district zoning; Agricultural-Neighborhood Plan (AG-NP) combining district zoning; Planned Unit Development-Neighborhood Plan (PUD-NP) combining district zoning; and Public-Neighborhood Plan (P-NP) combining district zoning. A Conditional Overlay (CO) combining district, Planned Development Area (PDA) district, Mixed Use (MU) combining district may also be added to these zoning base districts. First reading on March 25, 2004. Vote: 7-0. Agent: Neighborhood Planning & Zoning Department. City Staff: Brian Block, 974-7687, Annick Beaudet, 974-2975. Note: Several valid petitions have been filed in opposition to this rezoning request.

Zoning Hearings and Approval of Ordinances / Restrictive Covenants

- Z- 1 C14-04-0028 - Jack Brown Cleaners - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 11521 R.M. 620 North (Bull Creek Watershed) from community commercial-conditional overlay (GR-CO) combining district zoning to general commercial services (CS) district zoning. Zoning and Platting Commission Recommendation: To grant general commercial services (CS) district zoning. Applicant: Plaza V 620, Ltd. (James H. Matoushak). Agent: Crocker Consultants (Sarah Crocker). City Staff: Sherri Gager, 974-3057.
- Z- 2 C14-04-0042 - 13802 Research Boulevard - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by zoning and rezoning property locally known as 13802 Research Boulevard (Lake Creek Watershed) from interim-rural residence (I-RR) district zoning and neighborhood commercial (LR) district zoning to 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: Rebota, Inc. (Jim Gauntt). Agent: Carlson, Brigrance & Doering, Inc. (Debbie Guerra). City Staff: Sherri Gager, 974-3057.
- Z- 3 C14-04-0029 - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as South 1st Street and South Center Street (West Bouldin Creek Watershed) from limited office-conditional overlay (LO-CO) combining district zoning to general office (GO) district zoning. Zoning and Platting Commission Recommendation: To grant general office-conditional overlay (GO-CO) combining district zoning. Applicant: Daughter's of Charity Health Services. Agent: Thrower Design (Ron Thrower). City Staff: Annick Beaudet, 974-2975.
- Z- 4 C14-03-0187 - Scarlet Ibis - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 7411 Old Bec Caves Road (Williamson Creek Watershed-Barton Springs Zone) from rural residential (RR) district zoning to limited office-mixed use (LO-MU) combining district zoning. Zoning and Platting Commission Recommendation: To grant limited office-mixed use-conditional overlay (LO-MU-CO) combining district zoning. Applicant and Agent: Suzanne Rittenberry. City Staff: Annick Beaudet, 974-2975.

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

Django's Moustache

PROCLAMATIONS

Proclamation - National Volunteer Appreciation Week - to be presented by Mayor Will Wynn and to be accepted by David Balch

Proclamation - Austin Crimestoppers 25th Anniversary - to be presented by Mayor Will Wynn and to be accepted by Becky Motal

Proclamation - Community Development Block Grant Program - to be presented by Mayor Will Wynn and to be accepted by Paul Hilgers

Proclamation - Child Abuse Prevention Month - to be presented by Council Member Raul Alvarez and to be accepted by Cindy Ashby

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

52. Conduct a public hearing and approve a resolution authorizing the waiver of the 300 feet minimum distance requirement of Section 4-9-4 of the City Code between the Pacha Coffeehouse, a business that proposes to sell alcoholic beverages at 4618 Burnet Road, and Texas School for the Blind and Visually Impaired, a public school located at 1100 West 45th Street.

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 Meetings

January 8, 2004
January 15, 2004

January 29, 2004
February 5, 2004
February 12, 2004

February 26, 2004
March 4, 2004
March 11, 2004

March 25, 2004
April 1, 2004

April 15, 2004
April 22, 2004

May 6, 2004
May 13, 2004

May 27, 2004

June 10, 2004
June 17, 2004
June 24, 2004

July 29, 2004
August 5, 2004
August 12, 2004

August 26, 2004
September 2, 2004

September 13,14,15
(Budget)

September 30, 2004
October 7, 2004

October 21, 2004
October 28, 2004
November 4, 2004

November 18, 2004

December 2, 2004

December 16, 2004

Cancelled Meetings

January 1, 2004

January 22, 2004

February 19, 2004

March 18, 2004

April 8, 2004

April 29, 2004

May 20, 2004

June 3, 2004

July 1, 2004
July 8, 2004
July 15, 2004
July 22, 2004

August 19, 2004

September 9, 2004
September 16, 2004

September 23, 2004

October 14, 2004

November 11, 2004

November 25, 2004

December 9, 2004

December 23, 2004
December 30, 2004