

# AUSTIN CITY COUNCIL AGENDA

THURSDAY, MAY 06, 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.

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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**

Major Daniel New, Area Commander, Salvation Army

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

**THE CITY COUNCIL OF THE CITY OF AUSTIN, TEXAS WILL CONVENE AT 10:00 AM ON THURSDAY, MAY 06, 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 22, 2004.

### **Austin Energy**

2. Approve negotiation and execution of a contract with Eugene Pinault and Michiru E. Pinault, Austin, TX, for the purchase, including closing costs and relocation expenses, of the house and lot located at 1005 Pyegrave, in an amount not to exceed \$146,000, in order to access transmission towers for removal. (Funding is available in the Fiscal Year 2003-2004 Approved Capital Budget of the Electric Utility Department.) (Recommended by the Electric Utility Commission.)
3. Approve funding a variety of recreational and educational opportunities for adults and children in the Holly Street Neighborhood, in an amount not to exceed \$100,000 and further authorize Austin Energy to negotiate and execute such contracts with each recipient entity as are reasonable, necessary or required to accomplish the purposes of this funding. (Funding is available in the Fiscal Year 2003-2004 Amended Operating Budget of the Electric Utility Department.) (Recommended by the Electric Utility Commission.)

**Health and Human Services**

4. Approve Renewal and Amendment of Interlocal Cooperation Agreement between the City of Austin, Travis County and the Austin Travis County Mental Health Mental Retardation Center for the period of October 1, 2003 through September 30, 2004, in an amount not to exceed \$268,968 for youth assessment services. (Funding in the amount of \$225,000 for the City's contract is available from the Community Development Block Grant (CDBG) 28th and 29th Year funds. Funding in the amount of \$43,968 is available from Travis County.)
5. Approve execution of a 12-month contract between the City of Austin and the Sickie Cell Anemia Association of Austin (SCAA) - Marc Thomas Chapter for outreach services to persons with sickle cell disease or sickle cell trait and their families. The term of this contract is for the period from January 1, 2004 through December 31, 2004, at a cost to the City not to exceed \$50,000. (Funding is available in the Fiscal Year 2003-2004 Approved Operating Budget of the Community Care Department.)

**Management Services - Office of Emergency Management**

6. Amend Ordinance No. 030909-1, the Fiscal Year 2003-2004 Operating Budget to appropriate \$2,474,613 to the Management Services - Office of Emergency Management Special Revenue Fund to purchase public safety equipment associated with a Domestic Preparedness Equipment Grant from the Office for Domestic Preparedness, U.S. Department of Homeland Security, to improve local and regional first response capabilities for terrorist incidents. (Funding in the amount of \$2,474,613 for the equipment is available in the Office for Domestic Preparedness, U.S. Department of Homeland Security.)

**Police**

7. Authorize the application for renewal funding from the Texas Department of Transportation, Texas Automobile Theft Prevention Authority in the amount of \$354,976 in grant funds for the continuation of the Auto Theft Interdiction Project in the Austin Police Department. (Funding is available in the Texas Department of Transportation, Texas Automobile Theft Prevention Authority for the grant period September 1, 2004 - August 31, 2005. An in-kind match is required. Funding for the continued operation of this program is contingent upon available funding in the future budgets.)

8. Approve execution of an Interlocal Agreement between the City of Austin and Travis County for an Assistant District Attorney for the Project Safe Neighborhood gun violence program in an amount not to exceed \$83,000 for the period May 1, 2004 through August 31, 2005. (Funding is available in the Fiscal Year 2003-2004 Operating Budget for the Austin Police Department.)

#### **Public Works**

9. Approve a resolution to authorize the fee simple acquisition a of 0.927 acre tract of land out of the Noel M. Bain Survey No. 1, Abstract No. 61, in Travis County, TX, locally known as 7504 Towery Lane, from Jerry G. Hamm and wife, Pamela A. Hamm, for the Airport Noise Mitigation Program, in the amount of \$70,000 for the land and improvements and \$31,485.90 relocation benefits, plus closing costs and moving related expenses in the amount of \$10,000, for an amount not to exceed \$111,485.90. (Funding in the amount of \$111,485.90 is available in Fiscal Year 2003-2004 Capital Budget of the Department of Aviation using airport funds and available Federal Aviation Administration (FAA) Grants.)
10. Approve a resolution to authorize the fee simple acquisition of a 0.391 acre tract out of the Noel M. Bain Survey #1, Abstract 61, Travis County, TX, locally known as 11402 McAngus Road, from Francisco Celedon and wife, Elvira Celedon, for the Airport Noise Mitigation Program, in the amount of \$110,000 for the land and improvements, plus closing costs and moving related expenses in the amount of \$10,000, for an amount not to exceed \$120,000. (Funding in the amount of \$120,000 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 authorizing the fee simple acquisition of Tract 1: 11.020 acres of land, out of the Noel M. Bain Survey No. 1, Abstract No. 61 in Travis County, TX, being the same tract conveyed to Fredrick C. Lancaster and wife, Jamelia Lancaster, in Deed recorded in Volume 5009, Page 525, Deed Records of Travis County, TX, and Tract 2: 5.016 acres of land, more or less, out of the Noel M. Bain Survey No. 1 Abstract No. 61 in Travis County, TX, and being same tract conveyed to Fredrick C. Lancaster and wife, Jamelia Lancaster, in Deed recorded in Volume 7389, Page 214, Deed Records of Travis County, TX; for a total approximate acreage of 16.036 acres, locally known as 11512 McAngus Road, Del Valle, TX , from Fredrick C. Lancaster and wife, Jamelia Lancaster, for the Airport Noise Mitigation Program, in the amount of \$200,000 for the land, plus closing costs and moving related expenses in the amount of \$10,000, for an amount not to exceed \$210,000. (Funding in the amount of \$210,000 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 to authorize the acquisition (for the Austin Clean Water Program: Upper Shoal - Spicewood Branch Project) of a (1) temporary ingress and egress easement comprised of 24,263 square-feet of land, and a (2) temporary staging and material storage site comprised of 11,456 square-feet of land out of a portion of Lot 3-F, 3<sup>rd</sup> resubdivision of Lot 3, Northcross Section 2, a subdivision in Travis County, TX, located at 2525 W. Anderson Lane, from MRO N CROSS, INC., in the amount not to exceed \$139,300. (Funding is included in the Fiscal Year 2003-2004 Capital Budget of the Austin Water Utility.)
13. Authorize payment to SHELL PIPELINE COMPANY LP for the City's participation in the utility relocation of approximately 536 meters of gas pipeline owned by Shell Pipeline Company LP from Woodward Street to FM 973 in Del Valle for the State Highway 71 Project in accordance with the June 27, 1986 Agreement for the Right-of-Way Procurement with the Texas Department of Transportation in the amount not to exceed \$427,658.17. (Funding is available in the Fiscal Year 2000-2001 Amended Capital Budget of the Transportation, Planning and Sustainability Department.)
14. Authorize execution of a construction contract with BALLOU CONSTRUCTION CO., INC., Salina, KS, for preventive maintenance asphaltic slurry seal on selected streets in the Scofield Farms and Whispering Oaks residential areas and on miscellaneous cul-de-sacs throughout the City of Austin, in an amount not to exceed \$343,336.40. (Funding is available in the Fiscal Year 2003-2004 Approved Operating Budget of the Public Works Department Transportation Fund.) 4.47% MBE and 6.11% WBE subcontractor participation.
15. Authorize negotiation and execution of a professional services agreement with the following six (6) firms: LAURIE SMITH DESIGN ASSOCIATES, (WBE/FR), Austin, TX; THE BOMMARITO GROUP, INC. (WBE/FR); LAUCKGROUP-I, INC., (WBE/FR) Austin, TX; TEAMHAAS ARCHITECTS, (WBE/FR) Austin, TX; PARSHALL + ASSOCIATES ARCHITECTS (WBE/FR), Austin, TX; and ARCHITECTURE + PLUS (WBE/FR) for professional architectural and/or interior design services to provide space planning for miscellaneous projects, for a period of approximately two (2) years or until financial authorization is expended, in an amount not to exceed \$1,200,000, or with a total aggregate amount of the six (6) agreements not to exceed \$1,200,000. (Funding in the amount of \$1,200,000 is available in the Fiscal Year 2004-2005 Approved Capital Budget and/or Operating Budget of the Public Works Department and various other departments for which the services are needed.) Best qualification statements of twelve received. Participation subgoals stated in the solicitation were 8.7%MBE and 18.2% WBE.

**Purchasing**

16. Authorize negotiation and execution of Amendment No. 1 to the service agreement with HONEYWELL DMC SERVICES LLC, Saugus, MA for installation of programmable thermostats and water heater switches and administration of the direct load controllers for the Power Partner Program, to increase the original contract authorization in an amount not to exceed \$234,000 and to increase the three extension options in an amount not to exceed \$234,000 per extension option, for a revised total agreement amount not to exceed \$4,511,868 (Funding in the amount of \$234,000 is available in Fiscal Year 2003-2004 Amended Operating Budget of the Electric Utility Department. Funding for 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.
17. 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, desk tops, cabinet doors etc., (no freestanding chairs or tables) for the Neighborhood Housing and Community Development Office in an amount not to exceed \$293,079.29 (Funding is available in the Fiscal Year 2003-2004 Approved Operating Budget of the Neighborhood Housing and Community Development Office.) Purchasing Cooperative. (Related Item 18)
18. Authorize execution of a contract through the U.S. COMMUNITIES GOVERNMENT PURCHASING ALLIANCE with HAWORTH INCORPORATED, Austin, TX, and the authorized distributor FURNITURE MARKETING GROUP, Austin, TX, for the purchase and installation of freestanding furniture to include chairs and conference tables for the Neighborhood Housing and Community Development Office in an amount not to exceed \$102,125.10. (Funding is available in the Fiscal Year 2003-2004 Approved Operating Budget of the Neighborhood Housing and Community Development Office.) Purchasing Cooperative. (Related Item 17)

19. Authorize execution of a contract through the Houston-Galveston Area Council of Governments (HGAC) with their contract vendor PHILPOTT MOTORS LTD., Nederland, TX, for the purchase of four police pursuit sedans for Austin Police Department and two administrative sedans for Austin Fire Department in an amount not to exceed \$164,334.52. (Funding in the amount of \$39,124.84 is available in the Fiscal Year 2003-2004 Approved Vehicle Acquisition Fund of the Finance and Administrative Services Department. Funding in the amount of \$125,209.68 is available in the Fiscal Year 2003-2004 Approved APD Incident Management Program and will be reimbursed through an interlocal with Capital Metro.) Purchasing Cooperative.
20. Authorize execution of a contract through the State of Texas, Texas Building and Procurement Commission with AVENTIS PASTEUR, INCORPORATED, Swiftwater, PA, for 2,000 vials of influenza vaccine in an amount not to exceed \$159,800. (Funding is available in the Fiscal Year 2003-2004 Approved Operating Budgets of the Community Care Services Department, Austin-Travis County Health and Human Services Department, and Human Resources Department.) Purchasing Cooperative.
21. Authorize negotiation and execution of a contract with AMERICAN MANAGEMENT SYSTEMS, INC. (AMS) Fairfax, VA, to provide upgraded software to the Advantage Financial System (AFS2) for the Financial and Administrative Services Department in an amount not to exceed \$6,100,000. (Funding in the amount of \$3,100,000 is available in the Fiscal Year 2003-2004 Approved Capital Budget of the Communications and Technology Management Fund of the Financial and Administrative Services Department and \$3,000,000 is available in the Fiscal Year 2003-2004 Capital Budget of the Electric Utility 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.

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

22. Approve a resolution consenting to the annexation of approximately 1 acre into River Place MUD (the area adjacent to the 504.9 contour extending eastward to the existing MUD boundary at the end of Big View Drive).

#### **ITEMS FROM COUNCIL**

23. Board and Commission Appointments.



24. Approve a resolution regarding the selection of the Board and employee issues for the proposed Travis County Hospital District. (Council Member Betty Dunkerley and Mayor Pro Tem Jackie Goodman)
25. Approve a resolution directing the City Manager to investigate mechanisms that will encourage the development of the manufacture of wind generation equipment in Austin. (Mayor Will Wynn, Mayor Pro Tem Jackie Goodman and Council Member Daryl Slusher)

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

26. Set a public hearing on an appeal by Richard Mathias of the Planning Commission's denial of a conditional use permit for a convenience storage facility at 1304 West 5th Street (Suggested date and time: May 13, 2004 at 6:00 p.m., Lower Colorado River Authority, Hancock Building). (Denied 7-0 by the Planning Commission.)
27. Set a public hearing on the draft of the following documents: (1) the Five-Year Consolidated Plan for 2005-2009, which is the document submitted by the City of Austin 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- and moderate-income neighborhoods, aid in the prevention or elimination of slums and blighted areas, aid federally assisted new communities, and meet other community needs. This 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, that sets forth the City's policies and procedures for citizen participation in the Consolidated Plan and Community Development Program. (Suggested date and time: May 13, 2004 at 6:00 p.m., Lower Colorado River Authority, Hancock Building) (The Community Development Commission conducted a public hearing on February 10, 2004 and on March 9, 2004. The HIV Planning Council conducted a public hearing on March 16, 2004. The Community Action Network conducted a public hearing on March 15, 2004.)
28. Set a public hearing to receive public comment regarding the proposed amendment to Exhibit A of Ordinance 030908-4 adding a Distributed Generation from Renewable Sources Rider. (Suggested date and time: May 13, 2004 at 6:00 PM, Lower Colorado River Authority, Hancock Building.)

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

Gavino Fernandez Jr. - VOTE NO on Travis County Taxing Hospital District. Government must come up with a more equitable manner in which to pay for indigent health care!

Mrs. Frances Martinez - Palm Park ongoing neglect by the Austin City Council. You tell us that tomorrow, tomorrow for Palm Park Pool upgrade. After ten years no results. Why?

Mr. Joe Quintero - Greater East Austin Neighborhood Association and El Concilio have written a letter to the United Farm Workers of America National Board of Directors requesting that they send a letter to the Austin City Council and United East Austin TO REFRAIN FROM USING THE NAME OF THE LATE CESAR FOR THIER SMART GROWTH NEIGHBORHOOD PLAN, WHICH HAS CAUSED MAJOR DIVISION, GENTRIFICATION AND RACISM IN OUR BARRIOS. A FAR CRY FROM MR. CESAR CHAVEZ LEGACY OF FIGHTING FOR JUSTICE FOR POOR PEOPLE!

Ramon Maldonado - HOLLY MITIGATION DOLLARS FISCAL INTEGRITY AND INITIAL INTENT MUST BE RESTORED. STOP USING THESE FUNDS FOR POLITICAL PORK BARREL PROJECTS AT THE EXPENSE OF OUR POOR PEOPLE

Gloria Moreno - a. Residents and businesses paying sewage fees and are not receiving services in two neighborhood associations.

b. Down Zone property at 515 Pedernales Street from CSI to CS.

Pat Johnson - It's A Shame

Paul Hernandez - I STRONGLY URGE THIS CITY COUNCIL TO SUPPORT SOUTHWEST KEYS REQUEST FOR \$1 MILLION DOLLARS OF CDBG FUNDS THIS YEAR. THE FEDERAL GOVERNMENT HAS AWARDED SOUTHWEST KEYS \$3.6 MILLION DOLLARS, LET'S DO OUR SHARE

Marcos de Leon - Moving back Citizens Communication to 5pm or 6pm

Otha Fields - Walk of Honor

Joe Webb - Property Tax Exemption Status of Primarily Charitable Organization - Mostly Wishful St. Joseph Grand Lodge for the State of Texas

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

29. 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)
30. Discuss legal issues relating to the Fourth Special Called Session of the 78<sup>th</sup> State Legislature.
31. Discuss legal issues related to a proposed amendment to the regulations applicable to the Mission Bethany Subdivision to allow the transfer of impervious cover within the subdivision and to extend the expiration date of Ordinance No. 980507-A which established regulations for the subdivision. The subdivision is generally located at the intersection of Slaughter Lane and Wolftrap Drive in the area subject to the Save Our Springs Initiative.

**Real Property - Section 551.072**

32. Discuss terms of the disposition for the former Robert Mueller Municipal Airport site to Catellus Austin, L.L.C. (Related Item 33)

**Action on Executive Session**

33. Approve a resolution authorizing the disposition, sale, lease, or transfer of the former Robert Mueller Municipal Airport site.(Related Item 32)

**2:00 PM BRIEFINGS**

34. Quarterly economic briefing.

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

35. Approve an ordinance on second and third reading to amend the North Loop Neighborhood Plan for 505 and 507 Nelray Boulevard and change the Future Land Use Map from single-family residential to multi-family residential. On February 26, 2004, the following zoning items were acted on by one motion. No separate discussion or action occurred on any of the items. The public hearings were closed and consent items were approved on Council Member Dunkerley's motion, Council Member McCracken's second on a 6-0 vote. Council Member Thomas was off the dais. Planning Commission Recommendation: To change the land use designation for 505 and 507 Nelray Boulevard from single-family to multi-family in the North Loop Planning Area Future Land Use Map as proposed. City Staff: Kathleen Welder(974-2856) or Annick Beaudet (974-2975) (Related Item 36)
36. C14-03-0179 - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 505 and 507 Nelray Blvd. (Waller Creek Watershed) from family residence-neighborhood plan (SF-3-NP) combining district zoning to multifamily residence medium density-neighborhood plan (MF-3-NP) combining district zoning. First reading on February 26, 2004. Vote: 6-0, D. Thomas off the dais. Conditions met as follows: No conditions were imposed by Council on first ordinance reading. Applicant: Patrick Goetz. Agent: Patrick Goetz. City Staff: Glenn Rhoades, 974-2775. (Related Item 35)
37. C14-04-0010 - E.M. Rowshan et al. Property - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by zoning property locally known as 0 F.M. 2222 (West Bull Creek Watershed) from interim-rural residence (I-RR) district zoning to limited office-mixed use-conditional overlay (LO-MU-CO) combining district zoning. First reading on March 25, 2004. Vote: 7-0. Conditions met as follows: Conditional Overlay incorporates the conditions imposed by Council on first ordinance reading. Applicant: City of Austin. Agent: Neighborhood Planning & Zoning Department. City Staff: Sherri Gager, 974-3057.

38. C14-04-0004.002 (PART) - 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) (Waller Creek Watershed.) The Neighborhood Mixed Use Building special use is proposed for Tract 123. The proposed zoning change will also change the base district on the tract of land from general commercial services (CS) to general commercial services-mixed use-conditional overlay-neighborhood plan (CS-MU-CO-NP) combining district zoning. 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 incorporates the conditions imposed by Council on second ordinance reading. Applicant: City of Austin. Agent: Neighborhood Planning and Zoning Department. City Staff: Wendy Walsh, 974-7719 and Scott Whiteman, 974-2865.
39. 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 Kucera). Agent: Crocker Consultants (Sarah Crocker). City Staff: Glenn Rhoades, 974-2775.

#### **Neighborhood Plans - Hearings and Approval**

- Z- 1            Conduct a public hearing and approve on first reading an ordinance amending the Austin Tomorrow Comprehensive Plan by adopting the Central Austin Combined Neighborhood Plan, which includes the Hancock, North University, and West University neighborhood planning areas. The boundaries of the Hancock planning area are Duval St. to the west, 45<sup>th</sup> St. to the north, IH-35 to the east, and Dean Keeton St. to the south. The boundaries of the North University planning area are Guadalupe St. to the west, 38<sup>th</sup> St. to the north, Duval St. to the east, and 27<sup>th</sup> St. to the south. The boundaries of the West University planning area are Lamar Blvd. to the west, 38<sup>th</sup> St. to the north, Guadalupe St. to the east, and MLK Jr. Blvd. to the south. (There is no fiscal impact associated with adopting the Central Austin Combined Neighborhood Plan. This plan is advisory and does not legally obligate the Council to implement any particular recommendation.) (Planning Commission recommendation is to adopt staff recommendations.) (Related Items Z-2, Z-4, Z-5, Z-6)

- Z- 2            Conduct a public hearing to consider amendments to Chapter 25 of the Austin City Code creating the University Neighborhood Overlay District, a new zoning overlay district located in the area west of the University of Texas at Austin. The district is generally bounded on the east by Guadalupe Street; on the west by San Gabriel Street, Longview Street, the rear property lines of property along Lamar Blvd., and Rio Grande Street; on the north by 29th Street; and on the south by MLK Jr. Blvd. The proposed amendments permit increased residential density and promote mixed use development regulations; the amendments also contain development incentives for meeting the requirements of the overlay. (There is no fiscal impact associated with this code amendment.) (To recommend the proposed Code amendment with conditions. (Vote: 8-0, Spelman off the dais)) (Related Items Z-1, Z-4, Z-5, Z-6)

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

- Z- 3            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.

- Z- 4            C14-04-0021 - Central Austin Combined Neighborhood Plan (West University Neighborhood) Combining District Zonings - 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 the West University Neighborhood Plan Area, bounded on the north by 38<sup>th</sup> Street, on the south by Martin Luther King Jr. Blvd., on the west by Lamar Blvd. and on the east by Guadalupe Street. The proposed zoning change will create a Neighborhood Plan (NP) combining district covering the entire area. Under the proposed West University NP, "Small Lot Amnesty" is proposed for the entire area. "Garage Placement," "Front Porch Setback," and "Impervious Cover and Parking Placement Restrictions" are proposed for the Heritage, Shoal Crest, and West University subdistricts. The Heritage subdistrict is bounded by Lamar Blvd. to the west, W. 38th St. to the north, Guadalupe St. to the east, and W. 29th St. to the south. The Shoal Crest subdistrict is bounded by Lamar Blvd. to the west, W. 29th St. to the north, Rio Grande St. to San Pedro St. to the east, and 28th St. to Poplar St. the south. The West University Neighborhood subdistrict is bounded by Lamar Blvd. to the west, W. 24th St. to the north, Leon St. and Robbins Pl. to the east, and MLK Jr. Blvd. to the south. The Neighborhood Mixed Use Building special use is proposed for Tracts 1-13, 15-16, 20, 20A, 22-27, 31-32, 40-42, 46-48, 58, 64-74, 77-97, 111-113, 115-125, 127-129, 138-143, 143C, 145-146, 148, 156-158, 166-167, 170, 172, 174, 176-180, 183, 192-196, 209-210, 213-214, 219-220, 225-226, 230, 235-239, 241, 243-256, 259-266. The Planning Commission may recommend and the City Council may approve a zoning change to any of the following: Rural Residence (RR) district zoning; Single-Family Residence - Large Lot (SF-1) district zoning; Single-Family Residence-Standard Lot (SF-2) district zoning; Family Residence (SF-3) district zoning; Single-Family - Small Lot & Condominium Site (SF-4A/B) district zoning; Urban Family Residence (SF-5) district zoning; Townhouse & Condominium Residence (SF-6) district zoning; Multi-Family Residence - Limited Density (MF-1) district zoning; Multi-family Residence - Low Density (MF-2) district zoning; Multi-family Residence - Medium Density (MF-3) district zoning; Multi-family Residence - Moderate-High Density (MF-4) district zoning; Multi-family Residence - High Density (MF-5) district zoning; Multi-family Residence - Highest Density (MF-6) district zoning; Mobile Home Residence (MH) district zoning; Neighborhood Office (NO) district zoning; Limited Office (LO) district zoning; General Office (GO) district zoning; Commercial Recreation (CR) district zoning; Neighborhood Commercial (LR) district zoning; Community Commercial (GR) district zoning; Warehouse / Limited Office (W/LO) district zoning; Commercial Services (CS) district zoning; Commercial-Liquor Sales (CS-1) district zoning; Commercial Highway (CH) district zoning; Industrial Park (IP) district zoning; Major Industrial (MI) district zoning; Limited Industrial Services (LI) district zoning; Research and Development (R&D) district zoning; Development

Reserve (DR) district zoning; Agricultural (AG) district zoning; Planned Unit Development (PUD) district zoning; Historic (H) district zoning; and Public (P) district zoning. A Conditional Overlay (CO) combining district, Planned Development Area (PDA) combining district, Mixed Use (MU) combining district; or Neighborhood Conservation (NC) combining district may also be added to these zoning base districts. Planning Commission Recommendation: To grant the requested zoning as requested. Applicant: City of Austin. Applicant: Neighborhood Planning and Zoning Department. City Staff: Tom Bolt, 974-2755 and Glenn Rhoades, 974-2775. Note: Valid petitions have been filed in opposition to this rezoning request. (Related Items Z-1, Z-2, Z-5, Z-6)



- Z- 5      C14-04-0022 - Central Austin Combined Neighborhood Planning Area (North University Neighborhood) Combining District Rezonings - 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 the North University Neighborhood Plan Area bounded on the north by 38<sup>th</sup> Street, on the south by 27<sup>th</sup> Street, on the west by Guadalupe Street and on the east by Duval Street. The proposed zoning changes will create a Neighborhood Plan NP combining district covering the entire area. Under the proposed North University NP, "Small Lot Amnesty" is proposed for the entire area. Mixed Use is proposed for Tracts APD-843-849, APD-862-865, GDC-709-714A, GDN 701-705, GDN-707, GDS-715-717, GDS-719-720, SD-881, SD-883-883A, SJD-886-892, TD-721-723A, TD-726. The North University NCCD proposes modified site design and development standards including but not limited to the following: Land Use, Floor Area Ratios (FAR), Building Heights, Mixed Use Developments, Garages, Parking, Outdoor Café seating, Impervious and Building Coverage allowances, Setbacks, and Driveway and Parking Access. The Planning Commission may recommend and the City Council may approve a base district zoning change to any of the following: Rural Residence (RR) district zoning; Single-Family Residence - Large Lot (SF-1) district zoning; Single-Family Residence-Standard Lot (SF-2) district zoning; Family Residence (SF-3) district zoning; Single-Family - Small Lot & Condominium Site (SF-4A/B) district zoning; Urban Family Residence (SF-5) district zoning; Townhouse & Condominium Residence (SF-6) district zoning; Multi-Family Residence - Limited Density (MF-1) district zoning; Multi-family Residence - Low Density (MF-2) district zoning; Multi-family Residence - Medium Density (MF-3) district zoning; Multi-family Residence - Moderate-High Density (MF-4) district zoning; Multi-family Residence - High Density (MF-5) district zoning; Multi-family Residence - Highest Density (MF-6) district zoning; Mobile Home Residence (MH) district zoning; Neighborhood Office (NO) district zoning; Limited Office (LO) district zoning; General Office (GO) district zoning; Commercial Recreation (CR) district zoning; Neighborhood Commercial (LR) district zoning; Community Commercial (GR) district zoning; Warehouse / Limited Office (W/LO) district zoning; Commercial Services (CS) district zoning; Commercial-Liquor Sales (CS-1) district zoning; Commercial Highway (CH) district zoning; Industrial Park (IP) district zoning; Major Industrial (MI) district zoning; Limited Industrial Services (LI) district zoning; Research and Development (R&D) district zoning; Development Reserve (DR) district zoning; Agricultural (AG) district zoning; Planned Unit Development (PUD) district zoning; Historic (H) district zoning; and Public (P) district zoning. A Conditional Overlay (CO) combining district, Planned Development Area (PDA) combining district, Mixed Use (MU) combining district; or Neighborhood Conservation (NC) combining district may also be added to these zoning base districts. Planning Commission Recommendation: To grant the

requested zoning with conditions. Applicant: City of Austin. Agent: Neighborhood Planning and Zoning Department. City Staff: Tom Bolt, 974-2755 and Glenn Rhoades, 974-2775. Note: Valid petitions have been filed in opposition to the proposed zoning request. (Related Items Z-1, Z-2, Z-4, Z-6)

- Z- 6      C14-04-0023 - Central Austin Combined Neighborhood Plan (Hancock Neighborhood) - 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 the Hancock Neighborhood, bounded on the north by 45<sup>th</sup> Street, on the south by Dean Keeton Street, on the west by Duval Street and on the east by IH-35. The proposed zoning changes will create a Neighborhood Plan (NP) combining district covering the entire area. Under the proposed Hancock NP, "Small Lot Amnesty," "Garage Placement," and "Impervious Cover and Parking Placement Restrictions" are proposed for the entire area. The Neighborhood Mixed Use Building special use is proposed for Tracts 501, 504, 507, 507A, 509, 510, 512, 513, 514, 516, 517, 518, 519, 520, 522, 523, 524, 525, 526, 527, 536A, 541, 541A, 543, and 543A. The Neighborhood Urban Center special use is proposed for Tracts 543 and 543A. The Planning Commission may recommend and the City Council may approve a base district zoning change to any of the following: Rural Residence (RR) district zoning; Single-Family Residence - Large Lot (SF-1) district zoning; Single-Family Residence-Standard Lot (SF-2) district zoning; Family Residence (SF-3) district zoning; Single-Family - Small Lot & Condominium Site (SF-4A/B) district zoning; Urban Family Residence (SF-5) district zoning; Townhouse & Condominium Residence (SF-6) district zoning; Multi-Family Residence - Limited Density (MF-1) district zoning; Multi-family Residence - Low Density (MF-2) district zoning; Multi-family Residence - Medium Density (MF-3) district zoning; Multi-family Residence - Moderate-High Density (MF-4) district zoning; Multi-family Residence - High Density (MF-5) district zoning; Multi-family Residence - Highest Density (MF-6) district zoning; Mobile Home Residence (MH) district zoning; Neighborhood Office (NO) district zoning; Limited Office (LO) district zoning; General Office (GO) district zoning; Commercial Recreation (CR) district zoning; Neighborhood Commercial (LR) district zoning; Community Commercial (GR) district zoning; Warehouse / Limited Office (W/LO) district zoning; Commercial Services (CS) district zoning; Commercial-Liquor Sales (CS-1) district zoning; Commercial Highway (CH) district zoning; Industrial Park (IP) district zoning; Major Industrial (MI) district zoning; Limited Industrial Services (LI) district zoning; Research and Development (R&D) district zoning; Development Reserve (DR) district zoning; Agricultural (AG) district zoning; Planned Unit Development (PUD) district zoning; Historic (H) district zoning; and Public (P) district zoning. A Conditional Overlay (CO) combining district, Planned Development Area (PDA) combining district, Mixed Use (MU) combining district; or Neighborhood Conservation (NC) combining district may also be added to these zoning base districts. Planning Commission Recommendation: To grant the requested zoning with conditions. Applicant: City of Austin. Agent: Neighborhood Planning and Zoning Department. City Staff: Tom Bolt, 974-2755, Glenn Rhoades, 974-

2775. Note: Valid petitions have been filed in opposition to this zoning request. (Related Items Z-1, Z-2, Z-4, Z-5)

- Z- 7      C14-04-0044 - Onion Creek Club, Tract 1 - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by zoning property locally known as 2510 Onion Creek Parkway (Onion Creek Watershed) from interim-rural residence (I-RR) district zoning to commercial recreation (CR) district zoning. Zoning and Platting Commission Recommendation: To grant commercial recreation-conditional overlay (CR-CO) combining district zoning. Applicant: Onion Creek Club (David Turpin). Agent: Vaughn & Associates, Inc. (Rick Vaughn). City Staff: Wendy Walsh, 974-7719.
- Z- 8      C14-04-0045 - Onion Creek Club, Tract 2 - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by zoning property locally known as 2510 Onion Creek Parkway (Onion Creek Watershed) from interim-rural residence (I-RR) district zoning to commercial recreation (CR) district zoning. Zoning and Platting Commission Recommendation: To grant commercial recreation-conditional overlay (CR-CO) combining district zoning. Applicant: Onion Creek Club (David Turpin). Agent: Vaughn & Associates, Inc. (Rick Vaughn). City Staff: Wendy Walsh, 974-7719.
- Z- 9      C14-04-0046 - Onion Creek Club, Clubhouse Tract 3 - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by zoning property locally known as 2510 Onion Creek Parkway (Onion Creek Watershed) from interim-rural residence (I-RR) district zoning to commercial recreation (CR) district zoning. Zoning and Platting Commission Recommendation: To grant commercial recreation-conditional overlay (CR-CO) combining district zoning. Applicant: Onion Creek Club (David Turpin). Agent: Vaughn & Associates, Inc. (Rick Vaughn). City Staff: Wendy Walsh, 974-7719.
- Z- 10      C14-04-0050 - Onion Creek Club, Tracts 9, 10 and 11 - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by zoning property locally known as 2510 Onion Creek Parkway (Onion Creek Watershed) from interim-rural residence (I-RR) district zoning to commercial recreation (CR) district zoning. Zoning and Platting Commission Recommendation: To grant commercial recreation-conditional overlay (CR-CO) combining district zoning. Applicant: Onion Creek Club (David Turpin). Agent: Vaughn & Associates, Inc. (Rick Vaughn). City Staff: Wendy Walsh, 974-7719.

- Z- 11      C14-04-0051 - Onion Creek Club, Tract 12 - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by zoning property locally known as 2510 Onion Creek Parkway (Onion Creek Watershed) from interim-rural residence (I-RR) district zoning to commercial recreation (CR) district zoning. Zoning and Platting Commission Recommendation: To grant commercial recreation-conditional overlay (CR-CO) combining district zoning. Applicant: Onion Creek Club (David Turpin). Agent: Vaughn & Associates, Inc. (Rick Vaughn). City Staff: Wendy Walsh, 974-7719.
- Z- 12      C14-04-0052 - Onion Creek Club, Tracts 4, 5 & 6 - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by zoning property locally known as 2510 Onion Creek Parkway (Onion Creek Watershed) from interim-rural residence (I-RR) district zoning to commercial recreation (CR) district zoning. Zoning and Platting Commission Recommendation: To grant commercial recreation-conditional overlay (CR-CO) combining district zoning. Applicant: Onion Creek Club (David Turpin). Agent: Vaughn & Associates, Inc. (Rick Vaughn). City Staff: Wendy Walsh, 974-7719.
- Z- 13      C14-04-0053 - Onion Creek Club, Tracts 7 & 8 - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by zoning property locally known as 2510 Onion Creek Parkway (Onion Creek Watershed) from interim-rural residence (I-RR) district zoning to commercial recreation (CR) district zoning. Zoning and Platting Commission Recommendation: To grant commercial recreation-conditional overlay (CR-CO) combining district zoning. Applicant: Onion Creek Club (David Turpin). Agent: Vaughn & Associates, Inc. (Rick Vaughn). City Staff: Wendy Walsh, 974-7719.
- Z- 14      C14-04-0034 - Oak Shadows Condominiums Rezoning - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 8515 Fathom Drive (Bull Creek and Rattan Creek Watersheds) from general office-conditional overlay (GO-CO) combining district zoning to multi-family residence low density (MF-2) district zoning. Zoning and Platting Commission Recommendation: To grant multi-family residence low density (MF-2) district zoning. Applicant: City of Austin. Agent: Neighborhood Planning & Zoning Department. City Staff: Sherri Gager, 974-3057.

- Z- 15      C14-04-0033 - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 9000-9210 FM 969 (Elm Creek Watershed) from development reserve (DR) district zoning and family residence (SF-3) district zoning to single family residence small lot (SF-4A) district zoning for Tract 1 and community commercial (GR) district zoning for Tract 2. Zoning and Platting Commission Recommendation: To grant single family residence small lot-conditional overlay (SF-4A-CO) combining district zoning for Tract 1 and community commercial-conditional overlay (GR-CO) combining district zoning for Tract 2. Applicant: A.K. & Joan Nelson, Rose Nelson, and Winna Gene Nelson. Agent: Austin Blue Sky Investments (John Bolt Harris). City Staff: Annick Beaudet, 974-2975.
- Z- 16      C14-04-0038 - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 6001 Mountain Shadow Drive (Williamson Creek-Barton Springs Zone) from rural residence (RR) district zoning to general commercial services (CS) district zoning. Zoning and Platting Commission Recommendation: To grant warehouse limited office-conditional overlay (W/LO-CO) combining district zoning. Applicant: Stacy Shakelford. Agent: Jim Bennett. City Staff: Annick Beaudet, 974-2975.
- Z- 17      C14T-03-0001 - Pioneer Hill TND - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by zoning property locally known as East Dessau Road; located across the street from the intersections of Dessau Road and Applegate Drive, Dessau Road and Meadowmear Drive, and Dessau Road and Childress Drive (Walnut Creek Watershed) from interim-rural residence (I-RR) district zoning to traditional neighborhood (TN) district zoning. Zoning and Platting Commission Recommendation: To grant traditional neighborhood (TN) district zoning. Applicant: Estate of Fred C. Morse, Sr., Deceased (Scott N. Morse, Frederic C. Morse, III), JP Morgan Chase Bank, N.A. (Scott DeNeen), Milburn Homes, L.P./dba D.R. Horton Homes, L.P. (Dale Thorton). Agent: Milburn Homes, L.P./dba D.R. Horton Homes, L.P. (Dale Thorton). City Staff: Sherri Gager, 974-3057.
- Z- 18      C14-04-0039 - Detour - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 6705 U.S. Highway 290 West (Williamson Creek Watershed-Barton Springs Zone) from community commercial (GR) district zoning to commercial liquor sales (CS-1) district zoning. Zoning and Platting Commission Recommendation: To deny commercial liquor sales (CS-1) district zoning. Applicant: Jack Lieberman. Agent: Jim Bennett. City Staff: Glenn Rhoades, 974-2775.

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

Hyde Park Strings

**PROCLAMATIONS**

Proclamation - Drinking Water Week - to be presented by Mayor Will Wynn and to be accepted by Laurie Lentz

Certificate of Congratulations - Texas Scholars Scholarship Winner - to be presented by Mayor Will Wynn and to be accepted by the honoree

Proclamation - Motorcycle Safety and Awareness Month - to be presented by Mayor Will Wynn and to be accepted by John Gould

Proclamation - Public Service Employee Recognition Week - to be presented by Mayor Will Wynn and City Manager Toby Futrell and to be accepted by exemplary employees

Proclamation - Historic Preservation Week - to be presented by Mayor Will Wynn and to be accepted by Bob Lander

**6:00 P.M. PUBLIC HEARINGS AND POSSIBLE ACTION****Transportation, Planning and Sustainability**

40. Conduct a public hearing 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).

41. Conduct a public hearing and amend the City of Austin Comprehensive Plan, 2025 Austin Metropolitan Area Transportation Plan (AMATP), to designate: 1. Escarpment Blvd as a Major Arterial Divided roadway with four lanes (MAD 4) from William Cannon Dr. to Davis Ln.; 2. Escarpment Blvd. as a Major Arterial Divided roadway with four lanes (MAD 4) and bike lane striping from Davis Ln. to Salcon Cliff Dr.; 3. Escarpment Blvd. as a Major Arterial Divided roadway with four lanes (MAD 4), bike lane striping and a reduction in speed to 40 mph from Salcon Cliff Dr. to Slaughter Ln; 4. Escarpment Blvd as a Major Arterial Divided roadway with two lanes (MAD 2), and a Major Arterial Undivided roadway with two lanes (MAU 2), and bike lanes from Slaughter Ln. to Aden Ln.; 5. Escarpment Blvd. as a Major Arterial Divided roadway with two lanes (MAD 2), and bike lanes from Aden Ln. to SH 45: Case No. C2-03-07); 6. Delete North Lake Creek Parkway, from the existing terminus north of Lakeline Blvd. to Avery Ranch Rd. (Case No. C2-04-02); 7. Downgrade Manor Rd., between Airport Blvd. And 51st St., to a Major Arterial Undivided roadway with four lanes (MAU 4) (Case No. C2-04-03). (Recommended by Urban Transportation Commission, Environmental Board and Planning Commission.)
42. Conduct a public hearing for the limited purpose annexation of the Robinson Property (Approximately 6300 acres in Travis and Williamson Counties between FM 1325 and Parmer Lane).

#### **Watershed Protection and Development Review**

43. Conduct a public hearing and consider action on an appeal by Mike McHone of the Planning Commission's decision to deny a conditonal use permit for transitional housing at 5117 North Lamar. (Not Recommended by the Planning 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 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