



AUSTIN CITY COUNCIL
MINUTES

REGULAR MEETING
THURSDAY, JUNE 8, 2006

Invocation: Pastor Brandon Hollar, Capital Christian Center

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, June 8, 2006 in the Council Chambers of City Hall, 301 W. 2nd Street, Austin, Texas.

Mayor Wynn called the Council Meeting to order at 10:22 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 McCracken's motion, Council Member Alvarez' second on a 7-0 vote.

1. Approval of the minutes from the meeting of May 25, 2006.
The minutes from the meeting of May 25, 2006 were approved.
2. Authorize negotiation and execution of a contract for reimbursement of costs to STRICTLY PEDIATRICS LAND COMPANY, LLP, Austin, TX, for the purchase and installation of heat exchanger(s) and associated piping needed to interconnect the new medical office building to the Mueller Energy Center district cooling system in an amount not to exceed 114,000. Funding in the amount of \$114,000 is available in the Fiscal Year 2005-2006 Capital Improvement Budget. To be reviewed by the Electric Utility Commission.
This item was postponed to June 22, 2006.
3. Approve an ordinance amending the Fiscal Year 2005-2006 Austin Energy Department Operating Budget of Ordinance 20050912-001 to reflect the audited Beginning Balance of the Austin Energy Department Operating Fund by increasing the Budgeted Beginning Balance by \$62,303,575 for an Amended Beginning Balance of \$200,454,126; increasing the Transfer to the Austin Energy CIP by \$20,925,000 to increase the Budgeted Ending Balance by \$41,378,575 for an Amended Ending Balance of \$179,623,066 and amending the Fiscal Year 2005-2006 Austin Energy Department Capital Budget of Ordinance No. 20050912-002 to appropriate \$51,961,000 for system improvements. Cash Transfer Fiscal Year 2005-2006 \$20,925,000; Fiscal Year 2006-2007 \$5,347,000; Debt issuance Fiscal Year 2005-2006 \$10,043,000; Fiscal Year 2006-2007 \$9,496,000; Taxable debt for Fiscal Year 2005-2006 of \$4,000,000; and Contributions in Aid of Construction in Fiscal Year 2006-2007 of \$2,150,000. Recommended by the Electric Utility Commission.
Ordinance No. 20060608-003 was approved.

4. Approve a resolution authorizing the revision of the fee schedule for participation under the Balcones Canyonlands Conservation Plan – Shared Vision for a period of one year (until July 14, 2007). There is no unanticipated fiscal impact. Recommended by Water and Wastewater Commission.
Resolution No. 20060608-004 was approved.
5. Approve an ordinance amending Chapter 15-1 of the Code relating to Cross-Connection Regulations to facilitate the development of the City's reclaimed water program. This action does not affect operating or capital improvement budgets of the Austin Water Utility. Recommended by Water and Wastewater Commission
Ordinance No. 20060608-005 was approved.
6. Approve an Interlocal Agreement with Austin/Travis County Mental Health and Mental Retardation Center for the provision of treatment services for certain Class B enhanced public intoxication offenders in an amount not to exceed \$423,000. Funding in the amount of \$423,000 is available in the Fiscal Year 2005-2006 Approved Operating Budget of Downtown Austin Community Court.
The motion authorizing an interlocal agreement was approved.
7. Authorize the City Manager to negotiate and execute an agreement with Canyon Creek Land, Ltd. and Canyon Creek Option, Ltd. ("Canyon Creek Developer Agreement") regarding City approval of Northwest Austin Municipal Utility District No. 1 Series 2006 bonds. There is no fiscal impact associated with the Canyon Creek Developer Agreement. (Related to items 8-9)
The motion authorizing the City Manager to negotiate and execute an agreement was approved.
8. Approve an ordinance authorizing the City Manager to negotiate and execute an amendment to the Agreement Concerning Creation and Operation of Northwest Austin Municipal Utility District No. 1 ("Consent Amendment") to approve a monthly credit on water and wastewater bills per single family lot for customers located inside Northwest Austin Municipal Utility District No. 1 ("District"); amending Ordinance No. 20050912-004, the Fiscal Year 2005-2006 Fee Ordinance, to provide water and wastewater rate credits per single family lot for customers located inside the District; transferring certain District property to the City; and waiving the requirements of the City Code Section 2-5-2 relating to economic impact statements, Section 2-5-45 relating to rate change public hearing, Section 15-9-4 relating to public notice of a proposed rate or classification change, and Section 25-9-253 relating to board and commission review. The Austin Water Utility is expected to credit rate revenue equal to approximately \$524,800 annually to the MUD residents' Utility bills beginning in FY 2006 -07 through FY 2025-26. Waiver of the requirement for a fiscal impact statement is requested. (Related to items 7 and 9)
Ordinance No. 20060608-008 was approved.
9. Approve a resolution authorizing the issuance by Northwest Austin Municipal Utility District No.1 ("District") of Unlimited Tax Refunding and Improvement Bonds, Series 2006, in an amount not to exceed \$8,000,000, subject to approval and execution of the proposed agreement with Canyon Creek Land, Ltd. and Canyon Creek Options, Ltd. (Canyon Creek Development Agreement); and approving a substantial draft of the District's Bond Order and the Preliminary Official Statement. The City is not responsible for payment of District bond debt service. There is no anticipated fiscal impact. A fiscal note is not required. Recommended by Austin Water Utility Commission. (Related to item 7 and 8)
Resolution No. 20060608-009 was approved.
10. Approve an ordinance to establish classifications and number of positions in the classified service of the Fire Department and repealing Ordinance No. 20060518-003. Funding is available in the Fiscal Year 2005-2006 Operating Budget of the Austin Fire Department.

Ordinance No. 20060608-010 was approved.

11. Authorize execution of a 36-month contract with UNITED WAY CAPITAL AREA, Austin, TX, for childcare facility improvement grants, for a total contract amount not to exceed \$250,000. Funding in the amount of \$250,000 is available in the Fiscal Year 2005-2006 Approved Operating Budget of the Health and Human Services Department Special Revenue Fund, Certification. The contract period is July 1, 2006 through June 30, 2009. There is no specific grant period for the Certification Fund, and no match is required. Child Care Council approved the facility improvement grant project concept design.
The motion authorizing the execution of a contract was approved.
12. Approve execution of an Interlocal Agreement for the provision of public health enforcement services between the CITY OF AUSTIN, TX and the CITY OF WEST LAKE HILLS, TX for the period beginning July 1, 2006 through September 30, 2006 (\$4,803.75), with automatic annual renewal options beginning October 1, 2006 through September 30, 2007, for a total annual payment to the City of Austin of \$19,215 per renewal option. Funding in the amount of \$4,803.75 in unanticipated revenue for the General Fund (Fiscal Year 2006) and \$19,215 (Fiscal Year 2007).
The motion authorizing the execution of an interlocal agreement was approved.
13. Approve an ordinance amending Section 2-7-75 of the City Code relating to sworn financial disclosure statements. Recommended by the Ethics Review Commission
Ordinance No. 20060608-013 was approved.
14. Approve an ordinance amending Ordinance No. 20060406-009 and City Code Section 25-2-647, relating to vertical mixed use to reflect changes made from the dais at City Council meeting dated April 6, 2006.
Ordinance No. 20060608-014 was approved.
15. Authorize negotiation and execution of a legal service agreement with Scott Douglass and McConnico, L.L.P. for legal services related to *Save Our Springs, Inc. v. City of Austin*; Cause No. GN-06-000627; in the 200th Judicial District Court of Travis County, Texas in an amount not to exceed \$92,000. Funding in the amount of \$92,000 is available in the Fiscal Year 2005-2006 Approved Operating Budget of the Liability Reserve Fund.
The motion authorizing the negotiation and execution of a legal service agreement was approved.
16. Authorize the execution of an amendment to the service agreement with the Austin Housing Finance Corporation (AHFC), effective October 1, 2005, to increase the agreement in an amount not to exceed \$1,300,656 for a total contract amount not to exceed \$16,483,153 to fund the Acquisition and Development Program in an increased amount of \$976,993, Homebuyer Lending Assistance Program in an increased amount of \$258,420, Rental Housing Development Assistance Program in an increased amount of \$41,258, and Homeowner Moderate Rehabilitation Program in an increased amount of \$23,985. Funding is available from the following sources: \$362,430 from Acquisition and Development HAF program income, \$541,668 from Acquisition and Development CIP program income, \$72,895 from Acquisition and Development CDBG program income ; \$258,420 from Homebuyer Lending Assistance HOME program income; \$31,166 from Rental Housing Development Assistance HOME program income, \$3,300 from Rental Housing Development Assistance HAF program income, \$6,792 from Rental Housing Development Assistance CIP program income; and, \$23,985 from Homeowner Moderate Rehabilitation CDBG program income.
The motion authorizing the execution of an amendment to the service agreement was approved.
17. Approve execution of a contract with PRISM DEVELOPMENT, INC. (MBE/MH 58.16) for construction of a pavilion and American with Disability Act accessibility for Boggy Creek Improvements, in the amount of \$144,448 for the Base Bid, with no Alternates for a total approval amount of: \$144,448.

Funding was included in Fiscal Year 2005-2006 Approved Capital Budget of the Parks and Recreation Department. Lowest of three bids received. 6.85% MBE and 1.36% WBE subcontracting participation
The motion authorizing the execution of a contract was approved.

18. Approve a free lifetime swim pass for Barton Springs Pool for Gloria Parker. There is no unanticipated fiscal impact. On November 9, 1993 the Parks and Recreation Advisory Board recommended awarding swim passes to citizens 80 years of age or older who are active swimmers at Barton Springs Pool.
The motion authorizing a free lifetime swim pass was approved.

Item 19 was pulled for discussion.

20. Approve a resolution authorizing negotiation of all documents related to the acquisition of a site for the Asian American Resource Center on a portion of approximately 15.034 acres located along Cameron Road at Clear Creek Drive from Joseph, Joseph & Williams Partnership, a Texas General Partnership, including without limitation, an earnest money contract (which includes \$100,000 of non-refundable earnest money) and execution of an extension of a temporary staging and material storage site easement in an amount not to exceed \$50,000 for Austin Clean Water Program (ACWP) Little Walnut at Center Creek Project, for a total amount not to exceed \$150,000. Funding in the amount of \$100,000 is available in the Fiscal Year 2005-2006 Financial & Administrative Services Department Amended Capital Budget and funding in the amount of \$50,000 is available in the Fiscal Year 2005-2006 Austin Water Utility Amended Capital Budget.
Resolution No. 20060608-020 was approved.

21. Approve an ordinance authorizing acceptance of grant funds in the amount of \$1,920,000 from the Texas Department of Transportation (TxDot); amending the Fiscal Year 2005-2006 Public Works Department Operating Budget Special Revenue Fund of Ordinance No. 20050912-001, to appropriate \$1,920,000; amending the Fiscal Year 2005-06 Public Works Department Capital Budget of Ordinance No. 20050912-002 to appropriate \$1,920,000 for the construction of roadway and sidewalk improvements on Cesar Chavez Street between San Antonio and Brazos Street, including the conversion of Cesar Chavez Street from one-way to two-way traffic. The total grant amount of \$1,920,000 will be provided by TxDOT. The required \$480,000 local match is available in the Fiscal Year 2005-2006 Amended Capital Budget of the Public Works Department. Recommended by the Urban Transportation Commission, Downtown Commission, Design Commission, and Land and Facilities Parks Board. (Related to item 22)
Ordinance No. 20060608-021 was approved.

22. Approve a resolution authorizing the negotiation and execution of an Interlocal Agreement between the City and the Texas Department of Transportation (TxDOT) for construction of roadway, sidewalk, and traffic signal improvements on Cesar Chavez Street from San Antonio to Brazos Streets, which includes the conversion of Cesar Chavez Street from one-way to two-way traffic. The total grant amount of \$1,920,000 will be provided by TxDOT. The required \$480,000 local match is available in the Fiscal Year 2005-2006 Amended Capital Budget of the Public Works Department. Recommended by the Urban Transportation Commission, Downtown Commission, Design Commission, and Land and Facilities Parks Board. (Related to item 21)
Resolution No. 20060608-022 was approved.

Items 23 and 24 were pulled for discussion.

25. Approve a resolution authorizing the negotiation and execution of all appropriate documents for the Texas Department of Transportation (TxDOT) to waive the City's local match fund participation requirement of \$60,997 for the Channel Road Bridge at Rocky Cliff Slough project, an authorized federal off-system bridge program project, and for the City's performance of an equivalent amount of structural work on the

Circle S Bridge #1 over South Boggy Creek (0.90 miles south of William Cannon Drive) project. TxDOT will provide 100% of the cost of this project.

Resolution No. 20060608-025 was approved.

26. Approve a resolution authorizing the negotiation and execution of all appropriate documents for the Texas Department of Transportation (TxDOT) to waive the City's local match fund participation requirement of \$77,468 for the Old Manor Road Bridge at Tannehill Branch project, an authorized federal off-system bridge program project, and for the City's performance of an equivalent amount of structural work on the Circle S Bridge #1 over South Boggy Creek (0.90 miles south of William Cannon Drive) project. TxDOT will provide 100% of the cost of this project.
Resolution No. 20060608-026 was approved.
27. Authorize execution of change order #14 to the construction contract with Texas Sterling Construction, Limited Partnership, Houston, TX, for the 45th Street Reconstruction Project from Division Drive to Airport Boulevard in an amount not to exceed \$229,685.76, for a total contract amount not to exceed \$16,265,062.85. Funding in the amount of \$229,685.76 is available in the Fiscal Year 2005-2006 Amended Capital Budget of the Public Works Department. 18.09% MBE and 11.89% WBE subcontractor participation to date including this change order.
This item was withdrawn.
28. Authorize ratification of negotiation and execution of an amendment to the professional services agreement with Kroll Schiff & Associates, Bastrop, TX, for additional engineering services and construction administration for Security System Improvements Project at Austin-Bergstrom International Airport, in the amount of \$18,461 for a total contract amount not to exceed \$361,608. Funding is available in the Fiscal Year 2005-2006 Amended Capital Budget of the Aviation Department. 13.57% DBE subconsultant participation to date.
The motion authorizing the ratification of the negotiation and execution of an amendment to the professional services agreement was approved.
29. Authorize negotiation and execution of an amendment to the professional services agreement with CAMP DRESSER & McKEE (CDM) Austin, TX, for supplemental engineering services for the Ulrich Water Treatment Plant Expansion Projects in the amount of \$ 2,370,529 for a total contract amount not to exceed \$23,149,704. The \$2,370,529 cost includes ratification of \$515,000 for work that has already been completed. Funding in the amount of \$ 2,370,529 is available in the Fiscal Year 2005-2006 Approved Capital Budget of the Austin Water Utility 19.30% MBE and 32.82% WBE subconsultant participation to date.
The motion authorizing the negotiation and execution of an amendment to the professional services agreement was approved.
30. Authorize ratification of negotiation and execution of a professional services agreement with Freese and Nichols, Inc., Austin, TX, for construction management and engineering services on the Ullrich Water Treatment Plant Expansion to 160 million gallons per day (MGD) projects in an amount not to exceed \$400,000. Funding is available in the Fiscal Year 2005-2006 Capital Budget of the Austin Water Utility. No subcontracting opportunities were identified; therefore, no goals were established for this solicitation.
The motion authorizing the ratification of the negotiation and execution of a professional services agreement was approved.
31. Authorize ratification of negotiation and execution of a professional services agreement with Navigant Consulting, Inc., Atlanta, GA, for forensic scheduling services for the Ullrich Water Treatment Plant Expansion to 160 million gallons per day (MGD) Project in an amount not to exceed \$120,000. Funding

is available in the Fiscal Year 2005-2006 Approved Capital Budget of the Austin Water Utility. No subcontracting opportunities were identified; therefore, no goals were established for this solicitation.

The motion authorizing the ratification of the negotiation and execution of a professional services agreement was approved.

Item 32 was pulled for discussion.

33. Authorize award, negotiation and execution of a contract with ABOUTWEB LLC, Rockville, MD, to provide professional services for eCID and eCOMBS software systems for the Financial and Administrative Services Department in an amount not to exceed \$183,520. Funding is available in the 2005-2006 Approved Capital budgets of the Public Works Department (\$41,760), Watershed Protection and Development Review Department (\$41,760), and Financial and Administrative Services Department (\$100,000). Professional Service. 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 an award, negotiation and execution of a contract was approved.
34. Authorize award and execution of a 60-month service agreement with XEROX CORPORATION, Austin, TX, through the State of Texas Cooperative Purchasing Contract, for the lease of multi-function document imaging machines and services in an estimated amount not to exceed \$1,141,220. Funding in the amount of \$57,061 is available in the Fiscal Year 2005-2006 Approved Operating Budgets of various departments. Funding for the remaining 57-months of the original contract period is contingent upon available funding in future budgets. State of Texas Cooperative Purchasing Contract.
The motion authorizing an award and execution of a service agreement was approved.
35. Authorize award and execution of a contract with MERIDIAN ENERGY SYSTEMS INC., Austin, Texas for the installation of photovoltaic systems in 11 schools located in the Austin Energy service area in an amount not to exceed \$260,440. Funding is available in the Fiscal Year 2005-2006 Approved Operating Budget of the Austin Energy Department Conservation Rebates and Incentives Fund. 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 an award and execution of a contract was approved.
36. Authorize award, negotiation and execution of a 12-month requirements service contract with UMS GROUP, INC., Parsippany, NJ, for an operating and capital cost structure and benchmarking analysis of Austin Energy in an amount not to exceed \$98,500. Funding is available in the Fiscal Year 2005-2006 Approved Operating Budget of Austin Energy. Best evaluated proposal of the 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.
The motion authorizing an award, negotiation and execution of a service contract was approved.
37. Authorize award and execution of a 12-month requirements supply contract with THOMAS & BETTS CORP., Houston, TX, for transmission and distribution self-weathering and galvanized structures and steel poles in an estimated amount not to exceed \$7,671,906.10, with four 12-month extension options in an estimated amount not to exceed \$7,671,906.10 per extension option, for a total estimated contract amount not to exceed \$38,359,530.50. Funding in the amount of \$7,671,906.10 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. Lowest bid of seven bids received. 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 an award and execution of a supply contract was approved.

38. Authorize award and execution of a 12-month requirements contract with DOBLE ENGINEERING CO., Watertown, MA, for the lease of oil analysis equipment, software, and consulting services in an estimated amount not to exceed \$50,712, with four 12-month extension options in an estimated amount not to exceed \$50,712 per extension option, for a total estimated amount not to exceed \$253,560. Funding in the amount of \$12,678 is available in the Fiscal Year 2005-2006 Approved Operating Budget of Austin Energy. Funding for the remaining nine months of the original contract period and extension options is contingent upon available funding in future budgets. Sole Source. 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 an award and execution of a contract was approved.

39. Authorize award and execution of a 12-month requirements supply contract with DPC INDUSTRIES, INCORPORATED, Cleburne, TX, for bulk liquid sodium hydroxide (caustic soda) in an estimated amount not to exceed \$131,309.10, with three 12-month extension options in an estimated amount not to exceed \$131,309.10, for a total estimated contract amount not to exceed \$525,236.40. Funding in the amount of \$32,827.38 is available in Fiscal Year 2005-2006 Approved Operating Budget of Austin Energy. Funding for the remaining nine months of the original contract period and extension options is contingent upon available funding in future budgets. Lowest 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 an award and execution of a supply contract was approved.

40. Authorize award and execution of a 12-month requirements supply contract with POWER SUPPLY, Austin, TX, for the purchase of network protectors in an estimated amount not to exceed \$766,968, with three 12-month extension options in an estimated amount not to exceed \$766,968 per extension option, for a total estimated contract amount not to exceed \$3,067,872. Funding in the amount of \$766,968 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 specification. 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 an award and execution of a supply contract was approved.

41. Authorize award and execution of a 12-month requirements supply contract with TECHLINE, LTD, Austin, TX for the purchase of vacuum interrupter switches in an estimated amount not to exceed \$258,400, with three 12-month extension options in an estimated amount not to exceed \$258,400 per extension option, for a total estimated contract amount not to exceed \$1,033,600. Funding in the amount of \$64,600 is available in the Fiscal Year 2005-2006 Approved Operating Budget of Austin Energy. Funding for the remaining nine months of the original contract period and extension options is contingent upon available funding in future budgets. Only 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 an award and execution of a supply contract was approved.

42. Authorize award and execution of a 12-month requirements service contract with CRANE VALVE SERVICES, Houston, TX, and DRESSER FLOW CONTROL, Corpus Christi, TX, for repair, maintenance, and testing of various valves at the Decker, Holly, and Sand Hill power plants in an estimated combined amount not to exceed \$200,000, with three 12-month extension options in an estimated combined amount not to exceed \$200,000 per extension option, for a total estimated combined contract amount not to exceed \$800,000. Funding for \$50,000 is available in Fiscal Year 2005-2006 Approved Operating Budget of Austin Energy. Funding for the remaining nine months of the original contract period and extension options is contingent upon available funding in future budgets. Lowest bids 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 an award and execution of a service contract was approved.**
43. Authorize award and execution of two 12-month requirements contracts with HUGHES SUPPLY INC., San Antonio TX, in an estimated amount not to exceed \$72,100, with two 12-month extension options in an estimated amount not to exceed \$72,100 per extension option, for a total estimated contract amount not to exceed \$216,300; and STUART C. IRBY CO., Austin, TX, in an estimated amount not to exceed \$61,315, with two 12-month extension options in an estimated amount not to exceed \$61,315 per extension option, for a total estimated contract amount not to exceed \$183,945.00, for backfill polyurethane foam. Funding in the Amount of \$33,354 is available in the Fiscal Year 2005-2006 Approved Operating Budget of Austin Energy. Funding for the remaining nine months of the original contract period and extension options is contingent upon available funding in future budgets. Lowest bidders of six 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 an award and execution of two contracts was approved.**
44. Authorize negotiation and execution of Amendment No. 1 to the contract through General Services Administration (GSA) Federal Contract Number GS-35-F-0004M, with SIEMENS COMMUNICATION, INCORPORATED, Houston, TX, for the continued purchase of PBX telephone system maintenance for six months for the Austin Energy Call Centers, in an amount not to exceed \$75,738, with an additional three-month extension option in an amount not to exceed \$37,869, for a revised total contract amount not to exceed \$139,852. Funding in the amount of \$37,869 is available in Fiscal Year 2005-2006 Approved Operating Budget of Austin Energy. Funding for the remaining three months of the original contract period and extension option is contingent upon available funding in future budgets. Cooperative Purchase. 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 negotiation and execution of amendment number 1 to the contract was approved.**
45. Authorize negotiation and execution of Amendment No. 5 to the requirements contract with ENERGY SAVING STRATEGIES, Georgetown, TX to increase the two 12-month extension options for the small business lighting program in an estimated amount not to exceed \$485,000 per extension option, for a revised total estimated contract amount not to exceed \$2,054,022.50. Funding in the amount of \$161,667 is available in the Fiscal Year 2005-2006 Approved Operating Budget of Austin Energy. Funding for the remaining eight months of the contract period and the extension option is contingent upon available funding in future budgets. This contract was awarded in compliance with Chapter 2-9 of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation.

The motion authorizing the negotiation and execution of amendment number 5 to the contract was approved.

46. Approve ratification of a 12-month service agreement with VIRTUAL HOLD TECHNOLOGY, LLC, Akron, OH, for the purchase and installation of an automated telephony queue management return call system, with one-year maintenance, for the Austin Energy Call Contact Centers, in an amount not to exceed \$157,966. Funding is available in the Fiscal Year 2005-2006 Approved Capital Budget of Austin Energy. Critical Business Need. 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 ratification of a service agreement was approved.**

47. Authorize award and execution of a 12-month requirements contract agreement with THE PERSONNEL STORE, INC., Austin, TX for temporary labor services in an estimated amount not to exceed \$118,960, with two 12-month extension options an estimated amount not to exceed \$118,960 per extension option, for a total estimated contract amount not to exceed \$356,880. Funding in the amount of \$39,653 is included in the Fiscal Year 2005-2006 Approved Operating Budget of the Austin Convention Center Department. 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 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 an award and execution of a contract agreement was approved.**

48. Authorize award and execution of a 12-month requirements service contract with HIGHTECH SIGNS, Austin, TX (WBE-FR) for interior signs production, installation services and warranty repair services in an estimated amount not to exceed \$131,183.25. Funding in the amount of \$43,727.75 is included in the Fiscal Year 2005-2006 Approved Operating Budget of the Austin Convention Center Department. Funding for the remaining eight months of the original contract period is contingent upon available funding in future budgets. Low bid meeting specifications 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 an award and execution of a service contract was approved.**

49. Authorize award and execution of a contract with HACH CO-LACHAT INSTRUMENTS, Loveland, CO., for the purchase of a flow injection auto-analyzer for the Austin Water Utility in an amount not to exceed \$59,990. Funding is available in the Fiscal Year 2005-2006 Approved Operating Budget of the Austin Water Utility. Sole bid. 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 an award and execution of a contract was approved.**

50. Authorize award and execution of a 12-month requirements supply contract with ACT PIPE & SUPPLY, INC., Pflugerville, TX, for the purchase of valves of various types and sizes for the Austin Water Utility in an estimated amount not to exceed \$58,843.75, with two 12-month extension options in an estimated amount not to exceed \$58,843.75 per extension option, for a total estimated contract amount not to exceed \$176,531.25. Funding in the amount of \$19,615 is available in 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 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 an award and execution of a supply contract was approved.

51. Authorize award and execution of a 12-month requirements supply contract with MS TECHLINE PIPE LLP, Austin, TX, for the purchase of approximately 324 fire hydrants for the Austin Water Utility in an estimated amount not to exceed \$294,734.67, with two 12-month extension options in an estimated amount not to exceed \$294,734.67 per extension option, for a total estimated contract amount not to exceed \$884,204.01. Funding in the amount of \$98,245 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 bidder 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 an award and execution of a supply contract was approved.
52. Authorize award and execution of a contract with TRANTEX, INC., Houston, TX, for the purchase of one trailer-mounted thermoplastic pre-melter with walk-behind striping machine in an amount not to exceed \$58,125. Funding is available in the Fiscal Year 2005-2006 Approved Vehicle Acquisition Fund of the Financial and Administrative Services Department. 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 an award and execution of a contract was approved.
53. Authorize award and execution of a contract with SOUTHWEST SOLUTIONS GROUP, Round Rock, TX, for the purchase and installation of two evidence locker systems in an amount not to exceed \$122,162.79. Funding is available in the Fiscal Year 2005-2006 Approved Special Revenue Budget in the Police Federal Asset Forfeiture Fund of the Austin Police Department. 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 an award and execution of a contract was approved.
54. Authorize award and execution of a 12-month requirements supply contract with MILLER UNIFORMS AND EMBLEMS, Austin, TX, for dress uniforms (BDUs) for the Austin Police Department in an estimated amount not to exceed \$48,766, with two 12-month extension options in an estimated amount not to exceed \$48,766 per extension option, for a total estimated amount not to exceed \$146,298. Funding in the amount of \$16,255 is available in the Fiscal Year 2005-2006 Approved Operating Budget of the Austin Police Department. Funding for the remaining eight months of the original contract period and the extension options is contingent upon available funding in future budgets. Lowest responsive 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 an award and execution of a supply contract was approved.
55. Authorize award and execution of a contract with MEDICAL EDUCATION TECHNOLOGIES, INC., Sarasota, FL, for the purchase of two emergency care simulator training manikins and associated support equipment, supplies and training in an amount not to exceed \$147,954. Funding is available through the Metropolitan Medical Response System Program Continuation Grant from the Federal Emergency Management Association (FEMA), U.S. Department of Homeland Security budgeted in Public Safety and

Emergency Management. 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 an award and execution of a contract was approved.

56. Authorize award and execution of a 12-month requirements service contract with INTERSTATE BARRICADES & MARKING, Pearland, TX, for roadway striping for the Public Works Department in an estimated amount not to exceed \$289,265.80, with two 12-month extension options in an estimated amount not to exceed \$289,265.80, for a total estimated contract amount not to exceed \$867,797.40. Funding in the amount of \$289,265.80 is available in the Fiscal Year 2005-2006 Amended Capital Budget of the Public Works Department. Funding for the extension options is contingent upon available funding in future budgets. Only bid received This contract will be awarded in compliance with Chapter 2-9 of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program.) No subcontracting opportunities were identified; therefore, no goals were established for this solicitation.
The authorizing an award and execution of a service contract was approved.

57. Authorize award and execution of Amendment No. 2 to the requirements supply contract with VULCAN CONSTRUCTION MATERIALS LP, San Antonio, TX, for aggregate trap rock to increase the two remaining extension options in an estimated amount not to exceed \$100,143 per extension option, for a revised total estimated contract amount not to exceed \$2,220,757.38. Funding in the amount of \$33,381 is available in the Fiscal Year 2005-2006 Approved Operating Budget for the Public Works Department. The remaining eight months of the current extension option and the final extension option is contingent upon available funding in future budgets. 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 an award and execution of amendment number 2 to the supply contract was approved.

Items 58 through 61 were set for 1:00 p.m. time certain.

62. Approve an ordinance amending Chapter 2-1 (Boards and Commissions), Article 9 of the City Code relating to the duties of and renaming of the Austin Telecommunications Commission, and changing the name to the Austin Community Technology and Telecommunications Commission. Recommended by the Austin Telecommunications Commission and the Council Committee for Emerging Technology and Communications.
Ordinance No. 20060608-062 was approved.
63. Approve an ordinance waiving the development regulations of Ordinance No. 20060309-058 to allow the construction of a two story single family residence at 3202 Greenlee Drive, Austin, TX.
Ordinance No. 20060608-063 was approved.
64. Approve an ordinance waiving the development regulations of Ordinance No. 20060309-058 to allow the construction of a duplex at 4705 Caswell, Austin, TX.
Ordinance No. 20060608-064 was approved noting there is a multifaceted legal agreement between adjacent property owners and the developer regarding this waiver.
65. Approve an ordinance waiving the development regulations of Ordinance No. 20060309-058 to allow the remodel (addition) of a duplex at 4707 Caswell Drive, Austin, TX.
Ordinance No. 20060608-065 was approved noting there is a multifaceted legal agreement between adjacent property owners and the developer regarding this waiver.

66. Approve an ordinance waiving the development regulations of Ordinance No. 20060309-058 to allow for the construction of a duplex at 4709 Caswell Drive, Austin, TX.
Ordinance No. 20060608-066 was approved noting there is multifaceted legal agreement between adjacent property owners and the developer regarding this waiver.
67. Approve an ordinance waiving the development regulations of Ordinance No. 20060309-058 to allow for the construction of a duplex at 4711 Caswell Drive, Austin, TX.
Ordinance No. 20060608-067 was approved noting there is multifaceted legal agreement between adjacent property owners and the developer regarding this waiver.
68. 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>African-American Resource Advisory Commission</u>		
Lisa Byrd	Consensus (Pro Arts Collective)	Appointment
Damon Gee	Consensus (Community at-large)	Appointment
Tyra Duncan-Hall, Ph.D.	Consensus (Community at-large)	Appointment
Nelson Linder	Consensus (National Assoc. for Advancement of Colored People)	Appointment
Bryon C. Marshall	Consensus (Austin Revitalization Authority)	Appointment
Greg Marshall	Consensus (Capital City African-American Chamber of Commerce)	Appointment
Marva Overton	Consensus (Professional health care worker)	Appointment
Jeffrey Richard	Consensus (Austin Area Urban League)	Appointment
Joy Simmons	Consensus (Community at-large)	Appointment
<u>Asian American Resource Center Advisory Board</u>		
Melissa DeHaan	Consensus	Appointment
<u>Child Care Council</u>		
Ariel Cloud	Consensus (Joint Appointment with Austin Independent School District)	Appointment
<u>Historic Landmark Commission</u>		
Joe Arriaga	Consensus	Reappointment
Julia Bunton	Consensus	Reappointment
Jean Mather	Consensus	Reappointment
John Rosato	Consensus	Reappointment
<u>Parks and Recreation Board</u>		

Marilyn Bostick	Mayor Pro Tem Thomas'	Reappointment
<u>Renaissance Market Commission</u> Laura Wisdom	Consensus	Reappointment
<u>Telecommunications Commission</u> Arthur Sampson	Mayor Pro Tem Thomas'	Appointment
<u>Urban Renewal Board</u> Kevin Cole	Mayor Wynn's	Appointment
<u>Urban Transportation Commission</u> Patrick Goetz	Consensus	Reappointment

69. Approve waiver of certain rental and facility use fees for an Austin Police Association fundraising event for an injured officer to be held at Kreig Field on September 16 and 17, 2006. (Mayor Pro Tem Danny Thomas, Council Member Lee Leffingwell and Council Member Betty Dunkerley)
The motion authorizing the waiver of certain rental and facility use fees was approved.
70. Approve an ordinance authorizing waiver of certain fees, requirements, and payment of certain costs for the Greater East Austin Youth League's 2006 Pre-Juneteenth Parade and Festival to be held on June 16, 2006. (Mayor Pro Tem Danny Thomas, Council Member Lee Leffingwell and Council Member Betty Dunkerley)
Ordinance No. 20060608-070 was approved.
71. Approve an ordinance authorizing waiver of certain fees and payment of certain costs for the Greater East Austin Youth Association's 2006 Juneteenth Festival and Parade to be held June 15-17, 2006. (Mayor Pro Tem Danny Thomas, Council Member Lee Leffingwell and Council Member Betty Dunkerley)
Ordinance No. 20060608-071 was approved.
72. Approve an ordinance amending Chapter 12-1 of the City Code to prohibit the use of an engine brake or retarder on certain City streets. (Council Member Lee Leffingwell and Council Member Jennifer Kim)
Ordinance No. 20060608-072 was approved.
73. Approve an ordinance amending Chapter 2-1 of the City Code relating to the African American Resource Advisory Commission. (Mayor Pro Tem Danny Thomas, Council Member Brewster McCracken and Council Member Betty Dunkerley)
Ordinance No. 20060608-073 was approved.
74. Adopt a resolution setting eligibility criteria for the Small Business Assistance Fund for businesses located within the Community Preservation and Revitalization Zone. (Council Member Raul Alvarez and Mayor Pro Tem Danny Thomas)
Resolution No. 20060608-074 was approved.
75. Approve a resolution concerning the permitting of new coal-fired power generating facilities by the Texas Commission on Environmental Quality. (Council Member Lee Leffingwell, Mayor Will Wynn and Council Member Jennifer Kim)
Resolution No. 20060608-075 was approved.

76. Approve a resolution authorizing the City Manager to submit on behalf of the City of Austin an application to enter the Energy Freedom Challenge. (Mayor Will Wynn and Council Member Lee Leffingwell)
Resolution No. 20060608-076 was approved.
77. Direct the City Manager to review the Tree Task Force Report and provide recommendations within 90 days concerning the implementation of all items in the report. (Council Member Lee Leffingwell, Council Member Betty Dunkerley and Council Member Brewster McCracken)
The motion directing the City Manager to review the Tree Task Force Report and provide recommendations was approved.

Items 78 through 80 were pulled for discussion.

81. Set a public hearing on an ordinance amending the City Code to establish design standards for commercial, multi-family and mixed use development. The design standards ordinance includes regulations addressing building location, streets and walkways, pedestrian and vehicular connections, parking, exterior lighting, screening, open space, shading, building design, landscaping, and signage. (Suggested date and time: June 22, 2006 at 6:00 p.m., Austin City Hall Council Chambers, 301 West Second Street.)
The public hearing was set for June 22, 2006 at 6:00 p.m., Austin City Hall Council Chambers, 301 West Second Street.
82. Set a public hearing to consider amending Ordinance No. 980827-B, the Dawson Neighborhood Plan, an element of the Austin Tomorrow Comprehensive Plan, by adopting the future land use map for the area bounded by Oltorf Street, South Congress Avenue, Ben White Boulevard, and South First Street. (Suggested Date and Time: June 22, 2006 at 4:00 P.M., City Hall Council Chambers, 301 West Second Street.)
The public hearing was set for June 22, 2006 at 4:00 p.m., City Hall Council Chambers, 301 West Second Street.
83. Set a public hearing to consider expired floodplain variance requests by CitySmart Austin, Inc. to allow placement of a residential condominium at 1605 Houston Street in the 100-year and 25-year floodplains of the Hancock Branch of Shoal Creek. (Suggested date and time: June 22, 2006, at 6:00 p.m., Austin City Hall Council Chambers, 301 West 2nd Street.)
The public hearing was set for June 22, 2006, at 6:00 p.m., Austin City Hall Council Chambers, 301 West 2nd Street.

Item 84 was a briefing set for 10:30 p.m.

Item 85 was an Executive Session item.

Item 86 was a briefing set for 2:00 p.m.

Items 87 through 119 were zoning items set for 4:00 p.m.

Items 120 through 122 were public hearings set for 6:00 p.m.

Items 123 through 125 were addendum zoning items.

23. Approve a resolution authorizing the negotiation and execution of an Interlocal Agreement between the City of Austin and the Texas Department of Transportation for the construction of the East 7th Street

Corridor Improvements Project. The total grant amount of \$2,649,910 will be provided by TxDOT. The required \$160,098 local match is available in the Fiscal Year 2005-2006 Amended Capital Budget of the Neighborhood, Planning and Zoning Department. A briefing was presented to the Design Commission and to the Urban Transportation Commission. (Related to item 24)

Resolution No. 20060608-023 was approved on Council Member Alvarez' motion, Council Member Leffingwell's second on a 7-0 vote.

24. Approve an ordinance authorizing acceptance of grant funds in the amount of \$2,649,910 from the Texas Department of Transportation; and amending the Fiscal Year 2005-2006 Neighborhood Planning & Zoning Department Operating Budget Special Revenue Fund of Ordinance No. 20050912-001, to appropriate \$2,649,910; and amending the Fiscal Year 2005-06 Neighborhood Planning & Zoning Capital Budget of Ordinance No. 20050912-002 to appropriate \$2,649,910 for the East 7th Street Corridor Improvements Project. The total grant amount of \$2,649,910 will be provided by TxDOT. The required \$160,098 local match is available in the Fiscal Year 2005-2006 Amended Capital Budget of the Neighborhood, Planning and Zoning Department. A briefing was presented to the Design Commission and to the Urban Transportation Commission. (Related to item 23)

Ordinance No. 20060608-024 was approved on Council Member Alvarez' motion, Council Member Leffingwell's second on a 7-0 vote.

BRIEFING

84. Adopt an ordinance approving ballot language for the November 2006 Bond Election. The motion to adopt a seven year bond program was approved on Council Member Dunkerley's motion; Council Member McCracken's second on a 7-0 vote. This allows the City to keep the increase to the tax rate below two cents; but still have a bond program greater than the amount previously shown. The \$567 million bond package will result in an additional tax-rate of 1.88 cents.

The motion to adopt a Transportation bond proposition in the amount of \$103.1 million was approved on Council Member Dunkerley's motion; Mayor Pro Tem Thomas' second on a 7-0 vote.

The motion to increase the amount for open space or water quality protection land from \$30 M to \$50 M, for a total of \$95 million for drainage and \$50 million for open space/water quality protection land acquisition, and inserting the words "open spaces" in Part 1 and 2 of the draft ordinance was approved on Council Member Leffingwell's motion, Council Member Kim's second on a 7-0 vote.

The motion to reduce the parks renovations amount by \$2 million and re-allocate \$500,000 of the \$2 million to the renovation of the Rosewood Park House as part of the African-American Quality of Life Initiative was approved on Mayor Pro Tem Thomas' motion, Council Member Kim's second was approved on a 7-0 vote.

The motion to add \$500,000 for renovations to the Elisabet Ney Museum and \$500,000 for renovations to the Susanna Dickinson House, for a total increase of \$1 Million was approved on Council Member Kim's motion, Council Member McCracken's second on a 7-0 vote.

The motion to adopt a park facilities and parkland proposition, as amended above, in the amount of \$84.7 million with \$64.7 million for Parks facilities and \$20 million for parkland was approved on Council Member Leffingwell's motion, Council Member Alvarez' second on a 7-0 vote.

The motion to increase the affordable housing proposition from \$50 to \$55 million as amended below was approved on Council Member Alvarez' motion, Council Member Leffingwell's second on a 7-0 vote. Council Member Leffingwell proposed the following friendly amendment, to change the wording in Part 1 and 2 for the draft ordinance so it reads, "affordable housing facilities for low income persons and families..." This was accepted by the maker of the motion.

The motion to adopt an Affordable Housing proposition as amended above in the amount of \$55 million was approved on Council Member Dunkerley's motion, Council Member Alvarez' second on a 7-0 vote.

The motion to adopt a Central Library bond proposition in the amount of \$90 million was approved on Council Member McCracken's motion, Council Member Kim's second on a 7-0 vote.

The motion to amend the Cultural Facilities proposition by adding \$1.5 million for African-American Cultural and Heritage facilities was approved on Mayor Pro Tem Thomas' motion, Council Member Leffingwell's second on a 7-0 vote.

The motion to add \$5 million to the Cultural Facilities proposition for the Mexic-Arte museum was approved on Council Member Alvarez' motion, Council Member Dunkerley's second on a 7-0 vote.

The motion to change the wording in Part 1 and 2 of the draft ordinance to refer to these facilities as "community and cultural facilities" rather than just "cultural facilities" and to add the following language was approved on Council Member Kim's motion, Mayor Pro Tem Thomas' second on a 7-0 vote. The wording will read, "including, without limitation, the Zachary Scott Theater, an African American Cultural and Heritage facility, an Asian American Resource Center, the Austin Film Studios, the Mexican American Cultural Center, and a Mexic-Arte Art Museum. "

The motion to add a Part 3 to the draft ordinance as follows was approved on Council Member McCracken's motion, Council Member Dunkerley's second on a 7-0 vote. The amendment will read, "Any bonds or notes issued for those community and cultural facilities in Proposition No. 4, which require additional funds to complete those community or cultural facilities will only be issued in the event that City Manager determines sufficient matching funds have been raised for the respective project that, when added to the proceeds from the bonds or notes, will complete the proposed community or cultural facility. This provision does not require that all community and cultural facilities listed in Proposition No. 4 must raise matching funds prior to issuance of bonds for the respective community or cultural facility. In addition, at the time funds have been raised to sufficiently fund the respective community or cultural facility, the City may choose to issue bonds to fund its portion of the respective community or cultural facility".

The motion to adopt a Community and Cultural Facilities proposition as amended above in the amount of \$31.5 million was approved on Council Member Kim's motion, Mayor Pro Tem Thomas' second on a 7-0 motion.

The motion to adopt a Public Safety bond proposition in the amount of \$58.1 million was approved on Mayor Pro Tem Thomas' motion, Council Member Leffingwell's second on a 7-0 vote.

Ordinance No. 20060608-084, establishing the bond proposition language as shown above in the numerous motions, and setting the order of the propositions as follows, was approved on Council Member Kim's motion, Council Member Dunkerley's second on a 7-0 vote. The order is: Proposition 1 – Transportation; Proposition 2 – Drainage and Water Quality/Open Space Land;

Proposition 3 – Park Facilities and Parkland ; Proposition 4 – Community and Cultural Facilities; Proposition 5 – Affordable Housing ; Proposition 6 – Central Library ; Proposition 7 – Public Safety. Further, the ordinance set the election to be held in November 2006 in the amount of \$567.4 million.

CITIZEN COMMUNICATION: GENERAL

Paul Robbins - City Issues

CarolAnneRose Kennedy - BRAins and/or BRAwn? THAT is the question...AMEN

Susan Sandmeier - McMansion Issues **She was not present when her name was called.**

Richard Troxell - Homelessness in Austin. **He was not present when his name was called.**

Don Smith - Presentation to Council Member Alvarez

Paul Reynold - Presentation to Council Member Alvarez

Carol Lee - Appreciation for Raul Alvarez

Pat Johnson - City Issues

Mayor Wynn recessed the Council Meeting to go into Executive Session at 1:06 p.m.

EXECUTIVE SESSION

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

85. Discuss legal issues related to *Harry M. Whittington, et al. v. City of Austin*; Cause No. 2403, in the County Court at Law No. 1, Travis County, Texas. (Concerns the City's condemnation case) (Private Consultation with Attorney - Section 551.071)

Executive Session ended and Mayor Wynn called the Council Meeting back to order at 1:37 p.m.

DISCUSSION ITEMS

58. Approve an ordinance adopting a new Chapter 2-9A of the City Code (Minority-Owned and Women-Owned Business Enterprise Construction Services Procurement Program) to establish a procurement program for construction; amending Section 2-1-381 relating to the Minority-Owned and Women-Owned Business Enterprise Procurement Program Advisory Committee; and repealing the current Chapter 2-9 (Minority-Owned and Women-Owned Business Enterprise Procurement Program) of the City Code. Recommended by the MBE/WBE Citizens' Advisory Committee. (Related to items 59-61)
Ordinance No. 20060608-058 was approved on Council Member Alvarez' motion, Mayor Pro Tem Thomas' second on a 7-0 vote.

59. Approve an ordinance adopting a new Chapter 2-9B of the City Code (Minority-Owned and Women-Owned Business Enterprise Professional Services Procurement Program) to establish a procurement program for professional services. Recommended by the MBE/WBE Citizens' Advisory Committee. (Related to items 58, 60 and 61)
Ordinance No. 20060608-059 was approved on Council Member Alvarez' motion, Mayor Pro Tem Thomas' second on a 7-0 vote.
60. Approve an ordinance adopting a new Chapter 2-9C of the City Code (Minority-Owned and Women-Owned Business Enterprise Non-Professional Services Procurement Program) to establish a procurement program for non-professional services. Recommended by the MBE/WBE Citizens' Advisory Committee. (Related to items 58, 59 and 61)
Ordinance No. 20060608-060 was approved on Council Member Alvarez' motion, Mayor Pro Tem Thomas' second on a 7-0 vote.
61. Approve an ordinance adopting a new Chapter 2-9D of the City Code (Minority-Owned and Women-Owned Business Enterprise Commodities Procurement Program) to establish a procurement program for commodities. Recommended by the MBE/WBE Citizens' Advisory Committee. (Related to items 58 - 60)
Ordinance No. 20060608-061 was approved on Council Member Alvarez' motion, Mayor Pro Tem Thomas' second on a 7-0 vote.
78. Direct the City Manager to implement an interactive development tool at the One Stop Shop available for use by the public. (Council Member Jennifer Kim, Council Member Brewster McCracken and Council Member Betty Dunkerley)
The motion directing the City Manager to implement an interactive development tool was approved on Council Member Kim's motion, Council Member Dunkerley's second on a 6-0 vote. Mayor Pro Tem Thomas was off the dais.
79. Discussion and possible action regarding the City's financial policy on the General Fund Reserve for Budget Stabilization. (Related to item 80) (Council Member Raul Alvarez and Mayor Pro Tem Danny Thomas)
This item was withdrawn.
80. Approve an ordinance amending the Fiscal Year 2005-2006 Operating Budget of Ordinance No. 20050912-001 by designating \$1,000,000 of the Homeowner Rehabilitation Loan Program for use in the Community Preservation and Revitalization (CP and R) Zone. (Related to item 79) (Council Member Raul Alvarez and Mayor Pro Tem Danny Thomas)
Ordinance No. 20060608-080 was approved on Council Member Alvarez' motion, Mayor Pro Tem Thomas' second on a 7-0 vote.

BRIEFINGS

86. Briefing on Water Supply Strategies.
The presentation was made by Joe Canales, Assistant City Manager; Stephen Coonan, Alan Plummer Associates, Inc. ; Tony Gregg, Water Conservation Manager, Austin Water Utility; Jane Burazer, Assistant Director, Austin Water Utility; and Chris Lippe, Director of Austin Water Utility.

BOARD OF DIRECTORS MEETING OF AUSTIN HOUSING FINANCE CORPORATION.

Mayor Wynn recessed the Council Meeting at 4:23 p.m. to go into the Board of Director's Meeting of the Austin Housing Finance Corporation. See separate minutes.

AHFC adjourned and Mayor Wynn called the Council Meeting back to order at 4:39 p.m.

ZONING

87. C14-05-0190 - 515 West 15th Street - Approve third reading of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 515 West 15th Street (Shoal Creek Watershed) from general office (GO) district zoning to central business district-conditional overlay (CBD-CO) combining district zoning. First reading approved on April 6, 2006. Vote: 7-0. Second reading approved on May 4, 2006. Vote: 7-0. Applicant: Cabot-Chase, Ltd. (Jimmy Nassour). Agent: Ron Thrower. City Staff: Jorge E. Rousselin, 974-2975.

Ordinance No. 20060608-087 for central business district-conditional overlay (CBD-CO) combining district zoning was approved on Council Member McCracken's motion, Council Member Dunkerley's second on a 7-0 vote.

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 McCracken's motion, Mayor Pro Tem Thomas' second on a 7-0 vote.

88. NPA-06-0006.010 – Conduct a public hearing to amend Ordinance No. 000629-105, the Old West Austin Neighborhood Plan, an element of the Austin Tomorrow Comprehensive Plan to revise the text for Goal 1, Objective 1, Action Item 4. The proposed amendment would allow minor changes in base district zoning boundaries for properties that have street frontages on both West Lynn Street and Eason Street in order to preserve the single-family character of Eason Street. Recommended by Planning Commission. City Staff: Mark Walters, 974-7695.

Ordinance No. 20060608-088 to amend the Old West Austin Neighborhood Plan was approved.

89. C14-06-0024 - 1101 West Lynn - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 1101 West Lynn (Town Lake Watershed) from family residence-neighborhood plan (SF-3-NP) combining district zoning to general commercial services-mixed use-conditional overlay-neighborhood plan (CS-MU-CO-NP) combining district zoning. Planning Commission Action: To grant general commercial services-mixed use-conditional overlay-neighborhood plan (CS-MU-CO-NP) combining district zoning. Applicant: Colonna Family Limited Partnership (Mike Colonna). Agent: Thrower Design (Ron Thrower). City Staff: Jorge E. Rousselin, 974-2975.

Ordinance No. 20060608-089 for general commercial services-mixed use-conditional overlay-neighborhood plan (CS-MU-CO-NP) combining district zoning was approved.

90. C14-06-0002 - 9815-9817 Anderson Mill Road - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 9815-9817 Anderson Mill Road (Bull Creek Watershed) from single-family residence-large lot (SF-1) district zoning to neighborhood commercial-conditional overlay (LR-CO) combining district zoning. Zoning and Platting Commission Recommendation: To grant neighborhood commercial-conditional overlay (LR-CO) combining district zoning. Applicant: R.L. Heinrichs. Agent: Norma Pena Raven Consultant (Norma Raven). City Staff: Sherri Sirwaitis, 974-3057.

Ordinance No. 20060608-090 for neighborhood commercial-conditional overlay (LR-CO) combining district zoning was approved.

91. C14-06-0005 - North Terraces at Scofield Ridge - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 13205 Burnet Road (Walnut Creek Watershed) from neighborhood commercial (LR) district zoning to community commercial (GR) district zoning. Zoning and Platting Commission Recommendation: To grant neighborhood commercial-conditional overlay (GR-CO) combining district zoning. Applicant: Tiger Creek Partners (David Downing). Agent: Thrower Design (Ron Thrower). City Staff: Sherri Sirwaitis, 974-3057.
This item was withdrawn.
92. C14-06-0056 - J & J Auto Repair - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 12621 Research Boulevard (Walnut Creek Watershed) from single-family residence-standard lot (SF-2) district zoning to general commercial services (CS) district zoning. Zoning and Platting Commission Recommendation: To grant community commercial-conditional overlay (GR-CO) combining district zoning. Applicant and Agent: CS Mystify, LLC (Chris Sapuppo). City Staff: Sherri Sirwaitis, 974-3057.
Ordinance No. 20060608-092 for community commercial-conditional overlay (GR-CO) combining district zoning was approved.
93. C14-06-0058 - Life Center - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 6130 U.S. Highway 290 West (Barton Creek Watershed) from development reserve (DR) district zoning to community commercial-conditional overlay (GR-CO) combining district zoning. Planning Commission recommendation: To grant community commercial-conditional overlay (GR-CO) combining district zoning. Applicant: Piotr Was. Agent: Jody Hagemann. City Staff: Robert Heil, 974-2330.
Ordinance No. 20060608-093 for community commercial-conditional overlay (GR-CO) combining district zoning was approved.
94. C14-06-0067 - Natural Gardener - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 8634 Old Bee Caves Road (Williamson Creek Watershed-Barton Springs Zone) from rural residence (RR) district zoning to general commercial services-conditional overlay (CS-CO) combining district zoning. Planning Commission Recommendation: To grant general commercial services-conditional overlay (CS-CO) combining district zoning. Applicant: John Dromgoole. Agent: Bill Faust. City Staff: Robert Heil, 974-2330.
Ordinance No. 20060608-094 for general commercial services-conditional overlay (CS-CO) combining district zoning was approved.
95. C14-06-0057 - 4605 Manor Road - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 4605 Manor Road (Town Lake Watershed) from family residence (SF-3) district zoning to community commercial-mixed use-conditional overlay (GR-MU-CO) combining district zoning. Planning Commission Recommendation: To grant community commercial-mixed use-conditional overlay-neighborhood plan (GR-MU-CO-NP) combining district zoning. Applicant and Agent: Harlan Lowe. City Staff: Robert Heil, 974-2330.
This item was postponed to June 22, 2006 at staff's request.
96. C14-05-0164 - U.S. Hwy 290 East - 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. Hwy. 290 East, Approximately 360 feet from its intersection with Springdale Road (Walnut Creek Watershed) from development reserve (DR) district zoning and interim rural residence (I-RR) district zoning to community commercial-conditional overlay (GR-CO) combining district zoning for Tract 1 and limited industrial services-conditional overlay (LI-CO) combining district zoning for Tract 2. Planning Commission Recommendation: To grant community commercial-conditional overlay (GR-CO) combining district

zoning for Tract 1 and limited industrial services-conditional overlay (LI-CO) combining district zoning for Tract 2. Applicant and Agent: David Holt. City Staff: Robert Heil, 974-2330.

This item was postponed to June 22, 2006 at staff's request.

97. C814-98-0001.02 - Life Time Fitness - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 7101 South MoPac Expressway Northbound (Williamson Creek Watershed-Barton Springs Zone) from planned unit development (PUD) district zoning to planned unit development (PUD) district zoning to change a condition of zoning. This property, located in the Barton Springs Zone, has been proposed for a zoning change that will: 1) Modify the original conditions of zoning, and 2) Modify the application of Chapter 25-8, Article 12 (Save Our Springs Initiative). Zoning and Platting Commission Recommendation: To grant planned unit development (PUD) district zoning to change a condition of zoning. Applicant: Lower Pasture, Ltd. (Carey P. Brownlee). Agent: Armbrust and Brown, L.L.P. (Richard T. Suttle, Jr.) City Staff: Wendy Walsh, 974-7719.
The first reading of the ordinance for planned unit development (PUD) district zoning to change a condition of zoning was approved.
98. C14-06-0062 - Malicoat - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 4315 Gillis Street (Williamson Creek Watershed) from family residence (SF-3) district zoning to community commercial-mixed use (GR-MU) combining district zoning. Zoning and Platting Commission Recommendation: To grant limited office-mixed use-conditional overlay (LO-MU-CO) combining district zoning. Applicant: Estate of Daphne Malicoat (Barbara Troxell). City Staff: Wendy Walsh, 974-7719.
Ordinance No. 20060608-098 for limited office-mixed use-conditional overlay (LO-MU-CO) combining district zoning was approved.
99. C14-06-0088 - Echelon Three - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 9398 Research Boulevard (Shoal Creek Watershed) from limited office (LO) district zoning and neighborhood commercial (LR) district zoning to general office (GO) district zoning. Zoning and Platting Commission Recommendation: To grant general office-conditional overlay (GO-CO) combining district zoning. Applicant: Echelon Holdings, Ltd. (Joel Sher). Agent: Thrower Design (Ron Thrower). City Staff: Jorge E. Rousselin, 974-2975.
Ordinance No. 20060608-099 for general office-conditional overlay (GO-CO) combining district zoning was approved.
100. C14-06-0089 - Echelon Four - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 9444 Research Boulevard (Shoal Creek Watershed) from limited office (LO) district zoning to general office (GO) district zoning. Zoning and Platting Commission Recommendation: To grant general office-conditional overlay (GO-CO) combining district zoning. Applicant: Echelon Holdings, Ltd. (Joel Sher). Agent: Thrower Design (Ron Thrower). City Staff: Jorge E. Rousselin, 974-2975.
Ordinance No. 20060608-100 for general office-conditional overlay (GO-CO) combining district zoning was approved.
105. C14H-06-0015 – Herblin-Shoe House - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 712 W. 16th Street (Town Lake Watershed) from family residence (SF-3) district zoning to family residence-historic (SF-3-H) combining district zoning. Planning Commission recommendation: To grant family residence-historic (SF-3-H) combining district zoning. Applicant: Clif Mitchell. City Staff: Steve Sadowsky, 974-6454.

Ordinance No. 20060608-105 for family residence-historic (SF-3-H) combining district zoning was approved.

106. C14-06-0083 (amending Ordinance #841220-G) - 98 San Jacinto - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property and deleting a portion of a condition of zoning site plan for the property locally known as 98 San Jacinto Boulevard (Town Lake and Waller Creek Watersheds) from central business district (CBD) zoning to central business district (CBD) zoning to change a condition of zoning. Planning Commission Recommendation: To grant central business district (CBD) district zoning. Applicant: Maritz, Wolff & Co., St.Louis. Agent: D&GSW, LLP (Michele Allen). City Staff: Jerry Rusthoven, 974-3207.

Ordinance No. 20060608-106 for central business district (CBD) district zoning was approved.

107. C14-06-0018- 6203 Berkman Drive - Conduct a public hearing and approve an ordinance amending Chapter 25 -2 of the Austin City Code by rezoning property locally known as 6203 Berkman Drive (Fort Branch Creek Watershed) from family residence (SF-3) district zoning to multi-family residence-medium density (MF-3) district zoning. Planning Commission Recommendation: To be reviewed on June 13, 2006. Applicant and Agent: Troy Hanna, City Staff: Robert Heil, 974-2330.

This item was postponed to June 22, 2006 at staff's request.

108. C14-06-0023 - Marks-4 - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 2301 Riverside Drive (Town Lake Watershed) from family residence (SF-3) district zoning to neighborhood commercial (LR) district zoning. Planning Commission Recommendation: To be reviewed on June 13, 2006. Applicant: Eddie Dean. Agent: Jim Bennett Consulting (Jim Bennett). City Staff: Robert Heil, 974-2330.

This item was postponed to June 22, 2006 at staff's request.

109. C14-06-0065 - 2923 and 2933 Pecan Springs Road - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 2923 and 2933 Pecan Springs Road (Fort Creek Watershed) from single-family residence-standard lot-neighborhood plan (SF-2-NP) combining district zoning to family residence-neighborhood plan(SF-3-NP) combining district zoning. Planning Commission Recommendation: To be reviewed on June 13, 2006. Applicant and Agent: Sam E. Presley. City Staff: Robert Heil, 974-2330.

This item was postponed to June 22, 2006 at staff's request.

110. EAST 12th STREET NEIGHBORHOOD CONSERVATION COMBINING DISTRICT (East 12th Street from IH-35 to Poquito) - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning the following locally known properties:

C14-06-0033 (Tract 1)- 800-900 block of E. 12th Street (north side) between Orlander Street and IH-35; 800-950 E. 12th Street (even numbers)from commercial services-neighborhood plan (CS-NP) combining district zoning to general commercial services-mixed use-neighborhood conservation combining district-neighborhood plan (CS-MU-NCCD-NP) combining district zoning.

C14-06-0034 (Tract 2) - 1000 E. 12th Street (north side) (between Orlander Street and Waller Street); 1000-1028 E. 12th Street (even numbers)(Boggy Creek and Waller Creek Watersheds) from general commercial services-neighborhood plan (CS-NP) combining district zoning to general commercial services-mixed use-neighborhood conservation combining district-neighborhood plan (CS-MU-NCCD-NP) combining district zoning.

C14-06-0035 (Tract 3) - 1100 block of E. 12th Street (north side) between Waller Street and Navasota Street; 1100-1150 E. 12th Street (even numbers) (Boggy Creek and Waller Creek Watersheds) from general commercial services-neighborhood plan (CS-NP) combining district zoning to general commercial services-mixed use-neighborhood conservation combining district-neighborhood plan (CS-MU-NCCD-NP) combining district zoning.

C14-06-0036 (Tract 4) - 1200 block of E. 12th Street (north side) between Navasota Street and San Bernard Street; 1200-1250 E. 12th Street (even numbers) from general commercial services-neighborhood plan (CS-NP) combining district zoning to general commercial services-mixed use-neighborhood conservation combining district-neighborhood plan (CS-MU-NCCD-NP)

C14-06-0037 (Tract 5) - 1300 block of E. 12th Street (north side) between San Bernard Street and Angelina Street; 1300-1350 E. 12th Street (even numbers) from general commercial services-neighborhood plan (CS-NP) combining district zoning and multi-family residence-moderate high density-conditional overlay-neighborhood plan (MF-4-CO-NP) to general commercial services-mixed use-neighborhood conservation combining district-neighborhood plan (CS-MU-NCCD-NP) combining district zoning.

C14-06-0038 (Tract 6) 1400 block of E. 12th Street (north side) between Angelina Street and Comal Street; 1400-1450 E. 12th Street (even numbers) from general commercial services-neighborhood plan (CS-NP) combining district zoning and general commercial services-historic-neighborhood plan (CS-H-NP) combining district zoning to general commercial services-mixed use-neighborhood conservation combining district neighborhood plan (CS-MU-NCCD-NP) and general commercial services-historic-neighborhood conservation combining district-neighborhood plan (CS-H-NCCD-NP) combining district zoning.

C14-06-0039 (Tract 7) - 1500 and 1600 block of E. 12th Street (north side) (between Comal Street & Leona Street); 1500-1625 E. 12th Street (even numbers) from general commercial services-neighborhood plan (CS-NP) combining district zoning to general commercial services-mixed use-neighborhood conservation combining district-neighborhood plan (CS-MU-NCCD-NP) combining district zoning.

C14-06-0040 (Tract 8) - 1700 block of E. 12th Street (north side) between Leona Street and Salina Street; 1700-1750 E. 12th Street (even numbers) from general commercial services-neighborhood plan (CS-NP) combining district zoning to general commercial services-mixed use-neighborhood conservation combining district-neighborhood plan (CS-MU-NCCD-NP) combining district zoning.

C14-06-0041 (Tract 9) 1800 block of E. 12th Street (north side) between Salina Street and Chicon Street; 1800-1850 E. 12th Street (even numbers) from general commercial services-neighborhood plan (CS-NP) combining district zoning and commercial liquor sales-neighborhood plan (CS-1-NP) combining district zoning to general commercial services-mixed use-neighborhood conservation combining district-neighborhood plan (CS-MU-NCCD-NP) combining district zoning and commercial liquor sales-neighborhood conservation combining district-neighborhood plan (CS-1-NCCD-NP) combining district zoning.

C14-06-0043 (Tract 10) 1900 block of E. 12th Street (north side) (between Chicon Street and Poquito Street); 1900-1950 E. 12th Street (even numbers) from general commercial services-neighborhood plan (CS-NP) combining district zoning to general commercial services-mixed use-neighborhood conservation combining district-neighborhood plan (CS-MU-NCCD-NP) combining district zoning.

C14-06-0044 (Tract 11) - 900 block of E. 12th Street (south side) (between Branch Street and Curve Street); 901-951 E. 12th Street (odd numbers) from general commercial services-neighborhood plan (CS-NP) combining district zoning; community commercial-neighborhood plan (GR-NP) combining district zoning; community commercial-mixed use-historic-neighborhood plan (GR-MU-H-NP) combining district zoning and family residence-neighborhood plan (SF-3-NP) combining district zoning to general commercial services-mixed use-neighborhood conservation combining district-neighborhood plan (CS-MU-NCCD-NP) combining district zoning.

C14-06-0045 (Tract 12) 1000-1115 block of E. 12th Street (south side) (between Curve Street and Waller Street; 1001-1115 E. 12th Street (odd numbers) from general commercial services-mixed use-conditional overlay-neighborhood plan (CS-MU-CO-NP) combining district zoning and general commercial services-mixed use-historic-conditional overlay-neighborhood plan (CS-MU-H-CO-NP) combining district zoning to urban family residence-neighborhood conservation combining district-neighborhood plan (SF-5-NCCD-NP) combining district zoning and general commercial services-mixed use-conditional overlay-neighborhood conservation combining district-neighborhood plan (CS-MU-H-CO-NCCD-NP) combining district zoning.

C14-06-0046 (Tract 13) - 1121 E. 12th Street, from general commercial services-mixed use-conditional overlay-neighborhood plan (CS-MU-CO-NP) combining district zoning to family residence-neighborhood conservation combining district-neighborhood plan (SF-3-NCCD-NP) combining district zoning.

C14-06-0047 (Tract 14) 1200 block of E. 12th Street (south side) between Navasota Street and San Bernard Street; 1201-1251 E. 12th Street (odd numbers) from family residence-neighborhood plan (SF-3-NP) combining district zoning to family residence-neighborhood conservation combining district-neighborhood plan (SF-3-NCCD-NP) combining district zoning.

C14-06-0048 (Tract 15) 1300 and 1400 block of E. 12th Street (south side) between San Bernard St. & Comal St.; 1301-1451 E. 12th Street (odd numbers); NCCD Sub-District 2 and Sub-district 3; southwest corner of Comal St. & E 12th St., from community commercial-neighborhood plan (GR-NP) combining district zoning; neighborhood commercial-neighborhood plan (LR-NP) combining district zoning; multi-family residence-medium density-neighborhood plan (MF-3-NP) combining district zoning and family residence-neighborhood plan (SF-3-NP) combining district zoning to community commercial-neighborhood conservation combining district-neighborhood plan (GR-NCCD-NP) combining district zoning; neighborhood commercial-neighborhood conservation combining district-neighborhood plan (LR- NCCD-NP) combining district zoning; multi-family residence-medium density-neighborhood conservation combining district-neighborhood plan (MF-3- NCCD-NP) combining district zoning and family residence-neighborhood conservation combining district-neighborhood plan (SF-3-NCCD-NP) combining district zoning.

C14-06-0049 (Tract 16) - 1500 block of E. 12th Street (south side) between Comal Street and Leona Street; 1501-1651 E. 12th Street (odd numbers) from community commercial-historic-neighborhood plan (GR-H-NP) combining district zoning; multi-family residence-moderate high-neighborhood plan (MF-4-NP) combining district zoning to community commercial-historic-mixed use-neighborhood conservation combining district-neighborhood plan (GR-H-MU-NCCD-NP) combining district zoning.

C14-06-0050 (Tract 17) - 1700 and 1800 blocks of E. 12th Street (south side) between Leona Street & Chicon Street; 1701-1851 E. 12th Street (odd numbers); NCCD Sub-District 2; from community commercial-neighborhood plan (GR-NP) combining district zoning to community commercial-mixed use-neighborhood conservation combining district-neighborhood plan (GR-MU-NCCD-NP) combining district zoning.

C14-06-0051 (Tract 18) 1900 block of E. 12th Street (south side) (between Chicon Street and Poquito Street); 1901-1951 E. 12th Street (odd numbers); NCCD Sub-District 2; from general commercial services-mixed use-neighborhood plan (CS-MU-NP) combining district zoning to general commercial services-mixed use-neighborhood conservation combining district-neighborhood plan (CS-MU-NCCD-NP) combining district zoning. To be reviewed by Planning Commission on September 26, 2006. Applicant and Agent: City of Austin, Neighborhood Planning and Zoning Department. City Staff: Robert Heil, 974-2330.

This item was postponed to October 19, 2006 at staff's request.

111. NP -05-0021 - Conduct a public hearing and approve an ordinance amending the Austin Tomorrow Comprehensive Plan by adopting the East Riverside/Oltorf Combined Neighborhood Plan. The combined planning area is bounded by IH -35 on the west, Town Lake and the Colorado River on the north, Grove Boulevard and Montopolis Drive on the east and State Highway 71 (Ben White Boulevard) (East) on the south. Planning Commission Recommendation: to be reviewed on June 13, 2006. City Staff: Melissa Schardt, 974-7226.

This item was postponed to August 10, 2006 at staff's request.

112. 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.

Council requested this item be sent back to the Planning Commission for further consideration in light of the rezoning of adjacent property.

113. C14-06-0053 - Star Riverside Residential - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 1001 IH-35 (northeast corner of IH-35 and Riverside Drive)(Town Lake and Country Club Creek Watershed) from general office (GO) district zoning and limited office (LO) district zoning (Tract 1); commercial-liquor sales (CS-1) district zoning (Tract 2); limited office (LO) district zoning (Tract 3); and limited office (LO) district zoning (Tract 4) to lake commercial -conditional overlay (L-CO) combining district zoning for Tract 1; general office-conditional overlay (GO-CO) combining district zoning for Tract 2; multi-family residence-highest density-conditional overlay (MF-6-CO) combining district zoning for Tract 3; and general office-conditional overlay (GO-CO) combining district zoning for Tract 4. Planning Commission Recommendation: To grant lake commercial-conditional overlay (L-CO) combining district zoning for Tract 1; general office-conditional overlay (GO-CO) combining district zoning for Tract 2; multi-family residence-highest density-conditional overlay (MF-6-CO) combining district zoning for Tract 3; and general office-conditional overlay (GO-CO) combining district zoning for Tract 4. Applicant and Agent: Brian Bridwell. City Staff: Robert Heil, 974-2330.

This item was postponed to June 22, 2006 at staff's request with direction to staff to have an ordinance ready for all three readings at that time.

114. C14-06-0082 - Kurachi Paint and Body - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 6605 Regiene Road (Carson Creek Watershed) from single-family residence-standard lot-neighborhood plan (SF-2-NP) combining district zoning to limited industrial services-conditional overlay-neighborhood plan (LI-CO-NP) combining district zoning. Planning Commission Recommendation: To deny limited industrial services-conditional overlay-neighborhood plan (LI-CO-NP) combining district zoning. Applicant and Agent: George Kurachi. City Staff: Robert Heil, 974-2330.

This item was postponed to June 22, 2006 at staff's request.

115. 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 deny multi-family residence-highest density (MF-6) district zoning. Applicant: Mitchel and Rose Wong. Agent: Lopez-Phelps & Associates (Amelia Lopez-Phelps). City Staff: Sherri Sirwaitis, 974-3057. A valid petition has been filed in opposition to this rezoning request.

This item was postponed to June 22, 2006 at staff's request.

116. C14-05-0179 - Spring Lake Subdivision - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 9009 Spring Lake Drive (Bull Creek Watershed) from rural residence (RR) district zoning to single-family residence-large lot (SF-1) district zoning. Zoning and Platting Commission Recommendation: To grant single-family residence-large lot-conditional overlay (SF-1-CO) combining district zoning. Applicant: Rahul Deshmukh and Mrudula Yadav. Agent: Land Answers (Jim Witliff). City Staff: Sherri Sirwaitis, 974-3057. A valid petition has been filed in opposition to this rezoning request.

This item was postponed to June 22, 2006 at staff's request.

117. C14-06-0076 - Stonegate Pharmacy - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 2501 West William Cannon Drive (Williamson Creek Watershed) from limited office-conditional overlay (LO-CO) combining district zoning to neighborhood commercial-conditional overlay (LR-CO) combining district zoning. Zoning and Platting Commission Recommendation: To be reviewed on June 6, 2006. Applicant: A-K-C William Cannon, L.P. (John Cummings). Agent: Brown McCarroll, L.L.P. (Nikelle S. Meade). City Staff: Wendy Walsh, 974-7719.
This item was postponed to August 24, 2006 at staff's request.

123. C14-05-0111 - Parker Lane Neighborhood Plan Combining District – Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property bounded on the north by Oltorf Street, on the east by Montopolis Drive, on the south by Ben White Blvd. /US 71, and on the west by IH-35 (Blunn, Carson, Country Club, Harpers Branch, Town Lake, Williamson Watersheds). The proposed zoning change will create the Parker Lane Neighborhood Plan Combining District (NPCD) and implement the land use recommendations of the East Riverside/Oltorf Combined Neighborhood Plan for a total of 26 tracts (85.55 acres). Under the proposed Parker Lane NPCD, "Small Lot Amnesty," "Garage Placement," "Impervious Cover and Parking Placement Restrictions," and "Front or Side Yard Parking Restrictions" are proposed for the entire area. The "Urban Home" special use is proposed for the Iroquois/Reeves, Royal Hill, Parker Lane, and Mission Hill Subdistricts. The Iroquois/Reeves Subdistrict includes the lots adjoining Iroquois Ln., Reeves Circle, and Metcalfe Rd. within the Parker Heights Subdivision, Section One-B Amended. The Royal Hill Subdistrict includes the lots adjoining Mulford Cove, Little Valley Cove, Royal Hill Drive, and Parker Lane within the Greenbriar Subdivision, Section Four. The Parker Lane Subdistrict includes the lots adjoining the east side of Parker Ln. between Carlson Dr. and Wickshire Ln. within the Greenbriar Subdivision, Section Two, Resub of Block F. The Mission Hill Subdistrict includes the lots adjoining the north and south sides of Mission Hill Dr. within the Mission Hill and Mission Hill Section Four Subdivisions and the lots adjoining the south side of Mission Hill Dr. within the Mission Hill Section Three Subdivision. The Neighborhood Mixed Use Building special use is proposed for Tracts 209, 214, 216, and 217. The Planning Commission may recommend and the City Council may approve a zoning change to any of the following: Rural Residential (RR); Single-Family Residence - Large Lot (SF-1); Single-Family Residence-Standard Lot (SF-2); Family Residence (SF-3); Single-Family - Small Lot & Condominium Site (SF-4A/B); Urban Family Residence (SF-5); Townhouse & Condominium Residence (SF-6); Multi-Family Residence - Limited Density (MF-1); Multi-family Residence - Low Density (MF-2); Multi-family Residence - Medium Density (MF-3); Multi-family Residence - Moderate-High Density (MF-4); Multi-family Residence - High Density (MF-5); Multi-family Residence - Highest Density (MF-6); Mobile Home Residence (MH); Neighborhood Office (NO); Limited Office (LO); General Office (GO); Commercial Recreation (CR); Neighborhood Commercial (LR); Community Commercial (GR); Warehouse / Limited Office (W/LO); Commercial Services (CS); Commercial-Liquor Sales (CS-1); Commercial Highway (CH); Industrial Park (IP); Major Industrial (MI); Limited Industrial Services (LI); Research and Development (R&D); Development Reserve (DR); Agricultural (AG); Planned Unit Development (PUD); Historic (H); and Public (P). A Conditional Overlay (CO), Planned Development Area Overlay (PDA), Mixed Use Combining District Overlay (MU); Neighborhood Conservation Combining District (NCCD); or Neighborhood Plan Special Use (NP) may also be added to these zoning base districts. Applicant and Agent: City of Austin, Neighborhood Planning and Zoning Department. City Staff: Robert Heil, 974-2330.
This item was postponed to August 10, 2006 at staff's request.

124. C14-05-0112 - Riverside Neighborhood Plan Combining District – Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property bounded on the north by Town Lake, on the east by Pleasant Valley Road, on the south by Oltorf Street, and on the west by IH-35. (Colorado River, Country Club, Harpers Branch, Town Lake Watersheds). The proposed zoning

change will create the Riverside Neighborhood Plan Combining Districts (NPCD) and implement the land use recommendations of the East Riverside/Oltorf Combined Neighborhood Plan for a total of 63 tracts (246.42 acres). Under the proposed Riverside NPCD, "Small Lot Amnesty," "Garage Placement," "Impervious Cover and Parking Placement Restrictions," and "Front or Side Yard Parking Restrictions" are proposed for the entire area. The "Urban Home" special use is proposed for the Valley Hill Subdistrict. The Valley Hill Subdistrict includes the lots adjoining the north and west sides of Valley Hill Dr. within the Colorado Hills Estates Subdivision, Section Six. The Neighborhood Mixed Use Building special use is proposed for Tracts 21, 22, 35, 37, 38, 41, 42, 43, 44, 45, 45A, and 47. The Neighborhood Urban Center special use is proposed for Tracts 21, 22, 35, 37, 38, 41, 42, 43, 44, 45, and 45A. The Planning Commission may recommend and the City Council may approve a zoning change to any of the following: Rural Residential (RR); Single-Family Residence - Large Lot (SF-1); Single-Family Residence-Standard Lot (SF-2); Family Residence (SF-3); Single-Family - Small Lot & Condominium Site (SF-4A/B); Urban Family Residence (SF-5); Townhouse & Condominium Residence (SF-6); Multi-Family Residence - Limited Density (MF-1); Multi-family Residence - Low Density (MF-2); Multi-family Residence - Medium Density (MF-3); Multi-family Residence - Moderate-High Density (MF-4); Multi-family Residence - High Density (MF-5); Multi-family Residence - Highest Density (MF-6); Mobile Home Residence (MH); Neighborhood Office (NO); Limited Office (LO); General Office (GO); Commercial Recreation (CR); Neighborhood Commercial (LR); Community Commercial (GR); Warehouse / Limited Office (W/LO); Commercial Services (CS); Commercial-Liquor Sales (CS-1); Commercial Highway (CH); Industrial Park (IP); Major Industrial (MI); Limited Industrial Services (LI); Research and Development (R&D); Development Reserve (DR); Agricultural (AG); Planned Unit Development (PUD); Historic (H); and Public (P). A Conditional Overlay (CO), Planned Development Area Overlay (PDA), Mixed Use Combining District Overlay (MU); Neighborhood Conservation Combining District (NCCD); or Neighborhood Plan Special Use (NP) may also be added to these zoning base districts. Applicant and Agent: City of Austin, Neighborhood Planning and Zoning Department. City Staff: Robert Heil, 974-2330.

This item was postponed to August 10, 2006 at staff's request.

125. C14-05-0113 - Pleasant Valley Neighborhood Plan Combining District – Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property bounded on the north by the Colorado River, on the east by Grove Blvd., on the south by Oltorf Street, and on the west by Pleasant Valley Road. (Colorado River, Country Club, Town Lake Watersheds). The proposed zoning change will create the Pleasant Valley Neighborhood Plan Combining District (NPCD) and implement the land use recommendations of the East Riverside/Oltorf Combined Neighborhood Plan for a total of 12 tracts (208.82 acres). Under the proposed Pleasant Valley NPCD, "Small Lot Amnesty," "Garage Placement," "Impervious Cover and Parking Placement Restrictions," and "Front or Side Yard Parking Restrictions" are proposed for the entire area. The Neighborhood Mixed Use Building and Neighborhood Urban Center special uses are proposed for Tract 309. The Planning Commission may recommend and the City Council may approve a zoning change to any of the following: Rural Residential (RR); Single-Family Residence - Large Lot (SF-1); Single-Family Residence-Standard Lot (SF-2); Family Residence (SF-3); Single-Family - Small Lot & Condominium Site (SF-4A/B); Urban Family Residence (SF-5); Townhouse & Condominium Residence (SF-6); Multi-Family Residence - Limited Density (MF-1); Multi-family Residence - Low Density (MF-2); Multi-family Residence - Medium Density (MF-3); Multi-family Residence - Moderate-High Density (MF-4); Multi-family Residence - High Density (MF-5); Multi-family Residence - Highest Density (MF-6); Mobile Home Residence (MH); Neighborhood Office (NO); Limited Office (LO); General Office (GO); Commercial Recreation (CR); Neighborhood Commercial (LR); Community Commercial (GR); Warehouse / Limited Office (W/LO); Commercial Services (CS); Commercial-Liquor Sales (CS-1); Commercial Highway (CH); Industrial Park (IP); Major Industrial (MI); Limited Industrial Services (LI); Research and Development (R&D); Development Reserve (DR); Agricultural (AG); Planned Unit Development (PUD); Historic (H); and Public (P). A Conditional Overlay (CO), Planned Development Area Overlay (PDA), Mixed Use

Combining District Overlay (MU); Neighborhood Conservation Combining District (NCCD); or Neighborhood Plan Special Use (NP) may also be added to these zoning base districts. Applicant and Agent: City of Austin, Neighborhood Planning and Zoning Department. City Staff: Robert Heil, 974-2330.

This item was postponed to August 10, 2006 at staff's request.

Mayor Wynn recessed the Council Meeting at 5:24 p.m.

LIVE MUSIC

Elana James

PROCLAMATIONS

Proclamation -- El Buen Pastor Early Childhood Development Center's 30th Anniversary -- to be presented by Council Member Raul Alvarez and to be accepted by Linda Ruiz.

Distinguished Service Award -- Betty Swint -- to be presented by Mayor Pro Tem Danny Thomas and to be accepted by the honoree.

Distinguished Service Awards -- Outgoing Council Members' staff -- to be presented by Mayor Pro Tem Danny Thomas and Council Member Raul Alvarez and to be accepted by the honorees

Recognition of Mayor Pro Tem Danny Thomas and Council Member Raul Alvarez to be presented by City Manager Toby Hammett Futrell and Department Directors and to be accepted by the honorees

Mayor Wynn called the Council Meeting back to order at 7:46 p.m.

ZONING DISCUSSION ITEMS

101. C14-01-0029(RCT) - Fifth & Congress - Conduct a public hearing and approve a restrictive covenant termination for the property locally known as 501-515 Congress Avenue (Town Lake Watershed). Planning Commission Recommendation: To approve the restrictive covenant termination. Applicant: Walton Stacy Office Partners (Tom Stacy). Agent: Armbrust & Brown, LLP. (Lynn Ann Carley). City Staff: Jorge E. Rousselin, 974-2975.

The public hearing was closed and the motion granting a restrictive covenant termination was approved on Council Member McCracken's motion, Council Member Kim's second on a 5-0 vote. Mayor Pro Tem Thomas and Council Member Alvarez were off the dais.

102. C14-06-0069 - Fifth & Congress - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 120 East 5th Street (Town Lake Watershed) from central business district (CBD) zoning to central business district - central urban redevelopment (CBD-CURE) combining district zoning. Planning Commission Recommendation: To grant central business district - central urban redevelopment combining district (CBD-CURE) zoning with conditions. Applicant: Walton Stacy Office partners (Tom Stacy). Agent: Armbrust & Brown LLP (Lynn Ann Carley). City Staff: Jorge E. Rousselin, 974-2975.

The public hearing was closed and Ordinance No. 20060608-102 for central business district - central urban redevelopment combining district (CBD-CURE) zoning with conditions was approved on Council Member McCracken's motion, Council Member Kim's second on a 5-0 vote. Mayor Pro Tem and Council Member Alvarez were off the dais.

103. C14-06-0071 - Fifth & Congress - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 501 Congress Avenue (Town Lake Watershed) from central business district-central urban redevelopment combining district (CBD-CURE) zoning to central business district-central urban redevelopment combining district (CBD-CURE) zoning to change a condition of zoning. Planning Commission Recommendation: To grant central business district-central urban redevelopment combining district (CBD-CURE) with conditions. Applicant: Walton Stacy Office Partners (Tom Stacy). Agent: Armbrust & Brown, LLP (Lynn Ann Carley). City Staff: Jorge E. Rousselin, 974-2975.
The public hearing was closed and Ordinance No. 20060608-103 for central business district-central urban redevelopment combining district (CBD-CURE) with conditions was approved on Council Member McCracken's motion, Council Member Kim's second on a 5-0 vote. Mayor Pro Tem and Council Member Alvarez were off the dais.
118. C14H-99-0000 – Austin Athletic Club - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 1301 Shoal Creek Boulevard (Shoal Creek Watershed) from public (P)district zoning to public-historic (P-H) combining district zoning. Planning Commission Recommendation: Forward to Council without a recommendation. Applicant: Historic Landmark Commission. City Staff: Steve Sadowsky, 974-6454.
The motion to close the public hearing and deny the rezoning request was approved on Council Member Leffingwell's motion, Council Member Dunkerley's second on a 5-0 vote. Council Members Alvarez and McCracken were off the dais.
104. C14-06-0060 - Cathy Nguyen - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 6701 Jester Boulevard North of F.M. 2222 (West Bull Creek Watershed) from development reserve (DR) district zoning and single-family residence-large lot (SF-1) district zoning to single-family residence-large lot (SF-1) district zoning. Zoning and Platting Commission Recommendation: To grant single-family residence-large lot (SF-1) district zoning. Applicant and Agent: Cathy Nguyen. City Staff: Jorge E. Rousselin, 974-2975.
This item was postponed to June 22, 2006 on Council Member McCracken's motion, Mayor Wynn's second on a 6-0 vote. Council Member Alvarez was off the dais.
119. C14H-06-0006 – Bolden-Higgins House - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 1710 W. 10th Street (Shoal Creek Watershed) from family residence-neighborhood plan (SF-3-NP) combining district zoning district to family residence-historic--neighborhood plan (SF-3-H-NP) combining district zoning. Planning Commission recommendation: To grant family residence-historic-neighborhood plan (SF-3-H-NP) combining district zoning. Applicant: Historic Landmark Commission. City Staff: Steve Sadowsky, 974-6454.
The motion to close the public hearing and deny the rezoning request was approved on Council Member Leffingwell's motion, Mayor Pro Tem Thomas' second on a 7-0 vote.

DISCUSSION ITEMS CONTINUED

32. Approve an ordinance on third reading repealing Ordinance Number 20050407-017 granting a franchise to Roy's Taxi, Inc. and amending Ordinance Number 20050609-019 granting a franchise to Greater Austin Transportation Company, d/b/a Yellow Cab. 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.
Ordinance No. 20060608-032 was approved on Council Member Dunkerley's motion, Mayor Wynn's second on a 7-0 vote.

19. Approve an ordinance on second and third reading amending Chapter 13-6 of the City Code relating to towing of vehicles; amending Ordinance No. 010308-59 relating to non-consent towing fees; and amending Ordinance No. 20050912-004 relating to wrecker permit fees. No additional funding is required.

Ordinance No. 20060608-019 was approved with the following amendments on Mayor Pro Tem Thomas' motion, Council Member McCracken's second on a 7-0 vote. The substitute ordinance presented by staff amended the May 18, 2006 version of the ordinance as follows: in Section 13-6-76, deleted the definition of "on site" and deleted Subsection (C); amended Section 13-6-133 (Removal from Non-Consent Tow Rotation List) by adding Subsections (B) and (C); deleted the on-site fee and increased the fee for "fully prepared for transport" to \$50; and increased the fee for additional Category C tow trucks to \$800.00. Mayor Pro Tem Thomas moved the following fees be increased: Airbags \$100/bag/hour, forklifts \$125/hour, haul trailers \$500 flat fee and trailer dollies \$300 flat fee.

PUBLIC HEARING AND POSSIBLE ACTION

121. Conduct a public hearing and approve a resolution authorizing the City Manager to negotiate and execute an interlocal agreement with the Austin Independent School District for the construction and operation of a joint-use facility called the Turner Roberts Recreation Center and the Overton Elementary School in Colony Park, in accordance with Sec. 26.001 et.seq. (Recommended by Parks Board)

The public hearing was closed and Resolution No. 20060608-121 was approved on Council Member Kim's motion, Mayor Pro Tem Thomas second on a 5-0 vote. Council Members Alvarez and McCracken were off the dais.

The motion to waive the rules and allow Council to meet after 10 p.m. was approved on Mayor Pro Tem Thomas' motion, Council Member Alvarez second on a 5-0 vote. Council Members Leffingwell and McCracken were off the dais.

120. Conduct a public hearing and consider an ordinance amending Chapter 25-2 of the Austin City Code regarding mobile food establishments, including the creation of a task force as recommended by the Planning Commission. (Recommended by Planning Commission)

The public hearing was closed and Ordinance 20060608-120 was approved with the following amendments on Council Member Alvarez' motion, Council Member Dunkerley's second on a 6-0 vote. Council Member McCracken was off the dais. The amendments were: In the caption, delete the reference to creating a task force. Delete Part 1 and renumber the sections accordingly. In Part 2, amend definition 1 to provide that a permit holder is the person to whom the health authority issues a permit for a mobile food establishment required by Chapter 10-3. In Part 3: amend Section (B) (2) to provide that a mobile food establishment is not permitted in a neighborhood office (NO), limited office (LO), and general office (GO) zoning district. Delete Sections (B) (5) (no more than 2 vendors within 300), (D) (seating), and (E) (parking spaces). Add a new Section (N) to provide that the ordinance does not apply to a mobile food establishment if it is located on private property for three hours or less in a 24 hour period. Delete Parts 4, 5, 6, 7 and 8 (all permitting sections). Add a new Part 4 to provide that the permit holder is responsible for compliance with this ordinance and that violation of this ordinance is a Class C misdemeanor. Add a new Part 5 to provide that the Planning Commission shall make a recommendation regarding the appropriate buffering between a mobile food establishment and a residential use to the Council. The City Manager shall present the Planning Commission recommendation to Council by August 31, 2006. Council Member Alvarez added that a site plan, site plan exemption or temporary use permit are not required for use of mobile food establishment.

122. Conduct a public hearing and approve an ordinance amending Title 25 of the City Code to establish use and site development regulations applicable to single-family residential uses, duplexes and other residential uses within certain zoning districts and amending Chapter 2 of the City Code to add a Residential Design Commission. Recommended by Planning Commission. (C2O-06-0008)

The first and second readings as amended below were approved on Council Member McCracken's motion, Council Member Leffingwell's second on a 7-0 vote. The amendments were: to make the effective date October 1; have the duplex definition read, "Two units must share a common wall or roof assembly for at least 50% of the maximum depth and height of the building, the two units may not be separated by a breezeway, carport, or other open element but may be separated by a garage common wall;" exempt Mueller development from this ordinance; and remove the creation of a Design Committee. Staff was given the following direction: (a) include the minority report recommendation regarding the setbacks in the interim ordinance extension for Council action on June 22, 2006; (b) begin creating a duplex zoning district for larger duplexes (c) request Clarion draft this ordinance in a graphical format (d) prepare language so in the event of a legislative mandated change to what this Council approves, council would have a fall back to prohibit location of duplexes and dorm houses in single family zoning areas.

Mayor Wynn adjourned the meeting at 3:35 a.m. without objection.

The minutes for the Regular Meeting of June 8, 2006 were approved on this the 22nd day of June, 2006 on Council Member Kim's motion, Council Member Leffingwell's second on a 7-0 vote.