



**AUSTIN CITY COUNCIL
MINUTES**

**REGULAR MEETING
THURSDAY, FEBRUARY 16, 2006**

Invocation: Mayor Pro Tem Thomas

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 16, 2006 in the Council Chambers of City Hall, 301 W. 2nd Street, Austin, Texas.

Mayor Wynn called the Council Meeting to order at 10:21 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, Council Member Dunkerley's second on a 7-0 vote.

1. Approval of the minutes from the meeting of February 9, 2006.
The minutes from the meeting of February 9, 2006 were approved.
2. Approve issuance of a rebate in the amount of \$48,329 to EANES ISD, Westlake Hills, TX, for the installation of high efficiency lighting and chiller equipment at Westlake High School located at 4100 Westbank Drive. (Funding in the amount of \$48,329 is available in the Fiscal Year 2005-2006 Amended Operating Budget of the Conservation Rebates and Incentive Budget of Austin Energy.) (Recommended by the Resource Management Commission.)
The motion authorizing the issuance of a rebate was approved.
3. Approve issuance of a rebate in the amount of \$48,948.50 to the STATE OF TEXAS' AUSTIN STATE HOSPITAL, Austin, TX, for the installation of high efficiency lighting equipment at 4110 Guadalupe Street. (Funding in the amount of \$48,948.50 is available in the Fiscal Year 2005-2006 Amended Operating Budget of the Conservation Rebates and Incentive Budget of Austin Energy.) (Recommended by the Resource Management Commission.)
The motion authorizing the issuance of a rebate was approved.
4. Approve issuance of a rebate in the amount of \$67,974 to the STATE OF TEXAS' AUSTIN STATE SCHOOL, Austin, TX, for the installation of high efficiency lighting, air conditioning and motor equipment at their facility located at 2203 West 35th Street. (Funding in the amount of \$67,974 is available in the Fiscal Year 2005-2006 Amended Operating Budget of the Conservation Rebates and Incentive Budget of Austin Energy.) (Recommended by the Resource Management Commission.)
The motion authorizing the issuance of a rebate was approved.

5. Approve the issuance of a Letter of Intent for a solar rebate in the amount of \$86,751 to STAR GYMNASTICS, DANCE & CHEER, Austin, TX, for the installation of a solar photovoltaic system at their facility located at 3100 West Slaughter Lane. (Funding in the amount of \$86,751 is available in the Fiscal Year 2005-2006 Amended Operating Budget of the Conservation Rebates and Incentive Budget of Austin Energy.) (Recommended by the Resource Management Commission.)
The motion authorizing the issuance of a letter of intent for a solar rebate was approved.
6. Approve a resolution authorizing the issuance by Northtown Municipal Utility District ("District") of Unlimited Tax and Revenue Bonds, Series 2006, in an amount not to exceed \$4,500,000; and approving a substantial draft of the District's Bond Order and the Preliminary Official Statement. (The City has no responsibility for payment on District bonds until the District is annexed by the City and dissolved.) (Recommended by Water and Wastewater Commission)
Resolution No. 20050216-006 was approved.
7. Approve an ordinance amending the Fiscal Year 2005-2006 Emergency Medical Services Fee Schedule of Ordinance No. 20050912-004 to approve changes consistent with the Medicare National Ambulance Fee Schedule and add fees for specialized procedures.
Ordinance No. 20050216-007 was approved.
8. Approve an ordinance changing the street name Liana Grove Lane to Ava Lane. (The processing fee of \$300 has been determined for one street sign location, at the intersection of Sendero Hills Parkway and Liana Grove Lane.) (Related Items 9, 10)
Ordinance No. 20050216-008 was approved.
9. Approve an ordinance changing the street name Junella Drive to Annette Cove (The processing fee of \$300 has been determined for one street sign location, on the corner of Sendero Hills Parkway and Junella Drive.) (Related Items 8, 10)
Ordinance No. 20050216-009 was approved.
10. Approve an ordinance changing the street name Tetherland Trail to Agatha Circle. (The processing fee of \$350 has been determined for two street sign locations, one on each of the intersections of Tetherland Trail with Sendero Hills Parkway.) (Related Items 8, 9)
Ordinance No. 20050216-010 was approved.

Item 11 was pulled for discussion.

12. Approve the negotiation and execution of a seven-month lease extension for 27,520 square feet of warehouse space for the Evidence Storage function of the Austin Police Department, located at 4101 South Industrial Drive, Suite 260, from PROLOGIS, INC., Austin, TX, in an amount not to exceed \$78,750. (Funding in the amount of \$78,750 is available in the Fiscal Year 2005-2006 Operating Budget of the Austin Police Department.)
The motion authorizing the negotiation and execution of a lease extension was approved.
13. Authorize execution of a 48 month lease extension for approximately 4,900 square feet of office space at 719-721 East 6th Street from GEORGE H. & DOMINIQUE DREYFUS, for the Downtown Austin Community Court, in an amount not to exceed \$388,126.40, with one 12 month extension option in the amount of \$97,031.60, for a total amount not to exceed \$485,158.00. (Funding in the amount of \$30,677.20 is available in the Fiscal Year 2005-2006 Operating Budget of the Downtown Austin Community Court. Funding for the remaining 56 months of the original contract period and extension option is contingent upon available funding in future budgets.)
The motion authorizing the execution of a lease extension was approved.

14. Approve an ordinance to amend Section 12-4-63 of the City Code to establish a 20 miles per hour speed limit on Staked Plains Drive, Staked Plains Loop, Fletcher Hall Lane, Small Drive, and Spicewood Parkway. (Funding in the amount of \$9,500 is available in the Fiscal Year 2005-2006 Operating Budget of the Public Works Department for the installation of necessary signs and two warning beacons.)
Ordinance No. 20060216-014 was approved.
15. Authorize execution of a 12-month supply agreement with GENERAL CHEMICAL PERFORMANCE PRODUCTS, LLC., Parsippany, NJ for the purchase of liquid ferric sulfate for the Austin Water Utility, in an amount not to exceed \$513,027.20, with two 12-month extension options in the amount of \$513,027.20 per extension option, for a total agreement amount not to exceed \$1,539,081.60. (Funding in the amount of \$171,009.07 is available in the Fiscal Year 2005-2006 Approved Operating Budget of the Austin Water Utility. Funding for the remaining eight months of the original 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.
16. Ratify a contract with KST ELECTRIC, LTD., Manor, TX, for emergency repair services for the repair and replacement of 5kV cable for the Austin Water Utility in the amount of \$160,000. (Funding is available in the Fiscal Year 2005-2006 Approved Capital Budget of the Austin Water Utility.) Emergency Purchase.
The motion authorizing a contract was approved.
17. Authorize execution of a contract with SKID CAR SYSTEM, INC., Las Vegas, NV, for the purchase of a controlled-skid frame for the Emergency Medical Services Department in an amount not to exceed \$114,000. (Funding is available in the Fiscal Year 2005-2006 Approved Capital Budget of the Emergency Medical Services Department.) Sole source. This contract will be awarded in compliance with Chapter 2-9 of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this purchase.
The motion authorizing the execution of a contract was approved.
18. Authorize execution of a 12-month service agreement with ACE RELOCATION SYSTEMS, Kyle, TX, for moving services for the Building Services Division of the Finance and Administrative Services Department in an amount not to exceed \$209,640, with two 12-month extension options in an amount not to exceed \$209,640 per extension option, for a total agreement amount not to exceed \$628,920. (Funding in the amount of \$104,820 is available in the Fiscal Year 2005-2006 Approved Operating Budget of the Finance and Administrative Services Department, Building Services Division. Funding for the remaining six months of the original contract period and extension options is contingent upon availability in future budgets.) Lowest responsive bid of four bids received. This contract will be awarded in compliance with Chapter 2-9 of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation.
The motion authorizing the execution of a service agreement was approved.

19. Authorize execution of an 18-month services agreement with CO COM CABLING SYSTEMS, Pflugerville, TX (WBE/FR-100%), to provide equipment and services for building and campus backbone distribution cabling for property at 8301 Cameron Road in an amount not to exceed \$650,000. (Funding is available in the Fiscal Year 2005-2006 Approved Capital Budget of the Finance and Administrative Services Department, Building Services Division.) Lowest bid of seven 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.
20. Ratify a contract with SIDDONS FIRE APPARATUS, INC., Pflugerville, TX, for repairs to a Quint ladder/pumper fire truck in the amount of \$100,000. (Funding is available in the Fiscal Year 2005-2006 Approved Operating Budget of the Financial and Administrative Services Department, Fleet Fund.) Emergency Purchase.
The motion authorizing a contract was approved.
21. Authorize execution of a 12-month service agreement through the HOUSTON-GALVESTON AREA COUNCIL OF GOVERNMENTS COOPERATIVE PURCHASING PROGRAM (H-GAC) with NEXTEL OF TEXAS, INC., dba NEXTEL COMMUNICATIONS, Reston, VA for wireless cellular and radio services in an amount not to exceed \$154,500, with three 12-month extension options in an amount not to exceed \$154,500 per extension option, for a total agreement amount not to exceed \$618,000. (Funding in the amount of \$103,000 is available in the Fiscal Year 2005-2006 Approved Operating Budgets of various departments. Funding for the remaining four months of the original contract period and extension options is contingent upon available funding in future budgets.) Cooperative Purchasing.
The motion authorizing the execution of a service agreement was approved.
22. Approve issuance of a Street Event Permit for a fee paid event in the 400 block of Sabine Street for a SXSU fundraising event scheduled for March 14-19, 2006.
The motion authorizing the issuance of a street event permit was approved.
23. Approve issuance of a Street Event Permit for a fee paid event in the 200 block of West 4th Street for a Fado Irish Pub fundraising event scheduled for March 17, 2006.
The motion authorizing the issuance of a street event permit was approved.
24. Authorize negotiation and execution of an interlocal agreement between the City of Austin and Travis County regarding the permitting and construction of Wells Branch Parkway and Heatherwilde Boulevard in northeast Travis County.
The motion authorizing a negotiation and execution of an interlocal agreement was approved.
25. Approve appointments to citizen board and commissions, to Council subcommittees and other intergovernmental bodies, and removal and replacements of members.
This item was withdrawn.

Item 26 was pulled for discussion.

27. Approve a resolution directing the City Manager to identify alternatives for connecting the Lance Armstrong Bikeway and the Roy Guerrero Colorado River Park Hike & Bike Trail System to the Montopolis Bridge. (Council Member Raul Alvarez and Council Member Lee Leffingwell)
Resolution No. 20060216-027 was approved.

Item 28 was pulled for discussion.

29. Approve an ordinance authorizing the waiver or reimbursement of certain fees and requirements under Chapter 14-8 of the Code, and authorize payment of certain costs for the Celebration of Texas Independence Day, Inc.'s 2006 Celebrate Texas Run and Parade to be held on March 4, 2006. (Council Member Betty Dunkerley and Council Member Brewster McCracken)
Ordinance No. 20060216-029 was approved.
30. Approve waiver of banner fees under Chapter 25-10 of the City Code for St. James Missionary Baptist Church's 79th Anniversary Celebration and ribbon cutting ceremony. (Mayor Will Wynn, Council Member Brewster McCracken and Council Member Lee Leffingwell)
The motion authorizing a waiver of banner fees was approved.
31. Approve the waiver of certain permit fees under Section 14-11-135 of the City Code for temporary right-of-way on Navasota adjacent to the State Cemetery for Austin Crane Service for installation of a memorial monument honoring U.S. Representative Jake Pickle. (Mayor Will Wynn, Council Member Brewster McCracken and Council Member Leffingwell)
The motion authorizing the waiver of certain permit fees was approved.
32. Set a public hearing to receive public comments regarding proposed amendments to the Time of Use (TOU) – Thermal Energy Storage Rider and the Load Cooperative Rider in the Electric Rate Schedule in Exhibit A of Ordinance 20050912-004 (Suggested date and time: March 9, 2006 at 6:00 p.m., City Hall Council Chambers, 301 West 2nd Street).
The public hearing was set for March 9, 2006 at 6:00 p.m., City Hall Council Chambers, 301 West 2nd Street.
33. Set a public hearing to consider an ordinance amending Section 25-2-647 of the City Code relating to mixed use combining district regulations and vertical mixed use buildings. (Suggested date and time: March 2, 2006 at 6:00 p.m., City Council Chambers, 301 West 2nd Street.)
The public hearing was set for March 2, 2006 at 6:00 p.m., City Council Chambers, 301 West 2nd Street.
34. NPA-05-0012.01 - Set a public hearing to consider amending Ordinance No. 020801-91, the Upper Boggy Creek Neighborhood Plan, an element of the Austin Tomorrow Comprehensive Plan, to create four subdistricts: Blackland, Rogers-Washington-Holy Cross, Delwood I/Wilshire Woods, and Delwood II and to amend portions of the plan text. The Blackland and Rogers-Washington-Holy Cross subdistricts will allow the design tool zoning regulations that regulate Parking Placement for New Single-Family Construction and Garage Placement for New Single-Family Construction zoning regulations. The Delwood II subdistrict will allow Parking Placement for New Single-Family Construction, Garage Placement for New Single-Family Construction and Front Porches Extending into the Front Setback zoning regulations. The Delwood I/Wilshire Woods subdistrict will have no changes at this time. The existing Cherrywood subdistrict will allow Parking Placement for New Single-Family Construction, Garage Placement for New Single-Family Construction and Front Porches Extending into the Front Setback zoning regulations. The Blackland, Rogers-Washington-Holy Cross, and Cherrywood subdistricts will prohibit parking in the front yard. (Suggested date and time: March 2, 2006 at 4:00 p.m., City Hall Council Chambers, 301 West 2nd Street)
The public hearing was set for March 2, 2006 at 4:00 p.m., City Hall Council Chambers, 301 West 2nd Street.

Items 35 through 37 were Executive Session items.

Items 38 through 42 and Z-1 through Z-13 were zoning items set for 4:00 p.m.

Items 43 through 45 were public hearings set for 6:00 p.m.

Item 46 was scheduled for action after the 2:00 p.m. briefing.

Item 47 was a briefing set for 2:00 p.m.

DISCUSSION ITEMS

28. Approve an ordinance amending Chapter 10-3 of the City Code relating to food and food handlers to permit dogs in outdoor dining areas of food service establishments. (Council Member Jennifer Kim, Council Member Brewster McCracken and Council Member Lee Leffingwell)
Action on this item was postponed to March 2, 2006 to allow for a 6:00 p.m. public hearing on Council Member Kim's motion, Council Member Alvarez' second on a 7-0 vote.
11. Approve an ordinance authorizing a three-year extension of the Letter of Credit and Reimbursement Agreement between the City of Austin and JP Morgan Chase Bank related to the \$28,000,000 City of Austin, TX, Airport System Variable Rate Revenue Notes, Series A, and the approval of all related documents. (The \$84,671 annual fee is included in the Approved Operating Budget of the Airport Fund.)
Ordinance No. 20050216-011 was approved on Council Member Dunkerley's motion, Council Member Leffingwell's second on a 7-0 vote.

Mayor Wynn recessed the Council Meeting to go into Executive Session at 11:02 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 35 was heard later in Executive Session.

Private Consultation with Attorney - Section 551.071

36. Discuss legal issues concerning potential charter amendments for the May 2006 election ballot.

Item 37 was heard later in Executive Session.

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

CITIZEN COMMUNICATIONS: GENERAL

CarolAnneRose Kennedy - CONS and racial PROFiling. She was not present when her name was called.

Steve Mason - Vigilante's. He was not present when his name was called.

Eleanor Davis Thompson - Black Austin Remembered & High Park Cemetery. She was not present when her name was called.

Rebecca Forest - Safety Issues. She was not present when her name was called.

Malcolm Yeatts - The Country Club Creek Hike and Bike Trail

Pat Johnson - Current Issues

Jennifer L. Gale - When is Chief of Police Stanley Knee going to put out a memorandum as he agreed to? This will allow "Sleeping, or making preparations to sleep including the laying down of bedding for the purpose of sleeping #000928-40

Mayor Wynn recessed the Council Meeting to go into Executive Session at 12:31 p.m.

EXECUTIVE SESSION CONTINUED

Personnel Matters - Section-551.074

35. Evaluate the performance of and consider compensation and benefits for the City Manager.

Private Consultation with Attorney - Section 551.071

37. Discuss legal issues regarding *In the Matter of the Application of KBDJ, L.P., for Approval of an Edwards Aquifer Water Pollution Abatement Plan, ID. No. 03120103*; TCEQ Docket No. 2004-0988-EAQ, before the Texas Commission on Environmental Quality.

Executive Session ended and Mayor Wynn called the Council Meeting back to order at 4:04 p.m.

BRIEFINGS

47. Presentation on the 2006 Bond Election.
The presentation was made by John Stephens, Director of Financial Services Department.

DISCUSSION ITEMS CONTINUED

46. Approve the 2006 Bond Election Calendar and set public hearings to receive input on the 2006 Bond Election.
The motion authorizing the 2006 Bond Election Calendar and setting public hearings as follows was approved on Council Member Leffingwell's motion, Council Member McCracken's second on a 7-0 vote.
March 23, 2006, 1:00 p.m. – briefing on bonds: transportation and drainage; April 6, 2006, 1:00 p.m. – briefing on bonds: renovations; April 20, 2006, 1:00 p.m. – briefing on bonds: new facilities and central library; April 27, 2006, 1:00 p.m. – briefing on bonds: open space and affordable housing; May 18, 2006, 6:00 p.m. – ordinance to order bond election, set ballot and public hearing on bonds; and May 25, 2006, 6:00 p.m. – ordinance to order bond election, set ballot and public hearing on bonds
26. Approve a resolution relating to the compensation and benefits for the City Manager.
Resolution No. 20060216-026 was approved with the following additions to the City Manager's compensation package on Mayor Pro Tem Thomas' motion, Mayor Wynn's second on a 7-0 vote. To increase the salary of the City Manager by \$36,387.18 to \$232,502.40, restore the deferred compensation of \$7,500 per year, and in the event of involuntary separation, forced resignation or change in form of government before the City Manager achieves twenty-four (24) years of creditable service for retirement purposes, the City will purchase retirement service credits in an amount sufficient to bring her creditable service to a total of twenty-four (24) years.

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 Leffingwell's motion, Council Member Alvarez' second on a 7-0 vote.

38. NPA-05-0016.02 - East 5th & Allen Street - Approve second/third readings of an ordinance to amend Ordinance No. 030327-12 (Govalle/Johnston Terrace Combined Neighborhood Plan), an element of the Austin Tomorrow Comprehensive Plan to change the Future Land Use Map from commercial land use designation to mixed use designation for the property located at 3304 East 5th Street. First reading approved on December 1, 2005. Vote: 6-0 (McCracken off the dais). Applicant: Saldana Homes. Agent: Rose Marie Rocha. City Staff: Scott Whiteman, 974-2865. (Related Item 39)
Ordinance No. 20060216-038 for mixed use designation was approved.
39. C14-05-0123 - East 5th & Allen Street - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 3304 East 5th Street (Boggy Creek Watershed) from community commercial-neighborhood plan (GR-NP) combining district zoning to community commercial-mixed use-neighborhood plan (GR-MU-NP) combining district zoning. First reading approved on December 1, 2005. Vote: 6-0 (McCracken off the dais). Applicant: Saldana Homes. Agent: Rose Marie Rocha. City Staff: Robert Heil, 974-2330. (Related Item 38)
Ordinance No. 20060216-039 for community commercial-mixed use-neighborhood plan (GR-MU-NP) combining district zoning was approved.
40. C814-90-0003.13 - Harris Branch PUD Amendment #13 - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property located at 1375 U.S. Highway 290 East at Proposed State Highway 130 (Harris Branch, Gilleland Creek, Decker Creek Watersheds) from planned unit development (PUD) district zoning to planned unit development (PUD) district zoning to change a condition of zoning. First reading approved on October 27, 2005. Vote: 6-0, Council Member Alvarez off the dais. Applicant: Austin HB Residential Properties (John McCullough). Agent: Minter, Joseph & Thornhill, P.C. (John M. Joseph). City Staff: Sherri Sirwaitis, 974-3057.
This item was postponed to March 9, 2006 at staff's request.
41. NP-05-0020 - Pleasant Hill Subdistrict, Tract 30 - Approve third reading of an ordinance amending Ordinance No. 20050818-Z001, adopting the South Congress Combined Neighborhood Plan as an element of the Austin Tomorrow Comprehensive Plan, and establishing the land use designation on the future land use map for Tract 30, located at 103 Red Bird Lane and 0 Red Bird Lane (Pleasant Hill Addition south 68 feet average of lot 20 and east 50 feet of Lot 21, Block 1), in the Pleasant Hill Subdistrict of the West Congress Neighborhood Planning Area. The north boundary for the Pleasant Hill Subdistrict is the northern boundary of the Pleasant Hill Addition Subdivision, the eastern boundary is South Congress Avenue, the southern boundary is Stassney Lane, and the western boundary is Hummingbird Lane, which includes those lots with front and side yard frontages along Hummingbird Lane. The proposed change to the future land use map is from single-family to office mixed-use. On September 1, 2005, single-family land use designation was approved on First reading. Vote: 6-1, Mayor Wynn - Nay. On October 6, 2005, office mixed-use land use designation was approved on Second reading. Vote: 6-1, Thomas - Nay. On December 15, 2005, the Council postponed action on this item until January 12, 2006 with direction from Council to provide an alternate ordinance changing the land use designation from single-family to commercial mixed-use. The Council may consider single-family, high-density single-family, multi-family, office, office mixed-use, commercial, or commercial mixed-use land use designation. Applicant: City of Austin. Agent: Neighborhood Planning and Zoning Department. City Staff: Mark Walters, 974-7695. (Related Item 42)
This item was postponed to March 2, 2006 at the neighborhood's request.
42. C14-05-0106 - West Congress Neighborhood Plan Area Rezonings, Pleasant Hill Subdistrict, Tract 30 - Approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known Tract 30, located at 103 Red Bird Lane and 0 Red Bird Lane (Pleasant Hill Addition south 68 feet

average of Lot 20 and south 68 feet average and East 50 feet of Lot 21, Block 1), within the Pleasant Hill Subdistrict. The Pleasant Hill Subdistrict is generally described as the properties bounded by the northern boundary of the Pleasant Hill Addition Subdivision on the north, South Congress Avenue on the east, West Stassney Lane on the south, and properties fronting Hummingbird Lane on the west (Williamson Creek Watershed). The proposed zoning change will create a Neighborhood Plan Combining District (NPCD) covering Tract 30, within the subdistrict. Under the Pleasant Hill subdistrict, "Small Lot Amnesty" special use and "Impervious Cover and Parking Placement Restrictions" and "Prohibiting Parking in the Front Yard" zoning regulations are proposed. "Secondary Apartment" special use and "Garage Placement" and "Front Porch Setback" zoning regulations are also proposed for the Pleasant Hill subdistrict. The proposed zoning change will change the base district zoning and the City Council may approve a zoning change to any of the following: rural residence (RR) district zoning; single family residence large lot (SF-1) district zoning; single family residence standard lot (SF-2) district zoning; family residence (SF-3) district zoning; single family residence small lot (SF-4A) district zoning; single family residence condominium site (SF-4B) district zoning; urban family residence (SF-5) district zoning; townhouse & condominium residence (SF-6) district zoning; multi-family residence limited density (MF-1) district zoning; multi-family residence low density (MF-2) district zoning; multi-family residence medium density (MF-3) district zoning; multi-family residence moderate-high density (MF-4) district zoning; multi-family residence high density (MF-5) district zoning; multi-family residence highest density (MF-6) district zoning; mobile home residence (MH) district zoning; neighborhood office (NO) district zoning; limited office (LO) district zoning; general office (GO) district zoning; commercial recreation (CR) district zoning; neighborhood commercial (LR) district zoning; community commercial (GR) district zoning; warehouse/limited office (W/LO) district zoning; general commercial services (CS) district zoning; commercial-liquor sales (CS-1) district zoning; commercial highway (CH) district zoning; industrial park (IP) district zoning; major industrial (MI) district zoning; limited industrial services (LI) district zoning; research and development (R&D) district zoning; development reserve (DR) district zoning; agricultural (AG) district zoning; planned unit development (PUD) district zoning; historic (H) district zoning; and public (P) district zoning. A conditional overlay (CO), planned development area overlay (PDA), mixed use (MU) combining district overlay; neighborhood conservation combining district (NCCD); or neighborhood plan combining district (NP) may also be added to these zoning base districts. On September 1, 2005, SF-3-NP district zoning was approved for Tract 30 on First reading. Vote: 6-1, Mayor Wynn – Nay. On October 6, 2005, LO-MU-CO-NP district zoning was approved for Tract 30 on Second reading. Vote: 6-1, Mayor Pro Tem Thomas – Nay. On December 15, 2005 this item was postponed to January 12, 2006 with direction from Council to provide an alternate ordinance changing the zoning from SF-3 and SF-6 to CS-MU-CO-NP and a restrictive covenant. Vote: 7-0. Applicant: City of Austin. Agent: Neighborhood Planning and Zoning Department. City Staff Mark Walters, 974-7695. Note: A valid petition has been filed in opposition to this rezoning request. (Related Item 41)

This item was postponed to March 2, 2006 at the neighborhood's request.

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 7-0 vote.

- Z-1 C14-05-0120 - Parmer/290 - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as U.S. Highway 290 East and East Parmer Lane (Gilleland Creek Watershed) from development reserve (DR) district zoning to commercial highway (CH) district zoning. Zoning and Platting Commission Recommendation: To grant commercial highway-conditional overlay (CH-CO) combining district zoning. Applicant: G & G Venture #1 (Tom Goebel). Agent: Bury and Partners, Inc. (Jonathan Neslund). City Staff: Sherri Sirwaitis, 974-3057. Ordinance No. 20060216-Z001 for commercial highway-conditional overlay (CH-CO) combining district zoning was approved.

- Z-2 C14-05-0183 - 2610 East 2nd Street - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 2610 East 2nd Street (Town Lake Watershed) from limited industrial services-neighborhood plan (LI-NP) combining district zoning to family residence-neighborhood plan (SF-3-NP) combining district zoning. Planning Commission Recommendation: To grant family-residence-neighborhood plan (SF-3-NP) combining district zoning. Applicant: Pasqual Padilla. Agent: Neighborhood Planning and Zoning Department. City Staff: Robert Heil, 974-2330.
The first reading of the ordinance for family-residence-neighborhood plan (SF-3-NP) combining district zoning was approved.
- Z-3 C14-05-0206 - 5100 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 5100 Commercial Park Drive (Walnut Creek Watershed) from interim-family residence (I-SF-3) district zoning to limited industrial services-conditional overlay (LI-CO) combining district zoning. Zoning and Platting Commission Recommendation: To grant limited industrial services-conditional overlay (LI-CO) combining district zoning. Applicant & Agent: Jim Galemore. City Staff: Robert Heil, 974-2330.
The first reading of the ordinance for limited industrial services-conditional overlay (LI-CO) combining district zoning was approved.
- Z-4 C14-00-2062(RCA)(2) - Martens Zoning - Conduct a public hearing and approve a restrictive covenant amendment for the property located at 807 East 11th Street (Waller Creek Watershed). Planning Commission Recommendation: To approve the restrictive covenant amendment. Applicant: Steven Martens. Agent: David Armbrust. City Staff: Robert Heil, 974-2330. (Related Item Z-5)
This item was postponed to March 2, 2006 at the staff's request.
- Z-5 C14-00-2062(RCA)(3) - AMJRH Zoning - Conduct a public hearing and approve a restrictive covenant amendment for the property located at 811 East 9th Street and 808-818 East 8th Street (Waller Creek Watershed). Planning Commission Recommendation: To approve the restrictive covenant amendment. Applicant: AMJRH Investments Ltd. Agent: David Armbrust. City Staff: Robert Heil, 974-2330. (Related Item Z-4)
This item was postponed to March 2, 2006 at the staff's request.
- Z-6 C14-00-2062(RCA)(4) - Robertson Hill - Conduct a public hearing and approve a restrictive covenant amendment for the property located at 900-1000 San Marcos (Waller Creek Watershed). Planning Commission Recommendation: To approve the restrictive covenant amendment. Applicant: Robertson Hill Land Ltd. Agent: David Armbrust. City Staff: Robert Heil, 974-2330.
This item was postponed to March 2, 2006 at staff's request.
- Z-7 C814-05-0213 - Loop 1 at U.S. Highway 290 West PUD - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 5009 U.S. Highway 290 West (Tract 1) and 4929 Davis Lane & 5000 W. Slaughter Lane from community commercial (GR) district zoning and rural residence (RR) district zoning for Tract 1; community commercial-conditional overlay (GR-CO) combining district zoning for Tract 2, to planned unit development (PUD) district zoning for Tracts 1 and 2. These properties, located within the Barton Springs Zone, have been proposed for a zoning change; the change will result in an amendment to the application of Chapter 25-8, Article 12, (*Save our Springs Initiative*) to the properties. Planning Commission Recommendation: To grant planned unit development (PUD) district zoning. Zoning and Platting Commission Recommendation: To grant planned unit development (PUD) district zoning. Applicant: Wilmington Trust #2133 c/o Wal-Mart Stores, Inc.; S.R. Ridge Limited Partnership. Agent: Armbrust & Brown (Richard Suttle, Jr.). City Staff: Jerry Rusthoven, 974-3207.
The first reading of the ordinance for planned unit development (PUD) district zoning was approved.

- Z-8 C814-05-0069 - Watersedge PUD - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by zoning property locally known as 3700 Doctor Scott Drive/State Highway 71 East (Colorado River, Dry Creek, Onion Creek Watersheds) from interim-rural residence (I-RR) district zoning to planned unit development (PUD) district zoning with conditions. Zoning and Platting Commission Recommendation: To grant planned unit development (PUD) district zoning with conditions. Applicant: MAK Marshall Ranch, L.P. (Curtis S. Davidson). Agent: Armbrust & Brown, L.L.P. (David Armbrust). City Staff: Sherri Sirwaitis, 974-3057.
The first reading of the ordinance for planned unit development (PUD) district zoning with conditions was approved.
- Z-9 C14-73-045(RCT) - 37th Street Medical Office - Conduct a public hearing and approve a restrictive covenant termination for the property locally known as 805 West 37th Street (Shoal Creek Watershed). Planning Commission Recommendation: To approve the request to terminate the restrictive covenant. Applicant: CAMCO Building II, Ltd. (J. David Trotter). Agent: Consort, Inc. (Steve King). City Staff: Jorge E. Rousselin, 974-2975.
The motion granting a restrictive covenant termination was approved.
- Z-10 C14-87-030B(RCT) - 37th Street Medical Office - Conduct a public hearing and approve a restrictive covenant termination for the property locally known as 805 West 37th Street (Shoal Creek Watershed). Planning Commission recommendation: To approve the restrictive covenant termination. Applicant: CAMCO Building II, Ltd. (J. David Trotter). Agent: Consort Inc. (Steve King). City Staff: Jorge E. Rousselin, 974-2975.
The motion granting a restrictive covenant termination was approved.
- Z-11 C8S-87-098(RCT) - 37th Street Medical Office - Conduct a public hearing and approve a restrictive covenant termination for the property locally known as 805 West 37th Street (Shoal Creek Watershed). Planning Commission Recommendation: To approve the restrictive covenant termination. Applicant: CAMCO Building II, Ltd. (J. David Trotter). Agent: Consort Inc. (Steve King). City Staff: Jorge E. Rousselin, 974-2975.
The motion granting a restrictive covenant termination was approved.
- Z-12 C14-05-0201 - 2100 Parker Lane - Conduct a public hearing and approve an ordinance amending 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 (SF-6) district zoning. Planning Commission Recommendation: Forward to Council without a recommendation. Applicant: Jim Cummings. Agent: Urban Design (Laura Toups). City Staff: Robert Heil, 974-2330.
This item was postponed to March 2, 2006 at the neighborhood and staff's request.

ZONING DISCUSSION ITEMS

- Z-13 C14-05-0202 - Crown Castle - Spicewood Springs - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by zoning property locally known as 4919 Spicewood Springs Road (Bull Creek Watershed) from interim-family residence (I-SF-3) district zoning to general office (GO) district zoning. Zoning and Platting Commission Recommendation: To grant townhouse and condominium residence-conditional overlay (SF-6-CO) combining district zoning. Applicant: Crown Castle USA, Inc. (Tim Dowdle). Agent: Vincent Gerard & Associates (Kayla Bryson) City Staff: Jorge E. Rousselin, 974-2975.
This item was postponed to March 2, 2006 on Council Member Leffingwell's motion, Council Member Alvarez' second on a 6-0 vote. Council Member McCracken was off the dais.

Mayor Wynn recessed the Council Meeting at 5:38 p.m.

LIVE MUSIC

UT Concert Chorale

PROCLAMATIONS

Proclamation - Austin Area ScienceFest - to be presented by Mayor Will Wynn and to be accepted by Ingrid Weigand and Candice Scott

Certificates of Congratulations - Volunteers of the Month for January and February - to be presented by Council Member Brewster McCracken and to be accepted by Dean Dearmont and Estelle Garza

Mayor Wynn called the Council Meeting back to order at 6:24 p.m.

PUBLIC HEARINGS AND POSSIBLE ACTION

45. Conduct a public hearing to consider an ordinance adopting an amendment to the Land Development Standards Agreement between the City and the Austin Independent School District and including the development of school sites located in the Barton Springs Zone and amending Chapter 25-8, Article 12 (Save Our Springs Initiative) as it applies to schools within the Barton Springs Zone. (Recommended with conditions by the Environmental Board. Recommended by the Planning Commission.)
The public hearing was closed and Ordinance No. 20060216-045 was approved on Council Member Dunkerley's motion, Council Member McCracken's second on a 7-0 vote.
44. Conduct a public hearing to consider variance requests by Joel Mitchell to allow construction of an addition to a single-family residence at 1505 Parkway in the 25-year and 100-year floodplains of Shoal 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.
The public hearing was closed and the first reading of the Ordinance was approved on Mayor Pro Tem Thomas' motion, Council Member McCracken's second on a 4-2 vote. Those voting aye were: Mayor Wynn, Mayor Pro Tem Thomas, and Council Members Kim and McCracken. Those voting nay were: Council Members Alvarez and Leffingwell. Council Member Dunkerley abstained.

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

AMENDMENT

Original language as approved on March 2, 2006.

43. Conduct a public hearing and consider an ordinance on second/third readings relating to interim development regulations, including a moratorium, applicable to the construction and remodeling of certain residential uses and construction and remodeling within certain residential districts; creating a task force to consider and make recommendations on amendments to the City Code relating to certain residential uses and construction and remodeling within certain residential districts; and directing the City Manager to initiate a Code amendment adopting the development regulations set out in the ordinance.
The public hearing was closed on Council Member Leffingwell's motion, Mayor Pro Tem Thomas' second on a 7-0 vote.

Ordinance No. 20060216-043 and the motion creating a task force was approved with the following amendments on Council Member Leffingwell's motion, Mayor Pro Tem Thomas' second on a 7-0 vote. The Amendments were: Part 5, section (2) should read, "An application for a building permit,

demolition permit, or remodel permit for a single family residential structure that was filed before February 10, 2006.” A task force was created to consider and make recommendations on amendments to the City Code. The task force consists of eight members from the development community: David Arscott (Homebuilders Associations), Terry Mitchell (Real Estate Council of Austin (RECA)), Sabas Flores (American Institute of Architects (AIA)), Dennis McDaniel (Heritage Society), Clint Small (Remodeler), Delores Davis (Remodeler), Michael Casias (Infill Architects), and Silver Garza (At Large). Eight members representing neighborhoods: Chris Allen (Rosedale-North), Danette Chimenti (South River City), Melvin Wren (East Austin), Noah Kennedy (Pemberton Heights-West), Mary Gay Maxwell (CANPAC-Central), Karen McGraw (Hyde Park-At Large), Laura Morrison (ANC-Citywide), Michael Cannatti (Citywide).

Amended language as approved on April 20, 2006.

43. Conduct a public hearing and consider an ordinance on second/third readings relating to interim development regulations, including a moratorium, applicable to the construction and remodeling of certain residential uses and construction and remodeling within certain residential districts; creating a task force to consider and make recommendations on amendments to the City Code relating to certain residential uses and construction and remodeling within certain residential districts; and directing the City Manager to initiate a Code amendment adopting the development regulations set out in the ordinance. The public hearing was closed on Council Member Leffingwell’s motion, Mayor Pro Tem Thomas’ second on a 7-0 vote.

Ordinance No. 20060216-043 and the motion creating a task force was approved with the following amendments on Council Member Leffingwell’s motion, Mayor Pro Tem Thomas’ second on a 7-0 vote. The Amendments were: Part 5, section (2) should read, “An application for a building permit, demolition permit, or remodel permit for a single family residential structure that was filed before February 10, 2006.” A task force was created to consider and make recommendations on amendments to the City Code. The task force consists of eight members from the development community: David Arscott (Homebuilders Associations), Terry Mitchell (Real Estate Council of Austin (RECA)), Sabas Flores (American Institute of Architects (AIA)), Dennis McDaniel (Heritage Society), Clint Small (Remodeler), Delores Davis (Remodeler), Michael Casias (Infill Architects), and Silver Garza (At Large). Eight members representing neighborhoods: Chris Allen (Rosedale-North), Danette Chimenti (South River City), Melvin Wren (East Austin), Noah Kennedy (Pemberton Heights-West), Mary Gay Maxwell (CANPAC-Central), Karen McGraw (Hyde Park-At Large), Laura Morrison (ANC-Citywide), Michael Cannatti (Citywide).

Mayor Wynn adjourned the meeting at 10:48 p.m. without objection.

The minutes for the Regular Meeting of February 16, 2006 were approved on this the 2nd day of March, 2006 on Council Member McCracken’s motion, Council Member Alvarez’ second on a 7-0 vote.

The minutes for the regular meeting of February 16, 2006 were amended and approved on April 20, 2006 on Council Member Kim’s motion, Mayor Pro Tem Thomas’ second on a 7-0 vote.

See Item 43