

# AUSTIN CITY COUNCIL AGENDA

THURSDAY, AUGUST 26, 2004, THE BOARD ROOM AT THE LOWER COLORADO RIVER  
AUTHORITY HANCOCK BUILDING, 3700 LAKE AUSTIN BOULEVARD, AUSTIN, TEXAS.



04 AUG 20 PM 3:53

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

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

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

**NOTICE OF REGULAR MEETING  
THURSDAY, AUGUST 26, 2004**

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**9:55 A.M. Invocation**

Rev. Judy Skaggs, Associate Pastor, University Presbyterian Church

**Posted Date: Friday, August 20, 2004**

**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 26, 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 meetings of June 24, and August 12, 2004.

**Austin Energy**

2. Authorize negotiation and execution of the following three agreements with DAUGHTERS OF CHARITY HEALTH SERVICES OF AUSTIN (d/b/a SETON HEALTH CARE NETWORK [Seton]) related to Austin Energy supplying the new Seton Children's Hospital with electric power, chilled water, and steam: 1) Energy Commodities Services Agreement; 2) a 30-year Ground Lease for use of land at the Robert Mueller Municipal Airport redevelopment site to locate the combined on-site generation, chilled water, and steam plant; and 3) a Building Purchase Agreement to purchase from Seton a structure to house the necessary energy production equipment and any other necessary related agreements, in an amount not to exceed \$3,000,000. (Funding is available in the Fiscal Year 2003-2004 Amended Capital Budget of the Electric Utility Department.)

**Austin Water Utility**

3. Authorize negotiation and execution of an agreement to terminate the current Agreement For Wholesale Water Service between the City of Austin and Northridge Water Supply Corporation and to enter into a new agreement with Northridge Water Supply Corporation, Travis County, Williamson County, and the Texas Water Development Board setting forth terms regarding the transfer of the water service area and water utility system of Northridge Water Supply Corporation to City of Austin and providing for City retail water service to the former Northridge Water Supply Corporation service area. (Funding in an amount not to exceed \$70,000 will be included in the Proposed Fiscal Year 2004-2005 Operating Budget of the Austin Water Utility, for the extension of City water infrastructure to the current boundary of Northridge Water Supply Corporation.) (Recommended by the Water and Wastewater Commission)
4. Approve Service Extension Request No. 2360 for water service not to exceed a peak hour flow of 2 gallon per minute (gpm) for a tract of approximately 4.21 acres owned by Aubrey and Margaret Edinburgh, located within the Drinking Water Protection Zone in the extraterritorial jurisdiction of Austin at 9727 F.M. 1826, #22. (Recommended by the Water and Wastewater Commission)
5. Approve Service Extension Request No. 2361 for water service not to exceed a peak hour flow of 2 gallon per minute (gpm) for a tract of approximately 2.02 acres owned by David Caldwell, located within the Drinking Water Protection Zone in the extraterritorial jurisdiction of Austin at 9727 F.M. 1826, #23. (Recommended by the Water and Wastewater Commission)

6. Authorize negotiation and execution of a cost reimbursement agreement with Catellus Austin, LLC ("Catellus"), providing terms and conditions for reimbursement to Catellus of the actual soft costs incurred for design and construction phase services in an amount not to exceed: (a) \$140,403, for the 16-inch water main and appurtenances to be constructed in Cameron Road; (b) \$55,217, for the 15-inch gravity wastewater main and appurtenances to be constructed in Airport Boulevard to serve a portion of the Robert Mueller Municipal Airport Redevelopment (RMMA), for a total cost reimbursement amount not to exceed \$195,620; adopt an Ordinance waiving the requirements of Section 25-9-63, of the City Code relating to amount of cost reimbursement; waiving the requirements of Section 25-9-67, of the City Code relating to cost reimbursement payments and rescinding the previous authorizations for Cost Reimbursements Agreements with Catellus for the 16-inch water line and the 15-inch gravity wastewater line. (Funding in the amount of \$195,620 is included in the Fiscal Year 2003-2004 Capital Budget of the Austin Water Utility.) (Recommended by the Water and Wastewater Commission) (Related Items 7, 8)
7. Authorize execution of a construction contract with AUSTIN ENGINEERING COMPANY, INC., Austin, TX, for the Mueller Cameron Road 16-Inch Waterline Phase One North Water Pressure Zone Water Improvements (RMMA Redevelopment) in the amount of \$828,140 plus a \$82,814 contingency, for a total contract amount not to exceed \$910,954. (Funding in the amount of \$910,954 is included in the Fiscal Year 2003-2004 Capital Budget of the Austin Water Utility.) Lowest bid of four received 16.7% MBE and 10.25% WBE subcontractor participation. (Related Items 6, 8)
8. Authorize execution of a construction contract with AUSTIN ENGINEERING COMPANY, INC., Austin, TX, for the Mueller Airport Road 15-Inch Wastewater Line Northwest Wastewater Phase One-1B Wastewater Improvements (RMMA Redevelopment) in the amount of \$255,293.50 plus a \$25,529.35 contingency, for a total contract amount not to exceed \$280,822.85. (Funding in the amount of \$280,822.85 is included in the Fiscal Year 2003-2004 Capital Budget of the Austin Water Utility.) Lowest bid of four received. 14.55% MBE and 5.07% WBE subcontractor participation. (Related Items 6, 7)

**Community Care Services**

9. Approve an ordinance authorizing acceptance of \$18,800 in additional grant funds from the U.S. Health Resources and Services Administration (HRSA) Bureau of Primary Health Care 330(e) New Start grant and amending Ordinance No. 030909-01, the Approved Fiscal Year 2003-2004 Operating Budget, Community Care Services Department Special Revenue Fund, by appropriating \$18,800 in additional grant funds for a total grant amount of \$656,598. (Funding in the amount of \$18,800 is available from the HRSA, Bureau of Primary Health Care, 330(e) New Start grant program. The grant period is March 1, 2004 through February 28, 2005. No City Match is required.)
10. Approve an ordinance authorizing acceptance of \$987,833 in grant funds from the U.S. Health Resources and Services Administration (HRSA), Bureau of Primary Health Care Expanded Medical Capacity grant program; and amend the Fiscal Year 2003-2004 Community Care Services Operating Budget Special Revenue Fund of Ordinance No. 030909-01 to appropriate \$987,833 and to create 19.0 full-time equivalent positions. (Funding is available from the HRSA, Bureau of Primary Health Care Expanded Medical Capacity grant program. The grant period is August 1, 2004 through February 28, 2006.)

**Health and Human Services**

11. Authorize execution of a 12-month contract with Communities In Schools-Central Texas, Inc. to provide youth services under the 78744 Youth of Promise Initiative Community Youth Development Program (CYD) in an amount not to exceed \$87,589 for the period of September 1, 2004 through August 31, 2005, with three (3) renewal options in amounts not to exceed \$87,589 per renewal for a total agreement not to exceed \$350,356. (Funding in the amount of \$87,589 is available in the Fiscal Year 2003-2004 Approved Operating Budget of the Health and Human Services Department (HHSD), Special Revenue Fund. The Grant period is September 1, 2004 through August 31, 2005. Funding for extension options is contingent upon available funding in future budgets.) (Related Item 12)

12. Authorize execution of an Interlocal Cooperation Agreement between the City of Austin and the Austin Independent School District for the 78744 Youth of Promise Initiative Community Youth Development Program (CYD) in an amount not to exceed \$103,466 for the agreement period of September 1, 2004 through August 31, 2005, with three (3) renewal options in amounts not to exceed \$103,466 per renewal for a total agreement not to exceed \$413,864. (Funding in the amount of \$103,466 is available in the Fiscal Year 2003-2004 Approved Operating Budget of the Health and Human Services Department (HHSD), Special Revenue Fund. The grant period is September 1, 2004 through August 31, 2005. Funding for extension options is contingent upon available funding in future budgets.) (Related Item 11)

### Law

13. Authorize negotiation and execution of an outside counsel contract with SCOTT, DOUGLASS, & MCCONNICO, L.L.P., Austin, TX, for legal counsel concerning issues relating to the design and construction issues of the airport parking garage. (Funding in the amount of \$225,000 is available in the Fiscal Year 2003-2004 Amended Capital Budget of the Aviation Department.) (Related Item 44)
14. Authorize negotiation and execution of an amendment to the outside counsel contract with BRACEWELL & PATTERSON, L.L.P. Austin, TX, concerning an agreement with Aqua Water Supply Corporation regarding retail water supply water service territory issues, in the amount of \$10,000, with a total contract amount not to exceed \$55,000. (Funding in the amount of \$10,000 is available in the Fiscal Year 2003-2004 Approved Operating Budget of the Austin Water Utility.) (Related Items 15, 45)
15. Authorize negotiation and execution of an amendment to the legal services agreement with BRACEWELL & PATTERSON, L.L.P., Austin, TX, for legal representation, advice, and counsel concerning water rights permit matters (Lower Colorado River Authority [LCRA] Drought Management Plan before the Texas Commission on Environmental Quality [TCEQ]; LCRA application for Colorado River flows and City of Austin return flows before TCEQ; City of Austin bed and banks application before TCEQ; various LCRA Certificates of Adjudication before TCEQ, among others) involving the Colorado River and the LCRA for an increase of \$223,000, with a total contract amount not to exceed \$760,000. (Funding is available in the 2003-2004 Approved Operating Budget of the Austin Energy.) (Related Items 14, 45)

16. Authorize negotiation and execution of an amendment to the contract with MICHAEL SULLIVAN & ASSOCIATES, INC., Austin, TX, for services on behalf of the City of Austin as a consulting and/or expert witness in various dockets before the Texas Commission on Environmental Quality (TCEQ) concerning water rights permitting matters involving the City, the Lower Colorado River Authority (LCRA) and others in the amount of \$30,000, with a total contract amount not to exceed \$425,500. (Funding in the amount of \$28,250 is available in the Fiscal Year 2003-2004 Amended Operating Budget of Austin Energy. Funding in the amount of \$1,750 is available in the Fiscal Year 2003-2004 Approved Operating Budget of Austin Water Utility.)

#### **Police**

17. Approve a resolution authorizing application and acceptance of \$80,000 in grant funding from the State of Texas, Governor's Office, Criminal Justice Division, Violence Against Women Act for the renewal of Austin Police Department project entitled "Assistance to Female Victims of Domestic Violence." (Funding is available from the State of Texas, Governor's Office, Criminal Justice Division, Violence Against Women Act for the grant period September 1, 2004 -August 31, 2005. A cash match of \$36,883 is required and will be met by continuing the existing salary funding and additional personnel expenses for grant funded FTEs to be proposed in the Fiscal Year 2004-2005 Operating Budget for the Austin Police Department (APD), Victim Services Program.)

#### **Public Works**

18. Approve a resolution authorizing the filing of eminent domain proceedings for the IH 35 North Project to acquire 0.055 of an acre for a permanent water line easement and 0.017 of an acre for a temporary workspace easement out of Lot 1, Block A, HEB/Pflugerville Subdivision, Resubdivision of Lots 3, 4 and 5, Block 1, Wells Point Commercial, Section 1 and the amended Plat of Lots 1 and 2, Block 1, Wells Point Commercial, Section 1, in the amount of \$4,802. The owner of the property interests sought to be condemned is H.E.BUTT GROCERY COMPANY, San Antonio, TX. The property is located at 1434 Wells Branch Parkway, Pflugerville, TX. (Funding is included in the Fiscal Year 2003-2004 Capital Budget of the Austin Water Utility.)



19. Approve a resolution authorizing the use of the Competitive Sealed Proposal method for contracting for facility construction as permitted by Subchapter H of Chapter 271 of the Texas Local Government Code ("Senate Bill 510") for the following projects and finding that this method provides a better value with respect to that construction contracting expenditure than competitive bidding: Mexican American Cultural Center - Phase I; Gus Garcia Recreation Center; Colony Park Recreation Center; North Village Branch Library; and Twin Oaks Library. (Recommended by the MBE/WBE Council Subcommittee and the MBE/WBE Advisory Committee.)
20. Authorize negotiation and execution of a professional services agreement with REINHART AND ASSOCIATES, INC., Austin, TX, for a comprehensive one-year program of inspection, testing, and monitoring City-owned equipment to prevent failure and to ensure safety compliance in an amount of \$125,000 for the first year, with three (3) one-year extension options. The estimated total cost of these services are over a four (4) year period or until funds are expended, in an amount not to exceed \$500,000. (Funding in the amount of \$125,000 for the first year's services is available in the Fiscal Year 2004-2005 Proposed Operating Budget of the Fleet Maintenance Fund of the Financial and Administrative Services Department. Funding for the extension options is contingent upon available funding in future budgets.) Best qualification statement of two 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 sub-consulting opportunities were identified; therefore, no goals were established for this solicitation.

### **Purchasing**

21. Authorize negotiation and execution of a contract with KUMARAN SYSTEMS, Rockville, MD, for Oracle Migration Services in an amount not to exceed \$70,160. (Funding is included in the Fiscal Year 2003-2004 Capital Budget of the Austin Water Utility.) Best evaluated 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.
22. Authorize execution of two revenue contracts with AUSTIN METAL & IRON, Austin, TX, in an amount of \$64,780; and with A & R DEMOLITION, Del Valle, TX, in an amount of \$7,300, for the one-time sale of miscellaneous steel, for a total amount of \$72,080. (Revenue will be included in the Fiscal Year 2004-2005 Operating Budget of the Electric Utility Department.) Best bids of three bids received.

23. Authorize execution of a 12-month supply agreement with KBS ELECTRICAL DISTRIBUTORS, Austin, TX, in an amount not to exceed \$66,460, with four 12-month extension options in an amount not to exceed \$66,460 per extension option, for a total agreement amount not to exceed \$332,300; and with TECHLINE, INC., Austin, TX, in an amount not to exceed \$45,522, with four 12-month extension options in an amount not to exceed \$45,522 per extension option, for a total agreement amount not to exceed \$227,610 for substation class surge arresters. (Funding in the amount of \$9,331.83 is available in the Fiscal Year 2003-2004 Amended Operating Budget of the Electric Utility Department. Funding for the remaining 11-months of the original contract period and extension options is contingent upon available funding in future budgets.) Low bids 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 Amendment No. 7 to the agreement with MAXIMUS, INC, Wayne, PA, for a 12-month service agreement for the renewal of software license and maintenance for GEMS 2000, M4-version 3.11c in amount not to exceed \$64,057.92, with two 12-month extension options in an amount not to exceed \$65,979.66 for the first extension option and \$67,958.99 for the second extension option, for a total contract amount not to exceed \$562,021.75. (Funding in the amount of \$64,057.92 is included in the 2004-2005 Proposed Operating Budget for Fleet Services Department. Funding for the extension options is contingent upon available funds 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.

25. Authorize execution of 12-month supply agreements with SUN BELT MEDICAL/EMERGISOURCE, Hilton Head Island, SC, in an amount not to exceed \$185,402, with two 12-month extension options in an amount not to exceed \$185,402 per extension option, for a total agreement amount not to exceed \$556,206; BOUND TREE MEDICAL, LLC, Galloway, OH, in an amount not to exceed \$130,519.95, with two 12-month extension options in an amount not to exceed \$130,519.95 per extension option, for a total agreement amount not to exceed \$391,559.85; EMS\*USA, Shepherdsville, KY, in an amount not to exceed \$118,512.50, with two 12-month extension options in an amount not to exceed \$118,512.50 per extension option, for a total agreement amount not to exceed \$355,537.50; TRI ANIM HEALTH SERVICES, INC., Sylmar, CA, in an amount not to exceed \$89,812.50, with two 12-month extension options in an amount not to exceed \$89,812.50 per extension option, for a total agreement amount not to exceed \$269,437.50; SOUTHERN SAFETY SALES, INC., Austin, TX, in an amount not to exceed \$86,836, with two 12-month extension options in an amount not to exceed \$86,836 per extension option, for a total agreement amount not to exceed \$260,508; and MOORE MEDICAL, New Britain, CT, in an amount not to exceed \$54,546.60, with two 12-month extension options in an amount not to exceed \$54,546.60 per extension option, for a total agreement amount not to exceed \$163,639.80, for medical supplies and medications for the Austin-Travis County Emergency Medical System. (Funding in the amount of \$50,469 is available in the Fiscal Year 2003-2004 Approved Operating Budget of the Emergency Medical Services Department and \$5,000 is available in the Fiscal Year 2003-2004 Approved Operating Budget of the Austin Fire 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 bids of sixteen 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 contract with GT DISTRIBUTORS, INC., Austin, TX, for tactical body armor for the Austin Police Department in an amount not to exceed \$70,967.30. (Funding is available in the Fiscal Year 2003-2004 Approved Operating Budget of the Austin Police Department.) Lowest bid meeting specification of ten 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.

27. Authorize execution of a contract through the United States General Services Administration 1122 Program with NORITSU, Tysons Corner, VA, for the purchase of a digital photo lab system for the Austin Police Department in an amount not to exceed \$127,867. (Funding is available in the Fiscal Year 2003-2004 Approved Operating Budget of the Austin Police Department.) Purchasing Cooperative.
28. Authorize execution of a 28-month supply agreement through the United States General Services Administration 1122 Program with EASTMAN KODAK CO., Rochester, NY, for the purchase of photographic film, chemicals, paper and batteries in an amount not to exceed \$162,550.92. (Funding in the amount of \$5,805.39 is available in the Fiscal Year 2003-2004 Approved Operating Budget of the Austin Police Department. Funding for the remaining 27-months of the original contract period is contingent upon available funding in future budgets.) Purchasing Cooperative.
29. Authorize negotiation and execution of a 12-month professional services agreement with INDUSTRIAL/ORGANIZATIONAL SOLUTIONS, INC., Winchester, IL, for police civil service assessment centers in an amount not to exceed \$50,000, with two 12-month extension options in an amount not to exceed \$50,000 per extension, for a total agreement amount not to exceed \$150,000. (Funding in the amount of \$4,167 is available in the Fiscal Year 2003-2004 Approved Operating Budget of the Human Resources Department. Funding for the remaining 11 months of the original contract period and extension options is contingent upon available funding in future budgets.) Best proposal of four 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 Austin Police Association.)
30. Authorize execution of a 12-month supply agreement with BAKER & TAYLOR, INC., Charlotte, NC, for adult and juvenile books for the Central Texas Library System in an amount not to exceed \$352,072.52, with two 12-month extension options in an amount not to exceed \$352,072.52 per extension option, for a total agreement amount not to exceed \$1,056,217.56. (Funding in the amount of \$352,072.52 is included in the Fiscal Year 2004-2005 Proposed Special Revenue Fund of the Library Department. Funding for the 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.

31. Authorize negotiation and execution of a 60-month service agreement with AMPCO SYSTEM PARKING, Houston, TX, for parking lot operation and management at the new City Hall, One Texas Center and the IH-35 lots in an amount not to exceed \$2,001,747, with two 12-month extension options in an amount not to exceed \$408,086 per extension option, for a total agreement amount not to exceed \$2,817,919. (Funding in the amount of \$215,249 is included in the Fiscal Year 2004-2005 Proposed City Hall Parking Fund; \$149,804 is included in the Fiscal Year 2004-2005 Proposed IH-35 Parking Program Fund; and \$4,350 is included in the Fiscal Year 2004-2005 Proposed One Texas Center Parking Fund. Funding for the remaining 48-months of the original contract period and extension options is contingent upon available funding in future budgets.) Best proposal of six 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.

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

32. Approve an ordinance amending City Code Section 12-4-42 by adding Harris Ridge Boulevard from Parmer Lane (F.M. 734) to Howard Lane to the list of streets having a maximum speed limit of 40 miles per hour. (Funding in the amount of \$300 is available in the Approved Fiscal Year 2003-2004 Operating Budget of the Transportation, Planning & Sustainability Department for the installation of necessary signs.)
33. Approve an ordinance to annex the 290 S.M.A.R.T. Housing Tract (Approximately 23 acres in Travis County south of US Highway 290 East, east of the abandoned MKT Railroad and north of Old Manor Road); grant MF 3 interim zoning designation for the property within the annexation area; waive zoning application fees for property within the annexed area for a period of one year from the effective date of annexation; and postpone the enforcement of fireworks sales regulations in the expanded 5000 foot area adjacent to the city limits of this annexation area for 20 days after the effective date. (Funding necessary to provide general governmental services to this tract is available in the budgets of the departments which will be providing the services.)

34. Approve an ordinance to annex the 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); waive zoning application fees for property within the annexed area for a period of one year from the effective date of annexation; and postpone the enforcement of fireworks sales regulations in the expanded 5000 foot area adjacent to the city limits of this annexation area for 20 days after the effective date. (Funding necessary to provide general governmental services to this tract is available in the budgets of the departments which will be providing the services.)
35. Approve an ordinance to annex 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); waive zoning application fees for property within the annexed area for a period of one year from the effective date of annexation; and postpone the enforcement of fireworks sales regulations in the expanded 5000 foot area adjacent to the city limits of this annexation area for 20 days after the effective date. (Funding necessary to provide general governmental services to this tract is available in the budgets of the departments which will be providing the services.)

#### **ITEMS FROM COUNCIL**

36. Board and Commission Appointments.
37. Approve initiation of an ordinance amending Chapter 25-2 of the Austin City Code to rezone Pioneer Farm, locally known as Heritage Society Pioneer Farm located at 11418 Sprinkle Cut-Off Rd., Austin, Travis County, Texas, 78754 to Public (P) district zoning and direct the City Manager to begin negotiations concerning a development agreement for consideration by council concerning this property in conjunction with the change in zoning. (Council Member Betty Dunkerley and Council Member Danny Thomas)

38. Direct the City Manager to conduct an environmental survey of closed landfills and tank farms in Austin and to report back to the Council with the status of each within 90 days. (Council Member Danny Thomas)
39. Approve a resolution directing the City Manager to suspend citation and prosecution of construction of an eight-foot high fence between a residential use and a commercial or industrial use in violation of the height limitation contained in Section 25-2-899 (Fences as Accessory Uses) of the City Code. (Mayor Pro Tem Jackie Goodman and Council Member Betty Dunkerley)
40. Direct the Historic Preservation Taskforce to review their recommendations related to residential historic designations and incentive/tax abatements and report back to Council within 45 days. (Council Member Betty Dunkerley, Mayor Will Wynn and Council Member Brewster McCracken)
41. Approve a resolution encouraging the United States Government Accountability Office to begin an investigation into violent acts against the homeless population. (Council Member Danny Thomas)
42. Direct the City Manager to work with Community Development Commission to (1) develop criteria for the use of money in the University Neighborhood Overlay (UNO) trust fund, (2) develop minimum criteria that projects developed under UNO guidelines would have to meet to receive fee waivers, (3) make recommendations regarding the applicability of smart housing units developed under the UNO guidelines to the 1,000 living unit equivalent cap and report back to City Council in 180 days. (Council Member Raul Alvarez)

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

43. Set a public hearing regarding the adoption of an ordinance that establishes cable rates for basic tier, equipment and installation services offered under the cable franchise held by Time Warner Entertainment/Advance-Newhouse Partnership (Time Warner Cable). (Suggested date and time: September 2, 2004 at 6:00 pm., Lower Colorado River Authority, Hancock Building) (To be reviewed by Council Committee for Telecommunications Infrastructure on August 25, 2004.)

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

Sylvia Herrera - Govalle/Johnston Terrace Neighborhood Plan and Protection for the Oak Springs Marsh

Joe Quintero - Negative Impact on City's Neighborhood Planning

Pat Johnson - Police Department

Nicole Oswald - Cole's Icehouse

Akwasi Evans - Community Concerns, Economics Imbalance, Reparations

Jake Billingsly - Concerns about City Planning

Susana Almanza - Real Affordable Housing for poor and working poor

Michael Austin - Electrical Service at my house - Mestena Trail

Jennifer Gayle - Commuter Rail vs. Light Rail - Is there a difference?

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

44. Discuss legal issues related to the design and construction of the airport parking garage and the legal service agreement with Scott Douglass & McConico, L.L.P. (Related Item 13)
45. Discuss legal issues regarding pending water rights permitting applications for the Colorado River and surface water rate matters concerning the Colorado River before the Texas Commission on Environmental Quality (TCEQ); the City's pending applications for certificates of convenience and necessity and sale, transfer and merger approvals for water and waste water service before TCEQ; and the legal and consulting services agreements regarding these matters with Michael Sullivan and Bracewell and Patterson. (Related Items 14, 15)
46. Discuss legal issues related to implementation of the Travis County Hospital District.
47. Discuss legal issues related to proposed East 6<sup>th</sup> Street Public Improvement District. (Related Item 65)



48. Discuss legal issues related to the rezoning of Southwest Marketplace (an amendment to The Forum P.U.D.) in zoning Case No. C814-98-0001.01. This property is subject to the Save Our Springs Initiative. (Related Item Z-11)

**Real Property - Section 551.072**

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

**2:00 P.M. Bond Sales**

50. Authorize the issuance of City of Austin, Texas, Public Improvement Refunding Bonds, Taxable Series 2003A, in the amount of \$2,430,000 and all related documents. (\$321,905 in the first year debt service requirement and \$600 estimated annual administration fee for the paying agent/registrar for the proposed bond sale is included in the 2004-2005 Proposed Operating Budget of the General Obligation Debt Service Fund.)
51. Authorize the issuance of City of Austin, Texas, Certificates of Obligation, Series 2004, in the amount of \$25,000,000 and all related documents. (\$2,066,698 in the first year debt service requirement and \$600 estimated annual administration fee for the paying agent/registrar for the proposed Certificate of Obligation sale is included in the 2004-2005 Proposed Operating Budget of the General Obligation Debt Service Fund.) (Approved by the Audit and Finance Committee.)
52. Authorize the issuance of City of Austin, Texas, Public Improvement and Refunding Bonds, Series 2004, in the amount of \$67,835,000 and all related documents. (\$3,272,638 in the first year debt service requirement and \$600 estimated annual administration fee for the paying agent/registrar for the proposed bond sale is included in the 2004-2005 Proposed Operating Budget of the General Obligation Debt Service Fund.)
53. Authorize the issuance of City of Austin, Texas, Public Property Finance Contractual Obligations, Series 2004, in the amount of \$21,830,000 and all related documents. (\$1,701,283 in the first year debt service requirement and \$600 estimated annual administration fee for the paying agent/registrar for the proposed contractual obligation sale is included in the 2004-2005 Proposed Operating Budget of the General Obligation Debt Service Fund.)

**2:00 PM BRIEFINGS**

54. Presentation of the Fiscal Year 2004-2005 proposed budget for the Infrastructure and Growth Management Departments, including the Economic Growth and Redevelopment Services Office, the Neighborhood Planning and Zoning Department, the Watershed Protection and Development Review Department and the Public Works Department.
55. Quarterly economic briefing.

**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 August 5, 2004 Board meeting of the Austin Housing Finance Corporation.
- AHFC- 2      Authorize negotiation and execution of an amendment to the three-year contract with the Housing Authority of the City of Austin to continue to administer the federally funded Tenant Based Rental Assistance services which provides housing opportunities through rental subsidies to homeless persons by increasing the third-year contract extension option from an amount not to exceed \$430,750 to an amount not to exceed \$580,750, for a total contact amount not to exceed \$1,630,650. (Funding is available and allocated in the Fiscal Year 2003-2004 budget of the Austin Housing Finance Corporation as follows: \$431,925 HOME grant fund year 13, \$58,075 HOME program income grant fund year 13, \$90,750 Housing Trust Fund.)
- AHFC- 3      Authorize the negotiation and execution of a twelve month contract with the AUSTIN AREA URBAN LEAGUE, Austin, TX, in an amount not to exceed \$1,000,000, with two twelve month extension options in amounts not to exceed \$1,000,000 each, for a total contact amount not to exceed \$3,000,000 for the administration of the Emergency Home Repair Program for Fiscal Year 2004-2005 which funds small repair contractors to make improvements to low income family's homes having housing code violations. (Funding is available in the Fiscal Year 2004-2005 Proposed Operating Budget of the Austin Housing Finance Corporation through Community Development Block Grant funds. Funding for the two extension options is contingent upon available funding in future budgets.)

- AHFC- 4      Approve a loan to DITTMAR HOMES, Austin, TX, for a total amount not to exceed \$500,000 to refinance land acquisition and provide pre-development for Phase I of the Colton Bluff single-family subdivision development in southeast Austin. Dittmar Homes will construct up to ninety-nine (99) homes with at least 40% of the homes serving families at or below 80% Median Family Income (MFI). Additional homebuyer assistance will be available for families at or below 65% MFI. (Funding is available 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**

56.      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 57, 58, 59, 60)

57. 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 56, 58, 59, 60)

58. 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 (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 and Glenn

Rhoades, 974-2775. Note: Valid petitions have been filed in opposition to this rezoning request. (Related Items 56, 57, 59, 60)

59. 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 56, 57, 58, 60)



60. 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 MLK Jr. Blvd. on the south. (There is no fiscal impact associated with this code amendment.) (Recommended by the Planning Commission.) (Related Items 56, 57, 58, 59)
61. C814-04-0055 - Mueller PUD - Approve second and third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as North Interstate Highway-35 and East 51st Street (Boggy Creek and Tannehill Creek Watersheds) from aviation services (AV) and planned unit development (PUD) district zoning to planned unit development (PUD) district zoning. First reading on June 24, 2004. Vote: 7-0. Applicant: City of Austin. Agent: Economic Growth and Redevelopment Services Office (Pam Hefner). City Staff: Sherri Gager, 974-3057.
62. C14-04-0004.002 (PART) - Approve third reading of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 7700-7720 North Lamar Boulevard and 822 Taulbee Lane (Tract 123) (Waller Creek Watershed.) The Neighborhood Mixed Use Building special use is proposed for Tract 123. The proposed zoning change will also change the base district on the tract of land from general commercial services (CS) to general commercial services-mixed use-conditional overlay-neighborhood plan (CS-MU-CO-NP) combining district zoning. First reading on March 4, 2004. Vote: 6-0, McCracken off the dais. Second Reading on April 1, 2004. Vote: 6-0, Goodman off the dais. Conditions met as follows: Conditional Overlay incorporates the conditions imposed by Council on second ordinance reading. Applicant: City of Austin. Agent: Neighborhood Planning and Zoning Department. City Staff: Wendy Walsh, 974-7719 and Scott Whiteman, 974-2865.

63. C14-03-0157 - Harris Ranch - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as the south side of Davis Lane, between Brodie Lane and Westgate Boulevard (Slaughter Creek Watershed-Barton Springs Zone) from development reserve (DR) district zoning and rural residence (RR) district zoning to community commercial-conditional overlay (GR-CO) combining district zoning for Tract 1, and townhouse & condominium residence-conditional overlay (SF-6-CO) combining district zoning for Tract 2 (the remainder of the property). The property owner has requested community commercial-conditional overlay (GR-CO) combining district zoning for Tract 1; multi-family residence low density (MF-2) district zoning for Tract 2; and townhouse & condominium residence-conditional overlay (SF-6-CO) combining district zoning for Tract 3. First ordinance reading on June 24, 2004. Vote: (7-0). Conditions met as follows: Conditional Overlay and Restrictive Covenant incorporates the conditions imposed or accepted by City Council at first ordinance reading. Applicant: Robert Brent Harris, John Weldon Harris and Darrow Dean Harris. Agent: Weynand Development, Ltd. (Mike Weynand). City Staff: Wendy Walsh, 974-7719.
64. C814-04-0024 - Brodie 31 c/o Walters Southwest - Approve second/third readings of 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. First reading on August 12, 2004. Vote: 6-0. Goodman off the dais. Conditions met as follows: Restrictive covenant incorporates the conditions accepted by City Council at first ordinance reading. 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.

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

- Z- 1 C14-04-0037 - Slaughter @ Cullen Commercial - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 9200 Cullen Lane (Onion Creek Watershed) from rural residence (RR) district zoning to community commercial (GR) district zoning. Zoning and Platting Commission Recommendation: To grant community commercial-conditional overlay (GR-CO) combining district zoning, with conditions. Applicant: A. King Enterprise Management, Ltd. (Alma King Fancher). Agent: Crocker Consultants (Sarah Crocker). City Staff: Wendy Walsh, 974-7719.

- Z- 2            C14-04-0087 - Scenic Brook Rezoning - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as Scenic Brook Drive at Thunderbird Road (Williamson Creek Watershed-Barton Springs Zone) from neighborhood office (NO) district zoning to single family residence standard lot (SF-2) district zoning. Zoning and Platting Commission Recommendation: To grant single family residence standard lot (SF-2) district zoning. Applicant: Distinctive Forms, Inc. (Bradley Bohls). City Staff: Wendy Walsh, 974-7719.
- Z- 3            C14-04-0062 - Project Sharky - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 615 and 617 Radam Lane (West Bouldin Creek) from family residence (SF-3) district zoning to neighborhood commercial-conditional overlay (LR-CO) combining district zoning. Zoning and Platting Commission Recommendation: To grant neighborhood commercial-conditional overlay (LR-CO) combining district zoning. Property Owner and Applicant: Homayoon Kavoussi (Mehryar Kavoussi). City Staff: Wendy Walsh, 974-7719.
- Z- 4            C14-04-0090 - Star Center - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 3100 West Slaughter Lane (Slaughter Creek Watershed-Barton Springs Zone) from neighborhood commercial-conditional overlay (LR-CO) combining district zoning to community commercial-conditional overlay (GR-CO) combining district zoning. Zoning and Platting Commission Recommendation: To grant community commercial-conditional overlay (GR-CO) combining district zoning. Applicant: Artale Services, Ltd. (Dennis Artale). City Staff: Wendy Walsh, 974-7719.
- Z- 5            C14-04-0069 - Shurgard Storage - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 10000 Middle Fiskville Road (Little Walnut Creek Watershed) from single family residence standard lot (SF-2) district zoning to general commercial services (CS) district zoning. Zoning and Platting Commission Recommendation: To grant general commercial services (CS) district zoning. Applicant: Shurgard Storage Centers (Jeffrey S. Holgerson). Agent: Mathias Company (Richard Mathias). City Staff: Sherri Gager, 974-3057.

- Z- 6            C14-04-0089 - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 5811 Balcones Drive (Shoal Creek Watershed) from community commercial-conditional overlay (GR-CO) combining district zoning to general commercial services-conditional overlay (CS-CO) combining district zoning. Zoning and Platting Commission Recommendation: To grant general commercial services-conditional overlay (CS-CO) combining district zoning. Applicant: Compass Bank (James Lederer). Agent: Jim Bennett. City Staff: Glenn Rhoades, 974-2775.
- Z- 7            C14-04-0070 - 12952 Pond Springs Road - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by zoning property locally known as 12952 Pond Springs Road (Rattan Creek Watershed) from interim-rural residence (I-RR) district zoning to community commercial-conditional overlay (GR-CO) combining district zoning. Zoning and Platting Commission Recommendation: To grant community commercial-conditional overlay (GR-CO) combining district zoning. Applicant: Joe A. Carr. Agent: Lenworth Consulting (Nash Gonzalez). City Staff: Sherri Gager, 974-3057.
- Z- 8            C14-04-0073 - 1200 W. Howard Lane - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 1200 West Howard Lane (Walnut Creek Watershed) from general commercial services-conditional overlay (CS-CO) combining district zoning to commercial-liquor sales (CS-1) district zoning. Zoning and Platting Commission Recommendation: To grant commercial-liquor sales (CS-1) district zoning. Applicant: SPASCO, Ltd. (Sandy Aron). Agent: Jim Bennett. City Staff: Sherri Gager, 974-3057.
- Z- 9            C14-04-0095 - Sherlock's Baker Street Pub and Grill - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 9012 Research Blvd. (Little Walnut Creek Watershed) from general commercial services-neighborhood plan (CS-NP) combining district zoning to commercial liquor sales-conditional overlay-neighborhood plan (CS-1-CO-NP) combining district zoning. Planning Commission Recommendation: To grant commercial liquor sales-conditional overlay-neighborhood plan (CS-1-CO-NP) combining district zoning. Applicant: Austin Home Center Associates (David Mills). Crocker Consultants (Sarah Crocker). City Staff: Glenn Rhoades, 974-2775.

- Z- 10            C14-04-0098 - Burnet Crossing - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 5320 Burnet Road from general commercial services (CS) district zoning to commercial liquor sales (CS-1) district zoning. Zoning and Platting Commission Recommendation: To grant commercial liquor sales (CS-1) district zoning. Applicant: W.D. Enterprises Company (Milford Desenberg). Agent: Thrower Designer (Ron Thrower). City Staff: Glenn Rhoades, 974-2775.
- Z- 11            C814-98-0001.01 - Southwest Marketplace (an amendment to The Forum P.U.D.) - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 4201-4515 West William Cannon Drive and 6900-7238 South MoPac Expressway (Williamson Creek Watershed-Barton Springs Zone) from planned unit development (PUD) district zoning to planned unit development (PUD) district zoning with conditions. This property is located in the Barton Springs Zone, has been proposed for a zoning change that will: 1) modify the original conditions of zoning, and 2) modify the application of Chapter 25-8, Article 12 (Saves Our Springs Initiative. Zoning and Platting Commission Recommendation: To grant planned unit development (PUD) district zoning. Applicant: Hay Barn Ltd. (Carey P. Brownlee). Agent: Drenner Stuart Wolff Metcalfe von Kreisler, LLP (Michele Haussmann). City Staff: Wendy Walsh, 974-7719. (Related Item 48)
- Z- 12            C814-01-0038.01 - Parmer/Walnut Creek PUD Amendment # 1 - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 1310-1314 Block of West Pramer Lane (Walnut Creek Watershed) from planned unit development (PUD) district zoning to planned unit development (PUD) district zoning in order to change a condition of zoning. Zoning and Platting Commission Recommendation: To grant planned unit development (PUD) district zoning. Applicant: FSKMS Ranch, Ltd. (John Scofield, Edgar and Linda Perry, Vernon Scofield, and Glen and Martha Chilek). Agent: Armbrust & Brown, L.L.P. (Richard T. Suttle, Jr.). City Staff: Sherri Gager, 974-3057.

- Z- 13      C14-04-0058 - Sahara Club Extension - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 900 East Braker Lane (Walnut Creek Watershed) from community commercial (GR) district zoning to commercial-liquor sales (CS-1) district zoning. Zoning and Platting Commission Recommendation: To deny commercial-liquor sales (CS-1) district zoning. Applicant: Walnut Ridge Shopping Center (Thomas C. Calhoun). Agent: Turnkey Properties (Victorious B. Giraud). City Staff: Sherri Gager, 974-3057.

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

**LIVE MUSIC**

Frank Meyer

**PROCLAMATIONS**

Proclamation - Prostate Cancer Awareness Month - to be presented by Mayor Will Wynn and to be accepted by Dr. Randy Fagin and Leibel Harelik

Proclamation - 25th Anniversary of Kiddie Acres - to be presented by Mayor Will Wynn and to be accepted by Joe and Marina Herring

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

**Economic Growth and Redevelopment Services**

65. Conduct a public hearing and approve a resolution authorizing the establishment of an East Sixth Street Public Improvement District (PID), (generally covering properties along E. 6<sup>th</sup> Street between Congress Avenue and IH-35). (Funding of PID Assessments not to exceed \$0.10 per \$100 evaluation, and City of Austin annual contributions not to exceed \$43,500 for a period not to exceed three years.) (Related Item 47)

**Transportation, Planning and Sustainability**

66. Conduct 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.

**Watershed Protection and Development Review**

67. Conduct a public hearing and approve an ordinance amending section 25-2-513 of the Code regarding structures allowed in a setback and section 25-2-531 of the Code regarding height limit exceptions. (Recommended with additional amendments by the Planning Commission.)
68. Conduct a public hearing and approve an ordinance amending Sections 25-7-92 and 25-7-152 and adding a new Section 25-7-96 to the City Code relating to the construction of an unoccupied building structure or parking area on recreational lands in the 25-year floodplain and to the dedication of easements and rights of way. (Approved by the Parks and Recreation Board. Not recommended by the Environmental Board. Recommended by the Planning Commission.)
69. Consider action on an appeal by Mike McHone of the Planning Commission's decision to deny a conditional use permit for transitional housing at 5117 North Lamar. (Public hearing conducted and closed on June 24, 2004.) (Not Recommended by the Planning Commission.)

**6:00 P.M. BUDGET PUBLIC HEARINGS****Financial and Administrative Services - Budget**

70. Conduct a public hearing to receive public comment on the City of Austin Fiscal Year 2004-2005 proposed budget including the Economic Growth and Redevelopment Services Office, the Neighborhood Planning and Zoning Department, the Watershed Protection and Development Review Department and the Public Works Department.

**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