

AUSTIN CITY COUNCIL AGENDA

THURSDAY, AUGUST 12, 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 12, 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
Austin Water Utility	4
Economic Growth and Redevelopment Services	4
Financial and Administrative Services - Telecommunications and Regulatory Affairs	4
Financial and Administrative Services - Treasury.....	4
Health and Human Services.....	5
Law	5
Management Services - Office of Emergency Management.....	5
Parks and Recreation	5
Public Works	6
Purchasing.....	7
Transportation, Planning and Sustainability.....	11
ITEMS FROM COUNCIL.....	11
12:00 P.M. CITIZEN COMMUNICATIONS: GENERAL	12
EXECUTIVE SESSION (No Public Discussion On These Items)	12
Action on Executive Session	13
2:00 P.M. Bond Sales	13
2:00 PM BRIEFINGS.....	13
4:00 P.M. ZONING HEARINGS AND APPROVAL OF ORDINANCES AND RESTRICTIVE COVENANTS.....	14
Zoning Ordinances / Restrictive Covenants	14
Neighborhood Plans - Hearings and Approval.....	20
Zoning Hearings and Approval of Ordinances / Restrictive Covenants.....	21
5:30 P.M. LIVE MUSIC AND PROCLAMATIONS	22
LIVE MUSIC.....	22
PROCLAMATIONS	22
6:00 P.M. PUBLIC HEARINGS AND POSSIBLE ACTION.....	22
Financial and Administrative Services - Budget	22

9:55 A.M. Invocation

Rev. Bobbi Kaye Jones, Sr. Pastor, St. John's United Methodist 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, AUGUST 12, 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 August 5, 2004.

Austin Energy

2. Approve negotiation and execution of a contract with Naomi Fike, Austin, TX, for the purchase, including closing costs and relocation expenses, of the house and lot described as the South 71.27 feet of the East 145 feet of Lot 1, Block 6, Freewater Addition, locally known as 3303 South Second, in an amount not to exceed \$145,000. 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.)

Austin Water Utility

3. Approve a resolution to change the name of the Southeast Service Center, located at 3907 S. Industrial Dr., to the Glen Bell Service Center. (Funding in the amount of \$10,000 for estimated signage changes is available in the Fiscal Year 2003-2004 Operating Budget of the Austin Water Utility.) (Recommended by the Water and Wastewater Commission.)

Economic Growth and Redevelopment Services

4. Approve negotiation and execution of an Advanced Funding Agreement with Texas Department of Transportation (TxDOT) for roadway improvements to Airport Boulevard (Loop 111), Wilshire Boulevard and Aldrich Street at the Robert Mueller Municipal Airport (Mueller) site in the amount of \$265,379.59. (Funding is available from an escrow account collected from the developer to pay for this work.) (Related Item 5)
5. Approve negotiation and execution of an Agreement with Catellus Austin LLC, a Delaware limited liability company, to fund construction of roadway improvements to Airport Boulevard (Loop 111), Wilshire Boulevard and Aldrich Street, in the amount of \$265,379.59. (Funding will be collected from the developer and held in escrow to pay for this work.) (Related Item 4)

Financial and Administrative Services - Telecommunications and Regulatory Affairs

6. Approve an ordinance authorizing a non-exclusive license agreement with Century Tel Fiber Company II, LLC. for placement of underground fiber-optic cable in public rights-of-way. (\$8,915 in unanticipated revenue for the Fiscal Year 2003-2004 General Fund.) (Approved by Council Committee for Telecommunications Infrastructure.)

Financial and Administrative Services - Treasury

7. Approve a resolution under Section 221.030 of the Texas Health Facilities Development Act granting the City's consent to HFDC of Central Texas, Inc., to finance the Lutheran Social Services of the South, Inc.'s acquisition of property located at 8305 Cross Park to be used as an administrative office building.

Health and Human Services

8. Authorize acceptance of grant funds in the amount of \$45,299 from the Texas Department of Health Centers for Disease Control and Prevention project, Public Health Preparedness and Response for Bioterrorism grant program; and amend the Fiscal Year 2003-2004 Health and Human Services Operating Budget of Ordinance No. 030909-01, to appropriate \$45,299 to be placed in the Department's Special Revenue Fund. These additional grant funds bring the total grant amount to \$1,371,299. (Funding in the amount of \$45,299 is available from the Texas Department of Health, for the Public Health Preparedness and Response for Bioterrorism Grant Program. The grant period is September 1, 2003 through August 31, 2004. No City match is required.)

Law

9. Authorize negotiation and execution of an amendment to the outside counsel contract with CORNELL, SMITH & MIERL L.L.P, Austin, TX, in *Hector Fabela v City of Austin*, Cause No. 97-01805; in the 345th Judicial District Court of Travis County, Texas, in the amount of \$28,713.58, with a total contract amount not to exceed \$191,713.58. (Funding in the amount of \$28,713.58 is available in the Fiscal Year 2003-2004 Approved Operating Budget of the Liability Reserve Fund.) (Related Item 38)

Management Services - Office of Emergency Management

10. Approve an interlocal agreement with Travis County, TX for reimbursement to the City for certain personnel, services, and supplies costs incurred by the City, for operation of the Office of Emergency Management, which are shared with the Travis County Office of Emergency Management. The agreement will automatically renew annually unless terminated by either party. (Travis County included sufficient funds for its portion of this agreement in its 2004 adopted budget and its 2005 proposed budget.)

Parks and Recreation

11. Approve execution of a contract with RIATA ENTERPRISES, Austin, TX, for construction of McBeth Recreation Center Accessible Bus Route in an amount not to exceed \$95,305.10. (Funding is included in the Fiscal Year 2003-2004 Approved Capital Budget of the Parks and Recreation Department.) Lowest bid of five received. 7.87 % MBE and 29.38 % WBE subcontractor participation.

Public Works

12. Approve a resolution to authorize the acquisition of a (1) wastewater easement comprised of 0.037 acre of land, (2) temporary working space easement comprised of 0.350 acre of land, (3) temporary ingress and egress easement comprised of 0.309 acre of land, and (4) temporary staging area and material storage site easement comprised of 0.459 acre of land out of a portion of the John Applegait Survey No. 58, in Travis County, TX, located at 0 Longspur Blvd. E, from TEXRUN ENTERPRISES, INC. Austin, TX, in the amount not to exceed \$431,262 for the Austin Clean Water Program's Little Walnut/Buttermilk-North/Capitol Dr. Easement Project. (Funding is included in the Fiscal Year 2003-2004 Capital Budget of the Austin Water Utility.)
13. Authorize execution of an Interlocal Agreement with the TEXAS DEPARTMENT OF TRANSPORTATION (TxDOT) for the replacement of an existing bridge on East Martin Luther King Boulevard at Waller Creek with current funding for preliminary engineering, in an amount not to exceed \$7,182. (Project participation cost is 90% TxDOT, 10% City of Austin. \$7,182 is included in the Fiscal Year 2003-2004 Amended Capital Budget of the Public Works Department.)
14. Authorize execution of a construction contract with KEYSTONE CONSTRUCTION, INC., Austin, TX, for the rebid of the Spicewood Springs/Texas Plume Odor Control Improvements project in an amount not to exceed \$372,650. (Funding is available in the Fiscal Year 2003-2004 Capital Budget of the Austin Water Utility.) Lowest bid of three received. 10.89% MBE and 7.72% WBE subcontractor participation. (Recommended by the Water and Wastewater Commission.)
15. Authorize execution of a construction contract with LAUGHLIN-THYSSEN, LTD., Houston, TX, for the Del Valle Service to Annexed Areas Water and Wastewater Improvements Area 3 project in the amount of \$4,695,947.20 plus a \$469,595 contingency, for a total contract amount not to exceed \$5,165,542.20. (Funding in the amount of \$5,165,542.20 is included in the Fiscal Year 2003-2004 Capital Budget of the Austin Water Utility.) Lowest bid of three received. 16.93% MBE and 7.24% WBE subcontractor participation. (Recommended by the Water and Wastewater Commission.)
16. Authorize execution of a construction contract with KEYSTONE CONSTRUCTION, INC., Austin, TX, for the Austin Clean Water Program - Upper Shoal Creek/Upper Hancock Branch at Hardy Drive wastewater improvements project in an amount not to exceed \$225,794. (Funding is included in the Fiscal Year 2003-2004 Capital Budget of the Austin Water Utility.) Lowest bid of three received. 23.60% MBE and 6.85% WBE subcontractor participation. (Recommended by the Water and Wastewater Commission.)

Purchasing

17. 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.
18. Authorize execution of a 12-month service agreement with SIEMENS BUILDING TECHNOLOGIES, INC., Austin, TX, for technical support services for the Combined Transportation Emergency Communications Center facility in an amount not to exceed \$50,148, with three 12-month extension options in an amount not to exceed \$52,656 for the first extension option, \$55,296 for the second extension option and \$58,058 for the third extension option, for a total agreement amount not to exceed \$216,158. (Funding in the amount of \$50,148 is included in the Fiscal Year 2004-2005 Proposed Operating Budget for the Electric Utility Department. Funding for the extension options is contingent upon available funding in future budgets.) Sole Source. This contract will be awarded in compliance with Chapter 2-9 of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation.
19. Authorize negotiation and execution of a 12-month service agreement with TWENTY-FIRST CENTURY COMMUNICATIONS, INC, Columbus, OH, for the continuation of storm and power outage-related high volume call answering services and software upgrades for Austin Energy in an amount not to exceed \$150,000, with three 12-month extension options in an amount not to exceed \$150,000 per extension option, for a total agreement amount not to exceed \$600,000. (Funding in the amount of \$25,000 is available in the Fiscal Year 2003-2004 Amended Operating Budget of the Electric Utility Department. Funding for the remaining 10 months of the original contract term and the extension options is contingent upon available funding in future budgets.) Sole Source. This contract will be awarded in compliance with Chapter 2-9 of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation.

20. Authorize execution of a contract with HILL COUNTRY FENCE, INC., Austin, TX, for the purchase and installation of fencing for the Austin Water Utility in an amount not to exceed \$245,072.45. (Funding is available in Fiscal Year 2003-2004 Approved BCP Participation Certificate Fund Budget of the Austin Water Utility.) Lowest bid of eight bids received. This contract will be awarded in compliance with Chapter 2-9 of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation.
21. Authorize execution of a contract D. SHAFFER CONCRETE, CO., INC., Pflugerville, TX, (WBE/FR-100%) for the clearing of vegetation at the Water Quality Protection Lands for the Austin Water Utility in an amount not to exceed \$55,500. (Funding is available in Fiscal Year 2003-2004 Approved Operating Budget of the Austin Water Utility.) 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.
22. Authorize execution of a contract with PROCESS SOLUTIONS, INC., Campbell, CA, for a VAPEX Hydroxyl Ion Fog Odor Control System in an amount not to exceed \$66,480. (Funding is included in Fiscal Year 2003-2004 Capital Budget of the Austin Water Utility.) 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.
23. Authorize execution of a 12-month service agreement with AFTERWORDS, Austin, TX, for transcription services of tapes and other media for the Austin Police Department in an amount not to exceed \$86,930, with two 12-month extension options in an amount not to exceed \$86,930 per extension option, for a total agreement amount not to exceed \$260,790. (Funding in the amount of \$14,488 is available in the Fiscal Year 2003-2004 Approved Operating Budget of the Austin Police Department. Funding for the remaining 10 months of the original contract period and extension options is contingent upon available funding in future budgets.) One 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.

24. Authorize execution of a contract with FREIGHTLINER OF AUSTIN, Austin, TX, for the purchase of a mobile laboratory vehicle for the Austin Fire Department in an amount not to exceed \$128,900. (Funding is available in the Fiscal Year 2003-2004 Special Revenue Fund of the Office of Emergency and Management. Funding was provided through the Domestic Preparedness Equipment Grant from the Office for Domestic Preparedness, U.S. Department of Homeland Security.) 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.
25. Authorize execution of a 12-month supply agreement with ALLIED TUBE & CONDUIT, Harvey, IL, for square steel posts, anchors and fasteners in an amount not to exceed \$126,752, with two 12-month extension options in an amount not to exceed \$126,752 per extension option, for a total agreement amount not to exceed \$380,256. (Funding in the amount of \$21,125 is available in the Fiscal Year 2003-2004 Approved Operating Budget of the Transportation, Planning and Sustainability Department. Funding for the remaining ten months of the original contract period and extension options is contingent upon available funding in future budgets.) Lowest bid meeting specifications of four bids received. This contract will be awarded in compliance with Chapter 2-9 of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation.
26. Authorize execution of Amendment No. 2 to the contract with MARCONI COMMUNICATIONS, INC., (formerly Fore Systems, Inc., dba Marconi Services), Warrendale, PA, for a 36-month contract to continue maintenance services of the City's asynchronous transfer mode communications network in an amount not to exceed \$168,000, for a revised total contract amount not to exceed \$425,600. (Funding in the amount of \$14,000 is available in the Fiscal Year 2003-2004 Approved Operating Budget of the Transportation, Planning & Sustainability Department. Funding for the remaining 35-months of the original contract period is contingent upon funding in future budgets.) This contract was awarded in compliance with Chapter 2-9 of the City Code (Minority owned and Women owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore no goals were established for this solicitation.

27. Authorize execution of a contract through the Texas Local Government Purchasing Cooperative (BuyBoard) with RDO EQUIPMENT CO., Pflugerville, TX, for a tractor/loader/backhoe for Public Works Department in an amount not to exceed \$86,278.70. (Funding is available in the Fiscal Year 2003-2004 Amended Capital Budget of the Transportation, Planning and Sustainability Department.) Purchasing Cooperative. (Related Item 28)
28. Authorize execution of a contract through the Houston-Galveston Area Council of Governments with PHILPOTT MOTORS LTD., Port Neches, TX, for the purchase of a medium duty truck chassis with a mounted platform body for the Public Works Department in an amount not to exceed \$55,598.30. (Funding is available in the Fiscal Year 2003-2004 Amended Capital Budget of the Transportation, Planning and Sustainability Department.) Purchasing Cooperative. (Related Item 27)
29. Authorize execution of a contract through the Texas Local Government Purchasing Cooperative (BuyBoard) with LONGHORN INTERNATIONAL TRUCKS LTD, Austin, TX, for a low-entry truck cab and chassis for the Solid Waste Services Department in an amount not to exceed \$99,297. (Funding is available in the Fiscal Year 2003-2004 Approved Capital Budget of the Solid Waste Services Department.) Cooperative Purchase.
30. Authorize negotiation and execution of a five-year revenue contract with RODRIGUEZ CONCESSION, INC. (MBE-MH-100%), Austin, TX, for a food and beverage concession at Barton Springs Pool with an estimated annual revenue of \$90,000, with two five-year extension options with an estimated annual revenue of \$90,000, for an estimated total revenue amount of \$1,350,000. (Net estimated annual revenue of \$90,000 over the duration of the five-year contract period and \$90,000 over the duration of each five-year extension option. Revenue is included in the 2003-2004 Operating Budget of the Parks and Recreation Department..) Best proposal of three proposals received. This contract will be awarded in compliance with Chapter 2-9 of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation. (Recommended by the Parks and Recreation Board.)

31. Authorize negotiation and execution of a five-year revenue contract with KINSER RANCH L.L.C., Austin, TX, for golf course management at Butler Pitch and Putt Golf Course for an estimated revenue of \$66,000, with two five-year extension options with estimated revenue of \$72,000 for the first extension option and \$78,000 for the second extension option, for an estimated total revenue amount of \$216,000. (Estimated revenue of \$66,000 over the duration of the five-year contract period and \$72,000 and \$78,000 respectively, over the duration of each five-year extension option will be included in the Operating Budgets of the Parks and Recreation Department. Revenue is included in the Fiscal Year 2003-2004 Operating Budget of the Parks and Recreation Department.) 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. (Recommended by the Parks and Recreation Board.)
32. Authorize execution of Amendment No. 2 to the contract through U.S. Communities Government Purchasing Alliance, Los Angeles County, CA with OFFICE DEPOT, Austin, TX, for office supplies, printer equipment and supplies, and office equipment in an amount not to exceed \$166,770 for a revised total contract amount of \$2,225,101. (Funding in the amount of \$166,770 is included in the Fiscal Year 2004-2005 Proposed Operating Budgets for all City departments.)

Transportation, Planning and Sustainability

33. Approve an ordinance waiving the signature requirement under Chapter 14-8 of the City Code in connection with the celebration honoring Lance Armstrong's 6th Tour de France victory to be held on August 13, 2004.

ITEMS FROM COUNCIL

34. Board and Commission Appointments.
35. Direct the City Manager to initiate an amendment to the Land Development Code to allow an eight-foot fence height between adjoining residential and commercial use properties. (Mayor Pro Tem Jackie Goodman and Council Member Betty Dunkerley)

12:00 P.M. CITIZEN COMMUNICATIONS: GENERAL

Jimmy Castro - Back to School at A.I.S.D.

Chris Bevill - Cole's Ice House - Offsite Parking - Zoning Changes in Opposition to

John Weiss - Public Skate Park

Pat Johnson - Terrorism

Will Robertson - On-Sight Sewage System

Johnette Mason - Accessing Behavioral Health Issues in Austin

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

36. Discuss legal issues in *Carmen Alvarado v. Rodolfo A. Castro and the City of Austin*; Cause No. GN304074; 98th Judicial District; Travis County, Texas (concerns an automobile collision between a citizen and a dump truck driven by a City employee) (Related Item 41)
37. Discuss legal issues related to implementation of the Travis County Hospital District.
38. Discuss legal issues in *Hector Fabela v. the City of Austin*; Cause No. 97-01805; filed in the 345th District Court of Travis County, and the legal services agreement with Cornell, Smith & Micrl, L.L.P. (concerned a claim for retaliation in employment) (Related Item 9)

Real Property - Section 551.072

39. Discuss terms of sale for the Mueller site (former Robert Mueller Municipal Airport) to Catellus Austin, L.L.C.
40. Discuss disposition of the old Austin Recreation Center located at 12th Street and Shoal Creek. (Related Item 42)

Action on Executive Session

41. Approve settlement in *Carmen Alvarado v. Rodolfo A. Castro and the City of Austin*; Cause No. GN304074; in the 98th Judicial District, Travis County, Texas. (concerns an automobile accident between a citizen and a dump truck driven by a City of Austin employee)(Related Item 36)
42. Approve a resolution authorizing the negotiation and execution of all terms and conditions reasonable and necessary to lease approximately 1.68 acres, old Austin Recreation Center, located at 12th and Shoal Creek, to Austin Community College, and Austin Independent School District, for public purposes benefiting the City of Austin and the other two entities.(Related Item 40)

2:00 P.M. Bond Sales

43. Approve an ordinance authorizing the issuance of approximately \$132,475,000 City of Austin, TX, Water and Wastewater System Revenue Variable Rate Refunding Bonds, Series 2004; providing for payments hereunder by a lien on and pledge of the net revenues of the City's Water & Wastewater System; and approval and authorization of all documents pertaining to the issuance. (No fiscal impact during Fiscal Year 2003-2004. \$10,590,407 estimated debt service requirement and \$600 estimated annual paying agent/registrar fee will be included in the Fiscal Year 2004-2005 Proposed Budget of the Utility Revenue Bond Redemption Fund.)

2:00 PM BRIEFINGS

44. Presentation of the Fiscal Year 2004-2005 Proposed Budget for the Community Services Departments, including the Neighborhood Housing and Community Development Department, the Library Department, the Parks and Recreation Department, the Health and Human Services Department and the Community Care Services Department, including the Travis County Hospital District.

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

45. 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 MLK 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 46, 47, 48)

46. C14-04-0021 - Central Austin Combined Neighborhood Plan (West University Neighborhood) rezoning - Approve third reading 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. First reading on June 10, 2004. Vote: 7-0. Second reading August 5, 2004. 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 45, 47, 48)

47. C14-04-0022 - Central Austin Combined Neighborhood Planning Area (North University Neighborhood) rezoning - Approve third reading 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 (HI) 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. Second reading August 5, 2004. 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 45, 46, 48)

48. C14-04-0023 - Central Austin Combined Neighborhood Plan (Hancock Neighborhood) rezoning - Approve third reading 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. Second reading August 5, 2004. 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 45, 46, 47)

49. C14-04-0067 - P.W.C. - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 5607, 5611 and 5701 Travis Cook Road (Barton Creek and Williamson Creek Watersheds-Barton Springs Zone) from rural residence (RR) district zoning to family residence (SF-3) district zoning. First reading on July 29, 2004. Vote: 7-0. Conditions met as follows: Conditional Overlay incorporates the conditions imposed by Council on first ordinance reading. Applicants: Ed Padgett, Marty Williams and Mark Clemens. Agent: Jim Bennett Consulting (Jim Bennett). City Staff: Wendy Walsh, 974-7719.
50. C14-04-0012.001 (PART) - Brentwood/Highland Neighborhood Plan - Approve third reading of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as part of Tract 15b, 5602 Clay Avenue (Shoal Creek Watershed) from general commercial services-neighborhood plan combining district (CS-NP) to neighborhood commercial-mixed use-conditional overlay-neighborhood plan (LR-MU-CO-NP) combining district zoning. First reading on March 25, 2004. Vote: 7-0. Second reading on May 13, 2004. Vote: 7-0. Conditions met as follows: Conditional Overlay incorporates the conditions imposed by Council on second ordinance reading. Applicant: City of Austin. Agent: Neighborhood Planning & Zoning Department. Property Owner: Mark Cashman. City Staff: Annick Beaudet, 974-2975. Note: A valid petition has been filed by the property owner in opposition to this rezoning request.

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)
- Z- 3 C14-04-0060 - Walgreens - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 2409 South Lamar Boulevard and 0 Bluebonnet Lane (West Bouldin Creek Watershed) from family residence (SF-3) district zoning and general commercial services (CS) district zoning to neighborhood commercial (LR) district zoning for Tract 1 and limited office (LO) district zoning for Tract 2. Zoning and Platting Commission Recommendation: To grant neighborhood commercial-conditional overlay (LR-CO) combining district zoning for Tract 1 and limited office-conditional overlay (LO-CO) combining district zoning for Tract 2, with conditions. Applicant: Gene Charlesworth Payne. Agent: Drenner Stuart Wolff Metcalfe von Kreisler, LLP (Michele Haussmann). City Staff: Wendy Walsh, 974-7719.
- Z- 4 C14-04-0035 - Eppright 12-Acre Tract - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by zoning property locally known as 9300-9800 Block of R.M. 620 Road (Bull Creek Watershed) from interim-rural residence (I-RR) district zoning to townhouse & condominium residence (SF-6) district zoning. Zoning and Platting Commission Recommendation: To grant townhouse & condominium residence-conditional overlay (SF-6-CO) combining district zoning. Applicant: Shoal Creek Properties, Ltd. (Fred Eppright). Agent: Land Strategies (Paul Linehan). City Staff: Sherri Gager, 974-3057. Note: A valid petition has been filed in opposition to this rezoning request.

- Z- 5 C814-04-0024 - Brodie 31 c/o Walters Southwest - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 9000-9600 Block of Brodie Lane (Williamson Creek Watershed-Barton Springs Zone) from development reserve (DR) district zoning to planned unit development (PUD) district zoning. Zoning and Platting Commission Recommendation: To grant planned unit development (PUD) district zoning with conditions. Applicant: 31 Deerfield Ltd. c/o William S. Walters, III (William S. Walters, III). Agent: Land Strategies, Inc. (Paul W. Linehan). City Staff: Wendy Walsh, 974-7719.

5:30 P.M. LIVE MUSIC AND PROCLAMATIONS

LIVE MUSIC

Lucretia String Quartet

PROCLAMATIONS

Distinguished Service Awards - Southeast Austin Youth Advisory Committee - to be presented by Mayor Will Wynn and to be accepted by the honorees

Proclamation - National Payroll Week - to be presented by Mayor Will Wynn and to be accepted by Valerie Pieper

Certificates of Congratulations - Volunteers of the Month for July and August - to be presented by Council Member Brewster McCracken and to be accepted by the honorees

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

Financial and Administrative Services - Budget

51. Conduct a public hearing to receive public comment on the City of Austin Fiscal Year 2004-2005 Proposed Budget including the Neighborhood Housing and Community Development Department, the Library Department, the Parks and Recreation Department, the Health and Human Services Department and the Community Care Services Department, including the Travis County Hospital District.

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