

**AUSTIN CITY COUNCIL
MINUTES****REGULAR MEETING
THURSDAY, FEBRUARY 2, 2006**

Invocation: Rev. Barnetta Emerson, David Chapel

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, February 2, 2006 in the Council Chambers of City Hall, 301 W. 2nd Street, Austin, Texas.

Mayor Wynn called the Council Meeting to order at 10:20 a.m.

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 Mayor Pro Tem Thomas' motion, Council Member Alvarez' second on a 7-0 vote.

1. Approval of the minutes from the meeting of January 26, 2006.
The minutes from the meeting of January 26, 2006, were approved.
2. Authorize execution of a 12-month agreement with ATI-WIRELESS, a division of the Austin Technology Incubator, a project of the University of Texas, Austin, TX, in an amount not to exceed \$50,000, to provide strategic business consulting services to Austin high technology startups to foster economic development and job creation. (Funding is available in the Fiscal Year 2005-2006 Approved Operating Budget of the Financial Services Office.)
The motion authorizing the execution of an agreement was approved.
3. Authorize ratification of purchases of equipment, supplies and services to provide temporary shelter and transportation to evacuees of disaster declared Gulf States related to Hurricane Katrina from the following vendors or organizations: AMERICAN AIRLINES, \$187,180.24; ARAMARK, \$508,042.49; ARAMSCO, INC., \$208,484.30; AVW-TELAV AUDIO VISUAL, \$54,080; DEEP EDDY RUG & CARPET CLEANER, \$65,441.02; DELL MARKETING LP, \$56,285.01; GOMEZ FLOOR COVERING, \$70,000; INITIAL SECURITY, \$203,070.96; THE PERSONNEL STORE, \$262,147.99; and WALMART, \$205,537.61. (Funding in the amount of \$ 1,820,269.62 is available in a grant from the Texas Department of Public Safety, Division of Emergency Management for temporary shelter operations under Presidential disaster declarations related to Hurricane Katrina.) Public Health and Safety
The motion authorizing ratification of purchases of equipment, supplies and services was approved.

4. Approve the negotiation and execution of an interlocal agreement between the City and the CAPITAL AREA COUNCIL OF GOVERNMENTS (CAPCOG) for the purpose of acquiring new aerial photography and other Geographic Information Systems (GIS) related data through the existing contract between CAPCO and Sanborn Map Company, Inc., in an amount not to exceed \$400,000. (Funding in the amount of \$400,000 is available in the Operating Budget of the Financial and Administrative Services Department, Communications and Technology Management Office.)
The motion authorizing the negotiation and execution of an interlocal agreement was approved.
 5. Authorize execution of Amendment No. 3 to the contract with PUSH UP FOUNDATIONS, INC., Austin, TX to extend the contract to provide transitional housing services from March 1, 2006 through June 30, 2006 in an amount not to exceed \$75,673, with one 6-month renewal option in an amount not to exceed \$110,288, for a combined total amount not to exceed \$185,961. (Funding in the amount of \$130,817 is included in the Fiscal Year 2005-2006 Approved Operating Budget of the Health and Human Services Department. Funding for the balance of the renewal option is contingent on available funding in future budgets.)
The motion authorizing the execution of Amendment No. 3 to the contract was approved.
 6. Approve a resolution confirming the City Manager's appointment of Juan Jose Adame as Chief of the Austin Fire Department in accordance with Section 143.013 of the Texas Local Government Code. (Funding for the Fire Chief position is included in the Fiscal Year 2005-2006 Operating Budget of the Fire Department.)
Resolution No. 20060202-006 was approved.
- Item 7 was pulled for discussion.**
8. Authorize execution of a construction contract with AARON CONCRETE CONTRACTORS, LP (MBE/MH 41.38%), Austin, TX, for the street rehabilitation of Middle Fiskville Road and Northcrest Boulevard in the amount of \$1,432,726.30 plus a \$71,636.32 contingency, for a total contract amount not to exceed \$1,504,362.62. (Funding in the amount of \$1,429,865.12 is available in the Fiscal Year 2005-2006 Amended Capital Budget of the Public Works Department and funding in the amount of \$74,497.50 is available in the Fiscal Year 2005-2006 Capital Budget of the Austin Water Utility.) Lower bid of two received. 4.99% MBE and 49.13% WBE subcontractor participation.
The motion authorizing the execution of a construction contract was approved.
 9. Authorize execution of a construction contract with MUNIZ CONCRETE AND CONTRACTING, INC., (MBE/MH 93.27%), Austin, TX, for 2006 Miscellaneous Bridge Maintenance Project in an amount not to exceed \$665,305. (Funding is available in the Fiscal Year 2005-2006 Approved Operating Budget of the Public Works Department. (FAO 5120-620-2600)) Lowest bid of three received. 0.00% MBE and 6.73% WBE subcontractor participation.
The motion authorizing the execution of a construction contract was approved.
 10. Authorize ratification of Amendment No. 3 to the contract with MEDICAL STAFFING NETWORK, INC., STAFF SEARCH HEALTHCARE and SILVER AND ASSOCIATES, INC., Austin, TX, for temporary medical support staffing services for use at numerous Community Care Services Department, Community Health Center clinic locations, in an amount not to exceed \$284,693.08, for a revised total contract amount not to exceed \$367,193.07. (Funding is available in the Fiscal Year 2004-2005 Approved Operating Budget of the Community Care Services Department.) Public Health and Safety
The motion authorizing the ratification of Amendment No. 3 to the contract was approved.

11. Authorize execution of a 12-month service agreement with AUSTIN DRIVE TRAIN, Austin, TX, for vehicle rear differential repair services in an amount not to exceed \$150,000, with three 12-month extension options in an amount not to exceed \$150,000 per extension option, for a total agreement amount not to exceed \$600,000. (Funding in the amount of \$100,000 is available in the Fiscal Year 2005-2006 Approved Operating Budget of the Fleet Maintenance Fund of the Finance and Administrative Services Department. Funding for the remaining four months of the original contract period and extension options is contingent upon available funding in future budgets.) Lowest responsive bid of two bids received. This contract will be awarded in compliance with Chapter 2-9 of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation.
The motion authorizing the execution of a service agreement was approved.
12. Authorize execution of a 12-month supply agreement with JAE CONSTRUCTION, INC., Austin, TX, for the purchase of ready mix concrete for various small projects and locations in an amount not to exceed \$68,000, with three 12-month extension options in an amount not to exceed \$68,000 per extension option, for a total agreement amount not to exceed \$272,000. (Funding in the amount of \$45,333.28 is available in the Fiscal Year 2005-2006 Approved Operating Budget of the Parks and Recreation Department. Funding for the remaining four 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.
13. Authorize execution of a contract through the HOUSTON-GALVESTON AREA COUNCIL OF GOVERNMENTS (H-GAC) with HI-WAY EQUIPMENT COMPANY, INC., Houston, TX, for the purchase of six walk-behind vibratory rollers in an amount not to exceed \$74,040.55. (Funding is available in the Fiscal Year 2005-2006 Approved Capital Budget of the Public Works Department.) Cooperative purchase.
The motion authorizing the execution of a contract was approved.
14. Authorize execution of a 12-month service agreement with ECOLOGY ACTION OF TEXAS, INC., Austin, TX, for drop-off center recycling services for the Solid Waste Services Department in an amount not to exceed \$81,000, with two 12-month options in an amount not to exceed \$81,000 per extension option, for a total agreement amount not to exceed \$243,000. (Funding in the amount of \$54,000 is available in the Fiscal Year 2005-2006 Approved Operating Budget of the Solid Waste Services Department. Funding for the remaining four months and extension options will be 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. (Approved by the Solid Waste Advisory Commission)
The motion authorizing the execution of a service agreement was approved.
15. Approve appointments to citizen board and commissions, to Council subcommittees and other intergovernmental bodies, and removal and replacements of members.

The following appointments were made:

Board/
Appointee

Consensus/
Council Nominee

Appointment/
Reappointment

Airport Advisory Commission

Richard Hatfield	Consensus	Appointment
Hannah Riddering	Consensus	Reappointment
Bettye (BJ) Taylor	Consensus	Reappointment
Phil Williams	Consensus	Reappointment

Animal Advisory Commission

Patricia (Pat) Valls-Trelles	Council Member Alvarez'	Reappointment
------------------------------	-------------------------	---------------

Asian American Resource Center Advisory Board

Ashan Chowdhury	Consensus	Appointment
-----------------	-----------	-------------

Austin Community Education Consortium

Bruce Barrick	Consensus	Reappointment
Rick Cofer	Consensus	Reappointment

Community Development Commission

Jerome Garvey	Consensus	Reappointment
Ruby Roa	Council Member Dunkerley's	Reappointment

Design Commission

Juan Cotera	Council Member Alvarez'	Reappointment
-------------	-------------------------	---------------

Downtown Austin Community Court Advisory Committee

Mitch Sudolsky	Consensus	Appointment
----------------	-----------	-------------

Electric Utility Commission

Paul Skeith	Council Member Dunkerley's	Reappointment
-------------	----------------------------	---------------

Ethics Review Commission

James Reed	Council Member Dunkerley's	Reappointment
------------	----------------------------	---------------

Human Rights Commission

Delia Meycer	Council Member Alvarez'	Reappointment
--------------	-------------------------	---------------

Library Commission

Laura Dooley	Council Member Dunkerley's	Reappointment
Benito Leal Ornelas	Council Member Alvarez'	Reappointment

Mexican-American Cultural Center Advisory Board

Donato Rodriguez	Consensus	Reappointment
------------------	-----------	---------------

Music Commission

Bradley Stein	Council Member Dunkerley's	Reappointment
---------------	----------------------------	---------------

Item 16 was pulled pending Executive Session discussion.

17. Approve waiver of certain rental and facility use fees for the Carver Museum Theatre under the Fiscal Year 2005-2006 Approved Budget Fee Schedule of Ordinance No. 20050912-004 for the George Washington Carver Ambassadors Legends in Black Music Project to be held on February 2, 16, and March 9 and 16, 2006. (Mayor Pro Tem Danny Thomas, Council Member Betty Dunkerley, and Council Member Leffingwell)

The motion authorizing the waiver of certain rental and facility use fees was approved.

18. Set a public hearing on an ordinance establishing interim development regulations, including a moratorium, relating to the construction and remodeling of certain single family residential development. (Date and time: February 9, 2006 at 6:00 p.m. in the City Hall Council Chambers, 301 West 2nd Street) (Council Member Brewster McCracken, Council Member Betty Dunkerley and Council Member Lee Leffingwell)
The public hearing was set for February 9, 2006 at 6:00 p.m. in the City Hall Council Chambers, 301 West 2nd Street.
19. Approve a resolution urging the Capital Metro Board, STAR TRAN and the Amalgamated Transit Union Local 1091 to expeditiously resolve their current labor contract disputes to avoid an undue negative impact on the community resulting from a cessation of public transportation through a strike by union employees against Capital Metro. (Council Member Lee Leffingwell and Council Member Betty Dunkerley)
Resolution No. 20060202-019 was approved.
20. Set a public hearing to amend Section 25-2-757 (Setbacks), Section 25-2-760 (Streetscape Improvements), and Chapter 25-2, Appendix C (University Neighborhood Overlay District Boundaries, Subdistrict Boundaries and Height Limits) of the City Code relating to building setbacks, sidewalks, and building height in the University Neighborhood Overlay District. (Suggested date and time: February 9, 2006 at 4:00 p.m., City Hall Council Chambers, 301 West Second Street. (Recommended by Planning Commission.)
The public hearing was set for February 9, 2006 at 4:00 p.m., City Hall Council Chambers, 301 West Second Street.

Items 21 through 22 were Executive Session items.

Items 23 through 25 were briefing items set for 2:00 p.m.

Items 26 and Z-1 through Z-8 were zoning items set for 4:00 p.m.

Items 27 through 32 were public hearings set for 6:00 p.m.

Mayor Wynn recessed the Council Meeting to go into Executive Session at 10:59 a.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.

Item 21 was discussed later in Executive Session.

Personnel Matters - Section-551.074

22. Discuss the appointment of City of Austin Municipal Court Judges including appointment of the Presiding Judge, individual Associate Judges including the Downtown Community Court Judge, and individual Substitute Judges; and discuss the compensation and benefits of each individual judge. (Related Item 16)

Executive Session ended and Mayor Wynn called the Council Meeting back to order at 12:09 p.m.

CITIZEN COMMUNICATIONS: GENERAL

CarolAnneRose Kennedy - BLACK HERSTORY: I AMAZING RACE

Scott Johnson - Customer Assistance Program

Lisa Kerber - Representing -- Aging Services Council - Travis County.

Topic: Recently complete survey "Living Independently" - a survey of elderly households in Austin and Travis County.

Jeanie Teel - Representing -- Aging Services Council - Travis County.

Topic: Recently completed survey "Living Independently" - a survey of elderly households in Austin and Travis County

Steve Mason - Public Safety

Jennifer L. Gale - CMTA Board - Building Light-Rail on the backs of our Capital Metro Employees

Pat Johnson - Current Issues

Guy Frankenfield - Thermal Energy Storage - Green Benefits & Incentive Constraints. **He was not present when his name was called.**

Richard Reeves - Minutemen Resolution and ARA.

Janet Zeravica - Minutemen Resolution and ARA. **She was not present when her name was called.**

DISCUSSION ITEMS

16. Approve an ordinance appointing the Presiding Judge, Associate Judges including the Downtown Community Court Judge and Substitute Judges, to the City of Austin Municipal Court for the 2006-2007 judicial term, and setting compensation and benefits. (Recommended by the Council Judicial Subcommittee) (Related Item 22)(Mayor Will Wynn, Mayor Pro Tem Danny Thomas and Council Member Raul Alvarez)

Ordinance No. 20060202-016 was approved making the following appointments on Council Member Alvarez' motion, Mayor Pro Tem Thomas' second on a 7-0 vote. Those appointed for the terms beginning January 1, 2006, and ending December 31, 2007 were Evelyn McKee, Presiding Judge; Associate Judges Michael Coffey, Mitchell Solomon, Kenneth Vitucci, Barbara Garcia-DeLeon, Ronald Meyerson, John Vasquez, and Alfred Jenkins; Associate Judge Michael Coffey as the Downtown Austin Community Court Judge; Substitute Judges Arturo Alvarez, Erik Cary, Kelly Evans, Stanley Kerr, Beverly Landers, Olga Seelig, Donna Beckett, Ferdinand Clervi, David Garza, Kirk Kuykendall, Linda Von Quintus, and Belinda Herrera.

Mayor Wynn recessed the Council Meeting to go into Executive Session at 12:40 p.m.

EXECUTIVE SESSION CONTINUED

Private Consultation with Attorney - Section 551.071

21. Discuss legal issues concerning a proposed Master Agreement with LG Park Plaza Limited Partnership and LG Lamar Limited Partnership (collectively called Gables) in connection with the redevelopment of the City's tract of land known as the Sand Beach Reserve and other City land located north of and

adjacent to the Sand Beach Reserve, which is located at the intersection of Sandra Muraida Way and Cesar Chavez Street. (Related Items 29, 30, 31, 32)

Executive Session ended and Mayor Wynn called the Council Meeting back to order at 2:13 p.m.

BRIEFINGS

23. Presentation of the First Annual Report from the Mayor's Mental Health Task Force Monitoring Committee.
The presentation was made by Assistant Chief Michael McDonald; Willamena Delco, Mayor's Mental Health Task Force Monitoring Committee; David Evans, Executive Director of Austin Travis County Mental Health Mental Retardation Center; and Dr. Susan Stone, Consultant.
25. Presentation on the Regional Water Quality Management Plan.
The presentation was made by Nancy McClintock, Watershed Protection and Development Review.
24. Presentation from the Bond Election Advisory Committee on its final recommendation for the 2006 Bonds.
The presentation was made by Greg Canally, Budget Officer; Dr. Charles Urdy, Chair of the Bond Election Advisory Committee; and Dr. Mike Clark Madison, Chairman of the Public Community and Outreach Subcommittee of the Bond Election Advisory Committee.

DISCUSSION ITEMS CONTINUED

7. Approve negotiation and execution of professional service contracts to provide legislative representation services for a total combined amount not to exceed \$942,000, with one 12-month extension option for each contract in a total combined amount not to exceed \$942,000. (Funding is available in the Fiscal Year 2005-2006 Approved Operating Budget of the Management Services Department, the Solid Waste Services Department, the Austin Water Utility, and Austin Energy.)
The motion authorizing the negotiation and execution of professional service contracts was approved on Mayor Pro Tem Thomas' motion, Mayor Wynn's second on a 7-0 vote.

Mayor Wynn recessed the Council Meeting at 5:37 p.m. for Proclamations and Live Music.

LIVE MUSIC

Cyril Neville

PROCLAMATIONS

Proclamation - Black History Month - to be presented by Mayor Will Wynn and to be accepted by County Judge Sam Biscoe

Proclamation - Austin Goes Red for Women Day - to be presented by Mayor Will Wynn and to be accepted by David Lurie and Dr. Adolfo Valadez

Proclamation - Central Texas African American Family Support Conference - to be presented by Mayor Will Wynn and to be accepted by Marietta Noel

Proclamation - Doug Hall Day - to be presented by Mayor Will Wynn and to be accepted by Perry Hall

Proclamation - Veronica Briseno and Sal Lara Day - to be presented by Council Member Raul Alvarez and to be accepted by the honorees.

Mayor Wynn called the Council Meeting back to order at 6:33 p.m.

ZONING ITEM

26. C14-05-0110 – Bouldin Meadows - Approve second and third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as Barton Skyway at the Union Pacific Railroad (West Bouldin Creek Watershed) from general commercial services (CS) district zoning to family residence (SF-3) district zoning. First reading approved on December 15, 2005. Vote: 7-0. Applicant: Forest Cove Ltd. and Agent: John Hussey. City Staff: Robert Heil, 974-2330.
This item was postponed to February 9, 2006 with direction to staff to prepare a restrictive covenant limiting the fill on the property to no more than four feet except for the roadway crossings on Council Member Leffingwell's motion. Council Member McCracken's second on a 6-0 vote. Mayor Pro Tem Thomas 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 Alvarez' motion, Council Member Dunkerley's second on a 6-0 vote. Mayor Pro Tem Thomas was off the dais.

- Z-1 C14-05-0153 – Decker Zoning - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as Decker Lane at Loyola Lane (Decker Creek Watershed) from community commercial-conditional overlay (GR-CO) combining district zoning to commercial-liquor sales conditional overlay (CS-1-CO) combining district zoning. Zoning and Platting Commission Recommendation: To grant commercial-liquor sales conditional overlay (CS-1-CO) combining district zoning. Applicant: A.M. Petroleum Inc. (Adam Ahmed). Agent: William Faust. City Staff: Robert Heil, 974-2330.
Ordinance No. 20060202-Z001 for commercial-liquor sales conditional overlay (CS-1-CO) combining district zoning was approved.
- Z-2 C14-05-0191 - 5005 Commercial Park Drive - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by zoning property locally known as 5005 Commercial Park Drive (Walnut Creek Watershed) from interim-single family-standard lot (I-SF-2) district zoning to commercial-liquor sales-conditional overlay (CS-1-CO) combining district zoning. Zoning and Platting Commission Recommendation: To grant commercial-liquor sales-conditional overlay (CS-1-CO) combining district zoning. Applicant and Agent: Matthew Lutz. City Staff: Robert Heil, 974-2330.
Ordinance No. 20060202-Z002 for commercial-liquor sales conditional overlay (CS-1-CO) combining district zoning was approved.
- Z-3 C14-05-0215 - Maverick Miller House - City Initiated - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 910 Poplar Street (Shoal Creek Watershed) from multi-family residence-moderate-high density-historic-neighborhood plan (MF-4-H-NP) combining district zoning to limited office-mixed use-historic-conditional overlay-neighborhood plan (LO-MU-H-CO-NP) combining district zoning. Historic Landmark Commission: To grant limited office-mixed use-historic-conditional overlay-neighborhood plan (LO-MU-H-CO-NP) combining district zoning. Planning Commission Recommendation: To grant limited office-mixed use-historic-conditional overlay-neighborhood plan (LO-MU-H-CO-NP) combining district zoning. Applicant: City of Austin. Agent: Neighborhood Planning and Zoning Department. City Staff: Tina Bui, 974-2755.
This item was postponed to February 9, 2006 at the staff's request.

- Z-4 C14-05-0164 - Watson Tract - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by zoning and rezoning property locally known as U.S. Highway 290 East, approximately 360 feet west from its intersection with Springdale Road (Walnut Creek Watershed) from development reserve (DR) district zoning and interim-rural residence (I-RR) district zoning to community commercial-conditional overlay (GR-CO) combining district zoning and limited industrial services-conditional overlay (LI-CO) combining district zoning. Zoning and Platting Commission Recommendation: To grant community commercial-conditional overlay (GR-CO) combining district zoning and limited industrial services-conditional overlay (LI-CO) combining district zoning. Applicant: Jimmy Nassour. Agent: David Holt. City Staff: Robert Heil, 974-2330.
This item was postponed to June 8, 2006 at the applicant's request.

ZONING DISCUSSION ITEMS

- Z-6 NPA-05-0013.01 - 2008-A South First Street - Conduct a public hearing and approve an ordinance amending Ordinance 020523-32 (Bouldin Neighborhood Plan), an element of the Austin Tomorrow Comprehensive Plan, to change the future land use map from single family use designation to mixed use designation for the property located at 2008-A South First Street (East Bouldin Creek Watershed). Planning Commission Recommendation: To grant mixed use designation. Applicant and Agent: Jose Luis Versalles. City Staff: Mark Walters, 974-7695. (Related Item Z-5)
The public hearing was closed and the first reading of the ordinance for mixed use designation was approved on Council Member Alvarez' motion, Council Member McCracken's second on a 7-0 vote.
- Z-5 C14-05-0152 - Versalles Body Shop - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 2008-A South First Street (East Bouldin Creek Watershed) from family residence - neighborhood plan (SF-3-NP) combining district zoning to community commercial-mixed use-neighborhood plan (GR-MU-NP) combining district zoning. Planning Commission Recommendation: To grant neighborhood commercial-mixed use-neighborhood plan (LR-MU-NP) combining district zoning. Applicant and Agent: Jose Luis Versalles. City Staff: Robert Heil, 974-2330. (Related Item Z-6)
The public hearing was closed and the first reading of the ordinance for neighborhood commercial-mixed use-neighborhood plan (LR-MU-NP) combining district zoning was approved on Council Member Alvarez' motion, Council Member McCracken's second on a 7-0 vote.

PUBLIC HEARINGS AND POSSIBLE ACTION

27. Conduct a public hearing and approve an ordinance adopting local standards of care for the Parks and Recreation Department's children's recreation programs. (Approved by the Parks and Recreation Board.)
The public hearing was closed and Ordinance No. 20060202-027 was approved on Council Member McCracken's motion, Mayor Pro Tem Thomas' second on a 7-0 vote.
28. Conduct a public hearing on an appeal by applicant Tumbleweed Investment Joint Venture of the Zoning and Platting Commission's denial of applicant's extension requests for a site plan; Rancho La Valencia, SP-01-0356D, located at 9512 FM 2222. (The Zoning and Platting Commission denied appeal and denied three-year extension.)
This item was postponed to March 2, 2006 on Council Member McCracken's motion, Mayor Pro Tem Thomas' second on a 7-0 vote.

ZONING DISCUSSION ITEMS CONTINUED

- Z-7 C14-05-0005 - Gables/Park Plaza - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 910 West Cesar Chavez Street (Tracts 1 and 2) (Town Lake and Shoal Creek Watersheds) from downtown-mixed use (DMU) district zoning to downtown-mixed use-central urban redevelopment (DMU-CURE) combining district zoning. Zoning and Platting Commission Recommendation: To grant downtown-mixed use-central urban redevelopment-conditional overlay (DMU-CURE-CO) combining district zoning with conditions. Applicant: LG Lamar Limited Partnership and LG Park Plaza Limited Partnership (Ben Pisklak). Agent: Drenner & Golden Stuart Wolff LLP. (Michelle R. Allen). City Staff: Jorge E. Rousselin, 974-2975. **The public hearing was closed on Council Member McCracken's motion, Council Member Leffingwell's second on a 7-0 vote.**

Ordinance No. 20060202-Z007 for downtown-mixed use-central urban redevelopment (DMU-CURE) combining district zoning was approved on Council Member McCracken's motion, Mayor Wynn's second on a 7-0 vote.

- Z-8 C14-05-0093 - The Crescent - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by zoning property locally known as the 900 Block of West Cesar Chavez Street (Town Lake and Shoal Creek Watersheds) from unzoned to downtown-mixed use (DMU) district zoning. Zoning and Platting Commission Recommendation: To grant downtown mixed use (DMU) district zoning. Applicant: City of Austin (Real Estate Division). Agent: Neighborhood Planning and Zoning Department. City Staff: Jorge E. Rousselin, 974-2975. **The public hearing was closed on Council Member McCracken's motion, Council Member Leffingwell's second on a 7-0 vote.**
Ordinance No. 20060202-Z008 for downtown mixed use (DMU) district zoning, with the following friendly amendment, was approved on Council Member McCracken's motion, Mayor Wynn's second on a 7-0 vote. The amendment from Council Member Alvarez was to approve a conditional overlay limiting the height to sixty feet.

The motion to waive the rules and allow Council to meet after 10 p.m. was approved on Council Member McCracken's motion, Mayor Pro Tem Thomas' second on a 7-0 vote.

30. Conduct a public hearing and adopt a resolution authorizing the realignment of the road known as Sandra Muraida Way and construction of a biofiltration meadow in the area of dedicated parkland known as The Sand Beach Reserve in accordance with Sec. 26.001 et seq. of the Texas Parks and Wildlife Code. (Recommended by the Parks Board and the Environmental Board.) (Related Items 21, 29, 31, 32)
The public hearing was closed on Council Member Leffingwell's motion, Council Member McCracken's second on a 7-0 vote.

Resolution No. 20060202-030 was approved on Council Member McCracken's motion, Council Member Dunkerley's second on a 7-0 vote.

31. Presentation and approval of a resolution relating to the alignment of the Pfluger Bridge Extension and the Bowie Street pedestrian undercrossing of the Union Pacific Railroad.(Related Items 21, 29, 30, 32)
The presentation was made by Austan Librach, Assistant Director, Economic Growth and Redevelopment.

Resolution No. 20060202-031 was approved on Council Member McCracken's motion, Council Member Dunkerley's second on a 7-0 vote.

32. Approve an ordinance authorizing: (i) the execution of a Master Agreement, ancillary Community Facility and Cost Reimbursement Agreements, and other related and incorporated documents to facilitate public improvements; (ii) the grant of exceptions to fiscal requirements for construction of City improvements; and (iii) an exchange of real estate interests in and adjacent to the area known as the Sand Beach Reserve, generally bounded on the north by Lumbermen's Investment Corporation property, on the west by North Lamar Boulevard, on the south by Cesar Chavez, and on the east by Scaholm Power Plant property with LG Park Plaza Limited Partnership and LG Lamar Limited Partnership (collectively called Gables), with funding in an amount not to exceed \$2,023,679. The public improvements will be facilitated by an exchange of an unimproved parcel of Bowie Street right-of-way for certain private right of access easements and a wastewater easement between the City and Gables. (Funding in the amount of \$2,023,679 is available in the Fiscal Year 2005-2006 Approved Capital Budgets in the following departments: \$1,867,160 Economic Growth and Redevelopment Services, \$89,519 Public Works and Transportation, and \$67,000 Watershed Protection and Development Review.) (Related Items 21, 29, 30, 31)

Ordinance No. 20060202-032 was approved with the following amendment on Council Member McCracken's motion, Council Member Dunkerley's second on a 7-0 vote. The amendment from Council Member Kim was to add \$250,000 for public housing to the agreement.

29. Approve an ordinance authorizing the execution of all documents necessary to vacate and convey the City's interest in a portion of the Bowie Street right-of-way (0.062 acres located south of 3rd Street), subject to the area being retained as a public utility easement, to LG Park Plaza Limited Partnership and LG Lamar Limited Partnership (collectively called Gables), in exchange for Gables dedicating a wastewater line easement on its private property and releasing all rights to streets dedicated by implication, ordinance, and private access easements recorded at Document No. 2002000252 (which public street and access easements are located in or adjacent to the City's Sand Beach Reserve property at the intersection of Cesar Chavez Street and Sandra Muraida Way). (Recommended by Zoning and Platting Commission and the Urban Transportation Commission passed on making a recommendation.) (Related Items 21, 30, 31, 32)

Ordinance No. 20060202-029 was approved on Council Member McCracken's motion, Council Member Dunkerley's second on a 7-0 vote.

Mayor Wynn adjourned the meeting at 11:16 p.m. without objection.

The minutes for the Regular Meeting of February 2, 2006 were approved on this the 9th day of February, 2006 on Council Member Alvarez' motion, Council Member Leffingwell's second on a 7-0 vote.