



**Austin City Council
MINUTES**

**REGULAR MEETING
THURSDAY, APRIL 1, 2004**

Invocation: Pastor Dr. Jacquelyn Donald-Mims, founder and pastor, Imani Community Church, A.M.E.

The following represents the actions taken by the Austin City Council in the order they occurred during the meeting. While the minutes are not in sequential order, all agenda items were discussed. The City Council of Austin, Texas, convened in a regular meeting on Thursday, April 1, 2004 in the Board Room at Lower Colorado River Authority Hancock Building, 3700 Lake Austin Boulevard.

Mayor Wynn called the Council Meeting to order at 12:21 p.m.

CITIZEN COMMUNICATIONS: GENERAL

Jimmy Castro - Venture Capital Investments in Austin

Nate Blakeslee - Traffic Problems in Glando Neighborhood

Mary Lehmann - Mueller Update, The Missing Estimate

Robert Singleton - Leasing Mueller

Betty Edgemond - Battle Bend Blvd, South Austin

Mark Gentle - Parks & Recreation

Leslie Cochran – APD. He was not present when his name was called.

Jennifer L. Gale - In Our Children's Election - All of us with or without children throughout the A.I.S.D. School District, by our vote, enable and empower Austin's Children when we elect Jennifer Gale as their School Board Member. She was not present when her name was called.

Jose Quintero - The Austin City Council adopted Cesar Chavez Neighborhood Plan continues to be a catalyst to the ongoing gentrification and displacement of our people in our neighborhood by Anglo Americans and supported by Council Member Raul Alvarez

Gavino Fernandez Jr. - We East Austin Tax paying Homeowners would like to receive equitable representation for our City government. Palm Park Swimming Pool upgrade and hours of operation for this summer, QUE PASO!

CONSENT AGENDA

The following items were acted on by one motion. No separate discussion or action occurred on any of the items. The consent items were approved on Council Member Alvarez' motion, Council Member McCracken's second on a 7-0 vote.

1. Approval of minutes from the meeting of March 25, 2004.
The minutes from the meeting of March 25, 2004 were approved.
2. Approve a resolution authorizing revised policies and procedures for the City's Cultural Arts Funding Program. (Recommended by the Arts Commission.)
This item was postponed to April 15, 2004.
3. Approve a resolution in support of the World Congress on Information Technology (WCIT) 2006, and authorizing the negotiation and execution of an agreement with WCIT 2006, Inc. for the City to provide \$1,000,000 in cash and in-kind contributions to WCIT 2006, Inc. and to accept from WCIT 2006, Inc. an assignment of a United States Department of Housing and Urban Economic Development Initiative grant in the amount \$400,000 for infrastructure improvements to the City Convention Center, in preparation for the World Congress on Information Technology conference to be held in Austin in May 2006. (Funding in the amount of \$400,000 is available through Economic Development Initiative grant from the U.S. Department of Housing and Urban Development. Funding for \$1,000,000 in cash and in-kind contributions will be included in the Fiscal Year 2004-2005 Proposed Budget, and in the Fiscal Year 2005-2006 Proposed Budget.)
Resolution No. 040401-3 was approved.
4. Approve a resolution declaring the City's official intent to reimburse itself, as required by the Internal Revenue Code, from the sale proceeds of tax-exempt obligations that the City will issue in the future for the payment of \$4,971,750 in costs related to the purchase of real estate and other property located at 4101 Ed Bluestein from MOTOROLA, INC. (\$4,971,750 to be reimbursed from the issuance of Certificates of Obligation in August 2004 or later.) (Related Items 5, 10)
Resolution No. 040401-04 was approved.
5. Amend Ordinance No. 030908-02 the 2003-04 Capital Budget of the Financial and Administrative Services Department by appropriating \$4,971,750 for costs related to the purchase of real estate and other property located at 4101 Ed Bluestein Blvd., Motorola, Inc. (\$4,971,750 will be funded by the future issuance of Certificates of Obligation that will be supported by future departmental operating budgets.) (Related Items 4, 10)
Ordinance No. 040401-05 was approved.

6. Approve issuance by Northtown Municipal Utility District of Unlimited Tax and Revenue Refunding Bonds, Series 2004, in an amount not to exceed \$5,000,000; approving a substantial draft of the District's Bond Resolution and Preliminary Official Statement. (The City is not responsible for payment of District bond debt service until annexation and dissolution of the District. If annexation occurs, the avoided debt service associated with the refunding would also benefit the City of Austin. There is no anticipated fiscal impact. A fiscal note is not required.)
The motion authorizing issuance by Northtown Municipal Utility District of Unlimited Tax and Revenue Refunding Bonds, Series 2004 was approved.
7. Approve a resolution to authorize the fee simple acquisition of a 2.471 acre tract of land out of the Noel M. Bain Survey No. 1, Abstract No. 61 in Travis County, TX, and being all of Lot 2, Vega Subdivision, a Subdivision recorded in Volume 91, Page 201, Plat Records of Travis County, TX, locally known as 11502 McAngus Road with access from Vega Road, a private roadway, from Irma Palomares and husband, Moises Perez for the Airport Noise Mitigation Program, in the amount of \$160,000 for the land and improvements, and \$15,000 relocation benefits, plus closing costs and moving related expenses in the amount of \$10,000, for a total amount not to exceed \$185,000. (Funding in the amount of \$185,000 is available in the Fiscal Year 2003-2004 Capital Budget of the Department of Aviation using airport funds and available Federal Aviation Administration (FAA) Grants.)
Resolution No. 040401-7 was approved.
8. Approve a resolution authorizing the filing of eminent domain proceedings for the Little Walnut/Buttermilk - North Capital Drive project, a part of the Austin Clean Water Program, to acquire a 0.373 acre permanent wastewater line easement and a 16,430 square foot temporary working space easement out of Lot One, Reindale Acres, a subdivision in the City of Austin, in the amount of \$64,295. The owner of the property sought to be condemned is LV Investment, Inc., a Texas Corporation. The property is located at 9220 Interstate Highway 35 North, Austin, TX. (Funding is included in the Fiscal Year 2003-2004 Capital Budget of the Austin Water Utility.)
Resolution No. 040401-8 was approved.
9. Authorize negotiation and execution of a sixty (60) month lease extension of approximately 6,600 square feet of dental clinic space located at 21 Waller Street from AUSTIN GERIATRIC CENTER, INC, Austin, TX, for the Community Care Services Department, in an amount not to exceed \$560,835. (Funding in the amount of \$27,225 is included in the Fiscal Year 2003-2004 Approved Operating Budget of the Community Care Services Department. Funding for the remaining fifty-seven months of the contract period is contingent upon available funding in future budgets.)
The motion authorizing the negotiation and execution of a lease extension was approved.
10. Approve a resolution authorizing the negotiation and execution of a purchase of real estate from MOTOROLA, INC., Phoenix, AZ, for Lot 1A, Block "A", TRACOR INDUSTRIAL SUBDIVISION AMENDED and approximately two additional acres of land, for use by the Austin Fire Department, Emergency Medical Services Department, Financial and Administrative Services Department, and Austin Police Department, in an amount not to exceed \$3,716,750. (Funding is included in the Fiscal Year 2003-2004 Capital Budget of the Financial Services & Administrative Services Department.) (Related Items 4, 5)
Resolution No. 040401-10 was approved.

11. Approve a resolution authorizing the negotiation and execution of all appropriate documents for the TEXAS DEPARTMENT OF TRANSPORTATION (TxDOT) to waive the City's local match fund participation requirement of \$49,800 for the Channel Road Bridge at Rocky Cliff Slough Project, an authorized federal off-system bridge program project, and for the City's performance of an equivalent dollar amount of structural work on the Circle S Road Culvert Replacement (Structure No. 2) Project. (Project participation cost is 90% TxDOT, 10% City of Austin. Funding is included in the Fiscal Year 2001-2002 Approved Capital Budget of the Department of Public Works.)
Resolution No. 040401-11 was approved.
12. Approve a resolution authorizing the negotiation and execution of all appropriate documents for the TEXAS DEPARTMENT OF TRANSPORTATION (TxDOT) to waive the City's local match fund participation requirement of \$49,800 for the Old Manor Road Bridge at Tannehill Branch Project, an authorized federal off-system bridge program project, and for the City's performance of an equivalent amount of structural work on the Circle S Road Culvert Replacement (Structure No. 2) Project. (Project participation cost is 90% TxDOT, 10% City of Austin. Funding in the amount of \$49,800 is included in the Fiscal Year 2001-2002 Approved Capital Budget of the Department of Public Works.)
Resolution No. 040401-12 was approved.
13. Authorize execution of change order # 4 to the construction contract with SPAWGLASS, INC., Austin, TX, for additional costs resulting from the unexpected explosion on November 3, 2003, during construction of the North Service Center, in the amount of \$300,000, for a total contract amount not to exceed \$15,038,723.55. (Funding in the amount of \$300,000 is included in the Fiscal Year 2002-2003 Capital Budget of the Austin Water Utility.) 17.57% MBE and 23.40% WBE subcontractor participation to date.
The motion authorizing the execution of change order #4 to the construction contract was approved.
14. Authorize execution of a 12-month supply agreement with CIBA SPECIALTY CHEMICALS CORPORATION, Suffolk, VA for liquid emulsion polymer for sludge dewatering for the Austin Water Utility in an amount not to exceed \$117,500, with two 12-month extension options in an amount not to exceed \$122,500 for the first extension option and \$129,000 for the second extension option, for a total agreement amount not to exceed \$369,000. (Funding in the amount of \$58,750 is available in the Fiscal Year 2003-2004 Approved Operating Budget of the Austin Water Utility. Funding for the remaining six months of the original contract period and extension options is contingent upon available funding in future budgets.) Low bid 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.
The motion authorizing the execution of a supply agreement was approved.

15. Authorize execution of a 12-month supply agreement with ENVIRONMENTAL IMPROVEMENTS INC., Buda, TX for Wallace & Tiernan replacement and repair parts for the Austin Water Utility in an amount not to exceed \$79,000, with two 12-month extension options in an amount not to exceed \$79,000 per extension option, for a total agreement amount not to exceed \$237,000. (Funding in the amount of \$39,500 is available in the Fiscal Year 2003-2004 Approved Operating Budget of the Austin Water Utility. Funding for the remaining six months and extension options is contingent upon available funding in future budgets.) Sole Source. This contract will be awarded in compliance with Chapter 2-9 of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation.
The motion authorizing the execution off a supply agreement was approved.
16. Approve execution of a 12-month supply agreement with OLD WORLD INDUSTRIES, INC., Northbrook, IL, for de-icing and anti-icing materials in an amount not to exceed \$640,500, with two 12-month extension options in an amount not to exceed \$640,500 per extension option, for a total agreement amount not to exceed \$1,921,500. (Funding in the amount of \$ 320,250 is available in the Fiscal Year 2003-2004 Approved Operating Budget of the Aviation Department. Funding for the remaining six months of the original contract period and extension options is contingent upon available funding in future budgets.) Only bid received. This contract will be awarded in compliance with Chapter 2-9 of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation.
The motion authorizing the execution of a supply agreement was approved.
17. Authorize execution of a 12-month supply agreement with AUSTIN BRAKE & CLUTCH SUPPLY, Austin, TX for heavy duty brake parts in an amount not to exceed \$100,000, with three 12-month extension options in an amount not to exceed \$100,000 per extension option, for a total agreement amount not to exceed \$300,000. (Funding in the amount of \$50,000 is available in the Fiscal Year 2003-2004 Approved Operating Budget of the Financial & Administrative Services Department, Fleet Fund. Funding for the remaining six months of the original contract period and extension options is contingent upon available funding in future budgets.) Low 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.
The motion authorizing the execution of a supply agreement was approved.
18. Authorize execution of a 12-month service agreement with ARCO-IRIS PAINTING CONTRACTORS, Austin, TX for painting services for the Building Services Division, Financial and Administrative Services Department in an amount not to exceed \$150,000, with two 12-month extension options in an amount not to exceed \$150,000 per extension option, for a total agreement amount not to exceed \$450,000. (Funding in the amount of \$75,000 is available in the Fiscal Year 2003-2004 Approved Operating Budget of the Finance and Administrative Services Department. Funding for the remaining six months of the original contract period and extension options is contingent upon available funding in future budgets.) 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.
The motion authorizing the execution of a service agreement was approved.

19. Authorize execution of contracts through the Interlocal Agreement with Fairfax County Virginia as part of the U.S. COMMUNITIES GOVERNMENT PURCHASING ALLIANCE with HERMAN MILLER INCORPORATED, Austin, TX, in an amount not to exceed \$114,347.10; HAWORTH INCORPORATED, Austin, TX, and their authorized distributor, Furniture Marketing Group, Austin, TX, in an amount not to exceed \$86,933.56; KNOLL, INCORPORATED, Austin, TX, and their authorized distributor, Shelton Keller Group, Austin, TX, in an amount not to exceed \$1,383,452.41; and with STEELCASE INCORPORATED, Austin TX, and their authorized distributor, Rockford Business Interior, Austin, TX, in an amount not to exceed \$340,941.55, for the purchase and installation of freestanding furniture and systems furniture for the new City Hall building. (Funding in the amount of \$1,925,674.62 is available in Fiscal Year 2003-2004 Capital Budget of the Economic Growth and Redevelopment Services Department) Purchasing Cooperative
This item was postponed to April 15, 2004.
20. Authorize execution of Amendment No. 6 to the contract with AMIGOS LIBRARY SERVICES, Dallas, TX, to increase the contract for cataloging database membership services in an amount not to exceed \$6,774 and to increase the two remaining extension options in an amount not to exceed \$38,097 per extension option, for a total revised agreement amount not to exceed \$405,408. (Funding in the amount of \$19,473 is available in the Fiscal Year 2003-2004 Approved Operating Budget of the Library Department. Funding for the remaining eight months of the third extension option and the fourth extension option is contingent upon available funding in future budgets.) The original 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 the contract.
The motion authorizing the execution of Amendment No. 6 was approved.
21. Authorize execution of Amendment No. 4 to increase the contract with TEXTRON FINANCIAL CORPORATION, Providence, RI, for the lease of golf course maintenance equipment in an amount not to exceed \$343,248.59, for a revised total contract amount not to exceed \$1,486,942.91. (Funding in the amount of \$343,248.59 is available in the Fiscal Year 2003-2004 Operating Budget of the Parks and Recreation Department's Golf Enterprise Fund) 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.
The motion authorizing the execution of Amendment No. 4 was approved.
22. Authorize execution of a 12-month supply agreement with EIP, Inc., Vero Beach, FL for disposable plastic liners in an amount not to exceed \$60,501, with two 12-month extension options in an amount not to exceed \$60,501 per extension option, for a total agreement amount not to exceed \$181,503. (Funding in the amount of \$30,250 is available in the Fiscal Year 2003-2004 Approved Operating Budget of various City departments. Funding for the remaining six months of the original contract period and extension options is contingent upon available funding in future budgets.) Lowest bid meeting specifications of five 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.
The motion authorizing the execution of a supply agreement was approved.

23. Approve a resolution authorizing payment of the City's membership fees to the Austin-San Antonio Intermunicipal Commuter Rail District, in the amount of \$49,500. (Funding is available in the Fiscal Year 2001-2002 Capital Budget of the Transportation, Planning & Sustainability Department.)

Resolution No. **040401-23** was approved.

24. Approve issuance of a Street Event Permit to the SIMS Foundation/Capital Sports Entertainment to close the 100-200 block of South 1st (Bridge) for a fee-paid fundraising event to be held on April 4, 2004 beginning at 6:00 a.m. through April 5, 2004 at 2:00 a.m.

The motion authorizing the issuance of a Street Event Permit was approved.

25. Board and Commission Appointments.

The following appointments were made:

<u>Board/ Appointee</u>	<u>Consensus/ Council Nominee</u>	<u>Appointment/ Reappointment</u>
<u>Child Care Council</u> Dan Garcia	Council Member Alvarez'	Reappointment
<u>Planning Commission</u> Cid Alfredo Galindo	Mayor Wynn's	Appointment
<u>Telecommunications Commission</u> John Andrew Green	Consensus	Appointment

26. Approve an ordinance adopting a new Chapter 2-12 of the City Code establishing procedural rules for how the City conducts labor negotiations with police officers and fire fighters under the meet and confer provisions of state law. (Council Member Betty Dunkerley, Mayor Will Wynn and Council Member Daryl Slusher)

This item was postponed to April 15, 2004.

Item 27 was pulled for discussion.

Item 28 was set for a 2:00 P.M. time certain

29. Set a public hearing to consider a request for a waiver from the minimum distance requirement of City Code Section 4-9-4(A), which requires 300 feet between a business, the Pacha Coffeehouse, that proposes to sell alcoholic beverages at 4618 Burnet Road and a public school, Texas School for the Blind and Visually Impaired, located at 1100 West 45th Street. (Suggested date and time: April 15, 2004 at 6:00 p.m., Lower Colorado River Authority, Hancock Building)

The public hearing was set for April 15, 2004 at 6:00 p.m., Lower Colorado River Authority, Hancock Building.

Item 30 was an Executive Session.

Items 31, 32 and Z-1 to Z-11 were zoning items set for a time certain of 4:00 p.m.

Items 33 and 34 were public hearings set for a time certain of 6:00 p.m.

DISCUSSION ITEM

27. Approve a resolution directing the City Manager to issue a Request for Proposal for the future use of the Seaholm Power Plant, with a component that integrates transit use options. (Council Member Betty Dunkerley and Council Member Daryl Slusher)
Resolution No. 040401-27 was approved with the following amendment on Council Member Slusher's motion, Mayor Pro Tem Goodman's second on a 7-0 vote. The friendly amendment from Council Member Slusher was to change the resolution to read, "The Council directs the City Manager to solicit qualifications/proposals for the development and adaptive reuse of the Seaholm Power Plant property with integrated cultural, commercial, public and mass transit use options, taking into consideration plans for the Seaholm property in the proposed Seaholm Master Plan" and add the following sentence "Proposals should include a passenger rail operation that takes into account that Seaholm is located at the junction of the Union Pacific rail track and a possible passenger rail/transit link to central downtown and other points."

Mayor Wynn recessed the Council Meeting to go into Executive Session at 1:21 p.m.

EXECUTIVE SESSION

The City Council went into Executive Session, pursuant to Chapter 551 of the Texas Government Code, to receive advice from Legal Counsel, to discuss matters of land acquisition, litigation, and personnel matters as specifically listed on this agenda and to receive advice from Legal Counsel regarding any other item on this agenda.

Private Consultation with Attorney - Section 551.071

30. Discuss legal issues related to a proposed amendment to regulations applicable to the Mission Bethany Subdivision, generally located at the intersection of Slaughter Lane and Wolftrap Drive, that would allow for the transfer of impervious cover within the subdivision and the extension of the expiration date of the ordinance. The subdivision is located in the area subject to the Save Our Springs Initiative.

Executive Session ended and Mayor Wynn called the Council Meeting back to order at 2:29 p.m.

DISCUSSION ITEM

28. Approve a resolution directing the City Manager to show support for the Texas Music Hall of Fame. (Mayor Will Wynn, Council Member Danny Thomas and Council Member Betty Dunkerley)
Resolution No. 040401-28 was approved on Council Member Thomas' motion, Council Member Dunkerley's second on a 7-0 vote.

The Mayor recessed the Council Meeting at 3:15 p.m.

Mayor Wynn called the Council Meeting back to order at 4:09 p.m.

ZONING ITEM

31. C14-03-0120 - Centrum - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 3413 North Hills Drive, 6415 Hart Lane and 6426 Mopac Expressway (Shoal Creek Watershed) from limited office-conditional

overlay (LO-CO) combining district zoning and general office-conditional overlay (GO-CO) combining district zoning to general office-conditional overlay (GO-CO) combining district zoning for Tract A and community commercial-conditional overlay (GR-CO) combining district zoning for Tract B, with conditions. First reading on February 12, 2004. Vote: 7-0. Conditions met as follows: Conditional Overlay and Restrictive Covenant incorporates the conditions imposed or accepted by Council on first ordinance reading. Applicant: Balcones Centrum Ltd. (Gerald Kucera). Agent: Crocker Consultants (Sarah Crocker). City Staff: Glenn Rhoades, 974-2775.

The second reading of the ordinance was approved on Mayor Pro Tem Goodman's motion, Mayor Wynn's second on a 6-0 vote. Council Member McCracken was off the dais.

ZONING CONSENT ITEMS

The following zoning items were acted on by one motion. No separate discussion or action occurred on any of the items. The public hearings were closed and consent items were approved on Council Member Thomas' motion, Mayor Pro Tem Goodman's second on a 7-0 vote.

- Z-1 Conduct a public hearing and approve an ordinance to amend the Montopolis Neighborhood Plan for a portion of 900 Bastrop Hwy and a portion of 7300-7320 Riverside Drive, to change the Future Land Use Map from commercial to single family residential. (Planning Commission hearing postponed to April 13, 2004.)
This item was postponed to April 22, 2004 at staff's request.

Item Z-2 was pulled for discussion.

- Z-3 C14-04-0009 - Stoney Ridge Phase C - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as Ross Road at Elroy Road (South Dry Creek Watershed) from single family residence standard lot (SF-2) district zoning to single family residence small lot (SF-4A) district zoning. Zoning and Platting Commission Recommendation: To grant single-family residence small lot (SF-4A) district zoning. Applicant: SR Development / MC Joint Venture (William Geo. Gurasich). Agent: SR Development (David McNeil). City Staff: Wendy Walsh, 974-7719.
Ordinance No. 040401-Z-3 for single-family residence small lot (SF-4A) district zoning was approved.
- Z-4 C14-04-0008 - Dwyer Realty Headquarters - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by zoning property locally known as 9900 U.S. Highway 290 East (Gilleland Creek Watershed) from interim-rural residence (I-RR) district zoning to community commercial-mixed use (GR-MU) combining district zoning. Zoning and Platting Commission Recommendation: To grant community commercial-mixed use-conditional overlay (GR-MU-CO) combining district zoning. Applicant: Dwyer Realty Company (Peter A. Dwyer). Agent: Dwyer Realty Company (Danny Burnett). City Staff: Sherri Gager, 974-3057.
Ordinance No. 040401-Z-4 for community commercial-mixed use-conditional overlay (GR-MU-CO) combining district zoning was approved.

- Z-5 C14-04-0016 - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 7200 Chimney Corners (Shoal Creek Watershed) from community commercial (GR) district zoning to urban family residence-conditional overlay (SF-5-CO) combining district zoning. Zoning and Platting Commission Recommendation: To grant urban family-conditional overlay (SF-5-CO) combining district zoning. Applicant: James Mattox. Agent: Charles Hamrick. City Staff: Glenn Rhoades, 974-2775. **Ordinance No. 040401-Z-5 for urban family-conditional overlay (SF-5-CO) combining district zoning was approved.**
- Z-6 C14-04-0014 - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 4601 Spicewood Springs Road (Bull Creek Watershed) from general office-conditional overlay (GO-CO) combining district zoning to general office-conditional overlay (GO-CO) combining district zoning in order to change a condition of zoning. Zoning and Platting Commission Recommendation: To grant general office-conditional overlay (GO-CO) combining district zoning. Applicant: Stillhouse II Office (Eric Liljenwall II), Muskis/Cummins Partnership, LLP (Alan Muskin), Ivy Crews and Elliot Bldg., Ltd. (Frank Ivy). Agent: Jim Bennett. City Staff: Glenn Rhoades, 974-2775. **The first reading of ordinance for general office-conditional overlay (GO-CO) combining district zoning was approved.**

Items Z-7 was pulled for discussion.

- Z-8 C14H-04-0001 - Driver-Metcalf House. Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 1204 Travis Heights Boulevard from family residence (SF-3) district to family residence-historic (SF-3-H) combining district. Historic Landmark Commission Recommendation: To grant family residence-historic (SF-3-H) combining district. Planning Commission Recommendation: To deny family residence-historic (SF-3-H) combining district. Applicant: Historic Landmark Commission. City Staff: Steve Sadowsky, Historic Preservation Office, Transportation, Planning and Sustainability Department, 974-6454. **This item was postponed to April 22, 2004 at the neighborhood's second request.**

Items Z-9 and Z-10 were pulled for discussion.

- Z-11 C14-03-0154.SH - Steiner Tract - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 7300-7320 Riverside Drive and 900 Bastrop Highway (Tract 3) (Carson Creek Watershed) from general commercial services-conditional overlay-neighborhood plan (CS-CO-NP) combining district zoning to single-family residence small lot (SF-4A) district zoning. Planning Commission Recommendation: To be considered by the Commission on April 13, 2004. Applicant: Robert Steiner. Agent: Minter, Joseph, and Thornhill, P.C. (John Joseph, Jr.). City Staff: Annick Beaudet, 974-2975. **This item was postponed to April 22, 2004 at staff's request.**

ZONING DISCUSSION ITEMS

32. C14-04-0004 - Crestview/Wooten Neighborhood Plan Combining District Rezonings - Approve second / third readings of an ordinance amending Chapter 25-2 of the Austin City Code by zoning and rezoning property locally known as the Crestview/Wooten Combined Neighborhood Plan Area, bounded on the north by Research Boulevard, on the east by Lamar Boulevard, on the south by Justin Lane, and on the west by Burnet Road (Little Walnut Creek; Shoal Creek and Waller

Creek Watersheds) The proposed zoning change will create two Neighborhood Plan Combining Districts (NPCD) covering the entire area. Under the proposed Wooten NPCD, "Small Lot Amnesty", "Front Porch Setback" and "Impervious Cover and Parking Placement Restrictions" are proposed for the entire area and the Cottage, Secondary Apartment, and Urban Home special uses are proposed for the Fireside Loop subdistrict which includes all lots adjoining Fireside Drive, Hearthside Drive, and Putnam Drive north of Joy Lane. The Neighborhood Mixed Use Building special use is proposed for Tracts 4-6, 8, 9, 13-17, 20-22, 24-40, and 42-51, and the Neighborhood Urban Center special use is proposed for Tracts 1-3, 6, and 16. Under the proposed Crestview NPCD, "Small Lot Amnesty", "Front Porch Setback," "Garage Placement Restrictions" and "Impervious Cover and Parking Placement Restrictions" are proposed for the entire area. The Residential Infill special use is proposed for Tract 160a, the Neighborhood Mixed Use Building special use is proposed for Tracts 101a, 105-111, 113-117, 119-126, 130b, 137-139, 145, 147, 149-151 and 160a, and the Neighborhood Urban Center special use is proposed for Tracts 101, 102, and 160. The proposed zoning change will also change the base district on 120 tracts of land from: interim-family residence (I-SF-3) district zoning; family residence (SF-3) 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; limited office (LO) district zoning; limited office-conditional overlay (LO-CO) combining district zoning; general office (GO) district zoning; general office-conditional overlay (GO-CO) combining district zoning; neighborhood commercial (LR) district zoning; community commercial (GR) district zoning; community commercial-mixed use (GR-MU) combining district zoning; community commercial-conditional overlay (GR-CO) combining district zoning; general commercial services (CS) district zoning; general commercial services-conditional overlay (CS-CO) combining district zoning; commercial-liquor sales (CS-1) district zoning; commercial-liquor sales-conditional overlay (CS-1-CO) combining district zoning; limited industrial services (LI) district zoning to: family residence-neighborhood plan (SF-3-NP) combining district zoning; townhouse & condominium residence-neighborhood plan (SF-6-NP) combining district zoning; multi-family residence low density-neighborhood plan (MF-2-NP) combining district zoning; multi-family residence medium density-neighborhood plan (MF-3-NP) combining district zoning; multi-family residence moderate-high density-neighborhood plan (MF-4-NP) combining district zoning; limited office-neighborhood plan (LO-NP) combining district zoning; limited office-mixed use-neighborhood plan (LO-MU-NP) combining district zoning; limited office-mixed use-conditional overlay-neighborhood plan (LO-MU-CO-NP) combining district zoning; general office-conditional overlay-neighborhood plan (GO-CO-NP) combining district zoning; neighborhood commercial-mixed use-conditional overlay-neighborhood plan (LR-MU-CO-NP) combining district zoning; community commercial-neighborhood plan (GR-NP) combining district zoning; community commercial-mixed use-neighborhood plan (GR-MU-NP) combining district zoning; community commercial-conditional overlay-neighborhood plan (GR-CO-NP) combining district zoning; community commercial-mixed use-conditional overlay-neighborhood plan (GR-MU-CO-NP) combining district zoning; general commercial services-neighborhood plan (CS-NP) district zoning; general commercial services-conditional overlay-neighborhood plan (CS-CO-NP) combining district zoning; commercial services-mixed use-neighborhood plan (CS-MU-NP) combining district zoning; commercial services-mixed use-conditional overlay-neighborhood plan (CS-MU-CO-NP) combining district zoning; commercial-liquor sales-neighborhood plan (CS-1-NP) combining district zoning; commercial-liquor sales-mixed use-neighborhood plan (CS-1-MU-NP) combining district zoning; commercial-liquor sales-mixed use-conditional overlay-neighborhood plan (CS-1-MU-CO-NP) combining district zoning; commercial-liquor sales-conditional overlay-neighborhood plan (CS-1-CO-NP) combining district zoning; limited industrial services-conditional overlay-neighborhood plan (LI-CO-NP) combining district zoning; limited industrial services-planned development area-neighborhood plan (LI-PDA-NP) combining district zoning;

and public-neighborhood plan (P-NP) combining district zoning. First reading on March 4, 2004. Vote: 6-0, McCracken off the dais. Conditions met as follows: Conditional Overlay and Restrictive Covenant incorporates the conditions imposed or accepted by City Council at first ordinance reading. Applicant: City of Austin. Agent: Neighborhood Planning and Zoning Department. City Staff: Wendy Walsh, 974-7719 and Scott Whitman, 974-2865. Note: Valid petitions have been filed in opposition to this rezoning request.

Ordinance No. 040401-32A rezoning and changing the zoning map to add a neighborhood plan combining district on approximately 626 acres of land generally known as the Wooten Neighborhood Plan Area and to change the base zoning districts on 61 tracts of land and Ordinance No. 040401-32-B rezoning and changing the zoning map to add a neighborhood plan combining district to the base zoning districts on approximately 650.5 acres of land generally known as the Crestview Neighborhood Plan Area and to change the base zoning districts on 43 tracts of land approving the NPCD rezonings as adopted on first reading, with the exception of Tracts 123 and 160 (second reading only) and those properties listed below with valid petitions was approved on Council Member Dunkerley's motion, Council Member Thomas' second on a 6-0 vote. Mayor Pro Tem Goodman was absent.

The motion to approve the zoning change on Tract 12 (Charles Maund Volkswagen) to LI-CO-NP was approved on Council Member Dunkerley's motion, Council Member Thomas' second on a 6-0 vote. Mayor Pro Tem Goodman was absent.

The motion to approve the zoning change on Tract 3 – PART (8990 Research Blvd.) to LI-CO-NP was approved on Council Member Dunkerley's motion, Council Member Alvarez' second on a 5-1 vote. Council Member McCracken voted no and Mayor Pro Tem Goodman was absent.

The motion to approve the zoning change for Tract 146 (Crestview Shopping Center) to CS-CO-NP was approved on Council Member Alvarez' motion, Council Member Dunkerley's second on a 6-0 vote. Mayor Pro Tem Goodman was absent.

The motion to approve the zoning change for Tract 149 (808 and 906 Justin Lane) to CS-NP was approved on Council Member Dunkerley's motion, Mayor Wynn's second on a 6-0 vote. Mayor Pro Tem Goodman was absent.

- Z-2 Approve an ordinance for second and third amending the Austin Tomorrow Comprehensive Plan by adopting the Crestview/Wooten Combined Neighborhood Plan for the area bounded by Burnet Road to the west, US 183 to the north, US 183 and Lamar to the east, and Justin Lane to the south. (There is no fiscal impact associated with adopting the Crestview/Wooten Combined Neighborhood Plan. An estimate of the fiscal impact to implement all of the recommendations in the plan is \$1,850,625. This plan is advisory and does not legally obligate the Council to implement any particular recommendation.) (Recommended by the Planning Commission.)**

Ordinance No. 040401-Z-2 approving the Crestview/Wooten Combined Neighborhood Plan, with the exception of those properties listed below that have valid petitions, was approved on Council Member Dunkerley's motion, Council Member Thomas' second on a 6-0 vote. Mayor Pro Tem Goodman was absent.

The motion to approve the Future Land Use Map for Tract 12 (Charles Maund Volkswagen) as Industrial was approved on Council Member Dunkerley's motion, Council Member Thomas' second on a 6-0 vote. Mayor Pro Tem Goodman was absent.

The motion to change the Future Land Use Map for 8990 Research Blvd. From Mixed Use to Industrial as requested by the owner with the stipulation that all other LI uses but Light Manufacturing are prohibited was approved on Council Member Dunkerley's motion,

Council Member Alvarez' second on a 5-1 vote. Council Member McCracken voted no and Mayor Pro Tem Goodman was absent.

The motion to approve the Neighborhood Plan for Tract 146 (Crestview Shopping Center) was approved on Council Member Alvarez' motion, Council Member Dunkerley's second on a 6-0 vote. Mayor Pro Tem Goodman was absent.

The motion to approve the Future Land Use Map for Tract 149 (808 and 906 Justin Lane) as Mixed Used was approved on Council Member Dunkerley's motion, Mayor Wynn's second on a 6-0 vote. Mayor Pro Tem Goodman was absent.

LIVE MUSIC

Scooter Dubec

PROCLAMATIONS

Proclamation - Fair Housing Month - to be presented by Mayor Will Wynn and to be accepted by Charles Gorham

Proclamation - Keep Austin Beautiful Month - to be presented by Mayor Will Wynn and to be accepted by Jeff Campbell

Proclamation - Work Zone Awareness Week - to be presented by Mayor Will Wynn and to be accepted by TBA

Proclamation - Public Health Month - to be presented by Mayor Will Wynn and Council Member Betty Dunkerley and to be accepted by David Lurie

Proclamation - BiG Austin BiG Idea Awards Luncheon - to be presented by Council Member Betty Dunkerley and to be accepted by Jeannette Peten and Paul Saldana

PUBLIC HEARINGS AND POSSIBLE ACTION

34. Conduct a public hearing to consider an ordinance amending Chapter 25-10 of the City Code relating to nonconforming signs to allow location of new off-premise signs (billboards) in various locations in the City if an existing off-premise sign is removed and approve an amendment of Ordinance No. 030908-04 (fee ordinance) to add a sign removal and relocation fee. (Not recommended by the Planning Commission.)
The motion to postpone this item to April 22, 2004 was approved on Council Member Dunerkley's motion; Council Member McCracken's second on a 6-0 vote. Mayor Pro Tem Goodman was absent.
33. Conduct a public hearing on the full purpose annexation of the Double Creek Village Area (Approximately 133 acres located in Travis County at the intersection of FM 1626 and IH 35).
The public hearing was closed on Council Member Thomas' motion, Mayor Wynn's second on a 6-0 vote. Mayor Pro Tem Goodman was absent.

- Z-7 C14-03-0149 - Carmel Valley - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 12000 Block of Dessau Road (Walnut Creek Watershed) from multi-family residence medium density-conditional overlay (MF-3-CO) combining district zoning to multi-family residence medium density (MF-3) district zoning. Zoning and Platting Commission Recommendation: To grant multi-family residence medium density (MF-3) district zoning with conditions. Applicant: Wayne Harwell Properties, inc. (Wayne Harwell). Agent: Urban Design Group (Ruth Belmarez). City Staff: Sherri Gager, 974-3057.
The public hearing was closed on Council Member Slusher's motion, Mayor Wynn's second on a 6-0 vote. Mayor Pro Tem Goodman was absent.

The motion to deny the zoning request was approved on Council Member Slusher's motion, Council Member Alvarez' second on 6-0 vote. Mayor Pro Tem Goodman was absent.

ZONING DISCUSSION ITEMS

- Z-9 C14H-04-0003 - Un-named Houses. Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 802, 804, and 806 West Lynn Street from multi-family residence moderate high density neighborhood plan (MF-4-NP) district to multi-family residence moderate high density-historic-neighborhood plan (MF-4-H-NP) combining district. Historic Landmark Commission Recommendation: To grant multi-family residence moderate high-density historic neighborhood plan (MF-4-H-NP) combining district. Planning Commission Recommendation: Forwarded without recommendation. Applicant: Historic Landmark Commission. City Staff: Steve Sadowsky, Historic Preservation Office, Transportation, Planning and Sustainability Department, 974-6454.
The public hearing was closed on Council Member Alvarez' motion, Council Member Slusher's second on a 6-0 vote. Mayor Pro Tem Goodman was absent.

The motion to deny the zoning request was approved on Council Member Thomas' motion, Council Member Dunkerley's second on a 6-0 vote. Mayor Pro Tem Goodman was absent.

- Z-10 C14H-03-0002 - HAMPTON ROAD CALCASIEU HOUSES - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 3403 and 3407 Hampton Road (Waller Creek Watershed) from family residence (SF-3) district, to family residence (SF-3-H) historic combining district. Planning Commission recommendation: Forward without a recommendation. Historic Landmark Commission recommendation: To grant family residence (SF-3-H) historic combining district. Applicant: Historic Landmark Commission. Property Owner: Nick Cochrane. Agent: Chris Pezold. City Staff: Steve Sadowsky, Transportation, Planning and Sustainability Department, 974-6454. (First reading only) Note: A valid petition has been filed by the property owner in opposition to this rezoning request.
The first reading of the zoning ordinance for SF-2 zoning on two lots with a height limitation of thirty feet was approved on Council Member Dunkerley's motion, Council Member McCracken's second on a 6-0 vote. Mayor Pro Tem Goodman was absent.

The motion to adjourn the meeting at 8:34 p.m. was approved on Council Member Slusher's motion, Mayor Wynn's second on a 6-0 vote. Mayor Pro Tem Goodman was absent.

The minutes for the Regular Meeting of April 1, 2004 were approved on this the 15th day of April, 2004 on Council Member Alvarez' motion, Council Member Thomas' second on a 6-0 vote. Mayor Pro Tem Goodman was off the dais.