



**AUSTIN CITY COUNCIL
MINUTES**

**REGULAR MEETING
THURSDAY, APRIL 20, 2006**

Invocation: Pastor Harold E. Hendricks, Grace Fellowship Community Church

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 20, 2006 in the Council Chambers of City Hall, 301 W. 2nd Street, Austin, Texas.

Mayor Wynn called the Council Meeting to order at 10:15 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 Council Member Kim's motion, Mayor Pro Tem Thomas' second on a 7-0 vote.

1. Approval of the minutes from the meeting of April 6, 2006, the special called meetings from April 3 and April 7, 2006 and amendment to the minutes from the meeting of February 16, 2006.
The minutes from the meeting of April 6, 2006, the special called meetings of April 3 and April 7, 2006, and the amendment to the minutes of the meeting of February 16, 2006 were approved.
2. Authorize the City Manager to negotiate and execute an agreement between Northtown Municipal Utility District ("Northtown"), Dessau Park Community Water System ("Dessau"), and the City of Austin ("City") for the City's provision of retail water and wastewater service to Dessau. Northtown and Dessau will be responsible for the necessary infrastructure improvements. No City funding is required for this agreement. Recommended by Water and Wastewater Commission.
The motion authorizing the City Manager to negotiate and execute an agreement was approved.
3. Approve a time extension to the existing professional service agreements with the following four firms: LOCKWOOD, ANDREWS and NEWNAM, INC., Austin, TX; HNTB CORPORATION, Austin, TX; METCALF and EDDY, INC., Austin, TX; and PBS and J, Austin, TX to provide professional engineering services for water system improvements to meet minimum standards, for an additional three years, or until financial authorization is expended whichever occurs sooner. Additional funding authorization is not required. Funding for remaining projects is available in the Capital Budget for the Water and Wastewater Utility. Participation goals stated in the original rotation list solicitation were 8.6% MBE and 18.2% WBE. The scope of services for rotation contracts varies with each project and is not known until projects are assigned. Recommended by Water and Wastewater Commission.
The motion authorizing a time extension to the existing professional service agreements was approved.

Item 4 was pulled for discussion.

5. Approve an ordinance amending Exhibits A, B, and C of Ordinance No. 20060302-002 calling the May 13, 2006 General Municipal Election to adopt changes to election day polling place locations, the list of election day precinct judges, and early voting places.
Ordinance No. 20060420-005 was approved.
6. Approve a resolution nominating projects for funding through the Statewide Transportation Enhancement Program of the Texas Department of Transportation, and certifying the availability of matching funds for the proposed projects. Funding in the amount of \$1,869,635 is available in the Fiscal Year 2005-2006 approved Public Works Capital Budget for the match for Brazos and Colorado Great Streets Enhancements project. Funding in the amount of \$3,062,352 is available in the Fiscal Year 2005-2006 Economic Growth and Redevelopment Services Office Capital Budget for the match for Seaholm District Pedestrian and Bicycle Network. Brazos and Colorado Great Streets Recommended by Urban Transportation Commission on March 20, 2006, the Design Commission on March 27, 2006.
Resolution No. 20060420-006 was amended to add the Bike Austin Project to the list of proposed projects.
7. Approve an ordinance authorizing waiver and reimbursement of certain fees and waiver of the requirements of Section 25-10-172(A) of the City Code to allow street banner advertising for the 2006 World Congress of Information Technology (WCIT) conference in May 2006. Funding will be provided by the City of Austin as an in-kind contribution. Placement of temporary banners in the downtown area approved by the Historic Landmark Commission.
Ordinance No. 20060420-007 was approved.
8. Approve designation of ADOLFO VALADEZ, M.D., M.P.H., as Health Authority and designation of LINDA WILLIAMS DOOLEY, M.D. and EDWARD MACLEOD RACHT, M.D., each individually, as an Alternate Health Authority for Austin/Travis County Health and Human Services Department effective February 1, 2006. Funding was included in the Fiscal Year 2005-2006 Approved Operating Budget of the Health and Human Services Department.
The motion authorizing the designation of Adolfo Valadez, M.D., M.P.H., as Health Authority and Linda Williams Dooley, M.D., and Edward Macleod Racht, M.D., as alternate's was approved.
9. Authorize negotiation and execution of three 12-month contracts to provide social services to Hurricane Katrina evacuees: CARITAS OF AUSTIN for the Long Term Recovery Project of the Best Single Source, to provide direct client assistance to support evacuees in achieving stabilization and self-sufficiency, in an amount not to exceed \$71,000; TEXAS INTERAGENCY/INTERFAITH DISASTER RESPONSE to support their operation as the coordinating agency of the Long Term Recovery Committee, providing support for resource coordination staff, and direct client assistance needs (such as medication and food), in an amount not to exceed \$60,000; and YOUTH AND FAMILY ALLIANCE (aka LifeWorks) to provide home-based mental health services, in an amount not to exceed \$50,000. Funding in the amount of \$181,000 is available in the Fiscal Year 2005-2006 Katrina Disaster Relief Special Revenue Fund. The contract period is May 1, 2006 through April 30, 2007.
The motion authorizing the negotiation and execution of three contracts was approved.
10. Authorize execution of Amendment No. 4 to the 12-month contract with YOUTH AND FAMILY ALLIANCE (aka LifeWorks) Austin, TX, for an expansion of housing and homelessness services to provide additional supportive housing services to teen parents and their children, to increase the contract by \$62,111, for a total 12-month contract amount not to exceed \$182,785 with five 12-month renewal options remaining, in an amount not to exceed \$182,785, for a total contract amount not to exceed \$1,230,399. Funding in the amount of \$46,583 is available in the Fiscal Year 2005-2006 Approved

Operating Budget of the Health and Human Services Department. The contract period is January 1, 2006 through December 31, 2006. Funding for the remaining three months of the contract and renewal options is contingent upon available funding in future budgets.

The motion authorizing the execution of amendment number 4 was approved.

11. Approve execution of an 8-month Interlocal Cooperation Agreement between the CITY OF AUSTIN and AUSTIN TRAVIS COUNTY MENTAL HEALTH MENTAL RETARDATION CENTER, Austin, TX, for provision of mental health and mental retardation planning and prevention services in an amount not to exceed \$1,010,874 with three 12-month renewal options in an amount not to exceed \$1,516,311 per renewal option, for a total agreement amount not to exceed \$5,559,807. Funding in the amount of \$631,796 is included in the Fiscal Year 2005-2006 Approved Operating Budget for the Health and Human Services Department. Funding for the balance of the agreement and renewal options is contingent on available funding in future budgets. The initial agreement period is May 1, 2006 – December 31, 2006. **The motion authorizing the execution of an interlocal cooperation agreement was approved.**
12. Approve execution of 12-month contracts under the Ryan White Title I HIV Emergency Relief Grant for the delivery of HIV-related emergency care services with: AIDS SERVICES OF AUSTIN, INC. Austin, TX in an amount not to exceed \$753,523, with two 12-month renewal options in an amount not to exceed \$753,523 per renewal option for a total contract amount not to exceed \$2,260,569; AUSTIN-TRAVIS COUNTY MENTAL HEALTH MENTAL RETARDATION CENTER C.A.R.E. PROGRAM, Austin, TX in an amount not to exceed \$315,250 with two 12-month renewal options in an amount not to exceed \$315,250 per renewal option for a total contract amount not to exceed \$945,750; COMMUNITY ACTION, INC. OF HAYS, CALDWELL AND BLANCO COUNTIES, San Marcos, TX in an amount not to exceed \$46,197 with two 12-month renewal options in an amount not to exceed \$46,197 per renewal option for a total contract amount not to exceed \$138,591; PROJECT TRANSITIONS, INC. Austin, TX in an amount not to exceed \$36,586 with two 12-month renewal options in an amount not to exceed \$36,586 per renewal option for a total contract amount not to exceed \$109,758; and THE WRIGHT HOUSE WELLNESS CENTER Austin, TX in an amount not to exceed \$268,782 with two 12-month renewal options in an amount not to exceed \$268,782 per renewal option for a total contract amount not to exceed \$806,346. Funding in the amount of \$1,420,338 is included in the Fiscal Year 2005-2006 Approved Operating Budget of the Health and Human Services Department Special Revenue Fund Ryan White Title I HIV Emergency CARE. The grant period is March 1, 2006 through February 28, 2007. Funding for renewal options is contingent on available funding in future budgets. Austin Area Comprehensive HIV Planning Council approved allocation of funds for the purchase of these services. **The motion authorizing the execution of contracts was approved.**
13. Approve negotiation and execution of an amendment to the outside counsel contract with Scott, Douglas, and McConnico, L.L.P., Austin, TX, for legal representation in connection with City of Austin v. FPL Energy Upton Wind I, L.P., Cause No. GN403274 in the 345th Judicial District Court, Travis County, Texas, in an amount not to exceed \$130,000, for a total contract amount not to exceed \$985,000. Funding in the amount of \$130,000 is available in the fiscal Year 2005-2006 Approved Operating Budget of Austin Energy. **The motion authorizing the negotiation and execution of an amendment was approved.**
14. Authorize execution of a construction contract with SOUTHWEST CORPORATION, Austin, TX, for the Manchaca Road Branch Library Improvement Project in the amount of \$555,256 plus a \$38,867.92 contingency, for a total contract amount not to exceed \$594,123.92. Funding in the amount of \$594,123.92 is available in the Fiscal Year 2003-2004 Approved Capital Budget of the Library Department. Lowest bid of three received, one of which was deemed non-responsive. 22.37% MBE and 1.21% WBE subcontractor participation. **The motion authorizing the execution of a construction contract was approved.**

15. Approve second/third readings of an ordinance to annex the Winfield MUD No. 2 Area for the limited purposes of planning and zoning (approximately 575 acres in Travis County and Hays County and located approximately 1.5 miles east of South IH 35 and south of Turnersville Road). Funding necessary to provide general governmental services to this tract is available in the budgets of the departments which will be providing the services.
Ordinance No. 20060420-015 was approved.
16. Approve second/third readings of an ordinance adopting a regulatory plan for the Winfield MUD No. 2 Area which is being annexed for limited purposes.
Ordinance No. 20060420-016 was approved.
17. Approve a resolution authorizing the extension of line of duty injury leave at full pay for Austin Police Department Officer Steve Claiborne. Funding is included in the Fiscal Year 2005-2006 Operating Budget for the Police Department.
Resolution No. 20060420-017 was approved.
18. Approve a resolution authorizing the application and acceptance of grant funding from the State of Texas, Governor's Office, Criminal Justice Division, Violence Against Women Act, in the amount of \$80,000 for the renewal of the Austin Police Department project entitled Assistance to Female Victims of Domestic Violence. Funding in the amount of \$80,000 is available in grant funding from the State of Texas, Governor's Office, Criminal Justice Division, Violence Against Women Act, for the grant period September 1, 2006 - August 31, 2007. A cash match of \$31,522 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 2006 - 2007 Operating Budget of the Austin Police Department Victim Services Program.
Resolution No. 20060420-018 was approved.
19. Approve a resolution authorizing the application and acceptance of grant funding from the State of Texas, Governor's Office, Criminal Justice Division, Safe and Drug Free Schools and Communities Act Fund, in the amount of \$10,625 for the Austin Faith Community Network to increase youth after-school activities and mentoring. Funding is available in the amount of \$10,625 from the State of Texas, Governor's Office, Criminal Justice Division, Safe and Drug Free Schools and Communities Act Fund, for the period of September 1, 2006 - August 31, 2007. An cash match of \$31,875 is required and will be proposed in the Fiscal Year 2006 - 2007 Operating Budget of the Austin Police Department.
Resolution No. 20060420-019 was approved.
20. Approve a resolution authorizing the application and acceptance of grant funding from the State of Texas, Governor's Office, Criminal Justice Division, in the amount of \$22,109 for one grant-funded Detective position for the Sex Offender Apprehension and Registration (SOAR) Unit. Funding is available in the amount of \$22,109 from the State of Texas, Governor's Office, Criminal Justice Division, for the grant period of September 1, 2006 - August 31, 2007. This is the fifth year of a five-year grant. A cash match of \$66,328 is required and will be proposed in the Fiscal Year 2006 - 2007 Operating Budget of the Austin Police Department.
Resolution No. 20060420-020 was approved.
21. Authorize the negotiation and execution of a contract for the sale of two water line easements (1) 3,751 square feet and (2) 3,707 square feet for the Hamilton Pool Water Line and (1) 3,751 square feet and (2) 3,624 square feet temporary working space to the benefit of the Lower Colorado River Authority (LCRA) from a 928 acre tract known as Little Barton Creek purchased for the May 2, 1998 Bond Election, Proposition 2, Barton Springs Clean Drinking Water Project in the amount of \$1,265.

The motion authorizing the negotiation and execution of a contract was approved. Council Member Alvarez voted nay.

22. Approve an ordinance vacating that portion of the alley between University Avenue and Whitis Avenue and between Martin Luther King Boulevard (West) and 20th Street to the Board of Regents of the University of Texas System, to be incorporated into The University of Texas Executive Education and Conference Center development. Recommended by the Urban Transportation Commission and the Zoning and Platting Commission.
This item was withdrawn.
23. Approve a resolution authorizing the filing of eminent domain proceedings for the P2-Williamson Wastewater Improvements Project, a portion of the Austin Clean Water Program, to acquire a 1,201 square foot permanent wastewater line easement out of Lot 26, Block C, Woodland Oaks, a subdivision in Austin, Travis County, Texas, in the amount of \$652. The owners of the needed property interest are Jose S. Guerrero and Gabriel Guerrero both of Austin, Texas. The property is located at 5101 Acorn Cove, Austin, Travis County, Texas. Funding is included in the Fiscal Year 2005-2006 Capital Budget of the Austin Water Utility.
Resolution No. 20060420-023 was approved.
24. Approve a resolution authorizing the filing of eminent domain proceedings for the Walnut Creek Annexation Project to acquire a 1,498 square foot permanent wastewater line easement out of Lot 1, Walnut Bluff a subdivision in Travis County, in the amount of \$900. The owners of the needed property interest are Tony M. Guerrero and Norma S. Guerrero, of Austin, Texas. The property is located at 11514 June Drive, Austin, Texas. Funding is included in the Fiscal Year 2005-2006 Approved Capital Budget of the Austin Water Utility.
Resolution No. 20060420-024 was approved.
25. Approve a resolution authorizing the filing of eminent domain proceedings for the P2-Williamson Wastewater Improvements Project, a portion of the Austin Clean Water Program, to acquire a 584 square foot permanent wastewater line easement out of Lot 5, Block 1, Peppertree Park Section 2, a subdivision in Austin, Travis County, Texas, in the amount of \$369. The owner of the needed property interest is Gabriel Guerrero of Austin, Texas. The property is located at 5105 Spruce Cove, Austin, Travis County, Texas. Funding is included in the Fiscal Year 2005-2006 Capital Budget of the Austin Water Utility.
Resolution No. 20060420-025 was approved.
26. Authorize negotiation and execution of a professional services agreement with LEIGH FISHER ASSOCIATES, Austin, TX, for airport consulting services for the Austin-Bergstrom International Airport (ABIA) Master Plan Level 1 Phasing Plan in an amount not to exceed \$1,250,000. Funding is available in the Fiscal Year 2005-2006 Capital Budget of the Aviation Department. Best qualification statement of six statements received. 20.27% DBE subconsultant participation. Recommended by the Austin Airport Advisory Commission.
The motion authorizing the negotiation and execution of a professional services agreement was approved.
27. Authorize negotiation and execution of an amendment to the professional services agreement with THC, INC., Duluth, GA, for consultant services for the Austin-Bergstrom International Airport Noise Mitigation Program to authorize two one-year extension options, and to increase the total amount authorized to be expended under the agreement by an amount not to exceed \$2,850,000 for a total contract amount not to exceed \$8,100,000. Funding is available in the Fiscal Year 2005-2006 Amended Capital Budget of the Aviation Department using airport funds and available Federal Aviation Administration (FAA) Grant. The recommended firm provided a 26.7% DBE subconsultant participation

plan. To date, the DBE participation is 27%. Recommended by the Austin Airport Advisory Commission.

The motion authorizing the negotiation and execution of an amendment was approved.

28. Authorize execution of change order #7 to the construction contract with RODRIGUEZ BARR INC., DBA THE BARR COMPANY, AIA, Austin, TX, (MBE/FH 82%) for ADA Sidewalk, Ramp and Bikeway Improvements Group 2 in the amount of \$193,939.32, for a total contract amount not to exceed \$2,341,161. Funding in the amount of \$193,939.32 is available in the Fiscal Year 2005-2006 Amended Capital Budget of the Public Works Department. 5.55% MBE and 4.92% WBE subcontractor participation to date.

The motion authorizing the execution of change order #7 to the construction contract was approved.

29. Authorize execution of a construction contract with SCHROEDER CONSTRUCTION COMPANY, LTD, Austin, TX, for the Davenport Water and Wastewater Improvements Project STAA #9A2 and #9B2 in the amount of \$761,857.40 plus a \$76,186.00 contingency, for a total contract amount not to exceed \$838,043.40. Funding in the amount of \$838,043.40 is included in the Fiscal Year 2005-2006 Capital Budget of the Austin Water Utility. Lowest bid of eight bids received. 18.08% MBE and 7.59% WBE subcontractor participation. Recommended by the Water and Wastewater Commission.

The motion authorizing the execution of a construction contract was approved.

30. Authorize negotiation and execution of an amendment to the professional services agreement with TURNER, COLLIE AND BRADEN, INC., Austin, TX, for engineering services for the Davis Water Treatment Plant Process Improvement and Equipment Rehabilitation/Replacement Project in the amount of \$2,922,805 for a total contract amount not to exceed \$3,739,816. Funding in the amount of \$2,922,805 is included in the Fiscal Year 2005-2006 Capital Budget of the Austin Water Utility. 9.87 % MBE and 25.75 % WBE subcontractor participation to date. Recommended by the Water and Wastewater Commission.

The motion authorizing the negotiation and execution of an amendment was approved.

31. Approve an ordinance, on first reading, repealing Ordinance No. 20050407-017 granting a taxicab franchise to Roy's Taxi, Inc. and amending Ordinance No. 20050609-019 granting a taxicab franchise to Greater Austin Transportation Company d/b/a Yellow Cab, and allowing the temporary use by Yellow Cab of the Roy's Taxi, Inc. name, vehicle numbering, and color scheme. The taxicab permit fee of \$400 per year per permit is a revenue source. Expected annual revenue is \$62,000. The Urban Transportation Commission recommends denial of the request.

This item was postponed to April 27, 2006 with the following instructions to staff. Mayor Pro Tem Thomas requested [-] an explanation of the postponement and [-] minutes of the meeting several years ago regarding [-] denial of a new franchise for Lone Star Cab. He also requested the minutes of the Urban Transportation Committee meeting. Council Member Dunkerley requested staff to provide information about the sale of Roy's Taxi, Inc., creation of a new franchise, and how to ensure there are a minimum of three cab companies so the drivers have choices.

32. Authorize execution of a 12-month agreement with FALCON CREST AVIATION, San Antonio, TX, for the purchase of passenger boarding bridge tires for the Aviation Department in an amount not to exceed \$47,355, with two 12-month extension options, in amount not to exceed \$47,355 per extension option, for a total agreement amount not to exceed \$142,065. Funding in the amount of \$19,731 is available in the Fiscal Year 2005-2006 Approved Operating budget of the Aviation Department Fund. Funding for the remaining seven months of the original contract period and extension options is contingent upon available funding in future budgets. Lowest bid of three bids received. This contract will be awarded in compliance with Chapter 2-9 of the City Code (Minority-Owned and Women-Owned Business Enterprise

Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation. Recommended by the Austin Airport Advisory Commission.

The motion authorizing the execution of an agreement was approved.

33. Authorize execution of a contract with AMERICAN ASSOCIATION OF AIRPORT EXECUTIVES, Alexandria, VA, for an interactive employee training system in an amount not exceed \$132,400. Funding is available in the Fiscal Year 2005-2006 Operating Budget of the Aviation Department. Sole Source. Recommended by the Austin Airport Advisory Commission.

The motion authorizing the execution of a contract was approved.

34. Authorize execution of a 12-month service agreement with UCG ASSOCIATES, INC., Chicago, IL, for airport financial consulting services in an amount not to exceed \$50,000 with two 12-month extension options, in an amount not exceed \$50,000 per extension option, for a total agreement amount not to exceed, \$150,000. Funding in the amount of \$20,833.33 is available in the Fiscal Year 2005-2006 Approved Operating Budget of the Aviation Department. Funding for the remaining seven months of the original contract period and extension options is contingent upon available funding in future budgets. Best evaluated proposal of five 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 Airport Advisory Commission.

The motion authorizing the execution of a service agreement was approved.

35. Authorize execution of four 12-month supply agreements with TECHLINE INC., Austin, TX, POWER SUPPLY INC., Austin, TX, KBS ELECTRICAL DISTRIBUTORS INC., Austin, TX, and PRIESTER SUPPLY CO., Austin, TX for underground electrical supplies in amounts not to exceed \$217,502, \$78,622, \$73,137.50 and \$60,876.43 respectively, with two 12-month extension options in amounts not to exceed \$217,502, \$78,622, \$73,137.50 and \$60,876.43 respectively per extension option, for total agreement amounts not to exceed \$652,506, \$235,866, \$219,412.50 and \$182,629.29 respectively. Funding in the amount of \$179,224.14 is available in the Fiscal Year 2005-2006 Approved Operating Budget of Austin Energy. Funding for the remaining seven months of the original contract period and extension options is contingent upon available funding in future budgets. Low bids/Low bids meeting specification of seven bids received. These contracts 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 four supply agreements was approved.

36. Authorize execution of a 12-month supply agreement with POWER SUPPLY, Austin, TX, for distribution capacitor banks in an amount not to exceed \$262,340, with three 12-month extension options in an amount not to exceed \$262,340 per extension option, for a total contract amount not to exceed \$1,049,360. Funding in the amount of \$262,340 is available in the Fiscal Year 2005-2006 Approved Capital Budget of Austin Energy. Funding for the extension options is contingent upon available funding in future budgets. Low bidder meeting specifications. This contract will be awarded in accordance 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.

37. Authorize execution of a 12-month service agreement with EMMERT INTERNATIONAL, Rhome, TX, for heavy equipment hauling services in an amount not to exceed \$367,450 with three 12-month extension options in an amount not to exceed \$367,450 per extension for a grand total amount not to exceed \$1,469,800. Funding in the amount of \$153,104.16 is available the Fiscal Year 2005-2006 Approved

Operating Budget of Austin Energy. Funding for the remaining seven months of the original contract period and extension options is contingent upon available funding in future budgets. Sole bidder. This contract will be awarded in accordance 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.

38. Authorize execution of three 12-month service agreements with NATIONAL POWER RODDING CORP., Chicago, IL, PEABODY GENERAL CONTRACTOR (WBE/FR-93.25%), Dripping Springs, TX, and CENTRAL TEXAS UTILITY SERVICES (WBE/FH-100%), Cedar Creek, TX, for wastewater line relays and spot repairs for the Austin Water Utility, in amounts not to exceed \$5,268,436.80, \$3,222,790 and \$581,800 respectively, with one 12-month extension option in amounts not to exceed \$5,268,436.80, \$3,222,790 and \$581,800 respectively, for total contract amounts not to exceed \$10,536,873.60, \$6,445,580 and \$1,163,600 respectively. Funding in the amount of \$9,073,026.80 is included in the Fiscal Year 2005-2006 Capital Budget of the Austin Water Utility. Funding for extension options is contingent upon available funding in future budgets. Lowest bids of five bids received. National Power Rodding Corp. - MBE 41.48% WBE 5.67% Subcontracting Participation; Peabody General Contractors, Inc. - MBE 6.75% WBE 0% Subcontracting Participation.

The motion authorizing the execution of three service agreements was approved.

39. Authorize execution of a 12-month service agreement with ANA LAB CORPORATION, Kilgore, TX, to provide pollutant analysis services for the Austin Water Utility, in an amount not to exceed \$75,750, with two 12-month extension options in an amount not to exceed \$75,750 per extension option, for a total agreement amount not to exceed \$227,250. Funding in the amount of \$31,563 is available in the Fiscal Year 2005-2006 Approved Operating Budget of the Austin Water Utility. Funding for the remaining seven months of the original contract period and extension options will be contingent upon available funding in future budget. Lowest responsive bid of five bids received. This contract will be awarded in compliance with Chapter 2-9 of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation.

The motion authorizing the execution of a service agreement was approved.

40. Authorize execution of a 12-month service agreement with AUSTIN DISPOSAL INTEREST, LP, dab COMPLETE LIQUID SOLUTIONS., Austin, TX (WBE/FR), to provide emergency response for sludge and sewage pumping, hauling, and disposal service for the Austin Water Utility in an amount not to exceed \$400,000, with two 12-month extension options in an amount not to exceed \$400,000 per extension option, for a total contract amount not to exceed \$1,200,000. Funding in the amount of \$166,667 is available in the Fiscal Year 2005-2006 Approved Operating Budget of the Austin Water Utility. Funding for the remaining seven months of the original contract period and extension options is contingent upon available funding in future budgets. Lowest bid of three bids received. This contract will be awarded in compliance with Chapter 2-9 of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation.

The motion authorizing the execution of a service agreement was approved.

41. Authorize the execution of a 12-month supply agreement with CARBONITE FILTER CORPORATION, Delano, PA, for the purchase of anthracite filter material for the Austin Water Utility, in an amount not to exceed \$88,200 with two 12-month extension options in an amount not to exceed \$88,200 per extension option, for a total agreement amount not to exceed \$246,600. Funding in the amount of \$36,750 is available in the FY 2005-2006 Approved Operating Budget of the Austin Water Utility. Funding for the remaining seven months of the original contract period and extension options is contingent upon available

funding in future budgets. Lowest bid of three bids received. This contract will be awarded in compliance with Chapter 2-9 of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation.

The motion authorizing the execution of a supply agreement was approved.

42. Authorize execution of a 12-month supply agreement with COMMUNITY TRUCKING, Austin, TX, for the purchase of river rock for the Austin Water Utility in an amount not to exceed \$61,469.10, with two 12-month extension options in an amount not to exceed \$61,459.10 per extension option, for a total agreement amount not to exceed \$184,407.30. Funding in the amount of \$25,612 is available in the Fiscal Year 2005-2006 Approved Operating Budget of the Austin Water Utility. Funding for the remaining seven months of the initial contract period and extension options is contingent upon available funding in future budgets. Lowest 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 supply agreement was approved.

43. Authorize execution of a 12-month supply agreement with MILLER UNIFORMS and EMBLEMS, INC., Austin, TX, for the purchase of fire retardant uniform shirts and trousers in an amount not to exceed \$182,530, with two 12-month extension options in an amount not to exceed \$182,530 per extension option, for a total agreement amount not to exceed \$547,590. Funding in the amount of \$76,054 is included in the Fiscal Year 2005-2006 Approved Operating Budget of the Austin Fire Department. Funding for the remaining seven months of the original contract period and the extension options is contingent upon available funding in future budgets. Lowest bid meeting specification 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.

44. Authorize execution of a 12-month supply agreement with TITLEIST and FOOTJOY WORLDWIDE, Fairhaven, MA, for the resale of Titleist and Footjoy Golf Supplies in an amount not to exceed \$150,000 with two 12-month extension options, in an amount not to exceed \$150,000 for a total agreement amount not to exceed \$450,000. Funding in the amount of \$75,000 is available in the Fiscal Year 2005-2006 Approved Operating Budget of the Parks and Recreation Department Golf Fund. Funding for the remaining six months of the original contract period and extension options is contingent upon available funding in future budgets. Products for Resale

The motion authorizing the execution of a supply agreement was approved.

45. Authorize execution of a 12-month supply/service agreement with AQUATIC COMMERCIAL SOLUTIONS, San Antonio, TX, for calcium hypochlorite and the maintenance and cleaning of chlorinating dispensers for swimming pools, in an amount not to exceed \$162,000, with two 12-month extension options, in an amount not to exceed \$162,000 per extension option, for a total agreement amount not to exceed \$486,000. Funding in the amount of \$67,500 is available in the Fiscal Year 2005-2006 Approved Operating Budget of the Parks and Recreation Department. Funding for the remaining seven months of the original period and extension options is contingent upon available funding in future budgets. Lowest bid of three bids received. This contract will be awarded in compliance with Chapter 2-9 of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation.

The motion authorizing the execution of a supply/service agreement was approved.

46. Approve ratification of the expenditure to date of \$850,000 for a coal transportation tariff agreement with BNSF RAILWAY COMPANY, Ft. Worth Texas (BNSF) as previously authorized as a Critical Business Need; and approve execution of subsequent one-month to thirty-six month coal transportation tariff agreements with BNSF RAILWAY COMPANY, Ft. Worth, TX, and UNION PACIFIC RAILROAD, Omaha, NE, for short-term rail transportation contracts, and with STATEWIDE MATERIAL TRANSPORT LTD, Manor, TX, FTS TRUCKING, Corpus Christi, Texas and SUNSET LOGISTICS, Fort Worth, Texas for short-term trucking contracts, for the transportation of coal supplies to the Fayette Power Project in a combined amount not to exceed \$12 million per fiscal year. Funding will be provided through the Electric Utility Fuel Charge revenue fund. Critical Business Need. This contract was awarded in compliance with Chapter 2-9 of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation.
The motion authorizing the ratification of the expenditure for a coal transportation tariff agreement was approved.
47. Authorize the negotiation and execution of Amendment No. 2 to the contract with CGI-AMS (formerly American Management Services) of Fairfax, VA for software modifications, additional licenses and services for the integrated MRO Maximo and Advantage Financial System in an amount not to exceed \$1,702,960 for a revised total contract amount not to exceed \$7,754,643. Funding in the amount of \$507,916 is available in the Fiscal Year 2005-2006 Approved Operating Budgets of Financial and Administrative Services, Austin Convention Center, Austin Water Utility, Watershed Protection and Development Review; \$1,195,044 is available in the Fiscal Year 2005-2006 Adopted Capital Budgets of Austin Energy, Aviation, Solid Waste Services, FASD - Communications and Technology Management, and Public Works. 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.
The motion authorizing the negotiation and execution of amendment number 2 to the contract was approved.
48. Approve an ordinance waiving the development regulations of Ordinance No. 20060309-058 to allow the construction of an addition to an existing single family residence at 605 Fairfield Lane.
Ordinance No. 20060420-048 was approved.
49. Approve appointments to citizen board and commissions, to Council subcommittees and other intergovernmental bodies and removal and replacement of members.
The following appointments were made:

<u>Board/ Appointee</u>	<u>Consensus/ Council Nominee</u>	<u>Appointment/ Reappointment</u>
<u>Day Labor Community Advisory Committee</u>		
Jon Burress	employer-related representative	Appointment
<u>Downtown Austin Community Court Advisory Committee</u>		
Mark Thompson	Consensus	Appointment
<u>Human Rights Commission</u>		
Stuart Campbell	Consensus	Appointment
<u>MBE/WBE Advisory Committee</u>		
Jesus Lowenberg	Consensus	Reappointment

Elizabeth McKay

Consensus

Reappointment

Urban Transportation Commission

Dana Lockler

Council Member Alvarez'

Reappointment

50. Approve an ordinance waiving the signature requirement under Chapter 14-8 of the City Code for the 2006 Texas Round-Up 10K to be held on April 29, 2006. (Council Member Brewster McCracken and Mayor Will Wynn)
Ordinance No. 20060420-050 was approved.
51. Approve an ordinance waiving the signature requirement under Chapter 14-8 of the City Code for the America's Triathlon to be held on May 29, 2006. (Mayor Will Wynn and Council Member Brewster McCracken)
This item was withdrawn.
52. Approve an ordinance waiving the signature requirement under Chapter 14-8 of the City Code and authorize use of Town Lake for a water event associated with the Capital of Texas Triathlon to be held on May 28 and 29, 2006. (Mayor Will Wynn and Council Member Brewster McCracken)
Ordinance No. 20060420-052 was approved.
53. Approve waiver of fees for the Austin Filipino Association's Barrio Fiesta to be held on October 8, 2006. (Council Member Jennifer Kim, Mayor Will Wynn and Mayor Pro Tem Danny Thomas)
The motion authorizing a waiver of fees was approved.
54. Approve waiver of fees for the Austin Earth Day Green Art Festival on April 22, 2006. (Council Member Raul Alvarez, Council Member Betty Dunkerley and Council Member Brewster McCracken)
The motion authorizing a waiver of fees was approved.
55. Approve a resolution directing the City Manager to create a staff task force to recommend ways to improve childcare options during nights and weekends for City of Austin employees. (Council Member Jennifer Kim, Mayor Will Wynn and Council Member Betty Dunkerley)
Resolution No. 20060420-055 was approved.
56. Approve a resolution directing the City Manager to process an amendment to the Land Development Code to allow mobile food establishments in certain zoning districts. (Council Member Raul Alvarez, Council Member Betty Dunkerley and Council Member Lee Leffingwell)
Resolution No. 20060420-056 was approved.
- Item 57 was pulled for discussion.**
58. Set a public hearing to consider variance requests by Russell Jones to allow construction of a single-family residence at 806 East 30th Street in the 25-year and 100-year floodplains of Waller Creek and to waive the requirement to dedicate a drainage easement to the full limit of the 100-year floodplain for the footprint of the residence. (Suggested date and time: May 4, 2006 at 6:00 p.m., Austin City Hall Council Chambers, 301 West Second Street)
The public hearing was set for May 4, 2006 at 6:00 p.m., Austin City Hall Council Chambers, 301 West Second Street.
59. Set a public hearing on an appeal by Dale Bulla, Vice-President, 2222 Coalition of Neighborhood Associations, Inc. (2222 CONA), of the Zoning and Platting Commission's decision to approve an extension of a released site plan, under LDC 25-5-63 (C), Champion Commercial SPC-05-0012A, located

at 6015 N. Capitol of Texas Highway. (Suggested date and time: April 27, 2006, at 6:00 p.m., Austin City Hall Council Chambers, 301 West Second Street.) November 1, 2005 - Zoning and Platting Commission: Approval of Hill Country Roadway site plan 9-0 (3 year expiration - November 1, 2008); January 17, 2006 - Zoning and Platting Commission: Approval of Extended Phasing for an approved site plan 7-0 (Phase One - 5 years, expiration date November 1, 2010. Phase Two - 10 Years, expiration date November 1, 2015).

The public hearing was set for April 27, 2006, at 6:00 p.m., Austin City Hall Council Chambers, 301 West Second Street.

Items 60 through 64 were Executive Session items.

Item 65 was Action on an Executive Session item.

Items 66 through 68 were briefings set for 1:00 p.m.

Items 69 through 81 were zoning items set for 4:00 p.m.

Items 82 and 83 were public hearings set for 6:00 p.m.

Items 84 and 85 were addendum items for Action on Executive Session.

DISCUSSION ITEM

4. Authorize the City Manager to negotiate and execute amendments to agreements with Travis County Water Control and Improvement District No. 17 (WCID No. 17) for the provision of wholesale wastewater service to the Comanche Canyon Planned Unit Development, and with WCID No. 17, Taylor Woodrow Communities/Steiner Ranch Ltd., and Steiner Utility Company, Inc., for the provision of wholesale wastewater service to the Steiner Ranch area. WCID No. 17 will be responsible for the necessary infrastructure improvements. No City funding is required for this agreement. Recommended by Water and Wastewater Commission.

This item was postponed to April 27, 2006 on Council Member Alvarez' motion, Council Member Leffingwell's second on a 7-0 vote.

57. Approve an ordinance amending Section 14-8-13 of the City Code relating to application deadlines for a street event held on Congress Avenue or East Sixth Street for 10 or more years. (Mayor Will Wynn, Council Member Raul Alvarez and Council Member Betty Dunkerley)

Ordinance No. 20060420-057 was approved with the following amendments on Council Member Alvarez' motion, Mayor Wynn's second on a 7-0 vote. The amendments were to revise Page 1, 14-8-13 (D) to read, "This subsection applies to an annual event that has been held for 10 or more years in the area bounded on the north by Eleventh Street, on the east by IH-35, on the south by Cesar Chavez Street and on the west by Guadalupe Street." On page 1, 14-8-13 (D) (1), the last sentence in this paragraph is deleted.

Mayor Wynn recessed the Council Meeting to go into Executive Session at 11:14 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.

Private Consultation with Attorney – Section 551.071

60. Discuss legal issues in Josie Ellen Champion, et al. v. City of Austin, Cause No. GN-400513, in the Travis County District Court. (concerns a legal challenge to zoning ordinances governing tracts at FM 2222 and Loop 360) (Private Consultation with Attorney - Section 551.071)
61. Discuss legal issues regarding City of Austin v. FPL Energy Upton Wind I, L.P., Cause No. GN403274; in the 345th Judicial District Court of Travis County, Texas and the outside counsel contract with Scott, Douglass and McConnico, L.L.P. (involves a contractual dispute over payment for wind power) (Private Consultation with Attorney - Section 551.071) (Related to Action Item 65)
This item was withdrawn.
65. Authorize negotiation and execution of an amendment to an outside contract with Scott, Douglass & McConnico, L.L.P., for legal services related to City of Austin v. FPL Energy Upton Wind I, L.P., Cause No. GN403274; in the 345th Judicial District Court of Travis County, Texas, in an amount not to exceed \$130,000, for a total contract amount not to exceed \$985,000. (Funding in the amount of \$130,000 is available in the Fiscal Year 2005-2006 Approved Capital Budget of Austin Energy.) (Related to Executive Session Item 61).
This item was withdrawn.

Items 62 through 64 were discussed later in Executive Session.

Executive Session ended and Mayor Wynn called the Council Meeting back to order at 12:22 p.m.

CITIZEN COMMUNICATIONS: GENERAL

David Conteras - Austin Area Pastor's Council - Proposition 6.

Dr. Sterling Lands - Austin Area Pastor's Council - Proposition 6.

Mark Weaver - He replaced Michael Lewis - Austin Area Pastor's Council - Proposition 6.

Frances Martinez - Palm Pool Upgrade

Paul Hernandez - He replaced Gavino Fernandez - Balanced Development.

Marcos DeLeon - He replaced Gloria Moreno - LULAC 4814 FUNDRAISER April 29, 2006

John Goldstone - East 12th Street and VMU

Marcelo Tafoya - Keep Tejano Music Alive

Pat Johnson - Current Issues - The Plaza at City Hall – UNBELIEVABLE

Paul Robbins - City Issues

Mayor Wynn recessed the Council Meeting to go into Executive Session at 1:09 p.m.

EXECUTIVE SESSION CONTINUED

62. Discuss legal issues regarding a settlement agreement with C.C. Carlton Industries regarding a construction contract for the Austin Clean Water Program Upper West Waller 45th and Speedway Wastewater Improvements Project.
63. Discuss legal issues related to Save Our Springs Alliance, Inc. v. City of Austin; Cause No. GN-06-000627; in the 200th Judicial District Court of Travis County, Texas. (concerns development by Advanced Micro Devices (AMD) and an alleged violation of the Save Our Springs ordinance and the Open Meetings Act) (Private Consultation with attorney 551.071)
64. Discuss acquisition and use of property for Austin Water Utility water treatment facilities. (Real Property - Section 551.072)

Executive Session ended and Mayor Wynn called the Council Meeting back to order at 4:00 p.m.

BRIEFINGS

66. Briefing on 2006 Bond Election: New Facilities.
This item was postponed.
67. Briefing on World Congress on Information Technology (WCIT) to be held in Austin May 2 - 5, 2006 and acceptance of staff recommended schedule of expenditures.
The presentation was made by John Stephens, Director of Financial Services Department, and Glyn Meek, President of World Congress Information Technology.

The motion accepting staff's recommended schedule of expenditures was approved on Council Member Kim's motion, Council Member Dunkerley's second on a 7-0 vote.
68. Presentation from Catellus Austin, LLC, and City staff to update Council on the Mueller Redevelopment Project.
The presentation was made by Pam Hefner, Mueller Project Manager in Economic Growth and Redevelopment Services; Greg Weaver, Catellus; and Vickie Schubert, Deputy Chief Financial Officer.

ACTION ON EXECUTIVE SESSION

84. Approve a settlement agreement with C.C. Carlton Industries regarding a construction contract for the Austin Clean Water Program Upper West Waller 45th and Speedway Wastewater Improvements Project. (related to item #62)
The motion authorizing a settlement agreement in the amount of \$183,146.51 and adding 62 days to the construction schedule and all other necessary changes to implement the settlement agreement with CC Carlton Industries regarding the construction contract for the Austin Clean Water Program Upper West Waller 45th and Speedway Wastewater Improvements Project was approved on Council Member Dunkerley's motion, Council Member Leffingwell's second on a 7-0 vote.
85. Discussion and possible action pertaining to the release of confidential information regarding acquisition and use of property for Austin Water Utility water treatment facilities. (Related to item #64)
The motion to provide confidential, comparative financial information regarding the total costs of the development for four sites for a water treatment plant, without disclosing the location of the sites except for Guerrero Park, was approved on Council Member Alvarez' motion, Mayor Wynn's second on a 7-0 vote. Council Member Alvarez directed staff to provide information about what options are available at the City's existing water treatment plants for expansions and the challenges

of pursuing those options. Staff was directed to post an item for next week's Council agenda so the posting language is broad enough to allow discussion of the process, possible extension of timelines, and various options. In addition, Mayor Wynn directed staff to describe the neighborhoods around the other sites so citizens would realize there are no single family homes near these sites. He requested a briefing on the following options: conservation methods and how they might impact the demand curve; expansion of existing water plants -- Ullrich or Davis; expediting the construction of the No. 4 water treatment plant; utilizing the ground water east of the Edwards Aquifer; how changing the mix of the water used would impact the inventory; and/or purchasing wells in Edwards's aquifer. Council Member McCracken proposed a friendly amendment to remove Guerrero Park from the options presented to Council and the Environmental Board but this was not accepted by the maker of the motion. Various Council Members directed staff to eliminate Guerrero Park from further consideration.

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 consent items were approved on Council Member McCracken's motion, Council Member Leffingwell's second on a 6-0 vote. Mayor Pro Tem Thomas was off the dais.

69. C14-05-0195 - Crippen Sheet Metal - Approve third reading of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 8501 Peaceful Hill Lane (Onion Creek Watershed) from development reserve (DR) district zoning to limited industrial-conditional overlay (LI-CO) combining district zoning. First reading approved on March 2, 2006. Vote: 7-0. Second reading approved on March 23, 2006. Vote: 6-1 (Kim-Nay). Applicant: Crippen Sheet Metal (Jimmy Crippen). Agent: Jim Bennett Consulting (Jim Bennett). City Staff: Wendy Walsh, 974-7719.
Ordinance No. 20060420-069 for limited industrial-conditional overlay (LI-CO) combining district zoning was approved. Council Member Kim voted nay.
70. C14-05-0201 - 2100 Parker Lane - Approve third reading of an ordinance to amend Chapter 25-2 of the Austin City Code by rezoning property locally known as 2100 Parker Lane (Harper's Branch Watershed) from family residence (SF-3) district zoning to townhouse and condominium residence-conditional overlay (SF-6-CO) combining district zoning with conditions. First reading approved on March 2, 2006. Vote: 7-0. Second reading approved on April 6, 2006. Vote: 7-0. Applicant: Jim Cummings. Agent: Urban Design (Laura Touns). City Staff: Robert Heil, 974-2330. A valid petition has been filed in opposition to this rezoning request.
This item was postponed to April 27, 2006 at staff's request.
71. C14-06-0017.SH - Parker Lane Seniors- Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 3435 Parker Lane (Country Club Creek Watershed) from multi-family residence-limited density (MF-1) district zoning to community commercial-mixed use-conditional overlay (GR-MU-CO) combining district zoning. First reading approved on April 6, 2006. Vote: 7-0. Applicant: Jim Shaw. Agent: Land Answers (Jim Wittliff). City Staff: Robert Heil, 974-2330.
Ordinance No. 20060420-071 for community commercial-mixed use-conditional overlay (GR-MU-CO) combining district zoning was approved.
72. C14-05-0163 - Landrum 4 - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 601 West Applegate Drive (Little Walnut Creek Watershed) from single-family residence-standard lot (SF-2) district zoning to commercial recreation-conditional overlay (CR-CO) combining district zoning. First reading approved on March 2, 2006. Vote:

6-1 (Kim-Nay). Applicant: Kellis Landrum. Agent: Bennett Consulting (Jim Bennett). City Staff: Sherri Sirwaitis, 974-3057.

Ordinance No. 20060420-072 for commercial recreation-conditional overlay (CR-CO) combining district zoning was approved.

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.

74. C14-04-0030 - Time Insurance, Inc. - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 1405 & 1415 East Riverside Drive (Town Lake Watershed) from limited office (LO) district zoning and family residence (SF-3) district zoning to community commercial-mixed use (GR-MU) combining district zoning. Planning Commission Recommendation: To deny community commercial-mixed use (GR-MU) combining district zoning. Applicant and Property Owner: Schuler Family Trust 1998 (John Schuler) Agent: Thrower Design (Ron Thrower). City Staff: Robert Heil, 974-2330. A valid petition has been filed in opposition to this rezoning request.
This item was postponed to June 8, 2006 at staff's request.
75. C814-04-0187.SH - Goodnight Ranch PUD - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as the East side of Old Lockhart Highway between Nuckols Crossing Road and Capitol View Drive (Onion Creek Watershed) from interim-rural residence (I-RR) district zoning to planned unit development (PUD) district zoning. Zoning and Platting Commission Recommendation: To grant planned unit development (PUD) district zoning with conditions. Applicants: MVE Venture, Ltd. (Dean Goodnight); Momark Development (Terry Mitchell). Agent: TBG Partners (Sean Compton). City Staff: Wendy Walsh, 974-7719.
The first reading of the ordinance for planned unit development (PUD) district zoning with conditions was approved.
76. C14-05-0217 - 1204 West Slaughter Lane - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 1204 West Slaughter Lane (Slaughter Creek Watershed) from single-family residence-standard lot (SF-2) to neighborhood commercial-conditional overlay (LR-CO) combining district zoning. Zoning and Platting Commission Recommendation: To grant limited office (LO) district zoning. Applicant and Agent: Nicolas Younes. City Staff: Wendy Walsh, 974-7719.
Ordinance No. 20060420-076 for limited office (LO) district zoning was approved.
77. C14-06-0015 - 2311 Pruett Street - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 2311 Pruett Street (Johnson Creek Watershed) from general commercial services (CS) district zoning to family residence (SF-3) district zoning. Zoning and Platting Commission Recommendation: To grant family residence (SF-3) district zoning. Applicant and Agent: Sandy Garcia. City Staff: Jorge E. Rousselin.
Ordinance No. 20060420-077 for family residence (SF-3) district zoning was approved.
79. C14-06-0013 - Pavilion Condominiums - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 11819 Pavilion Boulevard (Walnut Creek Watershed) from community commercial (GR) district zoning to multi-family residence-

highest density (MF-6) district zoning. Zoning and Platting Commission Recommendation: To be considered by the Commission on May 2, 2006. Applicant: Mitchel and Rose Wong. Agent: Lopez-Phelps & Associates (Amelia Lopez-Phelps). City Staff: Sherri Sirwaitis, 974-3057.
This item was postponed to May 18, 2006 at staff's request.

80. C814-89-0006.03 - Canyon Ridge PUD Amendment #3 - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 7300 F.M. 2222 Road, 6500 and 6508 Jester Boulevard (West Bull Creek Watershed) from planned unit development (PUD) district zoning to planned unit development (PUD) district zoning to change a condition of zoning. Zoning and Platting Commission Recommendation: To grant planned unit development (PUD) district zoning. Applicant: F.M. 2222/Jester L.P. (Louis R. Williams). Agent: Armbrust & Brown, L.L.P. (Richard T. Suttle, Jr.). City Staff: Sherri Sirwaitis, 974-3057.
This item was postponed to May 18, 2006 at the applicant's request.

Mayor Wynn recessed the Council Meeting at 5:37 p.m.

LIVE MUSIC

Grassy Knoll Boys

PROCLAMATIONS

Award to the City -- to be presented by the Environmental Protection Agency and to be accepted by Mayor Will Wynn and City Manager Toby Hammett Futrell.

Proclamation – Volunteer Week – to be presented by Mayor Will Wynn and to be accepted by Joanna Johnson and representatives of the Volunteer Recognition Committee.

Proclamation – National Infant Immunization Week -- to be presented by Mayor Will Wynn and to be accepted by David Lurie and Coleen Christian.

Certificate of Congratulations – Texas Gas Service for the J.D. Power Award – to be presented by Mayor Will Wynn and to be accepted by Larry Graham and Bobby Burke.

National Organization on Disability Accessible America Award – to be presented by Nancy Starnes and to be accepted by Mayor Will Wynn and Ron Lucey, Dolores Gonzalez and Representatives of the Mayor's Committee for People with Disabilities

Mayor Wynn called the Council Meeting back to order at 6:27 p.m.

PUBLIC HEARINGS AND POSSIBLE ACTION

82. Conduct a public hearing and consider an ordinance amending Section 25-2-332 of the City Code relating to conditional overlays and mixed use combining districts. (Recommended by Planning Commission).
This item was postponed to May 18, 2006 on Council Member Leffingwell's motion, Mayor Wynn's second on a 4-0 vote. Mayor Pro Tem Thomas and Council Members Alvarez and McCracken were off the dais.

ZONING DISCUSSION ITEMS

73. C14-05-0085 - Powers 20 - Approve second reading of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 11520 North IH-35 Service Road Southbound (Walnut Creek Watershed) from general office (GO) district zoning to community commercial-conditional overlay (GR-CO) combining district zoning. First reading approved on March 2, 2006. Vote: 7-0. Applicant: Frank Alattar/Fred Powers. Agent: Fred Powers. City Staff: Jorge E. Rousselin, 974-2975. **This item was postponed to July 27, 2006 at the applicant's request on Mayor Pro Tem Thomas' motion, Council Member Dunkerley's second on a 6-0 vote. Council Member McCracken was off the dais.**
78. C14-06-0012 - 505 Deep Eddy - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 505 Deep Eddy Avenue (Johnson Creek Watershed) from family residence (SF-3) district zoning to neighborhood office (NO) district zoning. Zoning and Platting Commission Recommendation: To deny neighborhood office (NO) district zoning. Applicants: Pete Fajkowski and Mike Morales. Agent: Luci Gallahan. City Staff: Jorge E. Rousselin. A valid petition has been filed in opposition to this rezoning request. **There was a motion to postpone this item to June 22, 2006 that was made by Mayor Pro Tem Thomas' motion and seconded by Mayor Wynn.**

A substitute motion to postpone to May 18, 2006, per the applicant's request, was approved on Council Member Leffingwell's motion, Council Member Alvarez' second on a 5-1 vote. Mayor Pro Tem Thomas voted nay. Council Member McCracken was off the dais.

81. C14-05-0171 - The Grove at Southpark Meadows - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 301 West Slaughter Lane and 9501 South 1st Street (Slaughter Creek Watershed) from interim-rural residence (I-RR) district zoning; limited office-conditional overlay (LO-CO) combining district zoning; and general commercial services-conditional overlay (CS-CO) combining district zoning to community commercial-mixed use-conditional overlay (GR-MU-CO) combining district zoning for Tracts 1 and 2; townhouse and condominium residence (SF-6) district zoning for Tract 3; townhouse and condominium residence-conditional overlay (SF-6-CO) combining district zoning for Tract 4; and community commercial-conditional overlay (GR-CO) for Tract 5 with conditions. Zoning and Platting Commission Recommendation: To grant community commercial-mixed use-conditional overlay (GR-MU-CO) district zoning for Tracts 1 and 2; townhouse and condominium residence zoning (SF-6) district zoning for Tract 3; townhouse and condominium residence-conditional overlay (SF-6-CO) combining district zoning for Tract 4; community commercial-conditional overlay (GR-CO) combining district zoning for Tract 5 with conditions. Applicant: Abel J and Mary Ann Theriot Family, L.P. (Curtis Sanders); SP Meadows Central, Ltd. (Andy Pastor). Agent: Armbrust & Brown, L.L.C. (Richard T. Suttle, Jr.). City Staff: Wendy Walsh, 974-7719.
- The first reading of the ordinance for community commercial-mixed use-conditional overlay (GR-MU-CO) district zoning for Tracts 1 and 2; townhouse and condominium residence zoning (SF-6) district zoning for Tract 3; townhouse and condominium residence-conditional overlay (SF-6-CO) combining district zoning for Tract 4; community commercial-conditional overlay (GR-CO) combining district zoning for Tract 5 with conditions was approved on Council Member Dunkerley's motion, Council Member Kim's second on a 6-0 vote. Council Member McCracken was off the dais.**

PUBLIC HEARINGS AND POSSIBLE ACTION CONTINUED

83. Conduct a public hearing and approve the proposed amendment to the Continuous Service Program Initiation fee in the Electric Rate Schedule in Exhibit A of Ordinance 20050912-004, amending the fee to a one-time charge.

The public hearing was closed and the motion authorizing the proposed amendment was approved on Council Member Dunkerley's motion, Council Member Kim's second on a 6-0 vote. Council Member McCracken was off the dais.

Mayor Wynn adjourned the meeting at 7:07 p.m. without objection.

The minutes for the Regular Meeting of April 20, 2006 were approved on this the 27th day of April, 2006 on Council Member Alvarez' motion, Council Member Dunkerley's second on a 7-0 vote.