AUSTIN CITY COUNCIL AGENDA

THURSDAY, JUNE 10, 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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LIVE MUSIC	
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9:55 A.M. Invocation

Pastor Pat Abbott, Riverbend Church

10:00 A.M. City Council Convenes

THE CITY COUNCIL OF THE CITY OF AUSTIN, TEXAS WILL CONVENE AT 10:00 AM ON THURSDAY, JUNE 10, 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 special called meeting of May 24, 2004 and the regular meeting of May 27, 2004.

Austin Energy

2. Approve a resolution adopting revised purchasing procedures for the City's municipally-owned electric utility, Austin Energy, in accordance with provisions of the electric utility restructuring legislation (Senate Bill 7) enacted into law by the 76th Session of the Texas Legislature. (Recommended by the Electric Utility Commission.)

3. Authorize negotiation and execution of (1) brokerage agreements for Austin Energy's purchase or sale, for hedging purposes, of financial contracts traded on regulated commodity exchanges; and (2) ISDA (International Swaps and Derivatives Association, Inc.) master agreements for over-the-counter hedging transactions, along with related credit, security and insurance agreements with qualified brokerage firms, financial institutions, investment banks, and other appropriate counter-parties in the financial, energy and natural gas industries in an aggregate amount of expenditures not to exceed \$300,000,000, to implement a hedging program as authorized by the related Resolution and Policy for Energy Risk Management previously adopted by the City Council. (Funding for related expenses associated with the purchase and sale of financial hedging instruments for fuel and power under the Risk Management Program will be provided through the Electric Fuel Charge revenue.) (Recommended by the Electric Utility Commission.)

Austin Water Utility

- 4. Approve an ordinance authorizing the application for and acceptance of grant funds in the amount of \$2,073,200 from the United States Environmental Protection Agency; amending the Fiscal Year 2003-2004 Austin Water Utility Special Revenue Fund of Ordinance No. 030909-1, to appropriate \$2,073,200 for activities associated with the mitigation of Sanitary Sewer Overflows (SSOs). (Funding in the amount of \$2,073,200 is available from the United States Environmental Protection Agency. Λ 45% local match requirement of \$1,696,255 will be provided through previously authorized expenditures associated with the corrective actions of Sanitary Sewer Overflows. The grant period is from October 1, 2003 to September 30,2005.) (Recommended by the Water and Wastewater Commission)
- 5. Approve an ordinance authorizing the acceptance of a \$125,000 grant from CH2M Hill, Inc.; and amending the Fiscal Year 2003-2004 Austin Water Utility Special Revenue Fund of Ordinance No. 030909-1 to appropriate \$125,000 to the Austin Clean Water Program for the purchase of wastewater pipeline maintenance equipment. (Funding in the amount of \$125,000 has been received from CH2M Hill, Inc. by the City of Austin. The grant period is March 1, 2004 through September 30, 2004.) (Recommended by the Water and Wastewater Commission)

Economic Growth and Redevelopment Services

6. Authorize a resolution approving the use of the name "Mueller" for the development that will occur at the former Robert Mueller Municipal Airport site.

7.5

Human Resources

7. Approve an ordinance amending Chapters 5-1, 5-2, and 5-3 of the City Code relating to discrimination in housing, public accommodations, and employment; and of Chapter 2-1 of the City Code relating to the Human Rights Commission updating the Code to conform to current Federal law, clarifying responsibilities of Austin Human Rights Commission and adding "gender identity" to the classifications protected against discrimination. (Recommended by the Austin Human Rights Commission)

Parks and Recreation

8. Approve issuing a free lifetime swim pass for Barton Springs Pool to Nancy P. McCandless. (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.)

Public Works

- 9. Approve an ordinance vacating Moffett Drive between Gilbert Street and Windsor Road to The Episcopal Church of the Good Sheperd, to consolidate their development and parking. (Approved by the Zoning and Platting Commission and the Urban Transportation Commission.)
- 10. Authorize negotiation and execution of an interlocal agreement with the Texas Department of Transportation for relocation of City water facilities as part of Cameron Road at Harris Branch Parkway project in an amount not to \$93,181.08. (Funding is included in the Fiscal Year 2003-2004 Capital Budget of the Austin Water Utility.) (Recommended by the Water and Wastewater Commission.)
- 11. Authorize execution of a construction contract with JAY-REESE CONTRACTORS, INC., Austin, TX, for street improvements to Second Street as the Second Street District Streetscape Street Reconstruction and Utility Adjustment Project: Phase I, in the amount of \$1,229,459.10 plus a \$307,364.78 contingency, for a total contract amount not to exceed \$1,536,823.88. (Funding in the amount of \$1,536,823.88 is available in the Fiscal Year 2000-2001 Amended Capital Budget of the Transportation, Planning and Sustainability Department.) Lowest bid of four received. 3.71% MBE and 14.97% WBE subcontractor participation.

- 12. Authorize execution of a construction contract with SALAS CONSTRUCTORS INC., (MBE/MII 89.24%), Buda, TX, for Circle S Road Culvert Replacement in the amount of \$764,702 plus a \$76,470 contingency, for a total contract amount not to exceed \$841,172. (Funding in the amount of \$249,194 is available in the Fiscal Year 2003-2004 Capital Budget of the Austin Water Utility. \$300,027 is available in the Fiscal Year 2003-2004 Amended Capital Budget of the Public Works Department; and \$291,951 is available in the Fiscal Year 2003-2004 Amended Capital Budget of the Transportation, Planning & Sustainability Department.) Lowest bid of two received. 3.86% MBE and 6.90% WBE subcontractor participation. (Recommended by the Water and Wastewater Commission.)
- 13. Authorize execution of a construction contract with CASH CONSTRUCTION COMPANY LTD, Pflugerville, TX, for the Austin Clean Water Program Windsor Water and Wastewater Improvements, Phase II, in the amount of \$1,052,532 plus a \$105,253.20 contingency, for a total contract amount not to exceed \$1,158,885.20. (Funding in the amount of \$1,158,885.20 is included in the Fiscal Year 2003-2004 Capital Budget of the Austin Water Utility Department.) Lowest bid of three received. 9.73% MBE and 4.15% WBE subcontractor participation.
- 14. Authorize execution of a construction contract with DAYCO CONSTRUCTION COMPANY, AUSTIN, TX, for sidewalk improvements along Enfield Road as the Enfield Road Sidewalk Project in the amount of \$239,780.75 plus a \$47,956.15 contingency, for a total contract amount not to exceed \$287,736.90. (Funding in the amount of \$143,928.98 is available in the Fiscal Year 2001-2002 Amended Capital Budget of the Transportation, Planning and Sustainability Department; and \$143,807.92 is available in the Fiscal Year 2002-2003 Capital Budget of the Public Works Department.) Lowest bid of three received. 29% MBE and 4.5% WBE subcontractor participation
- 15. Authorize negotiation and execution of an amendment to the professional services agreement with EARTHTECH, INC., Austin, TX, for construction inspection services, including specialized tunnel inspection, and ongoing traffic management support for the Austin Clean Water Program, in the amount of \$7,374,750 for a total contract amount not to exceed \$19,951,505. (Funding in the amount of \$7,374,750 is included in the Fiscal Year 2003-2004 Capital Budget of the Austin Water Utility.) 28.56% MBE and 19.36% WBE subcontractor participation to date, including this amendment. (Recommended by the Water and Wastewater Commission.)
- 16. Authorize the City Manager to develop a list of mediation and conflict resolution professionals to provide construction contract dispute resolution services.

Purchasing

- 17. Authorize execution of two, 12-month supply agreements with USCO POWER EQUIPMENT CORP., Birmingham, AL, in an amount not to exceed \$353.680. with four 12-month extension options in an amount not to exceed \$353,680 per extension option, for a total agreement amount not to exceed \$1,768,400; and with TEC UTILITY SUPPLY & SERVICES, Georgetown, TX, in an amount not to exceed \$279,459, with four 12-month extension options in an amount not to exceed \$279,459 per extension option, for a total agreement amount not to exceed \$1,397,295 for air switches in various sizes for the Electric Utility Department (Funding in the amount of \$105,523.16 is available in the Fiscal Year 2003-2004 Capital Budget of the Electric Utility Department. Funding in the amount of \$105,523.16 is available in the Fiscal Year 2003-2004 Amended Operating Budget of the Electric Utility Department. Funding for the remaining eight months of the original contract period and extension options is contingent upon available funding in future budgets.) Lowest bids of eight bids received. This contract will be awarded in compliance with Chapter 2-9 of the City Code (Minority Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation.
- 18. Authorize execution of a 12-month service agreement with POWER SUPPLY, INC., Austin, TX, for the rebuilding of network protectors in an amount not to exceed \$1,006,340, with four 12-month extension options in an amount not to exceed \$1,006,340 each, for a total agreement amount not to exceed \$5,031,700. (Funding in the amount of \$251,585.01 is available in the Fiscal Year 2003-2004 Amended Operating Budget of the Electric Utility Department. Funding for the remaining nine months of the original contract period and extension options is contingent upon available funding in future budgets.) Lowest bid meeting specification 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. Authorize execution of contracts with PRIESTER SUPPLY COMPANY INC., Austin, TX, and TECHLINE, INC., Austin, TX, for transmission line hardware in an amount not to exceed \$67,929.90 and \$115,980 respectively. (Funding in the amount of \$183,909.90 is available in the Fiscal Year 2003-2004 Approved Capital Budget of the Electric Utility Department.) Lowest bids meeting specification 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.

- 20. Authorize execution of a 12-month service agreement with CENTRIFUGE REPAIR & ENGINEERING, INC., La Porte, TX, for the repair of water treatment centrifuges for the Austin Water Utility in an amount not to exceed \$100,274, with two 12-month extension options in the amount not to exceed \$100,274 per extension option, for a total agreement amount not to exceed \$300,822. (Funding in the amount of \$33,425 is available in the Fiscal Year 2003-2004 Approved Operating Budget of the Austin Water Utility. Funding for the remaining eight months of the original contract period and extension options is contingent upon available funding in future budgets.) Lowest bid of five 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 LEIF JOHNSON FORD, Austin, TX, for the purchase of repair parts for Ford cars and light trucks in an amount not to exceed \$300,000, with three 12-month extension options in an amount not to exceed \$300,000 per extension option, for a total agreement amount not to exceed \$1,200,000. (Funding in the amount of \$75,000 is available in the Fiscal Year 2003-2004 Approved Operating Budget for the Fleet Maintenance Fund of the Finance and Administrative Services Department. Funding for the remaining nine months of the original contract period and extension options is contingent upon available funding in future budgets.) Only bid received. This contract will be awarded in compliance with Chapter 2-9 of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation.
- 22. Authorize execution of three 12-month supply agreements with FREIGHTLINER OF AUSTIN, Austin, TX, PERFORMANCE INDUSTRIAL POWER, Buda, TX, and LONGHORN INTERNATIONAL TRUCKS LTD, Austin, TX, for the purchase of original equipment manufacturer parts and services for medium and heavy duty diesel engines and transmissions in amounts not to exceed \$185,000. \$100,000 and \$200,000 respectively, with three 12-month extension options in amounts not to exceed \$185,000, \$100,000 and \$200,000 respectively, for total agreement amounts not to exceed \$740,000, \$400,000 and \$800,000 respectively. (Funding in the amount of \$161,667 is available in the Fiscal Year 2003-2004 Approved Operating Budget for the Fleet Maintenance Fund of the Finance and Administrative Services Department. Funding for the remaining eight months of the original contract period and extension options is contingent upon available funding in future budgets.) Lowest bids of four bids received. This contract will be awarded in compliance with Chapter 2-9 of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation.

- 23. Authorize execution of a contract through the Houston-Galveston Area Council of Governments (HGAC) with CONLEY-LOTT NICHOLS MACHINERY CO., San Antonio, TX, for the purchase of a 9-wheel pneumatic rubber-tire roller for the Public Works Department in an amount not to exceed \$49,232.58. (Funding is available in the Fiscal Year 2003-2004 Approved Operating Budget of the Public Works Department. Transportation Fund.) Purchasing Cooperative.
- 24. Authorize execution of a 12-month supply agreement with INDUSTRIAL DISPOSAL SUPPLY, San Antonio, TX, for the purchase of captive repair parts for TYMCO street sweepers in an amount not to exceed \$100,000, with two 12-month extension options in an amount not to exceed \$100,000 per extension option, for a total agreement amount not to exceed \$300,000. (Funding in the amount of \$33,333 is available in the 2003-2004 Approved Operating Budget for the Fleet Maintenance Fund of the Finance and Administrative Services Department. Funding for the remaining eight months of the original contract period and extension options is contingent upon available funding in future budgets.) Lowest bid meeting specification 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.
- 25. Authorize execution of a contract through the Texas Local Government Purchasing Cooperative (BuyBoard) with TYMCO INTERNATIONAL LTD., Waco, TX, for the purchase of a runway sweeper in an amount not to exceed \$140,527.50 (Funding is available in the Fiscal Year 2003-2004 Approved Capital Budget of the Department of Aviation.) Purchasing Cooperative.
- 26. Authorize execution of a contract through the State of Texas, Texas Building and Procurement Commission, with HAWORTH INCORPORATED, Austin, TX, and its 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, and cabinets in an amount not to exceed \$1,286,140.64. (Funding in the amount of \$673,000 is available in the Fiscal Year 2003-2004 Approved Operating Budget of the Watershed Protection and Development Review Department, Drainage Utility Fund. Funding in the amount of \$613,140.64 is available in the Fiscal Year 2003-2004 Approved Operating Budget of the Financial Services Department, One Texas Center Fund.) Purchasing Cooperative. (Related Item 27)

- 27. Authorize execution of a contract through the U.S. COMMUNITIES GOVERNMENT PURCHASING ALLIANCE with HAWORTH INCORPORATED, Austin, TX, and its authorized distributor Furniture Marketing Group, Austin, TX, for the purchase and installation of office chairs and keyboard trays for the relocation of the Human Resources Department to the One Texas Center in an amount not to exceed \$164,054.25. (Funding is available in the Fiscal Year 2003-2004 Approved Operating Budget of the Financial Services Department, One Texas Center Fund.) Purchasing Cooperative. (Related Item 26)
- 28. Authorize execution of a 12-month supply agreement with PHILIPS MEDICAL. SYSTEMS, Seattle, WA, for the purchase of automated external defibrillators and supplies for the Austin Fire Department and the City of Austin/Travis County Emergency Medical Services Department in an amount not to exceed \$90,000, with three 12-month extension options in an amount not to exceed \$90,000 per extension option, for a total agreement amount not to exceed \$360,000. (Funding in the amount of \$12,600 is included in the Fiscal Year 2003-2004 Approved Operating Budget of the Austin Fire Department. Funding in the amount of \$15,000 is included in the Fiscal Year 2003-2004 Approved Operating Budget of the City of Austin/Travis County Emergency Medical Services Department. Funding for the remaining nine months of the original contract period and 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.
- 29. Authorize execution of a 12-month supply agreement with CASCO INDUSTRIES, Shreveport, LA, for replacement fire hoses in an amount not to exceed \$51,770, with two 12-month extension options in an amount not to exceed \$51,770 per extension option, for a total agreement amount not to exceed \$153,310. (Funding in the amount of \$12,943 is available in the Fiscal Year 2003-2004 Approved Operating Budget of the Austin Fire Department. Funding for the remaining nine months of the original contract period and extension options 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.

- 30. Authorize negotiation of a 12-month service agreement with WALGREENS HEALTH INITIATIVES, Chesterfield, MO, for pharmacy management and dispensing services in an amount not to exceed, \$1,200,000, with four 12-month extension options in amounts not to exceed \$1,400,000 for the first extension, \$1,600,000 for the second extension. \$1,800,000 for the third extension, and \$2,000,000 for the fourth extension, for a total agreement amount not to exceed \$8,000,000. (Funding is contingent upon approval of the Fiscal Year 2004-2005 Proposed Operating Budget for the Community Care Services Department. Funding for the extension options is contingent upon available funding in future budgets.) Best proposal of two proposals received. This contract will be awarded in compliance with Chapter 2-9 of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation.
- 31. Authorize execution of a 12-month supply agreement with ACRATOD OF AUSTIN, INC., Austin, TX, for the purchase of pre-printed case file folders for Municipal Court in an amount not to exceed \$77,760, with two 12-month extension options in an amount not to exceed \$77,760 per extension option, for a total agreement amount not to exceed \$233,280. (Funding in the amount of \$25,920 is available in the Fiscal Year 2003-2004 Approved Operating Budget of the Municipal Court Department. Funding for the remaining eight months of the original contract period and extension options is contingent upon available funding in future budgets.) Lowest bid of six received. This contract will be awarded in compliance with Chapter 2-9 of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified, therefore, no goals were established for this solicitation.

Transportation, Planning and Sustainability

- 32. Approve an ordinance on second/third readings for the full purpose annexation of the Double Creek Village area (Approximately 131 acres in Travis County at the intersection of FM 1626 and IH-35). (Funding to provide general governmental services to this tract is available in the budgets of the departments providing the services.)
- 33. Approve an ordinance on first reading only for the annexation of the Robinson Property Area for limited purposes of planning and zoning. (Approximately 6300 acres in Travis County and Williamson County between FM 1325, Parmer Lane and FM 620). (Limited purpose annexation does not have a significant fiscal impact.)

- 34. Approve an ordinance on first reading only for the annexation of the Ribelin Ranch Area for limited purposes of planning and zoning. (Approximately 750 acres in Travis County north of the intersection of McNeil Drive and FM 2222). (Limited purpose annexation does not have a significant fiscal impact.)
- 35. Approve a resolution authorizing negotiation and execution of an Advanced Funding Agreement with the Texas Department of Transportation (TxDOT) for a feasibility Study to determine suitable locations for interconnection of High Occupancy Vehicle (HOV) lanes with the local street network. (Total project cost is \$151,534, which is available in the 2003-2004 Capital Budget of the Transportation, Planning & Sustainability Department.) (Related Item 36)
- 36. Amend Ordinance No. 030908-02 the Fiscal Year 2003-2004 Amended Capital Budget of the Transportation, Planning & Sustainability Department by appropriating \$120,744 in grant funds and creating and appropriating \$120,744 to a new project called "High Occupancy Vehicle (HOV) Interconnection with Local Street Network Feasibility." (Funding in the amount of \$120,744 is available in ISTEA and TEA-21 funds from TxDOT.) (Related Item 35)

Watershed Protection and Development Review

37. Approve an ordinance amending Ordinance No. 020801-15, and authorize execution of the First Amendment to the Development Agreement and the Second Amendment of the Declaration of Restrictive Covenant (Green Building Agreement), between the City of Austin, Circle C Land, L.P. and Escarpment Village, L.P., which purchased Parcel 103 from Circle C Land, L.P., formerly known as Circle C Land Corp (Stratus). The original ordinance adopted a settlement resolving disputes between the City and Stratus regarding the applicability of the Save Our Springs Initiative Ordinance (SOS) and Chapter 245 of the Local Government Code (also known as HB 1704). (Recommended by Environmental Board. Approved by Zoning and Platting Commission.)

ITEMS FROM COUNCIL

- 38. Board and Commission Appointments.
- 39. Approve an ordinance waiving certain fees and the signature requirement under Chapter 14-8 of the Code and authorizing reimbursement of certain fees, and payment of certain costs for the Austin Eastside Story Foundation Pre-Juneteenth Parade to be held on June 18, 2004. (Council Member Danny Thomas and Council Member Betty Dunkerley)

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- 40. Discussion on the recommendations from City staff and the Historic Preservation Task Force Report. (Council Member Betty Dunkerley)
- 41. Approve a resolution establishing a process for selection and establishing standards of independence from conflicts of interest for the City's representatives of the Travis County Hospital District Board. (Mayor Pro Tem Jackie Goodman and Council Member Betty Dunkerley)
- 42. Approve a resolution adopting a charge for the Travis County Hospital District Advisory Committee. (Mayor Pro Tem Jackie Goodman and Council Member Betty Dunkerley)

Item(s) to Set Public Hearing(s)

43. Set a public hearing to consider a request for a variance from the Land Development Code to allow construction of a room addition to the residence at 2713 Cascade in the 100-year floodplain of Shoal Creek. (Suggested date and time: June 17, 2004 at 6:00 p.m., Lower Colorado River Authority, Hancock Building)

12:00 P.M. CITIZEN COMMUNICATIONS: GENERAL

Margaret Reeder - Animal Issues

Julia Dworschack - Animal Issues

Lynn McConnell - Animal Issues

Mary Lehmann - Mueller Airport

Robert Singleton - Mueller Airport

Leon Hernandez - Health Department Food Inspectors. When did the City begin city civic and neighborhood fundraiser for having a food permit. Or when did the City begin requiring that small neighborhood fundraisers obtain a food permit?

Amy Hettenhausen - Thank you to the Council for approving the school zones we requested around Johnston High School.

Joe Quintero - Big Red Sun request for a Beer and Wine License Permit and outdoor Concerts

Ramon Maldonado - What are the Holly Mitigation dollars boundaries by streets.

Susan Spigarell - Animal Issues

EXECUTIVE SESSION (No Public Discussion On These Items)

Private Consultation with Attorney - Section 551.071

- 44. Discuss legal issues related to Chapter 2-9 of the City Code, the Minority-Owned and Women-Owned Business Enterprise Procurement Program.
- 45. Discuss legal issues related to *Northwest Austin Municipal Utility District No. 1*, et al. v. City of Austin, et al., Cause No. GN203378 in the 53rd Judicial District Court of Travis County, Texas. (concerns challenge to City's right to collect ad valorem taxes within the municipal utility district)

- 46. Discuss legal issues related to a proposed amendment to the regulations applicable to Mission Bethany Subdivision established by Ordinance No. 980507-A to allow the transfer of impervious cover within the subdivision and to extend the expiration date of the ordinance. The subdivision is generally located at the intersection of Slaughter Lane and Wolftrap Drive in the area subject to Save Our Springs Initiative.
- 47. Discuss legal issues concerning the contract with Cash Construction, Ltd. for the construction of water and waste water service lines and associated roadway resurfacing for the project known as the Del Valle Service to Annexed Area Water and Wastewater Project Phase 1 Improvements to Service Area 2. (Related Item 50)
- 48. Discuss legal issues related to implementation of the Travis County Hospital District.

Real Property - Section 551.072

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

Action on Executive Session

50. Consider a settlement concerning the contract with Cash Construction, Ltd. for the construction of water and waste water service lines and associated roadway resurfacing for the project known as the Del Valle Service to Annexed Area Water and Wastewater Project Phase 1 Improvements to Service Area 2.(Related Item 47)

2:00 PM BRIEFINGS

- 51. The City Manager's presentation of the policy planning goals for preparing the City's Proposed Fiscal Year 2004-2005 Budget.
- 52. Status report regarding discussions of the Joint Austin City Council/Travis County Commissioner's Court Subcommittee for the Agreement on Subdivision Platting in the City's Extraterritorial Jurisdiction. (Concerns House Bill 1445, Chapter 242 of the Texas Local Government Code)

4:00 P.M. ZONING HEARINGS AND APPROVAL OF ORDINANCES AND RESTRICTIVE COVENANTS

Zoning Ordinances / Restrictive Covenants

53. C14-04-0038 - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 6001 Mountain Shadows Drive (Williamson Creek Watershed-Barton Springs Zone) from rural residence district (RR) zoning to warehouse-limited office-conditional overlay (W/LO-CO) combining district zoning. First reading on May 6, 2004. Vote: 7-0. Conditions met as follows: Conditional Overlay and Restrictive Covenant incorporates the conditions imposed or accepted by City Council at first ordinance reading. Applicant: Stacy Shakelford. Agent: Jim Bennett. City Staff: Annick Beaudet, 974-2975.

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, 45th St, to the north, III-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, 38th St. to the north, Duval St. to the east, and 27th St. to the south. The boundaries of the West University planning area are Lamar Blyd, to the west, 38th 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-7)

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.) (Planning Commission recommended the proposed Code amendment with conditions.) (Related Items Z-1, Z-4, Z-5, Z-7)

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 38th 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 cast, 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 thefollowing: 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-7)

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 38th Street, on the south by 27th 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; Multifamily 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 (II) 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-7)

Z-6

C14-04-0064 - Episcopal Theological Seminary of the Southwest Conduct a public hearing and approve an ordinance amending Chapter 252 of the Austin City Code by rezoning property locally known as 500 and
606 Rathervue Place and 3105 and 3113 Duval Street (Shoal Creek
Watershed) from multi-family residence low density-conditional overlay
(MF-2-CO) combining district zoning to general office-mixed useconditional overlay (GO-MU-CO) combining district zoning. Planning
Commission Recommendation: To grant general office-mixed useconditional overlay (GO-MU-CO) combining district zoning. Applicant:
City of Austin. Agent: Neighborhood Planning and Zoning Department
(Glenn Rhoades). Property Owner: Episcopal Theological Seminary of the
Southwest. City Staff: Glenn Rhoades, 974-2775.

Z-7

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 45th Street, on the south by Dean Keeton Street, on the west by Duyal Street and on the east by III-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 (II) 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-8

 C14-04-0054 Manchaca Heights Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by zoning property locally known as 11003 Manchaca Road (Slaughter Creek Watershed) from interim-rural residence (I-RR) district zoning to single family residence small lot (SF-4A) district zoning. Zoning and Platting Commission Recommendation: To grant single family residence small lot conditional overlay (SF-4A-CO) combining district zoning. Applicant: Samuel Alexander. Agent: Waterloo Development, Inc. (Chris Blackburn). City Staff: Wendy Walsh, 974-7719.
- Z- 9 C814-04-0061 Ribelin Ranch PUD Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by zoning property locally known as R.M. 2222 (Bull Creek and West Bull Creek Watersheds) from interim-rural residence (I-RR) district zoning to planned unit development (PUD) district zoning. Zoning and Platting Commission Recommendation: To be considered by the Commission on June 7, 2004. Applicant: Ribelin Ranch Partners, Ltd. (Frank Ribelin), Charles & Martha Ribelin, Tom & Lucia Francis. Agent: Thrower Design (Ron Thrower). City Staff: Sherri Gager, 974-3057.
- Z 10C14-03-0156 - Escarpment Village - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 5800 - 5948 West Slaughter Lane (Slaughter Creek Watershed - Barton Springs Zone) from neighborhood commercial-mixed use-conditional overlay (LR-MU-CO) combining district zoning to community commercial-conditional overlay (GR-CO) combining district zoning for Tract 1 and neighborhood commercialconditional overlay (LR-CO) combining district zoning for Tract 2. Zoning and Platting Commission Recommendation: To grant community commercial-conditional overlay (GR-CO) combining district zoning for Tract 1 and neighborhood commercial-conditional overlay (LR-CO) combining district zoning for Tract 2, with conditions. Applicant: Escarpment Village, L.P. (John E. Baker), Agent: Drenner Stuart Wolff Metcalfe von Kreisler, L.L.P. (Michele Haussmann). City Staff: Wendy Walsh, 974-7719.

- Z 11C814-04-0066 - Robinson Properties - 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 several parcels of land generally located north and east of West Parmer Lane, west of FM 1325. south and southeast of RM 620, and further described as approximately 6300 acres, more or less, of land out of the of the Thomas P. Davy Survey No. 3, the Jacob M. Harrell Survey, the Malcolm M. Hornsby Survey No. 2. the Malcolm M. Hornsby Survey No. 4, the William Gorham Survey No. 1, the R.P. Trabue Survey, the Michael Pevetoe Survey, the Louis Kincheloe Survey No. 60, the Richard West Survey and unplatted land located in Williamson County, TX; the William J. Baker Survey No. 10, the John McQueen Survey, the Phillip J. Allen Survey, the William W. Hornsby Survey No. 22, the William W. Hornsby Survey No. 77, the Malcolm M. Hornsby Survey No. 76, the Arthur Garner Survey and unplatted land located in Williamson and Travis County, TX; and the Louis Kincheloe Survey No. 21, the Francisco Garcia Survey No. 60, the Peter Conrad Survey No. 112, the Mcmucan Hunt Survey No. 105, the Memucan Hunt Survey No. 107 and unplatted land located in Travis County, TX. (Lake Creek, Rattan Creek and Walnut Creek Watersheds) from interim-rural residence (I-RR) district zoning, limited industrial services-planned development area (LI-PDA) combining district zoning and development reserve (DR) district zoning to planned unit development (PUD) district zoning. Zoning and Platting Commission Recommendation: To be considered by the Commission on June 15, 2004. Applicant: City of Austin. Agent: Neighborhood Planning and Zoning Department. City Staff: Greg Guernsey, 974-2387
- Z-12 C14H-04-0001 Driver-Metcalfe House. Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 1204 Travis Heights Boulevard from family residence (SF-3) district to family residence-historic (SF-3-H) combining district. Historic Landmark Commission Recommendation: To grant family residence-historic (SF-3-II) combining district. Planning Commission Recommendation: To deny family residence-historic (SF-3-H) combining district. Applicant: Historic Landmark Commission. City Staff: Steve Sadowsky, Historic Preservation Office, Transportation, Planning and Sustainability Department, 974-6454.

5:30 P.M. LIVE MUSIC AND PROCLAMATIONS

LIVE MUSIC

Jasmine Reign

PROCLAMATIONS

Distinguished Service Award - Trullus Rollins - to be presented by Mayor Will Wynn and to be accepted by the honoree

Distinguished Service Award - Citizens Review Panel Members - to be presented by Mayor Will Wynn and to be accepted by the honorees

Certificates of Congratulations - Volunteers of the Month for May and June - to be presented by Council Member Brewster McCracken and to be accepted by Pete and Fay Jones and Scott Andrewartha

Distinguished Service Award - Marion Armstrong - to be presented by Council Member Betty Dunkerley and to be accepted by the honoree

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

Watershed Protection and Development Review

54. Conduct a public hearing and approve a resolution authorizing the waiver of the 300 foot minimum distance requirement of Section 4-9-4 of the City Code between Baja Fresh, a business that proposes to sell alcoholic beverages at 2100 Guadalupe Street, and St. Austin's Catholic Parish, a church located at 2026 Guadalupe 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.

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: 5.

CITY COUNCIL AGE	NDA Page 26 of 26	THURSDAY, JUNE 10, 2004	
Council Meetings		Cancelled Meetings	
January 8, 2004 January 15, 2004		January 1, 2004	
January 29, 2004 February 5, 2004 February 12, 2004		January 22, 2004	
February 26, 2004 March 4, 2004 March 11, 2004		February 19, 2004	
March 25, 2004 April 1, 2004		March 18, 2004	
April 15, 2004		April 8, 2004	
April 22, 2004 May 6, 2004		April 29, 2004	
May 13, 2004		May 20, 2004	
May 27, 2004		June 3, 2004	
June 10, 2004 June 17, 2004 June 24, 2004		·	
July 29, 2004		July 1, 2004 July 8, 2004 July 15, 2004 July 22, 2004	
August 5, 2004 August 12, 2004			
August 26, 2004 September 2, 2004		August 19, 2004	
September 13,14,15 (Budget)		September 9, 2004 September 16, 2004	
September 30, 2004 October 7, 2004		September 23, 2004	
October 21, 2004 October 28, 2004		October 14, 2004	
November 4, 2004		November 11, 2004	
November 18, 2004		November 25, 2004	
December 2, 2004		December 9, 2004	
December 16, 2004		December 23, 2004	
December 30, 2004 Posted Date: Friday, June 04, 2004			