

AUSTIN CITY COUNCIL AGENDA

THURSDAY, AUGUST 05, 2004, THE BOARD ROOM AT THE LOWER COLORADO RIVER
AUTHORITY HANCOCK BUILDING, 3700 LAKE AUSTIN BOULEVARD, AUSTIN, TEXAS.



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

THE CITY OF AUSTIN IS COMMITTED TO COMPLIANCE WITH THE
AMERICANS WITH DISABILITIES ACT. REASONABLE MODIFICATIONS AND
EQUAL ACCESS TO COMMUNICATIONS WILL BE PROVIDED UPON REQUEST.
FOR ASSISTANCE PLEASE CALL 974-3256 OR 974-2445 TDD.

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

**NOTICE OF REGULAR MEETING
THURSDAY, AUGUST 05, 2004**

9:55 A.M. Invocation.....	2
10:00 A.M. City Council Convenes	3
READING AND ACTION ON CONSENT AGENDA	3
Meeting Minutes.....	3
Austin Energy	3
Aviation	4
Community Care Services	4
Health and Human Services.....	5
Law	5
Neighborhood Housing and Community Development	5
Police	6
Public Works	6
Purchasing.....	8
ITEMS FROM COUNCIL	11
Item(s) to Set Public Hearing(s)	12
12:00 P.M. CITIZEN COMMUNICATIONS: GENERAL	13
EXECUTIVE SESSION (No Public Discussion On These Items)	13
Action on Executive Session	14
2:00 PM BRIEFINGS	14
3:00 P.M. BOARD OF DIRECTORS MEETING OF AUSTIN HOUSING FINANCE CORPORATION. The Mayor will recess the City Council meeting. A Board meeting of Austin Housing Finance Corporation (AHFC) will be conducted. Following adjournment of the AHFC Board meeting the City Council will re-convene.	14
4:00 P.M. ZONING HEARINGS AND APPROVAL OF ORDINANCES AND RESTRICTIVE COVENANTS.....	15
Zoning Ordinances / Restrictive Covenants	15
Neighborhood Plans - Hearings and Approval	22
Zoning Hearings and Approval of Ordinances / Restrictive Covenants.....	22
5:30 P.M. LIVE MUSIC AND PROCLAMATIONS	22
LIVE MUSIC.....	22
PROCLAMATIONS	23
6:00 P.M. PUBLIC HEARINGS AND POSSIBLE ACTION	23
Neighborhood Housing and Community Development	23
Transportation, Planning and Sustainability	23
6:00 P.M. BUDGET PUBLIC HEARINGS.....	24

9:55 A.M. Invocation

Rev. Phil Milgioratti, director, National Pastors Prayer Network

10:00 A.M. City Council Convenes

THE CITY COUNCIL OF THE CITY OF AUSTIN, TEXAS WILL CONVENE AT 10:00 AM ON THURSDAY, AUGUST 05, 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 July 29, 2004.

Austin Energy

2. Approve an ordinance repealing and replacing Articles 1 through 16 of Chapter 15-9 of the Code relating to Utility Service Regulations (which are the rules to be followed by the City in supplying utility services, and by the customer in using such service) to clarify existing provisions and add new provisions for products and services brought on by changing demands in the Utility industry; readopting offenses; and providing penalties. (Recommended by the Electric Utility Commission.)

3. Approve issuance of a letter of intent for a rebate in the amount of \$93,624 to GAYATRI INC., Austin, TX, for the installation of a solar photovoltaic system at their facility located at 1950 South IH 35, Austin, TX. (Funding is available in the Fiscal Year 2003-2004 Amended Operating Budget of the Austin Energy Conservation Rebates and Incentives Fund.) (Recommended by the Electric Utility Commission and the Resource Management Commission.)
4. Approve negotiation and execution of a contract with Eugene E. Hoes, Jr., Austin, TX, for the purchase, including closing costs and relocation expenses, of the house and lot located at 3308 South Second, in an amount not to exceed \$155,000. The property is to be used for the reconstruction of Austin Energy's Cardinal Lane Substation located at Cardinal Lane and South 5th Streets. (Funding is available in the Fiscal Year 2003-2004 Amended Capital Budget of the Electric Utility Department.) (Recommended by the Electric Utility Commission.)

Aviation

5. Authorize negotiation and execution of a lease with IRON ROCK MOTORSPORTS, INC., Austin, TX, for 20,928 square feet of space in Building 7390 and approximately 8.1 acres of land at Austin-Bergstrom International Airport, for \$80,668 per year less rent credits of \$17,000 per year, for a net rental of \$63,668 per year. (Revenue generating contract.) (Recommended by the Austin Airport Advisory Commission.)

Community Care Services

6. Approve an ordinance authorizing acceptance of \$133,079 in grant funds from the Texas Department of Health, Associateship for Family Health Services; and amending the Fiscal Year 2003-2004 Community Care Services Department Operating Budget, Special Revenue Fund. of Ordinance No. 030909-01, to appropriate \$133,079 and create one and one-half (1.5) full-time equivalent positions. (Funding is available from the Texas Department of Health, Associateship for Family Health Services, Primary Care Program. The grant period is September 1, 2004 through August 31, 2005. No match is required.)

Health and Human Services

7. Approve an ordinance authorizing acceptance of \$49,941 in additional grant funds from the Texas Department of Health, Immunization Division, and amending Ordinance No. 030909-01, the approved Fiscal year 2003-2004 Operating Budget, Health and Human Services Special Revenue Fund, by appropriating \$49,941 in additional grant funds for a total grant amount of \$498,941. (Funding in the amount of \$49,941 is available from the Texas Department of Health, Immunization Division. The grant period is January 1, 2004 through December 31, 2004. No City match is required.)

Law

8. Authorize negotiation and execution of an amendment to the outside counsel contract with SCOTT, DOUGLASS & MCCONNICO, L.L.P., Austin, TX, in *S.R. Ridge Limited Partnership v. City of Austin and Stratus Properties, Inc.*, Cause No. A03CA832 SS in the U.S. District Court for the Western District of Texas, Austin Division, in the amount of \$300,000, with a total contract amount not to exceed \$360,000. (Funding in the amount of \$300,000 is available in the fiscal year 2003-2004 Approved Operating Budget of the Liability Reserve Fund.) (Related Item 39)

Neighborhood Housing and Community Development

9. Approve the transfer of a parcel of land located at 1205 East 11th Street from the Urban Renewal Agency of the City of Austin for the purpose of the City transferring the land to the AUSTIN REVITALIZATION AUTHORITY, Austin, TX, for the development of community parking lots. (Urban Renewal Board authorized transfer of parcels.) (Related Item 10)
10. Approve the negotiation and execution of a forgivable loan to the AUSTIN REVITALIZATION AUTHORITY, Austin, TX, in an amount not to exceed \$75,000 including the agreement to transfer a parcel of land located at 1205 East 11th Street for the development of a community parking lot to support future development along East 11th Streets. (Funding is available in Neighborhood Housing and Community Development Office Fiscal Year 29th Year Community Development Block Grant funds.) (Related Item 9)

Police

11. Authorize application for \$1,500,000 in grant funding from the U.S. Department of Justice, Office of Community Policing Services (COPS), Interoperable Communications Technology grant, to enhance communications interoperability of first responders. Funding is available from the U.S. Department of Justice, COPS, Interoperable Communications Technology, for the grant period October 1, 2004 to September 30, 2005. (Funding is available from the U.S. Department of Justice, COPS, Interoperable Communications Technology. A required cash match of \$500,000 is included in the Capital Budget of the Financial & Administrative Services Department.)
12. Approve a resolution authorizing application and acceptance of \$80,000 in grant funding from the State of Texas, Governor's Office, Criminal Justice Division, Victims of Crime Act (VOCA) for the Austin Police Department project entitled "Outreach to Female Victims of Domestic Violence and Stalking." (Funding is available from the State of Texas, Governor's Office, Criminal Justice Division, Victims of Crime Act for a 10-month grant period September 1, 2004 - June 30, 2005. An in-kind match of \$41,645 is required and will be met by continuing the existing salary funding and additional personnel expenses for grant funded FTEs and is included in the proposed Fiscal Year 2004-2005 Operating Budget for the Austin Police Department (APD), Victim Services Program.)

Public Works

13. Approve a resolution to authorize the fee simple acquisition of Lots 18 and 19, Block A, of Onion Creek Plantations Section One, a subdivision of Travis County, TX, conveyed to Aaron I. and Esperanza Palacios by Warranty Deed recorded in Volume 64, Page 50, of the Deed Records of Travis County, TX, locally known as 7102 and 7104 Foy Circle, from AARON I. and ESPERANZA PALACIOS for the Creek Erosion Mitigation Program, in the amount of \$125,000 for the land and improvements and \$22,500 relocation benefits and moving related expenses. (Funding in the amount of \$147,500 is included in the Fiscal Year 2003-2004 Amended Capital Budget of the Watershed Protection and Development Review Department.)
14. Approve a resolution authorizing the filing of eminent domain proceedings for the Little Walnut/Buttermilk at 290 & 183 project of the Austin Clean Water Program to acquire a 26,736 square foot temporary staging area and material storage site easement and a 53,439 square foot temporary ingress and egress easement out of the John Applegate Survey No. 58, Abstract No. 29 in Travis County, TX, in the amount of \$16,837. The owner of the property interests sought to be condemned is the CARTER FAMILY PARTNERSHIP, Austin, TX. (Funding is included in the Fiscal Year 2003-2004 Capital Budget of the Austin Water Utility.)

15. Approve a resolution authorizing the filing of eminent domain proceedings for the Little Walnut/Buttermilk - North/Capital Drive project as part of the Austin Clean Water Program to acquire a (1) 18,038 square foot permanent wastewater line easement, (2) 63,686 square foot permanent access easement, (3) 71 square foot temporary working space easement, and (4) 2,418 square foot temporary staging area and material storage site easement out of Lot 1, Block A, Windcrest Parkside Subdivision, a subdivision in the City of Austin, for the amount of \$68,013. The owner of the property interests sought to be condemned is AUSTIN WINDCREST PARK PLAZA LIMITED PARTNERSHIP, Austin, TX. The property is located at 1088 Park Plaza, Austin, TX. (Funding is included in the Fiscal Year 2003-2004 Capital Budget of the Austin Water Utility.)
16. Authorize payment to the TEXAS DEPARTMENT OF TRANSPORTATION for the City's 10% participation of the right-of-way acquisition for the U.S. Highway 290 Project, from R.M. 1826 to Brodie Lane, in accordance with the June 27, 1986 Agreement for Right-of-Way Procurement, in the amount of \$141,000. (Funding is available in the Fiscal Year 2000-2001 Amended Capital Budget of the Transportation, Planning and Sustainability Department.)
17. Approve a resolution to authorize negotiation and execution of all documents necessary for the acquisition of a temporary working space easement comprised of 0.025 acres of land, and a temporary staging area and material storage site easement comprised of 0.590 acres of land out of a portion of the George W. Davis Survey No. 15, in Travis County, TX, located at 3420 Executive Center Drive, from AP-KNIGHT LP., a Delaware limited partnership, Austin, TX, in the amount not to exceed \$458,278 for the Austin Clean Water Program's Upper Shoal-Spicewood Branch Project. (Funding is included in the Fiscal Year 2003-2004 Capital Budget of the Austin Water Utility.)
18. Re-authorize execution of a Local Transportation Project Advance Funding Agreement for a Metropolitan Mobility/Rehabilitation (STP 4C) grant through the State of Texas, acting by and through the Texas Department of Transportation (TxDOT) for the construction of a bike lane on Pleasant Valley Road from East Oltorf Street to Lakeshore Boulevard in the amount of \$366,919. (Funding is available in the Fiscal Year 2001-2002 Amended Capital Budget of the Transportation, Planning and Sustainability Department.)
19. Authorize execution of a construction contract with ACTION CONSTRUCTION, San Antonio, TX, for the Connelly-Yerwood Renovation Re-Bid in an amount not to exceed \$376,950. (Funding is available in the Neighborhood Housing and Community Development Department (NHCD) Special Revenue Fund Section 108 loan proceeds.) Lowest bid of two received. 14.24% MBE and 5.63% WBE subcontractor participation.

Purchasing

20. Authorize negotiation and execution of a 30-month service agreement with RJW OPERATIONS, INC., dba GROUP SOLUTIONS RJW, (WBE/FB-88.1%), Austin, TX, for public information and community services for the Austin Water Utility in an amount not to exceed \$93,421.25. (Funding is included in the Fiscal Year 2003-2004 Approved Capital Budget of the Austin Water Utility.) Best proposal of eight proposals received. 11.9% MBE and 0% WBE subconsultant participation.
21. Authorize negotiation and execution of a 12-month service agreement with OPENLINK OPERATING LLP, Houston, TX, for a risk management system including software, implementation services and maintenance in an amount not to exceed \$1,500,000, with three 12-month extension options for maintenance services in an amount not to exceed \$145,000 per extension option, for a total agreement amount not to exceed \$1,935,000. (Funding in the amount of \$1,500,000 is available in the Fiscal Year 2003-2004 Amended Capital Budget of Austin Energy. Funding for the extension options is contingent upon available funding in future budgets.) Best evaluated proposal of thirteen 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.
22. Ratify Amendment No. 1 to the contract with ABB, Inc, Sugar Land, TX, for costs incurred for enhancements to the SCADA-EMS system in an amount not to exceed \$1,001,000 for a revised total contract amount not to exceed \$9,082,418. (Funding in the amount of \$1,001,000 is available in the 2003-2004 Amended Capital Budget for the Electric Utility Department. There is no unanticipated fiscal impact.) Critical Business Need. 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.

23. Authorize execution of a 12-month service agreement with WINDOW GANG, Austin, TX, for window cleaning services in an amount not to exceed \$69,438, with two 12-month extension options in an amount not to exceed \$69,438 per extension option, for a total agreement amount not to exceed \$208,314. (Funding in the amount of \$11,573 is available in Fiscal Year 2003-2004 Approved Operating Budget of the Aviation Department. Funding for the remaining 10-months of the original contract period and extension options is contingent upon available funding in future budgets.) Lowest bid 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.
24. Authorize execution of a contract through the State of Texas, Texas Building and Procurement Commission, with HAWORTH INCORPORATED, Austin, TX, and the authorized distributor FURNITURE MARKETING GROUP, Austin, TX for the purchase and installation of modular office systems for built-in cubicle arrangements including wall panels and modular office furniture for the Solid Waste Services Department in an amount not to exceed \$62,632.12. (Funding is available in the Fiscal Year 2003-2004 Approved Operating Budget of the Solid Waste Services Department.) Purchasing Cooperative.
25. Authorize execution of a 12-month supply agreement with INGRAM LIBRARY SERVICES, INC., La Vergne, TN. for books on audio cassette and compact disc in an amount not to exceed \$170,593, with two 12-month extension options in an amount not to exceed \$170,593 per extension, for a total agreement amount not to exceed \$511,779. (Funding in the amount of \$14,216 is available in the Fiscal Year 2003-2004 Approved Operating Budget of the Library Department. Funding for the remaining 11-months of the original contract period and extension options is contingent upon available funding in future budgets.) Lowest responsive 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.

26. Authorize execution of a 12-month supply agreement with INGRAM LIBRARY SERVICES, INC., La Vergne, TN, for the purchase of VHS and DVD videos in an amount not to exceed \$213,814.39, with two 12-month extension options in an amount not to exceed \$213,814.39 per extension option, for a total agreement amount not to exceed \$641,443.17. (Funding in the amount of \$17,818 is available in the Fiscal Year 2003-2004 Approved Operating Budget of the Library Department. Funding for the remaining 11-months of the original contract period and the extension options is contingent upon available funding in future budgets.) Lowest responsive bid of eight received. This contract will be awarded in compliance with Chapter 2-9 of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation.
27. Authorize execution of a 12-month professional services agreement with CENTRAL TEXAS MEDICAL FOUNDATION, INC. dba AUSTIN MEDICAL EDUCATION PROGRAMS, Austin, TX, for out-patient obstetrical and gynecological services in an amount not to exceed \$325,000, with four 12-month extension options in amounts not to exceed \$341,250 for the first extension option, \$358,313 for the second extension option, \$376,228 for the third extension option, and \$395,040 for the fourth extension option, for a total agreement amount not to exceed \$1,795,831. (Funding in the amount of \$325,000 is included in the Fiscal Year 2004-2005 Proposed Operating Budget of the Community Care Services Department. Funding for the extension options is contingent upon available funding in future budgets.) Public Health and Safety. 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 goals were established due to Public Health and Safety exemption.

28. Authorize negotiation and execution of a 12-month service agreement with LABORATORY CORPORATION OF AMERICA, San Antonio, TX, for reference laboratory services for patients and employees served by the Community Care Services, Health and Human Services, Austin Fire, Austin Police, and Austin/Travis County Emergency Medical Services Departments in an amount not to exceed \$733,545, with four 12-month extension options in an amount not to exceed \$733,545 per extension option, for a total agreement amount not to exceed \$3,667,725. (Funding is included in the Fiscal Year 2004-2005 Proposed Operating Budget of the following Departments: \$474,409 - Community Care Services; \$56,250 - Health and Human Services; \$9,000 - Austin Police; \$7,500 - Austin Fire; and \$3,000 - Austin/Travis County Emergency Medical Services. Funding for the remaining three-months of the original contract period and extension options is contingent upon available funding in future budgets.) One proposal 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.
29. Authorize execution of a 12-month service agreement with EMANCIPET, INC., Austin, TX, to spay and neuter pets for low-income residents of Austin in an amount not to exceed \$50,000, with two 12-month extension options in an amount not to exceed \$50,000 per extension option, for a total agreement amount not to exceed \$150,000. (Funding in the amount of \$50,000 is included in the Fiscal Year 2004-2005 Proposed Operating Budget of the Health and Human Services Department. Funding for the extension options is contingent upon available funding in future budgets.) Public Health and Safety. 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 goals were established due to Public Health and Safety exemption.

ITEMS FROM COUNCIL

30. Board and Commission Appointments.
31. Approve an ordinance designating August 8, 2004 as a free swim day at Barton Springs Pool in commemoration of the 12th Anniversary of the passage of the Save Our Springs Ordinance. (Council Member Daryl Slusher, Mayor Pro Tem Jackie Goodman and Council Member Danny Thomas)

32. Direct the City Manager to (1) transfer remaining funds under the contract with the Kenneth Threadgill Music Project for the management of the Austin Music Network (AMN) to Austin Community Access Center, Inc. (ACAC), to assist in transitioning existing AMN programming hours from Channel 15 to access channels managed and operated by ACAC, and (2) to continue providing local music programming to be aired on Channel 15 until and unless a contract is negotiated and executed regarding its management and operation. (Mayor Pro Tem Jackie Goodman, Council Member Raul Alvarez and Council Member Betty Dunkerley)
33. Approve an ordinance waiving the residency requirement of City Code Section 2-1-1 for Mr. Calvin Williams, a member of the Construction Advisory Committee. (Council Member Danny Thomas and Council Member Raul Alvarez)
34. Amend Ordinance No. 040624-52 to extend the interim development regulations applicable to a two-family residential use and a secondary apartment special use to October 30, 2004. (Council Member Betty Dunkerley)

Item(s) to Set Public Hearing(s)

35. Set a public hearing regarding a petition for consent to the creation of the Greenshores MUD, approximately 252 acres between Emma Long Park and Lake Austin, located approximately 2.5 miles south of the intersection of City Park Road and FM 2222. (Suggested date and time: August 12, 2004 at 6:00 p.m., Lower Colorado River Authority, Hancock Building.) (To be reviewed by the Water and Wastewater Commission on August 4, 2004, and the Planning Commission on August 10, 2004.)
36. Set a public hearing for the full purpose annexation of Anderson Mill Road Right-of-Way (ROW) (Approximately 7.93 acres located along the northern edge of the Motorola campus on the east side of Parmer Lane.) (Suggested dates and times: August 26, 2004 at 6:00 p.m., Lower Colorado River Authority, Hancock Building; and September 2, 2004 at 6:00 p.m., Lower Colorado River Authority, Hancock Building).

12:00 P.M. CITIZEN COMMUNICATIONS: GENERAL

Marnie Reeder - Animal Issues

Joanne Mullen - Animal Issues

Michelle Bynum - Animal Issues

Walter Carrington - Beautification of Austin

Missy McCullough - Animal Issues

Linda MacNeilage - Issues relating to Code Enforcement & Interpretation:
Shelley Park Flats

Richard Troxell - Homelessness

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

37. Discuss legal issues related to implementation of the Travis County Hospital District.
38. Discuss legal issues in *Michael King, et al. v. City of Austin*, Cause No. 03-04-00149CV in the Third Court of Appeals in Austin, Texas. (concerns police officers' claims for additional pay based on earlier start date for longevity purposes) (Related Item 42)
39. Discuss legal issues in *S.R. Ridge Limited Partnership v. City of Austin and Stratus Properties, Inc.*; Cause No. A-03-CA-832SS; U.S. District Court, Western District, Austin Division, and the legal services agreement with Scott Douglass & McConnico, L.L.P. (concerns alleged breach of a 1996 settlement agreement affecting development rights on property at Slaughter and MoPac, where a Wal-Mart had been proposed.) (Related Item 8)

Real Property - Section 551.072

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

41. Discuss disposition of the old Austin Recreation Center located at 12th Street and Shoal Creek.

Action on Executive Session

42. Approve a settlement in Michael King, et al. v. City of Austin, Cause No. 03-04-00149CV in the Third Court of Appeals at Austin, Texas and approve a resolution declaring the City of Austin's official intent to reimburse itself for costs related to the settlement of that case from the proceeds of future sale of tax-exempt obligations. (concerns police officers' claims for additional pay based on earlier start date for longevity purposes)(Related Item 38)

2:00 PM BRIEFINGS

43. Presentation by the Austin Police Department on traffic enforcement and management strategies and recent crime statistics.
44. Presentation of the Fiscal Year 2004-2005 proposed budgets for the Public Safety Departments, including the Austin Police Department, the Austin Fire Department, the Emergency Medical Services Department, and the Municipal Court.

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

- AHFC- 1 Approve the minutes of the June 24, 2004 Board meeting of the Austin Housing Finance Corporation.

- AHFC- 2 Approve the negotiation and execution of a thirteen month price agreement with two twelve month extensions with GATZMEYER CONSTRUCTION, Austin, TX; J-MAC BUILDERS, Austin, TX; ON CALL MANAGEMENT, Austin, TX; and SUNSTRIP, INC., Austin, TX for architectural barrier removal services for homes of persons with disabilities and elderly persons under the Architectural Barrier Removal Program in a total amount for the four contractors not to exceed \$698,202 for the thirteen month price agreement and \$644,495 for each of the twelve month extensions. (Funding is available in Community Development Block Grant (CDBG) grant funds year 28 and 29 allocated in the Fiscal Year 2003-2004 budget of the Austin Housing Finance Corporation, and anticipated in CDBG grant fund year 29, 30, 31 and 32 to be allocated in Fiscal Years 2004-2005, 2005-2006, and 2006-2007 budgets of the Austin Housing Finance Corporation, subject to environmental review and fund release.)
- AHFC- 3 Approve an amendment to the Community Housing Development Organization Program forgivable loan agreement with AUSTIN HABITAT FOR HUMANITY, Austin, TX, by increasing the loan amount by \$100,000 for a total amount not to exceed \$285,000 for the acquisition, development, and construction of eleven affordable single-family homes for low- and moderate-income first-time homebuyers in the Montopolis Neighborhood. (Funding is available in HOME grant funds allocated in the Fiscal Year 2003-2004 Austin Housing Finance Corporation budget.)

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

Zoning Ordinances / Restrictive Covenants

45. C14T-03-0001 - Pioneer Hill Traditional Neighborhood District - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by zoning property locally known as East Dessau Road, located across 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. First reading on May 6, 2004. Vote: 7-0. Conditions met as follows: No conditions were imposed. Applicant: Estate of Fred C. Morse, Sr., Deceased (Scott N. Morse, Frederic C. Morse, III), JP Morgan Chase Bank, N.A. (Scott DeNeen), Continental Homes of Texas, L.P., dba Milburn Homes, L.P./ D.R. Horton Homes, L.P. (Dale Thorton). Agent: Milburn Homes, L.P./ D.R. Horton Homes, L.P. (Dale Thorton). City Staff: Sherri Gager, 974-3057.

46. Approve third of reading an ordinance amending the Austin Tomorrow Comprehensive Plan by adopting the Central Austin Combined Neighborhood Plan for the area bounded by Lamar Blvd. and Duval St. to the west, 38th St. and 45th St. to the north, IH-35 to the east, and M.L.K Jr. Blvd. to the south, excluding the University of Texas at Austin campus. The Central Austin Combined Neighborhood Planning Area includes the Hancock, North University, and West University Neighborhood Planning Areas. (There is no fiscal impact associated with adopting the Central Austin Combined Neighborhood Plan. An estimate of the fiscal impact to implement all of the recommendations in the plan is \$14,566,100. This plan is advisory and does not legally obligate the Council to implement any particular recommendation.) (The Planning Commission recommended approval of the Central Austin Combined Neighborhood Plan on May 25, 2004.) (Related Items 47, 49, 50, 51)
47. Approve third reading of an ordinance amending Chapter 25-2 of the City Code to create the University Neighborhood Overlay (UNO) District generally located between Lamar Blvd. on the west and Guadalupe St. on the east and between 29th St. on the north and M.L.K Jr. Blvd. on the south. (There is no fiscal impact associated with this code amendment.) (Recommended by the Planning Commission.) (Related Items 46, 49, 50, 51)
48. C14-03-0049 - House of Tutors - Approve second/third readings of 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) district zoning to general commercial services-mixed use-conditional overlay (CS-MU-CO) combining district zoning and multifamily residence highest density-conditional overlay (MF-6-CO) combining district zoning. First reading on June 20, 2004. Vote: 4-3, Mayor Wynn, Mayor Pro Tem Goodman and Alvarez - nay. Conditions met as follows: Conditional Overlay incorporates the conditions imposed by Council on first ordinance reading with conditions. Applicant: House of Tutors Inc. (Hussain Malik). Agent: Holland Architecture (Jimmy Holland). City Staff: Glenn Rhoades, 974-2775. Note: A valid petition has been filed in opposition to this rezoning request.

49. C14-04-0021 - Central Austin Combined Neighborhood Plan (West University Neighborhood) rezoning - Approve second/third readings of 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, generally 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," "Impervious Cover and Parking Placement Restrictions" and "Front or Side Yard Parking Restrictions" apply as set forth in Section 25-2-1406 of the City Code 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, 13A, 13B, 16, 20, 20A, 22-27, 31-32, 58, 58A, 58B, 64-74, 74A, 75, 77-96, 112-113, 115-122, 128-129, 141-143, 143C, 144-146, 148, 156-158, 166-167, 170, 172, 174, 176-180, 179A, 183, 192-197, 209-210, 213, 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; Neighborhood Conservation (NC) combining district; or special use for a Neighborhood Plan (NP) combining district may also be added to these zoning base districts. Firstreading on June 10, 2004. Vote: 7-0. 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 this rezoning request. (Related Items 46, 47, 50, 51)

50. C14-04-0022 - Central Austin Combined Neighborhood Planning Area (North University Neighborhood) rezoning - Approve second/third readings of 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 generally 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. 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 Neighborhood Conservation (NC) combining district 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 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; Neighborhood Conservation (NC) combining district; or special uses for a Neighborhood Plan (NP) combining district may also be added to these zoning base districts. First reading on June 10, 2004. Vote: 7-0. 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 this rezoning request. (Related Items 46, 47, 49, 51)

51. C14-04-0023 - Central Austin Combined Neighborhood Plan (Hancock Neighborhood) rezoning - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by zoning and rezoning property locally known as the Hancock Neighborhood, generally bounded on the north by 45th 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," "Impervious Cover and Parking Placement Restrictions" and "Front or Side Yard Parking Restrictions" apply as set forth in Section 25-2-1406 of the City Code 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, 515, 516, 517, 518, 519, 520, 522, 523, 524, 525, 526, 527, 536, 536A, 536B, 541, 541A, 543, 543A, 546-548, 557, 559, 561, 562A and 563. 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 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; Neighborhood Conservation (NC) combining district; or special uses for a Neighborhood Plan (NP) combining district may also be added to these zoning base districts. First reading on June 10, 2004. Vote: 7-0. Applicant: City of Austin. Agent: Neighborhood Planning and Zoning Department. City Staff: Tom Bolt, 974-2755, Glenn Rhoades, 974-2775. Note: A valid petition has been filed in opposition to this zoning request. (Related Items 46, 47, 49, 50)

Neighborhood Plans - Hearings and Approval

- Z- 1 Conduct a public hearing and approve an ordinance amending Ordinance No. 020523-30, which adopted the North Loop Neighborhood Plan as an element of the Austin Tomorrow Comprehensive Plan, to change the Future Land Use Map from single-family residential to commercial-mixed use for property located at 0 (south 75 feet of lots 9, 10, & 11 and the north 75 feet of lots 12, 13 & 14, Block 1, Smith and Abrahamson Subdivision, Travis County, Texas), 100, 102 and 104 E. 51st Street. (Planning Commission made no recommendation.) (Related Item Z-2)

Zoning Hearings and Approval of Ordinances / Restrictive Covenants

- Z- 2 C14-04-0015 - 51st Street Mixed Use - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin Code by rezoning property locally known as 0 (south 75 feet of lots 9, 10 & 11 and the north 75 feet of lots 12, 13 & 14, Block 1, Smith and Abrahamson Subdivision, Travis County, Texas), 100, 102 and 104 East 51st Street (Waller Creek Watershed) from family residence-neighborhood plan (SF-3-NP) combining district zoning to neighborhood commercial-mixed use-conditional overlay-neighborhood plan (LR-MU-CO-NP) combining district zoning. Planning Commission Recommendation: To forward to Council without a recommendation. Applicant: Northfield Design Associates (Don Smith). Agent: Northfield Design Associates (Don Smith). City Staff: Glenn Rhoades, 974-2775. Note: A valid petition has been filed by property owners within 200 feet of the site. (Related Item Z-1)

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

Nicole Janson

PROCLAMATIONS

Proclamation - Community Health Center Week - to be presented by Council Member Betty Dunkerley and to be accepted by Trish Young

6:00 P.M. PUBLIC HEARINGS AND POSSIBLE ACTION**Neighborhood Housing and Community Development**

52. Conduct a public hearing and approve an ordinance to modify the Brackenridge Urban Renewal Plan, the Blackshear Urban Renewal Plan, and the Glen Oaks Urban Renewal Plan to terminate the urban renewal plans and the project controls and restrictions on December 31, 2004. (Recommended by the Urban Renewal Board. Approved by the Planning Commission.)

Transportation, Planning and Sustainability

53. Conduct a public hearing and approve an ordinance amending 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 the Urban Transportation Commission, the Environmental Board and the Planning Commission.)

54. Conduct public hearings for the full purpose annexation of the following Avery Ranch areas: Tract One: Avery Brookside, Phase Two (Approximately 19.417 acres in Williamson County north of the intersection of Prestancia Drive and Royal New Kent Drive). Tract Two: Avery Brookside, Phase Two (Approximately 18.423 acres in Williamson County north of Avery Ranch Blvd between Roy Butler Drive and Loxley Lane). Tract Three: Avery East Phase Two, Section Two (Approximately 25.953 acres in Williamson County north of the intersection of Avery Ranch Blvd and Indina Hills Dr). Tract Four: Avery South Section Two, Phase One (Approximately 27.257 acres in Williamson County south of the intersection of Castle Pines Drive and Royal Dublin Drive). Tract Five: Avery Ranch Blvd (Approximately 12.271 acres of Avery Ranch Blvd in Williamson County west of the intersection of Avery Ranch Blvd and Staked Plains Drive).
55. Conduct a public hearing for the full purpose annexation of the Interport Area, approximately 1.013 acres in Travis County north of State Highway 71 east of the intersection of State Highway 71 and Fallwell Lane.
56. Conduct a public hearing for the full purpose annexation of the 290 SMART Housing Area, approximately 23 acres in Travis County south of U.S. Highway 290 East, east of the abandoned MKT Railroad and north of Old Manor Road.

6:00 P.M. BUDGET PUBLIC HEARINGS

57. Conduct a public hearing to receive public comment on the City of Austin Fiscal Year 2004-2005 proposed budget including the Austin Police Department, the Austin Fire Department, the Emergency Medical Services Department, and the Municipal Court.

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