



AUSTIN CITY COUNCIL  
MINUTES

REGULAR MEETING  
THURSDAY, JULY 27, 2006

Invocation: Rev. Young Min Son, First United Methodist Church

The following represents the actions taken by the Austin City Council in the order they occurred during the meeting. While the minutes are not in sequential order, all agenda items were discussed. The City Council of Austin, Texas, convened in a regular meeting on Thursday, July 27, 2006 in the Council Chambers of City Hall, 301 W. 2<sup>nd</sup> Street, Austin, Texas.

Mayor Wynn called the Council Meeting to order at 10:17 a.m.

CONSENT AGENDA

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

1. Approval of the minutes from the meeting of June 22, 2006.  
The minutes from the meeting of June 22, 2006 were approved.
2. Approve issuance of a rebate in the amount of \$58,433.70 to H.E.B. GROCERY, Austin, TX, for the installation of energy efficient lighting and air conditioning, lighting controls and reflective roofing, at their location at 5800 W. Slaughter Lane, Building A. Funding in the amount of \$58,433.70 is available in the Fiscal Year 2005-2006 Operating Budget of the Conservation Rebates and Incentive Budget of Austin Energy. Recommended by the Resource Management Commission.  
The motion authorizing the issuance of a rebate was approved.
3. Authorize negotiation and execution of a contract for reimbursement of costs to 360 Novare – AU, L.P., Austin, TX, for the purchase and installation of heat exchanger(s) and associated piping needed to interconnect the new Austin 360 Project building to Austin Energy's downtown district cooling system in an amount not to exceed \$295,000. Funding in the amount of \$295,000 is available in the Fiscal Year 2005-2006 Capital Improvement Budget. Recommended by the Electric Utility Commission.  
The motion authorizing the negotiation and execution of a contract for reimbursement was approved.
4. Authorize negotiation and execution of the following agreements with RREEF DOMAIN LP, a Delaware limited partnership: (1) Cost Reimbursement Agreement for the purchase and installation of required piping, and relocation of existing overhead piping, and related equipment as needed to interconnect the new Domain multi-use development to the Austin Energy Domain Utility Plant district cooling system in

an amount not to exceed \$5,000,000; and (2) an amended Ground Lease and related easements for the Domain development. Funding in the amount of \$1,000,000 is available in the Fiscal Year 2005-2006 approved Capital Budget of Austin Energy. Remaining funds contingent on future Council budget approval. Recommended by the Electric Utility Commission.

**The motion authorizing the negotiation and execution of the agreements was approved.**

5. Approve execution of a 13-month land lease with TWIN OAKS ASSOCIATES, LTD., Austin, TX, for an approximate seven-acre tract along Ben White Boulevard for use as a temporary laydown yard for equipment and materials associated with transmission circuit construction for a total lease amount not to exceed \$130,000. Funding is available in the Fiscal Year 2005-2006 Approved Operating Budget of Austin Energy. Recommended by the Electric Utility Commission.

**The motion authorizing the execution of a land lease was approved.**

6. Approve an ordinance amending Chapter 15-9 of the City Code, Utility Service Regulations, to reflect proposed process improvements and language changes which clarify the intent of the existing regulations. Recommended by the Electric Utility Commission and the Water and Wastewater Commission.

**Ordinance No. 20060727-006 was approved.**

7. Approve an ordinance relating to a cost reimbursement agreement with Main Street Homes, for construction of a 24-inch water main and appurtenances to provide water service to the Hornsby Glen Subdivision located east of F.M. 973 and north of Colorado River and waiving the requirements of Section 25-9-67 of the City Code relating to the schedule for cost reimbursement payments. Funding is included in the Fiscal Year 2005-2006 Capital Budget of the Austin Water Utility. Approved by the Water and Wastewater Commission.

**Ordinance No. 20060727-007 was approved.**

8. Approve a resolution authorizing the City Manager to submit the Balcones Canyonlands Coordinating Committee recommended proposal to amend Federal Fish and Wildlife Permit PRT-788841 through a Minor Amendment to the United States Fish and Wildlife Department. This Minor Amendment will authorize the City to relocate Water Treatment Plant #4 from approximately 102 acres owned by the City located within (but not dedicated as Balcones Canyonlands Preserve land to) the Bull Creek Macrosite to approximately 45 acres of the North Lake Austin Macrosite Balcones Canyonlands Preserve area known as Cortana.

**This item was postponed to August 10, 2006.**

9. Set a public hearing to receive public comment on the proposed rate and fee changes for the Austin Water Utility as part of the Fiscal Year 2006-2007 Proposed Budget. (Suggested date and time: August 31, 2006 at 6:00 p.m., Austin City Hall, 301 W. Second Street) No fiscal impact.

**The public hearing was set for August 31, 2006 at 6:00 p.m., Austin City Hall, 301 W. Second Street.**

10. Authorize the negotiation and execution of an Interlocal Agreement with the City of New Orleans, LA for a 12-month lease of 28 square feet of the Waller Creek Building, 625 East 10th Street for the City of New Orleans' installation, operation, and maintenance of a temporary disaster recovery data center in the amount of \$2868.95 with two 12-month extension options in an amount not to exceed \$2868.95 per extension option for a total lease amount not to exceed \$8,606.85. Revenue in the amount of \$2,868.95 will be included in the Fiscal Year 2005-2006 Approved Operating Budget of Communications and Technology Management. Revenue from the extension options is contingent upon execution of the extension options. Interlocal Cooperative Agreement.

**The motion authorizing the negotiation and execution of an interlocal agreement was approved.**

11. Approve the Fiscal Year 2006-2007 budget schedule, and set public hearings to receive public comment on the City of Austin Proposed Budget for Fiscal Year 2006-2007. (Suggested dates and times: August 10, 2006, August 24, 2006 and August 31, 2006 at 6:00 p.m., Austin City Hall, 301 W. Second Street, Council Chambers.)  
**The motion authorizing the fiscal year 2006-2007 budget schedule was approved and the public hearings were set for August 10, 24, and 31, 2006 at 6:00 p.m., Austin City Hall, 301 W. Second Street, Council Chambers.**
12. Approve an ordinance authorizing acceptance of \$23,132 in grant funds from the TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS, Austin, TX for the Community Services Block Grant program (CSBG) for a total grant amount equal to \$803,132 and amend the Fiscal Year 2005 – 2006 Health and Human Services Operating Budget Special Revenue Fund of Ordinance No. 20050912-001, to appropriate \$23,132 to deliver basic needs and other self-sufficiency resources for low-income residents. Funding in the amount of \$23,132 is available from the Texas Department of Housing and Community Affairs, Community Services Block Grant program. The grant period is January 1, 2006 through December 31, 2006. No City match is required.  
**Ordinance No. 20070727-012 was approved.**
13. Authorize negotiation and execution of Amendment #1 to the 12-month Best Single Source Project contract with CARITAS OF AUSTIN, Austin, TX, to provide additional basic needs assistance in an amount not to exceed \$100,000, for a total 12-month contract amount not to exceed \$400,429, with five 12-month renewal options in a total amount not to exceed \$300,429 per renewal option, for a combined total contract cost to the City not to exceed \$1,902,574. Funding in the amount of \$100,000 is available in the Fiscal Year 2005-2006 Approved Operating Budget of the Health and Human Services Department. Funding for the balance of the contract is contingent upon available funding in future budgets. The contract period is January 1, 2006 through December 31, 2006.  
**The motion authorizing the negotiation and execution of amendment number 1 was approved.**
14. Approve execution of Amendment #1 to the 12-month disaster relief contract with CARITAS OF AUSTIN, Austin, TX, for the Long-Term Recovery Project of the Best Single Source, to provide additional direct client assistance to support hurricane evacuees in achieving stabilization and self-sufficiency, in an amount not to exceed \$101,391, for a total 12-month contract amount not to exceed \$172,391. Funding in the amount of \$101,391 is available in the Fiscal Year 2005-2006 Approved Operating Budget of the Health and Human Services Department. The contract period is May 1, 2006 through April 30, 2007.  
**The motion authorizing the execution of amendment number 1 was approved.**
15. Authorize negotiation and execution of Amendment No. 3 to the Interlocal Cooperation Agreement between the City of Austin and Travis County to fund and administer the Summer Youth Employment Stipend program for the period October 1, 2005 through September 30, 2006, in an amount not to exceed \$320,000 (\$245,000 City; \$75,000 County). Funding in the amount of \$198,777 is available in the Fiscal Year 2005-2006 Approved Operating Budget for the Health and Human Services Department. Funding in the amount of \$46,223 is available in the Fiscal Year 2005-2006 Approved Operating Budget for the Human Resources Department. Funding in the amount of \$75,000 is available in the Fiscal Year 2005-2006 Approved Operating Budget of the Health and Human Services Department Travis County Reimbursed Fund.  
**The motion authorizing the negotiation and execution of amendment number 3 was approved.**
16. Approve an ordinance amending Section 12-2-13 of the City Code relating to the use of downtown sidewalks by bicycles.  
**Ordinance No. 20060727-016 was approved.**

17. Approve an ordinance amending Section 2-5-1 of the City Code relating to and streamlining the form of council action for the waivers of requirements or payments of costs associated with a street or special event under Chapter 14-8 of the City Code.  
**Ordinance No. 20060727-017 was approved.**
18. Authorize negotiation and execution of amendment to a professional service agreement with Hilgers, Bell and Richards, LLP in connection with resolution of construction contracts with: Hutchinson Construction, Inc. (Terrazas Library, Circle C Fire and Emergency Medical Services Station); the Barr Company, AIA, Inc. (American with Disability Act Sidewalk Projects-Group 2 and 3, Caswell Tennis Center, Windsor Park Library); and Guerrero-McDonald and Associates, Inc. (Spicewood Springs Fire and Emergency Medical Services Station), in an amount not to exceed \$90,000 for a total contract amount not to exceed \$180,000. Funding in the amount of \$90,000 is included in the Fiscal Year 2005-2006 Approved Operating Budget of the Liability Reserve Fund. (Related to Item #102 and #106)  
**The motion authorizing the negotiation and execution of an amendment to a professional service agreement was approved.**
19. Approve a resolution authorizing termination of the Agreement between the City of Austin and the City of Taylor regarding their respective extraterritorial jurisdictions, dated July 10, 1985, limiting annexation by either city into then-disputed territory.  
**Resolution No. 20060727-019 was approved.**
20. Approve an Interlocal Agreement regarding the exchange of extraterritorial jurisdiction (ETJ) with the City of Lakeway, which will result in approximately 425 acres (Lakeway Release Area) being released from Austin's ETJ to Lakeway's ETJ and approximately 100.6 acres (Austin Release Area) being disannexed from Lakeway's city limits and released to Austin's ETJ. No fiscal impact.  
**This item was postponed to August 10, 2006.**
21. Approve the relocation of the Lost Creek MUD annexation area's on-site public hearing scheduled for August 14, 2006 at 6:30 p.m. to Westlake High School, Fine Arts Facility, 4100 Westbank Drive, Austin, Texas. (At this hearing the City Council will hear and consider comments on issues related to the full purpose annexation of the Lost Creek MUD annexation area (approximately 789 acres in Travis County and is located west of Capital of Texas Highway west of the intersection of Lost Creek Boulevard and Capital of Texas Highway). Full purpose annexation is anticipated in December 2008 in accordance with the City's Municipal Annexation Plan.) No fiscal impact.  
**The motion authorizing the relocation of the Lost Creek MUD annexation public hearing to Westlake High School, Fine Arts Facility, 4100 Westbank Drive, Austin, Texas was approved.**
22. Approve an ordinance amending Ordinance 20060518-043 to correct an error related to the legal description for property located at 1700 Smith Road, Austin, TX.  
**Ordinance No. 20060727-022 was approved.**
23. Approve a resolution adopting the City's (1) Annual Action Plan for Fiscal Year 2006-2007, related to allocation of the U.S. Department of Housing and Urban Development grant funds, and (2) Community Development Fiscal Year 2006-2007 Program required by Texas Local Government Code Chapter 373, including proposed funding allocations. There is no unanticipated fiscal impact. Needs assessment public hearings conducted on March 29, 2006, and May 9, 2006. Public hearing on the Draft 2006-2007 Draft Action Plan conducted on May 24, 2006. The Community Development Commission recommended the Plan with one amendment.  
**Resolution No. 20060727-023 was approved.**

24. Approve an ordinance authorizing the acceptance of \$198,624.50 in grant funds from the Office of the Governor, Division of Emergency Management, for the 2005 Buffer Zone Protection Program; and amending the Fiscal Year 2005-2006 Police Department Operating Special Revenue Fund of Ordinance No. 20050912-001 to appropriate \$198,624.50 for equipment to prevent terrorist attacks. Funding is available in the Fiscal Year 2005-2006 Operating Budget, Police Department Special Revenue Fund for the grant period April 1, 2005 to January 31, 2007.  
**Ordinance No. 20060727-024 was approved.**
25. Approve an ordinance authorizing the acceptance of \$35,000 in grant funds from the State of Texas Alcoholic Beverage Commission; and amending the Fiscal Year 2005-2006 Police Department Operating Budget Special Revenue Fund of Ordinance No. 20050912-001 to appropriate \$35,000 for officer overtime and undercover stings of the City of Austin Enforcing Underage Drinking Laws (EUDL) Project. Funding is available from the State of Texas Alcoholic Beverage Commission from the grant period of June 1, 2006 – May 31, 2007. A \$16,143 match is required and is available in the Fiscal Year 2005–2006 approved Operating Budget of the Austin Police Department.  
**Ordinance No. 20060727-025 was approved.**
26. Approve a resolution authorizing the application for renewal grant funding from the U.S. Department of Justice, Office of Justice Programs, National Institute of Justice in the amount of \$83,966 for the 2006 City of Austin DNA Capacity Grant, which will be used for the purchase of equipment for DNA analysis. Funding is available from the U.S. Department of Justice, Office of Justice Programs, National Institute of Justice for the grant period of October 1, 2006 – September 30, 2007. A match is not required.  
**Resolution No. 20060727-026 was approved.**
27. Approve a resolution authorizing application for renewal grant funding from the U.S. Department of Justice, Office of Justice Programs, National Institute of Justice in the amount of \$60,730 for the 2006 Forensic Casework DNA Backlog Reduction program which is designed to increase DNA case screening and analysis. Funding is available for the grant period of October 1, 2006 – September 30, 2007. No match is required.  
**Resolution No. 20060727-027 was approved.**
28. Approve a resolution to authorize the fee simple acquisition of Lot 42, Block E, of Yarrabee Bend South, Section 1, a subdivision in Travis County, TX and locally known as 7302 Dixie Drive, Austin, TX from Richard S. Moore and wife, Christine A. Moore, for the Stream Restoration Program, in the amount of \$119,000 for the land and improvements and \$5,250 for tenant assisted relocation benefits, plus moving related expenses not to exceed \$10,000, for a total amount not to exceed \$134,250. Funding in the amount of \$134,250 is available in the Fiscal Year 2005-2006 Capital Budget of the Watershed Protection and Development Review Department.  
**Resolution No. 20060727-028 was approved.**
29. Approve a resolution to authorize the fee simple acquisition of Lot 24, Block A, of Onion Creek Plantations Section One, a subdivision in Travis County, TX and locally known as 7138 Dixie Drive, Austin, TX from Mary B. Briggs, for the Stream Restoration Program for the land and improvements for a total amount not to exceed \$107,000. Funding is available in the Fiscal Year 2005-2006 Capital Budget of the Watershed Protection and Development Review Department.  
**Resolution No. 20060727-029 was approved.**
30. Approve a resolution to authorize the fee simple acquisition of Lot 13, Block A, of Quail Creek West, Phase II, Section 9, a subdivision in Travis County, TX and locally known as 1614 Pine Knoll Drive, Austin, TX from Michael Lenherr by Warranty Deed, for the Stream Restoration Program, in the amount of \$120,000, for the land and improvements and \$22,500, tenant assisted relocation benefits, plus moving

related expenses not to exceed \$10,000, for a total amount not to exceed \$152,500. Funding in the amount of \$152,500 is included in the Fiscal Year 2005-2006 Amended Capital Budget of the Watershed Protection and Development Review Department.

**Resolution No. 20060727-030 was approved.**

31. Approve a resolution for the Yager Lane at Interstate Highway 35 Relocation Project to authorize the acquisition of two waterline easements comprised of 18,055 square foot and two temporary work space easements comprised of 17,701 square foot out of a portion of the John M. Swisher Survey No. 32, Abstract No. 2405, in Travis County, Texas, located at the north east and south east corners of Yager Lane and Interstate Highway 35 intersection, Austin, Travis County, Texas from QUENTIN LTD., a Texas limited partnership in an amount not to exceed \$63,600, for the City of Austin. Funding is available in the Fiscal Year 2005-2006 Approved Capital Budget of the Austin Water Utility.  
**Resolution No. 20060727-031 was approved.**
32. Approve a resolution for the Yager Lane at Interstate Highway 35 Relocation Project to authorize the acquisition of a 16,651 square foot water line easement and two temporary work space easements together comprising 16,583 square feet, out of a portion of the John M. Swisher Survey No. 32, Abstract No. 2405, in Travis County, Texas, located at the north east corner of Yager Lane and Interstate Highway 35 intersection, Austin, Travis County, Texas, from TECH RIDGE PHASE IV, L.P., in an amount not to exceed \$49,350. Funding is included in the Fiscal Year 2005-2006 Approved Capital Budget of the Austin Water Utility.  
**Resolution No. 20060727-032 was approved.**
33. Authorize execution of a construction contract with FACILITIES REHABILITATION (MBE/MH 93.5%), Fort Worth, TX, for Austin Clean Water Program: Govalle 4 Chicon Street Wastewater Improvements Project in an amount not to exceed \$164,258. Funding is available in the Fiscal Year 2005-2006 Approved Capital Budget of the Austin Water Utility. Lowest of eight bids received. 0% MBE and 6.50% WBE subcontractor participation. Recommended by the Water and Wastewater Commission.  
**The motion authorizing the execution of a construction contract was approved.**
34. Authorize execution of a construction contract with AARON CONCRETE CONTRACTORS LP (MBE/MH 79.85%), Austin, TX, for Latta Drive Extension Project from Muskdeer Drive to Davis Lane for a total amount not to exceed \$380,963. Funding in the amount of \$380,963 is available in the Fiscal Year 2005-2006 Amended Capital Budget of the Public Works Department. Lower bid of two received. 6.56% MBE and 12.33% WBE subcontractor participation.  
**The motion authorizing the execution of a construction contract was approved.**
35. Authorize execution of a construction contract with AUSTIN FILTER SYSTEMS, INC., Austin, TX, for construction of a rock and earthen embankment dam for the Upper Walnut Creek Regional Detention Facility Project in an amount not to exceed \$3,789,966 plus an \$189,498.30 contingency, for a total contract amount not to exceed \$3,979,464.30. Funding is available in the Fiscal Year 2005-2006 Amended Capital Budget of the Watershed Protection and Development Review Department. Lower of two bids received. 19.25% MBE and 5.88% WBE subcontractor participation.(Related to item #88)  
**The motion authorizing the execution of a construction contract was approved.**
36. Authorize execution of a construction contract with VIKING CONSTRUCTION INC., Georgetown, TX, for the 2006 Miscellaneous Streets Slurry Project Rebid, which will provide preventive maintenance asphaltic slurry seal on selected cul-de-sacs throughout the City, in an amount not to exceed \$461,142.74. Funding is available in the Fiscal Year 2005-2006 Approved Operating Budget of the Public Works Department. Lower of two bids received. 15.11% MBE and 22.28% WBE subcontractor participation.  
**The motion authorizing the execution of a construction contract was approved.**

37. Authorize negotiation and execution of professional service agreements with the following 24 firms: MARTINEZ WRIGHT and MENDEZ, INC., Austin, TX (MBE/MH 69.30%); DAVCAR ENGINEERING SERVICES, Austin, TX (MBE/MH 69.30%); BROWN AND CALDWELL, Austin, TX; CLAUNCH and MILLER, INC., Austin, TX; FREESE and NICHOLS, INC., Austin, TX; LOCKWOOD ANDREWS and NEWNAM, INC., Austin, TX; ESPEY CONSULTANTS, INC., Austin, TX; RAYMOND CHAN and ASSOCIATES, INC., Austin, TX (MBE/MA 69.30%); WESTON SOLUTIONS, Austin, TX; KURKJIAN ENGINEERING CORP., Austin, TX (MBE/FH 69.30%); PBSandJ, Austin, TX; URS CORPORATION, Austin, TX; CAS CONSULTING and SERVICES, INC., Austin, TX (MBE/MA 69.30%); BAKER-AICKLEN and ASSOCIATES, INC., Austin, TX; ENCOTECH ENGINEERING CONSULTANTS, INC., Austin, TX (MBE/MA 69.30%); EARTH TECH, INC., Austin, TX; HALFF ASSOCIATES, INC., Austin, TX; KLOTZ ASSOCIATES, Austin, TX; OTHON, INC., Houston, TX; PARSONS WATER and INFRASTRUCTURE, INC., Austin, TX; THONHOFF CONSULTING ENGINEERS, INC., Austin, TX; C. FAULKNER ENGINEERING, LP, Austin, TX; HVJ ASSOCIATES, INC., Austin, TX (MBE/MB 69.30%); and ASSOCIATED CONSULTING ENGINEERS, INC., Austin, TX for general civil engineering services for projects for a period of two years or until financial authorization is expended, each agreement not to exceed \$9,600,000 with a total of the 24 agreements in an amount not to exceed \$9,600,000. Funding in the amount of \$9,600,000 is available in the Fiscal Year 2006-2008 Approved Capital budgets and/or Operating and Maintenance budgets of the various departments for which services are needed. Best qualification statements of 60 statements received. 16.5% MBE and 14.2% WBE subconsultant participation.
- The motion authorizing the negotiation and execution of professional service agreements was approved.

Item 38 was pulled for discussion.

39. Approve an ordinance vacating a portion of right-of-way of the 1300 block of Woodlawn Boulevard to Carolyn Wier and Mildred Casparis, to be used for landscaping and preservation of century-old oak trees. Recommended by the Urban Transportation Commission and the Planning Commission.
- This item was withdrawn.
40. Approve an ordinance amending Section 12-4-24 of the City Code to establish a maximum speed limit of 25 miles per hour on certain streets. Funding in the amount of \$32,850 is available in the Fiscal Year 2005-2006 Operating Budget of the Public Works Department for the installation of necessary signs.
- Ordinance No. 20060727-040 was approved.
41. Approve an ordinance amending City Code Sections 12-4-41, 12-4-42 and 12-4-43 to change the speed limits on portions of Riverside Drive. Funding in the amount of \$1600 is available in the Fiscal Year 2005-2006 Operating Budget of the Public Works Department for the installation of necessary signs.
- Ordinance No. 20060727-041 was approved.
42. Approve an ordinance awarding a taxicab franchise to ABCABCO, INC., d/b/a LONE STAR CAB COMPANY, CAPITAL CITY CAB COMPANY or GREEN EAGLES, INC., d/b/a LONGHORN CAB COMPANY, as chosen by lottery pursuant to Section 13-2-309(C) of the City Code, to operate a taxicab service in the City; and waiving the provisions of Section 13-2-309(B) of the City Code establishing the maximum number of permits that may be allocated to a franchise applicant. The taxicab permit fee of \$400 per year per permit is a revenue source. Expected annual revenue is \$22,000.
- This item was postponed to August 10, 2006.

43. Approve an ordinance increasing the taxicab permit allocation for HARLEM CAB COMPANY, dba AUSTIN CAB from 139 to 159 permits as authorized by Ordinance No. 20050609-018. The taxicab permit fee of \$400 per year per permit is a revenue source. Expected annual revenue is \$4,800. **Ordinance No. 20060727-043 was approved.**
44. Approve a resolution authorizing the execution of an Endorsement Agreement between Lance Armstrong and the City of Austin regarding the Lance Armstrong Bikeway. **Resolution No. 20060727-044 was approved.**
45. Authorize award and execution of a contract with ALIMEK HEK, INCORPORATED, Walnut Creek, CA, for the purchase and installation of a rack and pinion lift elevator at the Sand Hill Energy Center in an amount not to exceed \$179,341. Funding is available in the Fiscal Year 2005-2006 Amended Capital Budget of Austin Energy. Sole bid received. This contract will be awarded in compliance with Chapter 2-9C 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 award and execution of a contract was approved.**
46. Authorize award and execution of a contract with ENVIRONEX, INCORPORATED, Devon, PA, for testing and assessment services to evaluate the operation and performance of the Selective Catalytic Reduction (SCR) systems at the Sand Hill Energy Center in an amount not to exceed \$49,100. Funding is available in the Fiscal Year 2005-2006 Amended Operating Budget of Austin Energy. Sole bid received. This contract will be awarded in compliance with Chapter 2-9C 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 award and execution of a contract was approved.**
47. Authorize award and execution of a contract with ECCO INTERNATIONAL, INC., San Francisco, CA, for a market system evaluation relating to the ERCOT nodal market in an amount not to exceed \$145,000. Funding is available in the Fiscal Year 2005-2006 Amended Operating Budget of Austin Energy. Best evaluated proposal of six proposals received. This contract will be awarded in compliance with Chapter 2-9C 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 award and execution of a contract was approved.**
48. Authorize award and execution of a 12-month requirements service contract with VEOLIA ENVIRONMENTAL SERVICES TECHNICAL SOLUTION, LLC, Baytown, TX for the collection and disposal of industrial non-hazardous and hazardous waste in an estimated amount not to exceed \$173,619, with three 12-month extension options in an estimated amount not to exceed \$173,619 per extension option, for a total estimated contract amount not to exceed \$694,476. Funding in the amount of \$28,937 is available in Fiscal Year 2005-2006 Amended Operating Budget of Austin Energy. Funding for the remaining 10 months of the original contract period and extension options is contingent upon available funding in future budgets. Lowest bid of three bids received. This contract will be awarded in compliance with Chapter 2-9C 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 award and execution of a service contract was approved.**
49. Authorize negotiation and execution of three 12-month service requirements contracts with PK & L CONSTRUCTION, INC., (WBE/FR 65.69%) Austin, TX; PRO SERV SANDERS, INC., Corpus Christi, TX; and THIELSCH ENGINEERING, Cranston, RI, for power plant maintenance services, in a combined estimated amount not to exceed \$2,600,000, with four 12-month extension options in a



combined estimated amount not to exceed \$2,600,000 per extension option, for a combined total estimated contract not to exceed \$13,000,000. Funding in the amount of \$433,333 is available in the Fiscal Year 2005-2006 Amended Operating Budget of Austin Energy. Funding for the remaining 10 months of the original contract period and extension options is contingent upon available funding in future budgets. Best evaluated proposals of four proposals received. 12.22% MBE and 4.19% WBE subcontractor participation (PK&L Construction); 14.70% MBE and 4.80% WBE subcontractor participation (Pro Serv Sanders); & 11.74% MBE and 7.96% WBE subcontractor participation (Thielsch Engineering)

**The motion authorizing the negotiation and execution of three service requirements contracts was approved.**

50. Authorize ratification of a contract with TEREX UTILITIES, San Antonio, TX, for the purchase of a trailer mounted underground cable puller in an amount not to exceed \$108,945. Funding is available in the Fiscal Year 2005-2006 Amended Capital Budget of Austin Energy. Lowest bid of two bids received. This contract will be awarded in compliance with Chapter 2-9D of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were identified; therefore, no goals were established for this solicitation. **The motion authorizing the ratification of a contract was approved.**

51. Authorize award and execution of a 12 month requirements service contract with NEXUS ENERGY GUIDE, Wellesley, MA, for online energy audit services in an estimated amount not to exceed \$103,500, with three 12-month extensions in an estimated amount not to exceed \$106,500 for the first extension option, \$109,804 for the second extension option, and \$113,099 for the third extension option, for a total estimated contract amount not to exceed \$432,903. Funding in the amount of \$17,250 is available in the Fiscal Year 2005-2006 Amended Operating Budget of Austin Energy. Funding for the remaining 10 months of the original contract and the extension is contingent upon funding in future budgets. Sole Source. This contract will be awarded in compliance with Chapter 2-9C 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 award and execution of a requirements service contract was approved.**

52. Authorize award and execution of a 36-month requirements supply contract with ALAMO IRON WORKS, San Antonio, TX, for steel reinforced rebar in an estimated amount not to exceed \$258,075 with two 12-month extension options in an estimated amount not to exceed \$86,025 per extension option, for a total estimated contract amount not to exceed \$430,125. Funding in the amount of \$14,338 is available in the Fiscal Year 2005-2006 Amended Operating Budget of Austin Energy. Funding for the remaining 34 months of the original contract period and extension options is contingent upon available funding in future budgets. Lowest bid of two bids received. This contract will be awarded in accordance with Chapter 2-9D 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 award and execution of a requirements supply contract was approved.**

53. Ratify award and execution of a contract with KBS ELECTRICAL DISTRIBUTORS, INC., Austin, TX, for 3-phase pad mount transformers in an amount not to exceed \$184,630. Funding is available in the Fiscal Year 2005-2006 Amended Operating Budget of Austin Energy. Lowest evaluated bidder meeting specification of four bids received. This contract will be awarded in compliance with Chapter 2-9D 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 award and execution of a contract was approved.**

54. Authorize award and execution of a 12-month requirements supply contract with LUFKIN CREOSOTING COMPANY, INC., Lufkin, TX, for pressure treated wood poles in an estimated amount not to exceed \$914,596, with four 12-month extension options in an estimated amount not to exceed \$914,596 per extension option, for a total estimated contract amount not to exceed \$4,572,980. Funding in the amount of \$152,433 is available in the Fiscal Year 2005-2006 Amended Operating Budget of Austin Energy. Funding for the remaining 10 months of the original contract period and extension options is contingent upon available funding in future budgets. Lowest bidder of two bids received. This contract will be awarded in compliance with Chapter 2-9D 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 award and execution of a requirements supply contract was approved.**
55. Authorize award and execution of Amendment No. 5 to the contract with POWER SUPPLY, INC., Austin, TX, for 3-phase padmounted transformers to increase contract authorization in an estimated amount not to exceed \$1,515,353.57; and to increase the two 12-month extension options in an estimated amount not to exceed \$1,515,353.57 per extension option for a revised total estimated contract not to exceed \$10,725,410.71. Funding in the amount of \$252,558.93 is available in the Fiscal Year 2005-2006 Amended Operating Budget of Austin Energy. Funding for the remaining 10 months of the original contract period and extension options is contingent upon available funding in future budgets. Contract Amendment. This contract was awarded in compliance with Chapter 2-9D 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 award and execution of amendment number 5 to the contract was approved.**
56. Authorize award and execution of a 12-month requirements service contract with HAVERFIELD CORPORATION, Carroll Valley, PA, for aerial maintenance in an estimated amount not to exceed \$131,276, with three 12-month extension options in an estimated amount not to exceed \$131,276 per extension option, for a total estimated contract amount not to exceed \$525,104. Funding in the amount of \$21,879 is available in the Fiscal Year 2005-2006 Amended Operating Budget of Austin Energy. Funding for the remaining 10 months of the original contract period and extension options is contingent upon available funding in future budgets. Lowest bid of two bids received. This contract will be awarded in accordance with Chapter 2-9C 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 award and execution of a requirements service contract was approved.**
57. Approve ratification of contract Amendment No. 3 with HYUNDAI CORP., Gardena, CA, to increase the contract authorization for the purchase of additional power transformers in an amount not to exceed \$3,450,000 for a revised total contract amount not to exceed \$23,529,424. Funding in the amount of \$3,450,000 is available in the Fiscal Year 2005-2006 Amended Capital Budget of Austin Energy. This contract was awarded in compliance with Chapter 2-9D 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 contract amendment number 3 was approved.**
58. Authorize award, negotiation, and execution of a 12-month requirements service contract with TIME WARNER TELECOM, INC., Littleton, CO, for telecommunication services and broadband internet services in an estimated amount not to exceed \$222,020, with four 12-month extension options in an estimated amount not to exceed \$177,180 per extension option, for a total estimated contract amount not to exceed \$930,740. Funding in the amount of \$222,020 is included in the Fiscal Year 2006-2007

Proposed Operating Budget of the Department of Aviation. Funding for the extension options is contingent upon available funding in future budgets. Best evaluated proposal of two proposals received. This contract will be awarded in compliance with Chapter 2-9C of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation. Recommended by the Austin Airport Advisory Board.

**The motion authorizing the award negotiation and execution of a requirements service contract was approved.**

59. Authorize award and execution of Amendment No. 6 to the contract with ARINC INC., Annapolis, MD, to continue radio frequency engineering support for an additional 12-month period in an estimated amount not to exceed \$200,000 and to add four additional 12-month extension options in an estimated amount not to exceed \$150,000 per extension option, for a revised total estimated contract amount not to exceed \$1,519,122. Funding in the amount of \$200,000 is included in the Fiscal Year 2006-2007 Proposed Operating Budget of the Department of Aviation. Funding for the extension options is contingent upon available funding in future budgets. Contract Amendment. This contract was awarded in compliance with Chapter 2-9C 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 contract. Recommended by the Austin Airport Advisory Board.

**The motion authorizing the award and execution of amendment number 6 to the contract was approved.**

60. Authorize award and execution of a contract through the TEXAS MULTIPLE AWARD SCHEDULE (TXMAS) with AMERICAN MATERIAL HANDLING, INC., Lilburn, GA, for the purchase of one forklift in an amount not to exceed \$60,501. Funding is available in the Fiscal Year 2005-2006 Approved Operating Budget of the Aviation Department. Cooperative Purchase.

**The motion authorizing the award and execution of a contract was approved.**

61. Authorize award and execution of a contract with WHITE WAY SIGN, Chicago, IL, for the purchase, installation, and integration of a marquee sign for the Austin Convention Center in an amount not to exceed \$160,331. Funding is available in the Fiscal Year 2005-2006 Approved Operating Budget of the Austin Convention Center Department. Sole Source. This contract will be awarded in compliance with Chapter 2-9D 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 award and execution of a contract was approved.**

62. Authorize award and execution of a 12-month requirements service contract with BALLARD'S LANDSCAPING(MBE/MB), Austin, TX, for the supply, planting, and maintenance of various trees for the Austin Water Utility in an estimated amount not to exceed \$343,370, with two 12-month extension options in an estimated amount not to exceed \$343,370 per extension option, for a total estimated contract amount not to exceed \$1,030,110. Funding in the amount of \$343,370 is available in the Approved Fiscal Year 2005-2006 Capital Budget for the Austin Water Utility. Funding for the 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 2-9C 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 award and execution of a requirements service contract was approved.**

63. Authorize award and execution of Amendment No. 4 to the contract with ENVIRONMENTAL SYSTEMS RESEARCH INSTITUTE, INC., Redlands, CA, for the purchase of additional geographical

information system mapping software and maintenance, increasing the contract in an amount not to exceed \$100,000 for each of the two remaining extension options, for a revised total contract amount not to exceed \$1,980,726.75. Funding in the amount of \$100,000 is included in the Fiscal Year 2006-2007 Proposed Operating Budget of the Finance and Administrative Services Department, Communications and Technology Management. Funding for the remaining extension option is contingent upon available funding in future budgets Contract Amendment. This contract was awarded in compliance with Chapter 2-9D 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 contract. **The motion authorizing the award and execution of amendment number 4 to the contract was approved.**

64. Authorize award and execution of a 12-month requirements supply contract with NATIONAL WATER WORKS, Austin, TX, for the purchase of various hydrant repair parts for the Austin Water Utility in an estimated amount not to exceed \$75,070, with two 12-month extension options in an estimated amount not to exceed \$93,838 for the first extension option, and \$117,297 for the second extension option, for a total estimated contract amount not to exceed \$286,205. Funding in the amount of \$12,512 is available in Fiscal Year 2005-2006 Approved Operating Budget of the Austin Water Utility. Funding for the remaining 10 months of the original contract period and extension options is contingent upon available funding in future budgets. Low bid of two bids received. This contract will be awarded in compliance with Chapter 2-9D 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 award and execution of the requirements supply contract was approved.**

65. Authorize award and execution of a 12-month requirements supply contract with CONTINENTAL BATTERY COMPANY, San Antonio, TX for the purchase of automotive batteries in an estimated amount not to exceed \$150,000, with three 12-month extension options in an estimated amount not to exceed \$187,500 for the first extension option, \$234,375 for the second extension option, and \$292,969 for the third extension option, for a total estimated contract amount not to exceed \$864,844. Funding in the amount of \$25,000 is available in the Fiscal Year 2005-2006 Approved Operating Budget of the Financial and Administrative Services Department, Fleet Fund. Funding for the remaining 10 months of the original contract period and the extension options is contingent upon available funding in future budgets. Lowest bid of six bids received. This contract will be awarded in compliance with Chapter 2-9D 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 award and execution of a requirements supply contract was approved.**

66. Authorize award, negotiation, and execution of a 12-month service contract with COLORADO RIVER WATCH FOUNDATION, INC., Austin, TX, to provide water quality monitoring and training for at risk youth for the Watershed Protection and Development Review Department and the Austin Water Utility, in an amount not to exceed \$120,000, with two 12-month extension options in amounts not to exceed \$180,000 for the first extension option, and \$240,000 for the second extension option, for a total contract amount not to exceed \$540,000. Funding in the amount of \$10,000 is available in the Fiscal Year 2005-2006 Approved Operating Budget of the Austin Water Utility. Funding in the amount of \$10,000 is available in the Fiscal Year 2005-2006 Approved Operating Budget of the Watershed Protection and Development Review Department. Funding for the remaining 10 months of the original contract period and extension options is contingent upon available funding in future budgets. Sole proposal received. This contract will be awarded in compliance with Chapter 2-9C 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 award negotiation and execution of a service contract was approved.**

67. Authorize award, negotiation and execution of a 36-month requirements service agreement with TEXAS LEGAL PROTECTION PLAN, INC., Austin, TX, for group legal plan services in an estimated amount not to exceed \$1,925,000, with three 12-month extension options in the estimated amounts not to exceed \$855,000 for the first option, \$940,000 for the second option and \$1,030,000 for the third option, for a total estimated contract amount not to exceed \$4,750,000. Funding in the amount of \$435,715 is available in the Fiscal Year 2006-2007 Proposed Operating Budget for the Employee Benefit Fund of the Human Resources Department. Funding for the remaining 27 months of the original contract period and extension options is contingent upon available funding in future budgets. Best evaluated proposal of four proposals received. This contract will be awarded in compliance with Chapter 2-9C 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 award, negotiation and execution of a requirements service agreement was approved.**
68. Authorize award and execution of a 36-month service requirements contract with TELELANGUAGE, INC., Portland, OR, for over-the-phone language interpretation services in an estimated amount not to exceed \$188,892, with three 12-month extension options in an estimated amount not to exceed \$66,112 for the first extension option, \$69,418 for the second extension option, and \$72,889 for the third extension option, for a total estimated contract amount not to exceed \$397,311. Funding in the amount of \$7,920 is available in the Fiscal Year 2005-2006 Approved Operating Budget of the Community Care Services Department. Funding in the amount of \$2,574 is available in the Fiscal Year 2005-2006 Approved Operating Budget of the Austin/Travis County Health and Human Services Department. Funding for the remaining 34 months of the original contract period and extension options is contingent upon available funding in future budgets. Sole bid. This contract will be awarded in compliance with Chapter 2-9C 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 award and execution of a service requirements contract was approved.**
69. Authorize award and execution of a 12-month requirements service contract with BLAST! EXPRESS, Austin, TX, for pharmacy courier services in an estimated amount not to exceed \$50,085, with four 12-month extension options in estimated amounts not to exceed \$52,589 for the first extension option, \$55,218 for the second extension option, \$57,979 for the third extension option, and \$60,878 for the fourth extension option, for a total estimated contract amount not to exceed \$276,749. Funding in the amount of \$8,348 is available in the Fiscal Year 2005-2006 Approved Operating Budget of the Community Care Services Department. Funding for the remaining 10 months of the contract period is contingent upon available funding in future budgets. Lowest responsive bid meeting specifications of eight bids received. This contract will be awarded in compliance with Chapter 2-9C 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 award and execution of a requirements service contract was approved.**
70. Authorize award and execution of contract Amendment No. 5 with FDM SOFTWARE LTD., British Columbia, CA, to extend the contract for a 12-month period for the continuation of software support, upgrades, and maintenance services for the Records Management System Software in an estimated amount not to exceed \$91,506, with four 12-month extension options in an estimated amount not to exceed \$91,506 per extension option, for a revised total estimated contract amount not to exceed \$1,319,530. Funding in the amount of \$15,251 is available in Fiscal Year 2005-2006 Approved Operating Budget of Communications and Technology Management. Funding for the remaining 10 months of the

extended contract period and extension options is contingent upon available funding in future budgets. Contract Amendment.

**The motion authorizing the award and execution of contract amendment number 5 was approved.**

71. Authorize award and execution of a contract through the TEXAS LOCAL GOVERNMENT PURCHASING COOPERATIVE (BUYBOARD) with JAMAIL CONSTRUCTION, Austin, TX., for repairs to the Dick Nichols Park restroom in an amount not to exceed \$71,847. Funding is available in the Fiscal Year 2005-2006 Approved Capital Budget for the Parks and Recreation Department. Cooperative Purchase.

**The motion authorizing the award and execution of a contract was approved.**

72. Authorize award and execution of contract Amendment No. 4 to a contract with INGRAM LIBRARY SERVICES, INC., LaVergne, TN, and BAKER & TAYLOR, INC., Charlotte, NC, for adult and juvenile books to extend the contract for 120 days in an estimated amount not to exceed \$197,121, for a revised total estimated contract amount not to exceed \$2,562,583.41. Funding in the amount of \$98,560.50 is available in the Fiscal Year 2005-2006 Approved Operating Budget of the Library Department. Funding for the remaining two months of the extension period is contingent upon available funding in the Fiscal Year 2006-2007 budget. Contract Amendment. This contract was awarded in compliance with Chapter 2-9D 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 contract.

**The motion authorizing the award and execution of contract amendment number 4 was approved.**

73. Authorize award and execution of a 12-month requirements supply contract with PARADIGM TRAFFIC SYSTEMS, INC., Ft. Worth, TX, for traffic signal controllers for the Public Works Department in an estimated amount not to exceed \$65,940, with two 12-month extension options in an estimated amount not to exceed \$65,940 per extension option, for a total estimated contract amount not to exceed \$197,820. Funding in the amount of \$10,990 is available in the Fiscal Year 2005-2006 Approved Operating Budget of the Public Works Department. Funding for the remaining 10 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 2-9D 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 award and execution of a requirements supply contract was approved.**

74. Authorize award and execution of a 12-month requirements supply contract with SEMMATERIALS, LP. Austin TX, for asphalt emulsions for the Public Works Department in an estimated amount not to exceed \$1,702,290, with two 12-month extension options in an estimated amount not to exceed \$1,702,290 per extension option, for a total estimated contract amount not to exceed \$5,106,870. Funding in the amount of \$283,715 is available in the Fiscal Year 2005-2006 Approved Operating Budget of the Public Works Department. Funding for the remaining 10 months of the original contract period and extension options is contingent upon available funding in future budgets. Lowest bid of three bids received. This contract will be awarded in compliance with Chapter 2-9D 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 award and execution of a requirements supply contract was approved.**

75. Authorize award and execution of a contract through the United States General Services Administration 1122 Program with ADVANCED INTERACTIVE SYSTEMS, Seattle, WA, for the purchase of a firearms judgmental training simulator in an amount not to exceed \$79,797. Funding is available in the Fiscal Year 2005-2006 Approved Operating Budget of the Austin Police Department, Special Revenue Fund, Justice Assistance Grant Fiscal Year 2005-2006. Cooperative Purchase. This contract will be

awarded in compliance with Chapter 2-9D of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this purchase.

**The motion authorizing the award and execution of a contract was approved.**

76. Authorize award, negotiation and execution of two 12-month service contracts with ASSURANT, INC. dba UNION SECURITY INSURANCE, CO., Kansas City, MO, for a dental health maintenance organization plan for City of Austin retirees in an estimated amount not to exceed \$424,000, with two 12-month extension options in estimated amounts not to exceed \$508,000 for the first extension option and \$610,000 for the second extension option, for a total estimated contract amount not to exceed \$1,542,000; and the other with DELTA DENTAL INSURANCE COMPANY, Alpharetta, GA, for an indemnity PPO dental plan for City of Austin retirees in an estimated amount not to exceed \$1,358,000, with two 12-month extension options in an estimated amount not to exceed \$1,629,000 for the first extension option and \$2,248,000 for the second extension option, for a total estimated contract amount not to exceed \$5,235,000. Funding in the amount of \$1,336,500 is available in the Fiscal Year 2006-2007 Proposed Operating Budget for the Employee Benefits Fund of the Human Resources Department. Funding for the remaining three months of the original contract period and extension options is contingent upon available funding in future budgets. Best evaluated proposals of six proposals received. This contract will be awarded in compliance with Chapter 2-9C 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 award negotiation and execution of two service contracts was approved.**

77. Authorize award and execution of a 12-month service contract with HOLT CAT, Austin, TX, for the rental of a 15-cubic yard self-loading scraper for the Solid Waste Services Department, in an amount not to exceed \$143,640, with two 12-month extension options in the amount not to exceed \$143,640 per extension option, for a total contract amount not to exceed \$430,920. Funding in the amount of \$23,940 is available in the Fiscal Year 2005-2006 Approved Operating Budget of the Solid Waste Services Department. Funding for the remaining 10 months of the original contract period and extensions options is contingent upon available funding in future budgets. Sole bid received. This contract will be awarded in compliance with Chapter 2-9D 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 award and execution of a service contract was approved.**

78. Authorize award and execution of a 12-month requirements service contract with MAGNA FLOW ENVIRONMENTAL, Austin, TX, to provide collection, transportation, and disposal of residual recyclable material from 40-cubic yard roll-off containers for Solid Waste Services Department in an estimated amount not to exceed \$58,500, with two 12-month extension options in an estimated amount not to exceed \$58,500 per extension option, for a total estimated contract amount not to exceed \$175,500. Funding in the amount of \$9,750 is available in the Fiscal Year 2005-2006 Approved Operating Budget of the Solid Waste Services Department. Funding for the remaining 10 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 2-9C 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 award and execution of a requirements service contract was approved.**

79. Authorize execution of two contracts through the TEXAS LOCAL GOVERNMENT PURCHASING COOPERATIVE (BUYBOARD) with LONGHORN INTERNATIONAL TRUCKS LTD., Austin, TX,

for the purchase of six heavy truck chassis in an amount not to exceed \$943,456, and with RELIANCE TRUCK & EQUIPMENT LTD, San Antonio, TX, for the purchase of six rear load refuse collection bodies in an amount not to exceed \$354,731. Funding in the amount of \$1,298,187 is available in the Fiscal Year 2005-2006 Approved Capital Budget of the Solid Waste Services Department. A grant was received from the Texas Emissions Reduction Program administered by Texas Commission on Environmental Quality in the amount of \$198,000. Cooperative Purchase.

**The motion authorizing the execution of two contracts was approved.**

80. Authorize award and execution of three contracts with LONGHORN INTERNATIONAL TRUCKS LTD., Austin, TX, for the purchase of 29 heavy trucks in an amount not to exceed \$2,229,804, GRANDE TRUCK CENTER, San Antonio, TX, for the purchase of four heavy trucks in an amount not to exceed \$581,656, and FREIGHTLINER OF AUSTIN, Austin, TX, for the purchase of two heavy trucks in an amount not to exceed \$344,856. Funding in the amount of \$52,775 is available in the Fiscal Year 2005-2006 Approved Operating Budget of the Aviation Department. Funding in the amount of \$549,565 is available in the Fiscal Year 2005-2006 Approved Capital Budget of the Austin Water Utility. Funding in the amount of \$926,512 is available in the Fiscal Year 2005-2006 Amended Capital Budget of Austin Energy. Funding in the amount of \$916,005 is available in the Fiscal Year 2005-2006 Amended Capital Budget of the Public Works Department. Funding in the amount of \$225,020 is available in the Fiscal Year 2005-2006 Approved Capital Budget of the Solid Waste Services Department. Funding in the amount of \$486,439 is available in the Fiscal Year 2005-2006 Approved Capital Budget of the Watershed Protection and Development Review Department. Lowest bids of three bids received. This contract will be awarded in compliance with Chapter 2-9D 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 award and execution of three contracts was approved.**

81. Authorize award, negotiation, and execution of a contract through U.S. Communities Government Purchasing Alliance with GTSI Corp., Chantilly VA, and PowerGrid Communications (Subcontractor), to conduct a technical trial to design, build and operate a full service Broadband over Power Lines (BPL) Network from August 1, 2006 through February 1, 2007, in an estimated amount not to exceed \$250,000, with three 90-day extension options in an estimated amount not to exceed \$22,500 per extension option, for a total estimated contract amount not to exceed \$317,500. Additionally, staff is authorized to negotiate and execute agreements with U.S. Communities Government Purchasing Alliance, GTSI and PowerGrid Communications for these services. Funding in the amount of \$100,000 is available in Fiscal Year 2005-2006 Amended Operating Budget of Austin Energy. Funding in the amount of \$75,000 is available in the 2005-2006 Approved Operating Budget of Austin Water Utility. Funding in the amount of \$75,000 is available in the Fiscal Year 2005-2006 Approved Operating Budget of Communications and Technology Management. Funding for the extension options is contingent upon approval of future budgets. Cooperative Purchasing.

**The motion authorizing the award negotiation and execution of a contract was approved.**

82. Set a public hearing to receive public comment on the proposed rate and fee changes for the Solid Waste Services Department as part of the Fiscal Year 2006-2007 Proposed Budget. (Suggested date and time: August 31, 2006, 6:00 p.m., Austin City Hall Council Chambers, 301 W. Second Street, Austin, Texas 78701.) No fiscal impact.

**The public hearing was set for August 31, 2006, 6:00 p.m., Austin City Hall Council Chambers, 301 W. Second Street, Austin, Texas 78701.**

**Item 83 was pulled for discussion.**



84. Approve an ordinance waiving the development regulations of Ordinance No. 20060309-058 to allow the construction of a single family residence at 1411 Gaston Avenue, Austin, TX. There is no unanticipated fiscal impact. A fiscal note is not required.  
**Ordinance No. 20060727-084 was approved.**
85. Approve an ordinance waiving the development regulations of Ordinance No. 20060309-058 to allow the construction of a single family residence at 2208 Haskell Street, Austin, TX. There is no unanticipated fiscal impact. A fiscal note is not required.  
**This item was withdrawn.**
86. Approve an ordinance authorizing acceptance of \$6,255,823 in grant funds from the Division of Emergency Management, Office of the Governor; and amending the Fiscal Year 2005-2006 Watershed Protection and Development Review Department Operating Budget Special Revenue Fund of Ordinance No. 20050912-001, to appropriate \$6,255,823 for buyout and demolition of up to 118 single family houses in floodplain of Onion Creek. Funding in the amount up to \$6,255,823 is available in Federal Emergency Management Agency Hazard Mitigation Grant Program grant funding administered by the Texas Department of Public Safety Division of Emergency Management. Local matching funds are required and \$2,085,274 in local matching funds is available in the Fiscal Year 2005-2006 Amended Capital Budget of the Watershed Protection and Development Review Department.  
**Ordinance No. 20060727-086 was approved.**
87. Authorize negotiation and execution of a contract with OZARK UNDERGROUND LABORATORY, INC., Protom, MO, for Barton Springs segment of the Edwards Aquifer spill plan dye studies in an amount not to exceed \$374,795. Funding in the amount of \$374,795 is available in the Fiscal Year 2005-2006 Capital Budget of the Watershed Protection and Development Review Department. 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 the negotiation and execution of a contract was approved.**
88. Approve an ordinance amending the Fiscal Year 2005-2006 Watershed Protection and Development Review Capital Budget of Ordinance No. 20050912-002 to increase the Transfer In from the Regional Stormwater Management Program Fund to the Capital Budget in the amount of \$1,000,000 and to appropriate \$1,000,000 to the Walnut Creek - Upper Walnut Creek Regional Detention Facility Project. Funding in the amount of \$1,000,000 is available in the 2005-2006 Regional Stormwater Management Program Fund. A fiscal note is attached. (Related to item # 35)  
**Ordinance No. 20060727-088 was approved.**
89. Authorize negotiation and execution of an amendment to the professional services agreement with the following eight (8) firms: FREESE & NICHOLS, INC., Austin, TX; HDR ENGINEERING, INC., Austin, TX; CRESPO CONSULTING SERVICES (MBE/MH), Austin, TX; HALFF ASSOCIATES, INC., Austin, TX; ALAN PLUMMER ASSOCIATES, INC., Austin TX; DANNENBAUM ENGINEERING CORPORATION, Austin, TX; RAYMOND CHAN & ASSOCIATES, INC. (MBE/MA), Austin, TX; and ESPEY CONSULTANTS, INC., Austin, TX for general watershed engineering services primarily for capital improvement projects planning, design, and construction phase services for a period of approximately one year or until financial authorization is expended, in an amount not to exceed \$2,000,000 for a total contract amount not to exceed \$5,000,000 for the eight Rotation List firms. Funding in the amount of \$2,000,000 will be provided by the Drainage Utility Fund and General Obligation Bond authorizations, and in various CIP projects and Capital Budgets of the Watershed Protection and Development Review Department. Participation subgoals stated in the solicitation for this

agreement were 1.10% African American; 5.90% Hispanic; 1.70% Asian/Native American; and 18.20% WBE.

The motion authorizing the negotiation and execution of an amendment to the professional services agreement was approved.

90. Authorize negotiation and execution of a 12-month State Use Agreement with TEXAS INDUSTRIES FOR THE BLIND AND HANDICAPPED for vegetation control in creeks and detention/water quality ponds, and for the hauling of excessive vegetation and debris from specified job site locations to an acceptable landfill in an amount not to exceed \$1,701,000. Funding in the amount of \$1,701,000 is available in the Fiscal Year 2006-2007 Proposed Operating Budget of the Watershed Protection and Development Review Department.

The motion authorizing the negotiation and execution of a state use agreement was approved.

91. 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>Airport Advisory Commission</u>		
Lauren Mathews	Consensus	Appointment
Philip Rosenbaum	Consensus	Appointment
<u>Asian American Resource Center Advisory Board</u>		
Melissa DeHaan	Consensus	Reappointment
<u>Austin Community Technology and Telecommunications Commission</u>		
John Andrew Green	Consensus	Reappointment
Chad Williams	Council Member Leffingwell's	Reappointment
<u>Building and Fire Code Board of Appeals</u>		
Philip Haught	Consensus	Reappointment
<u>Child Care Council</u>		
Timy Baranoff, Ph.D.	Consensus	Reappointment
Susan Bright	Consensus	Reappointment
Lila Carl	Consensus	Reappointment
Debra Keith-Thompson	Consensus	Reappointment
Adrian Smith	Council Member Kim's	Appointment
<u>Community Development Commission</u>		
Oktomy Kusuma	Consensus	Appointment
<u>Construction Advisory Commission</u>		
Calvin Williams	Council Member Cole's	Appointment
<u>Downtown Austin Community Court Advisory Commission</u>		
Charles Locklin	Consensus	Reappointment
Ross Powley	Consensus	Reappointment

Electric BoardDavid Adamson  
Ronny WilliamsCouncil Member Kim's  
Council Member Cole'sAppointment  
AppointmentEnvironmental Board

Karin Ascot

Council Member Leffingwell's

Reappointment

Ethics Review Commission

Andy Brown

Consensus

Appointment –  
Confirmation  
Nomination

Velva Price

Council Member Cole's

Library Commission

Brenda Thompson

Council Member Kim's

Appointment

Mechanical, Plumbing and Solar Board

Thomas Combs

Consensus

Reappointment

Stephen Cox

Consensus

Reappointment

Gerardo Garza

Consensus

Reappointment

Music Commission

Jill George

Council Member Cole's

Appointment

Parks and Recreation Board

Hector Ortiz

Consensus

Reappointment

Planning Commission

Mandy Dealey

Consensus

Reappointment

Saundra Kirk

Council Member Cole's

Appointment

Renaissance Market Commission

Robert Edgecomb

Consensus

Reappointment

Resource Management Commission

Christine Herbert

Council Member Kim's

Appointment

John Hoffner

Consensus

Reappointment

Robert Mueller Municipal Airport Plan Implementation Advisory Commission

Tracy Atkins

Consensus

Reappointment

Urban Forestry Board

Larry Macginnis

Consensus

Reappointment

Zoning and Platting Commission

Betty Baker

Council Member Dunkerley's

Appointment

Clarke Hammond

Council Member Leffingwell's

Appointment

James Schieh

Council Member Kim's

Appointment

92. Approve an ordinance amending Chapter 2-1 of the City Code relating to the African American Resource Advisory Commission. (Council Member Sheryl Cole Council Member Mike Martinez)  
**Ordinance No. 20060727-092 was approved.**

Item 93 was pulled for discussion.

94. Approve a resolution approving the issuance of a loan by the San Leanna Education Facilities Corporation of the Village of San Leanna, Texas to St. Edward's University under Chapter 53 of the Texas Education Code in an amount not to exceed \$7,500,000 to finance and/or refinance the construction and equipment of educational and housing facilities located at the university's campus at 3001 South Congress Avenue, Austin, Texas. (Mayor Pro Tem Member Betty Dunkerley Council Member Lee Leffingwell Council Member Brewster McCracken)  
**Resolution No. 20060727-094 was approved. Council Member Martinez recused himself.**
95. Approve a resolution modifying the name of the Minority-Owned Business Enterprise and Women-Owned Business Enterprise Subcommittee to the Minority-Owned and Women-Owned Business Enterprises and Small Business Subcommittee. (Council Member Jennifer Kim Council Member Sheryl Cole Council Member Mike Martinez)  
**Resolution No. 20060727-095 was approved.**
96. Approve an ordinance authorizing the waiver or reimbursement of development fees in an amount not to exceed \$437 for the "Travis County Sheriff's House" located at 2508 East 9th Street. (Council Member Jennifer Kim Council Member Lee Leffingwell Council Member Mike Martinez)  
**Ordinance No. 20060727-096 was approved.**
97. Approve waiver of certain facility use fees in an amount not to exceed \$1260 for the Austin Filipino American Association of Austin's Annual Basketball Tournament to be held on September 16-17, 2006, at the Cantu/Pan American Recreation Center, located at 2100 East 3rd Street, Austin, TX. (Council Member Jennifer Kim Council Member Lee Leffingwell Mayor Will Wynn)  
**The motion authorizing the waiver of certain facility use fees was approved.**
98. Set a public hearing to 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. (Suggested date and time: August 9, 2006 at 3:00 p.m., City Hall Council Chambers, 301 West Second Street).  
**The public hearing was set for August 9, 2006 at 3:00 p.m., City Hall Council Chambers, 301 West Second Street.**
99. Set public hearings to receive comments on issues related to the full purpose annexation of the Peninsula annexation area (approximately 432 acres in Travis County and located west of Lake Austin, north of Bee Creek, and south of the intersection of Westlake Drive and Trailview Mesa). Full purpose annexation is anticipated in December 2008 in accordance with the City's Municipal Annexation Plan. (Suggested dates and times: August 24, 2006 at 6:00 p.m., City Hall Council Chambers, 301 W 2nd Street; August 29, 2006 at 6:30 p.m., Episcopal Church of the Good Shepherd, 3201 Windsor Road; and August 31, 2006 at 6:00 p.m., City Hall Council Chambers, 301 W 2nd Street.)  
**The public hearings were set for August 24 and 31, 2006 at 6:00 p.m., City Hall Council Chambers, 301 W. 2<sup>nd</sup> Street, and August 29, 2006 at 6:30 p.m., Episcopal Church of the Good Shepherd, 3201 Windsor Road.**
100. Set a public hearing on an appeal by Ian Inglis, President, Austin City Lofts Homeowners Association, of the Planning Commission's decision to approve a Conditional Use Site Plan Permit, to allow a cocktail lounge within the DMU, Downtown Mixed Use zoning district, SPC-06-0104A, located at 817 W. 5th

Street. (Suggested date and time: August 10, 2006, at 6:00 p.m., City Hall Council Chambers, 301 West 2nd Street, Austin, Texas) Planning Commission approved staff recommendation to allow the cocktail lounge use with the DMU, Downtown Mixed Use zoning district, and limit the hours of operations from 7am to 12 midnight.

**The public hearing was set for August 10, 2006, at 6:00 p.m., City Hall Council Chambers, 301 West 2<sup>nd</sup> Street, Austin, Texas.**

101. Set a public hearing to approve the use of approximately 0.270 acre (11,781 square feet) of parkland for an electric line and a 10-foot temporary work space adjacent to the permanent easement through dedicated parkland known as Yett Creek Park along Riata Vista Circle, in accordance with Sec. 26.001 et seq. of the Texas Parks and Wildlife Code. (Suggested date and time: August 24, 2006 at 6:00 p.m., City Hall Council Chambers, 301 West 2nd Street). All costs associated with construction, as well as any parkland restoration, will be paid by requester. Recommended by Parks Board.  
**The public hearing was set for August 24, 2006 at 6:00 p.m., City Hall Council Chambers, 301 West 2<sup>nd</sup> Street.**

Items 102 through 104 were Executive Session items.

Items 105 through 106 were Action on Executive Session items.

Item 107 was a briefing set for 1:00 p.m.

Items 108 through 151 were zoning items set for 4:00 p.m.

Items 152 through 153 were public hearings set for 6:00 p.m.

### DISCUSSION ITEMS

38. Authorize negotiation and execution of an amendment to the professional services agreement with CAROLLO ENGINEERS, P.C., Austin, TX, for preliminary site assessment work on the alternate Water Treatment Plant 4 site and professional preliminary engineering design services for the Water Treatment Plant 4, in an amount not to exceed \$10,000,000, for a total contract amount not to exceed \$14,496,729.10. Funding in the amount \$10,000,000 is available in the Fiscal Year 2005-2006 Amended Capital Budget of the Austin Water Utility. 17.06% MBE and 4.37% WBE subcontractor participation to date.

**The motion authorizing the negotiation and execution of an amendment to the professional services agreement was approved on Mayor Pro Tem Dunkerley's motion, Council Member Cole's second on a 5-1 vote. Council Member Kim abstained. Council Member Martinez voted nay.**

83. Consider floodplain variance requests by Mr. Enrique Parada in order to obtain a building permit to create a duplex structure from his single-family residence and an adjacent, recently placed structure at 1610 Houston Street, Austin, TX, in the 100-year floodplain of the Hancock Branch of Shoal Creek and to waive the requirement to dedicate a drainage easement to the full limit of the 100-year floodplain by deleting the footprint of the structures from the easement-dedication requirement. Board of Adjustment granted a request for a variance to decrease the minimum rear yard setback from 10 feet to 6.4 feet.  
**Ordinance No. 20060727-083, approving the variance request, was approved on Council Member Leffingwell's motion, Council Member McCracken's second on a 7-0 vote.**

Mayor Wynn recessed the Council Meeting to go into Executive Session at 11:17 a.m.

### EXECUTIVE SESSION

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

Item 102 was discussed later in Executive Session.

103. Discuss acquisition of an interest in real property for Greenway and Destination Parks (November 1998 Bond Election). Real Property - Section 551.072 (related to item #105).
104. Discuss legal issues related to enforcement of traffic control signals by a photographic monitoring system. (Private Consultation with Attorney - Section 551.071) (related to item #93).

Executive Session ended and Mayor Wynn called the Council Meeting back to order at 12:06 p.m.

#### CITIZEN COMMUNICATION: GENERAL

Jeannie Ramirez - Animal Control

John Goldstone - Certificate of Occupancy for 2207 Big Horn

Dr. Crystal Ramirez - Animal Control She donated her time to Jeannie Ramirez.

Leon Hernandez - Barrio Unido

Frances Martinez - Texas State LULAC District 7 Deputy Director for the Elderly, Frances Martinez

Marcelo Tafoya - Texas State LULAC District 7 Director, Marcelo Tafoya

Gavino Fernandez, Jr. - Texas LULAC District 7 Deputy Direct, Gavino Fernandez, Jr.

Paul Hernandez - Accountability to the Voters

Susana Almanza - PODER's Young Scholars for Justice recommendations for youth services. Increase City's budget for youth services.

Anabel Acuna - PODER's Young Scholars for Justice presents recommendations for youth services. Increase City's Budget for youth services.

#### ACTION ON EXECUTIVE SESSION

105. Approve a resolution authorizing the City Manager to negotiate and execute all documents related to acquiring a parcel of land in Northeast Austin using Greenway and Destination Parks Bond Funds (November 1998). (Related to item #103).  
Resolution No. 20060727-105 authorizing the City Manager to negotiate and execute all documents related to acquiring 106 acres of land for a maximum amount of \$5,040,294 from Rubert Ceder and Lillie Belle Ceder, Rubert Ceder, Successor Trustee for the benefit of the Trust created in the Will of Esther Ceder, deceased, Rubert Ceder, Annette Ceder Pannell, Betty Jean Ceder Purvis; W.B. Pannell, Trustee for the Pannell Living Trust and from Betty Jean & Howard Purvis, was approved on Council Member Cole's motion, Council Member Leffingwell's second on a 7-0 vote.

**DISCUSSION ITEMS CONTINUED**

93. Approve a resolution directing the City Manager to create an implementation plan for enforcement of traffic control signals by a photographic monitoring system. (Related to item # 104). (Council Member Jennifer Kim Council Member Lee Leffingwell Council Member Mike Martinez)  
**Resolution No. 20060727-093 was approved Council Member Kim's motion, Council Member Martinez' second on a 7-0 vote. Staff was requested to report back within ninety days.**

**Mayor Wynn recessed the Council Meeting to go into Executive Session at 12:55 p.m.**

**EXECUTIVE SESSION CONTINUED**

102. Discuss legal issues associated with construction claims by Guerrero-McDonald & Associates, Inc., on Spicewood Springs Fire and EMS Station Project; Hutchinson Construction, Inc., on Circle C Fire and EMS Station Project and Terrazas Library Project; and The Barr Company AIA, Inc. on ADA Sidewalks Groups 2 and 3 Projects and Caswell Tennis Center Project and discuss a proposed settlement agreement and/or change order with Guerrero-McDonald And Associates, Inc. on Spicewood Springs Fire and EMS Station Project, Austin, TX. (Private Consultation with Attorney - Section 551.071)(Related to item #18 and #106)

**Executive Session ended and Mayor Wynn called the Council Meeting back to order at 1:43 p.m.**

**ACTION ON EXECUTIVE SESSION CONTINUED**

106. Authorize the City Manager to negotiate and execute a settlement agreement and/or change order with Guerrero-McDonald & Associates, Inc., in connection with construction of Spicewood Springs Fire and EMS Station Project on Spicewood Springs Road, Austin, TX. (Related to item #18 and #102)  
**This item was withdrawn from the agenda.**

**BRIEFING**

107. Presentation of the City of Austin Proposed Budget for Fiscal Year 2006-2007.  
**The presentation was made by Greg Canally, Budget Officer; Toby Futrell, City Manager; and Jenny Gilchrist, Assistant City Attorney.**

**ZONING CONSENT ITEMS**

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

108. C14H-06-0016 – Norwood Tower - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 114 W. 7th Street(Town Lake Watershed) from central business district (CBD) district zoning to central business district-Historic (CBD-H) combining district zoning. First reading approved on June 22, 2006. Vote: 7-0. Applicant: Nancy Burns, LBJ Holding Company. City Staff: Steve Sadowsky, 974-6454.  
**Ordinance No. 20060727-108 for central business district-Historic (CBD-H) combining district zoning was approved.**

109. C14-05-0085 - Powers 20 - Approve second reading of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 11520 North IH-35 Service Road Southbound (Walnut Creek Watershed) from general office (GO) district zoning to community commercial-conditional overlay (GR-CO) combining district zoning. First reading approved on March 2, 2006. Vote: 7-0. Applicant: Frank Alattar/Fred Powers. Agent: Fred Powers. City Staff: Jorge E. Rousselin, 974-2975. **This item was postponed to August 9, 2006 at 1:00 p.m. at staff's request.**
110. C14-06-0053 - Star Riverside Residential - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 1001 IH-35 South (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. First reading approved on June 22, 2006. Vote: 7-0. Applicant and Agent: Brian Bridwell. City Staff: Robert Heil, 974-2330. **Ordinance No. 20060727-110 for lake commercial -conditional overlay (L-CO) combining district zoning for Tract 1 with a height limitation of 120 feet; 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 was approved.**
111. C14-05-0125 - 515 Post Road - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 515 Post Road (East Bouldin Creek Watershed) from family residence-neighborhood plan (SF-3-NP) combining district zoning to neighborhood office-mixed use-conditional overlay-neighborhood plan (NO-MU-CO-NP) combining district zoning. First reading approved on June 22, 2006. Vote: 7-0. Applicant: River City Engineering (Pay Lackey). Agent: David Holt. City Staff: Robert Heil, 974-2330. **Ordinance No. 20060727-111 for neighborhood office-mixed use-conditional overlay-neighborhood plan (NO-MU-CO-NP) combining district zoning was approved.**
112. C14-05-0207 - 6863 U.S. Hwy. 290 West - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by zoning property locally known as 6863 U.S. Highway 290 West (Williamson Creek Watershed-Barton Springs Zone) from interim single-family residence-standard lot (I-SF-2) district zoning to neighborhood commercial-mixed use (LR-MU) combining district zoning. First reading approved on March 23, 2006. Vote: 7-0. Applicant and Agent: Narciso Saucedo, Jr. City Staff: Robert Heil, 974-2330. **Ordinance No. 20060727-112 for neighborhood commercial-mixed use (LR-MU) combining district zoning was approved.**
113. C14-06-0061 - 8509 Southwest Parkway - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 8509 Southwest Parkway (Barton Creek Watershed-Barton Springs Zone) from general office-mixed use-conditional overlay (GO-MU-CO) combining district zoning to general office-mixed use-conditional overlay (GO-MU-CO) combining district zoning to change a condition of zoning. First reading approved on June 22, 2006. Vote: 7-0. Applicant and Agent: Tim Jamail. City Staff: Robert Heil, 974-2330. **Ordinance No. 20060727-113 for general office-mixed use-conditional overlay (GO-MU-CO) combining district zoning to change a condition of zoning was approved.**



114. C14-06-0082 - Kurachi Paint and Body - Approve second/third readings of 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. First reading approved on June 22, 2006. Vote: 6-1 (Kim-Nay). Applicant and Agent: George Kurachi. City Staff: Robert Heil, 974-2330.  
**Ordinance No. 20060727-114 for limited industrial services-conditional overlay-neighborhood plan (LI-CO-NP) combining district zoning was approved.**
115. C14-06-0090 - 5401 Riverside Drive - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 5401 Riverside Drive (Country Club Creek Watershed) from limited office (LO) district zoning to limited office-mixed use-conditional overlay (LO-MU-CO) combining district zoning. First reading approved on June 22, 2006. Vote: 7-0. Applicant: BRTS Joint Ventures (H.C. Bell). Agent: David Armbrust. City Staff: Robert Heil, 974-2330.  
**Ordinance No. 20060727-115 for limited office-mixed use-conditional overlay (LO-MU-CO) combining district zoning was approved.**
116. C14-06-0091 - 5701 Riverside Drive - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 5701 E. Riverside Drive (Country Club Creek Watershed) from limited office (LO) district zoning to limited office-mixed use-conditional overlay (LO-MU-CO) combining district zoning. First reading approved on June 22, 2006. Vote: 7-0. Applicant: BRTS Joint Ventures (H.C. Bell). Agent: David Armbrust. City Staff: Robert Heil, 974-2330.  
**Ordinance No. 20060727-116 for limited office-mixed use-conditional overlay (LO-MU-CO) combining district zoning was approved.**
118. C14-05-0151 - Flex 15 - Approve second reading of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 8420 Longview Road (Williamson Creek Watershed-Barton Springs Zone; South Boggy Creek Watershed) from rural residence (RR) district zoning to townhouse and condominium residence (SF-6) district zoning. At first reading on March 23, 2006, Council approved single-family residence-small lot-conditional overlay (SF-4A-CO) combining district zoning. Vote: 7-0. Applicant: Flex Realty (Brett Vance). Agent: Jim Bennett Consulting (Jim Bennett). City Staff: Wendy Walsh, 974-7719. A valid petition has been filed in opposition to this rezoning request. **This item was postponed to August 9, 2006 at 1:00 p.m. at staff's request.**
119. C14-05-0176 - Shropshire Dessau Retail Tract 1 - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 11801 block of Dessau Road (Walnut Creek Watershed) from development reserve (DR) district zoning to community commercial-conditional overlay (GR-CO) combining district zoning with conditions. First reading approved on May 18, 2006. Vote: 4-1 (Alvarez-Nay; Thomas, Kim off the dais). Applicant: Complete Real Estae SVC, Inc. (David Schoenemann). Agent: Thrower Design (Ron Thrower). City Staff: Sherri Sirwaitis, 974-3057.  
**This item was postponed to August 9, 2006 at 1:00 p.m. at staff's request.**
120. C14-05-0177 - Shropshire Dessau Retail Tract 2 - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 11000 Block of Dessau Road (Walnut Creek Watershed) from development reserve (DR) district zoning to neighborhood commercial-conditional overlay (LR-CO) combining district zoning with conditions. First reading approved on May 18, 2006. Vote: 4-1 (Alvarez-Nay; Thomas, Kim off the dais). Applicant: Complete Real Estate SVC, Inc. (David Schoenemann). Agent: Thrower Design (Ron Thrower). City Staff: Sherri Sirwaitis, 974-3057.  
**This item was postponed to August 9, 2006 at 1:00 p.m. at staff's request.**

122. C814-82.006.01(83) - Lake Austin Commons, AKA Hartland Plaza - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 1717 West 6th Street and 1711 West 5th Street from planned unit development-neighborhood plan (PUD-NP) combining district zoning to planned unit development-neighborhood plan (PUD-NP) combining district zoning to allow a change in the permitted uses. First reading on December 15, 2005. Vote 7-0. Applicant: Lake Austin Commons Ltd. (William F. Burrow, Jr. Agent: Armbrust & Brown, L.L.P. (Richard Suttle, Jr.) City Staff: Jerry Rusthoven, 974-3207.  
**Ordinance No. 20060727-122 for planned unit development-neighborhood plan (PUD-NP) combining district zoning to allow a change in the permitted uses with the revised legal description of Lot 1 of Lake Austin Commons subdivision and Lot 1 Block A, Lake Austin Commons II subdivision was approved.**

### ZONING DISCUSSION ITEMS

117. C14-05-0150 - Fairfield at Woodland Park - Approve third reading of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 3226 West Slaughter Lane (Slaughter Creek Watershed - Barton Springs Zone) from multi-family residence-moderate high density-conditional overlay (MF-4-CO) combining district zoning to multi-family residence-moderate high density-conditional overlay (MF-4-CO) combining district zoning to change a condition of zoning. Second Reading approved on May 25, 2006. Vote: 4-3 (Mayor Pro Tem Thomas, Alvarez and Kim - Nay). Applicant: John M. Harmon and Joyce W. Harmon. Agent: Graves, Dougherty, Hearon and Moody, P.C. (Michael J. Whellan). City Staff: Wendy Walsh, 974-7719  
**This item was postponed to August 9, 2006 at 1:00 p.m. at staff's request on Council Member Leffingwell's motion, Council Member McCracken's second on a 6-0 vote. Council Member Kim was off the dais.**

### ZONING CONSENT ITEMS

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

123. NPA-05-0006.01 - 1201 & 1203 Baylor - Conduct a public hearing and approve an ordinance amending Ordinance No. 000629-105, the Old West Austin Neighborhood Plan, an element of the Austin Tomorrow Comprehensive Plan, by amending text in the plan to remove 1201 and 1203 Baylor Street from the Residential Core district and place it in the Lamar District. City Staff: Mark Walters, 974-7695.  
**This item was postponed to August 9, 2006 at 1:00 p.m. at the neighborhood and staff's request.**
124. C14-05-0012 - 1201 Baylor - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 1201 Baylor Street (Shoal Creek Watershed) from multi-family residence-moderate high density-neighborhood plan (MF-4-NP) combining district zoning to limited office-neighborhood plan (LO-NP) combining district zoning. Planning Commission Recommendation: To grant neighborhood office-mixed use-neighborhood plan (NO-MU-NP) combining district zoning. Applicant and Agent: Chris Pellegrino. City Staff: Jorge E. Rousselin, 974-2975.  
**This item was postponed to August 9, 2006 at 1:00 p.m. at the neighborhood and staff's request.**
125. C14-05-0013 - 1203 Baylor - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 1203 Baylor Street (Shoal Creek Watershed) from multi-family residence-moderate high density-neighborhood plan (MF-4-NP) combining

district zoning to limited office-neighborhood plan (LO-NP) combining district zoning. Planning Commission Recommendation: To grant neighborhood office-mixed use-neighborhood plan (NO-MU-NP) combining district zoning. Applicant and Agent: Tanisa Bernard. City Staff: Jorge E. Rousselin, 974-2975.

**This item was postponed to August 9, 2006 at 1:00 p.m. at the applicant and staff's request.**

126. 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 August 24, 2006 at the neighborhood's request.**

127. 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: Forward to Council without a recommendation. Applicant and Agent: Sam E. Presley. City Staff: Robert Heil, 974-2330.

**This item was postponed to August 9, 2006 at 1:00 p.m. at the applicant and staff's request.**

128. C14-06-0080 - San Jose Lofts - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 108 W. Gibson Street (East Bouldin Creek Watershed) from multi-family residence-moderate high density-neighborhood plan (MF-4-NP) combining district zoning to general commercial services-mixed use-conditional overlay-neighborhood plan (CS-MU-CO-NP) combining district zoning. Planning Commission Recommendation: To grant general commercial services-mixed use-conditional overlay-neighborhood plan (CS-MU-CO-NP) combining district zoning. Applicant: Southside Church of Christ. Agent: Armbrust & Brown (Amanda Morrow). City Staff: Robert Heil, 974-2330.

**This item was postponed to August 9, 2006 at 1:00 p.m. at the applicant's request.**

129. 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.

**Ordinance No. 20060727-129 for 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 was approved.**

130. C14-05-0219 - Seton Southwest - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 7900 FM 1826 Road South (Williamson Creek Watershed-Barton Springs Zone) from interim rural residence (I-RR) district zoning to general office (GO) district zoning. Planning Commission Recommendation: To grant general office (GO) district zoning with conditions. Applicant: Daughters of Charity Health Services of Austin (Peter

Rieck). Agent: Lopez-Phelps & Associates, L.L.P. (Amelia Lopez-Phelps). City Staff: Wendy Walsh, 974-7719.

**Ordinance No. 20060727-130 for general office (GO) district zoning with conditions was approved.**

131. C14-06-0027 - 9804 FM 620 - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 9804 North FM 620 Road (Lake Travis Watershed) from development reserve (DR) district zoning and single-family residence-standard lot (SF-2) district zoning to community commercial (GR) district zoning. Zoning and Platting Commission Recommendation: To grant community commercial-conditional overlay (GR-CO) combining district zoning with conditions. Applicant: Tommy Cain. Agent: Jim Bennett Consulting (Jim Bennett). City Staff: Wendy Walsh, 974-7719.

**Ordinance No. 20060727-131 for community commercial-conditional overlay (GR-CO) combining district zoning with conditions was approved.**

132. C14-06-0059 - Euers Office/Retail Building - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 135 West Slaughter Lane (Onion Creek Watershed) from rural residence (RR) district zoning and single-family residence-standard lot (SF-2) district zoning to community commercial-conditional overlay (GR-CO) combining district zoning. Zoning and Platting Commission Recommendation: To grant community commercial-conditional overlay (GR-CO) combining district zoning with conditions. Applicant: Lester Euers. Agent: Thrower Design (Ron Thrower). City Staff: Wendy Walsh, 974-7719.

**The first reading of the ordinance for community commercial-conditional overlay (GR-CO) combining district zoning with conditions was approved.**

133. C14-06-0077 - Braker Pointe Whole Foods Market - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 10701 North MoPac Expressway (Little Walnut Creek Watershed) from limited industrial services-planned development area (LI-PDA) combining district zoning to limited industrial services-planned development area (LI-PDA) combining district zoning to change a condition of zoning. Applicant: Braker Pointe Joint Venture (David Vitanza). Agent: Alice Glasco Consulting (Alice K. Glasco). City Staff: Jorge E. Rousselin, 974-2975.

**Ordinance No. 20060727-133 for limited industrial services-planned development area (LI-PDA) combining district zoning to change a condition of zoning was approved.**

134. C14-06-0087 - Lake Austin Boulevard - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 2307 Lake Austin Boulevard (Town Lake Watershed) from multi-family residence-medium density (MF-3) district zoning to general commercial services-mixed use (CS-MU) combining district zoning. Zoning and Platting Commission Recommendation: To grant community commercial-mixed use-conditional overlay (GR-MU-CO) combining district zoning. Applicant and Agent: Denver Dunlap. City Staff: Jorge E. Rousselin, 974-2975.

**Ordinance No. 20060727-134 for community commercial-mixed use-conditional overlay (GR-MU-CO) combining district zoning and prohibiting drive-in services was approved.**

135. C14-06-0093 - Mt. Sinai Campus - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 5900 Cameron Road at Reinli St. (Tannehill Branch and Fort Branch Creek Watershed) from community commercial-conditional overlay (GR-CO) district zoning; neighborhood commercial-conditional overlay (LR-CO) combining district zoning; family residence (SF-3) district zoning; and multi-family residence-moderate high density (MF-4) 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 (GR-MU-CO) combining district zoning. Applicant: Mt. Sinai Church (James Wilson). Agent: Aldion Group Realty (Daffney Henry). City Staff: Robert Heil, 974-2330.

**Ordinance No. 20060727-135 for community commercial-mixed use-conditional overlay (GR-MU-CO) combining district zoning was approved.**

136. C14-06-0094 - The Preserve at Riverplace - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 10300 Milky Way Drive (West Bull Creek Watershed) from development reserve (DR) 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 with conditions. Applicant: Christian Fellowship (Cordel Robinson). Agent: Linseisen & Associates (Andrew Linseisen). City Staff: Jorge E. Rousselin, 974-2975.

**Ordinance No. 20060727-136 for single-family residence-large lot-conditional overlay (SF-1-CO) combining district zoning with conditions was approved.**

137. C14-06-0095 - The Preserve at Riverplace - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 10312 Milky Way Drive (West Bull Creek Watershed) from development reserve (DR) 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 with conditions. Applicant: Austin Christian Fellowship (Cordel Robinson). Agent: Linseisen & Associates (Andrew Lineisen). City Staff: Jorge E. Rousselin, 974-2975.

**Ordinance No. 20060727-137 for single-family residence-large lot-conditional overlay (SF-1-CO) combining district zoning with conditions was approved.**

138. C14-06-0096 - Legacy Oaks Christian School - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 7915 Manchaca Road (South Boggy Creek Watershed) from development reserve (DR) district zoning; single-family residence-standard lot (SF-2) district zoning; and family residence (SF-3) district zoning to general office-conditional overlay (GO-CO) combining district zoning. Zoning and Platting Commission Recommendation: To grant general office-conditional overlay (GO-CO) combining district zoning. Applicant: Legacy Oaks Christian School (Charles Davenport). Agent: Cowan-Wipff Consultants (Jeff Cowan). City Staff: Wendy Walsh, 974-7719.

**Ordinance No. 20060727-138 for general office-conditional overlay (GO-CO) combining district zoning was approved.**

139. C14-06-0105 - Dream Cars - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 9577 U.S. Highway 290 East (Decker Creek Watershed) from development reserve (DR) district zoning to community commercial-conditional overlay (GR-CO) combining district zoning. Zoning and Platting Commission Recommendation: To grant community commercial-conditional overlay (GR-CO) combining district zoning. Applicant and Agent: Scott Elder. City Staff: Robert Heil, 974-2330.

**Ordinance No. 20060727-139 for community commercial-conditional overlay (GR-CO) combining district zoning was approved.**

140. C14-06-0107 - Milstead Warehouse - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by zoning property locally known as 12301 Roxie Drive (Lake Creek Watershed) from interim-single-family residence-standard lot (I-SF-2) district zoning to limited industrial services (LI) district zoning. Zoning and Platting Commission Recommendation: To grant limited industrial services-conditional overlay (LI-CO) combining district zoning. Applicant: William C. Milstead. Agent: Land Answers (Jim Witliff). City Staff: Sherri Sirwaitis, 974-3057.

**Ordinance No. 20060727-140 for limited industrial services-conditional overlay (LI-CO) combining district zoning was approved.**

141. C14-06-0108 - Milstead - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by zoning property locally known as 8210 Springdale Road (Walnut Creek Watershed) from interim-rural residence (I-RR) district zoning to limited industrial services-conditional overlay (LI-CO) combining district zoning. Zoning and Platting Commission Recommendation: To grant limited industrial services-conditional overlay (LI-CO) combining district zoning. Applicant: Milstead Company (William C. Milstead). Agent: Land Answers (Jim Witliff). City Staff: Robert Heil, 974-2330.  
**Ordinance No. 20060727-141 for limited industrial services-conditional overlay (LI-CO) combining district zoning was approved.**
142. C14-06-0110 - Highland Commons - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 5775 Airport Boulevard (Tannehill Branch Watershed) from general commercial services-mixed use-neighborhood plan (CS-MU-NP) combining district zoning to commercial liquor sales-mixed use-neighborhood plan (CS-1-MU-NP) combining district zoning. Planning Commission Recommendation: To grant commercial liquor sales-mixed use-conditional overlay-neighborhood plan (CS-1-MU-CO-NP) combining district zoning. Applicant: Highland Commons Shopping Center (Joan Andruus). Agent: Bury & Partners (Melissa Mathisen). City Staff: Jorge E. Rousselin, 974-2975.  
**Ordinance No. 20060727-142 for commercial liquor sales-mixed use-conditional overlay-neighborhood plan (CS-1-MU-CO-NP) combining district zoning was approved.**
143. C14-06-0111 - First Pentecostal Church of Austin - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 7440 Ed Bluestein (Walnut Creek Watershed) from limited office (LO) district zoning; neighborhood commercial (LR) district zoning and multi-family residence-medium density (MF-3) district zoning to neighborhood commercial-conditional overlay (LR-CO) combining district zoning. Planning Commission Recommendation: To grant neighborhood commercial-conditional overlay (LR-CO) combining district zoning. Applicant: First Pentecostal Church of Austin (Ruby Hall). Agent: The Brown Group (Martin Brown). City Staff: Robert Heil, 974-2330.  
**Ordinance No. 20060727-143 for neighborhood commercial-conditional overlay (LR-CO) combining district zoning was approved.**
144. C14-06-0115 - Jenkins 20/21 - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 4208 Manchaca Road (West Bouldin Creek Watershed) from neighborhood commercial (LR) district zoning and family residence (SF-3) district zoning to neighborhood commercial-mixed use-conditional overlay (LR-MU-CO) combining district zoning. Planning Commission Recommendation: To grant neighborhood commercial-mixed use-conditional overlay (LR-MU-CO) combining district zoning. Applicant: Robert Jenkins. Agent: Jim Bennett. City Staff: Robert Heil, 974-2330.  
**The first reading of the ordinance for neighborhood commercial-mixed use-conditional overlay (LR-MU-CO) combining district zoning was approved.**
145. C14R-82-006(RCT) - Austin Auto Park, Lot 1 - Conduct a public hearing and approve a restrictive covenant termination for the property locally known as 13553 Research Boulevard (Lake Creek Watershed). Zoning and Platting Commission Recommendation: To approve the request to terminate the restrictive covenant. Applicant: Asbury Automotive Texas Real Estate Holding (J. Gordon Smith). Agent: Hill, Ward & Henderson, LLP (M. Kristen Hyatt). City Staff: Sherri Sirwaitis, 974-3057  
**The motion terminating a restrictive covenant was approved.**

146. C14R-86-193(RCT) - Prominent Pointe II Restrictive Covenant Termination - Conduct a public hearing and approve a restrictive covenant termination for the property located at 8310 North Capital of Texas Highway (Bull Creek Watershed). Zoning and Platting Commission Recommendation: To approve termination of the restrictive covenant. Applicant: Spicewood Springs Associates and Prominent Northpoint, L.P. (Mark McAllister). Agent: Armbrust & Brown, L.L.P. (Amanda Morrow). City Staff: Sherri Sirwaitis, 974-3057.  
**The motion terminating a restrictive covenant was approved.**
147. C814-01-0096(RCT) - Prominent Pointe II Restrictive Covenant Termination - Conduct a public hearing and approve a restrictive covenant termination for property locally known as 5401, 5405, and 5505 Bluffstone Lane (Bull Creek Watershed). Zoning and Platting Commission Recommendation: To approve the restrictive covenant termination. Applicant: Spicewood Springs Associates and Prominent Northpoint, L.P. (Mark McAllister). Agent: Armbrust & Brown, L.L.P. (Amanda Morrow). City Staff: Sherri Sirwaitis, 974-3057.  
**The motion terminating a restrictive covenant was approved.**
148. C814-06-0054 - Prominent Pointe II PUD - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 5401, 5405, 5505 Bluffstone Lane; 8310 N. Capital of Texas Highway; Bluffstone at Bluegrass Drive (Bull Creek Watershed) from interim-rural residence (I-RR) district zoning; single-family residence-standard lot-conditional overlay (SF-2-CO) combining district zoning; limited office (LO) district zoning; community commercial (GR) district zoning; and planned unit development (PUD) district zoning to planned unit development (PUD) district zoning with conditions. Zoning and Platting Commission Recommendation: To grant planned unit development (PUD) district zoning with conditions. Applicant: Prominent Northpoint, L.P. (Mark McAllister). Agent: Armbrust & Brown, L.L. P (Amanda Morrow). City Staff: Sherri Sirwaitis, 974-3057.  
**The first reading of the ordinance for planned unit development (PUD) district zoning with conditions was approved. The conditions were: Parking requirements are temporarily adjusted to the extent necessary during demolition of the existing surface parking and construction of the parking garage to allow continued occupancy of the existing building; and Requirements for construction sequencing are temporarily adjusted to allow construction of the parking garage and utilities to utilize the existing pond and allow construction of the new pond to occur after the garage utilities are completed.**
151. C14-06-0114 - Our Lady Catholic Church - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 1320 E. 51st St. (Tannehill Branch Creek) from family residence (SF-3) district zoning to community commercial-conditional overlay (GR-CO) combining district zoning. Planning Commission Recommendation: To grant limited office-conditional overlay (LO-CO) combining district zoning. Applicant: Our Lady Catholic Church (Rev. Don J. Sawyer). Agent: Jim Bennett. City Staff: Robert Heil, 974-2330.  
**The first reading of the ordinance for limited office-conditional overlay (LO-CO) combining district zoning and allowing all civic uses was approved.**

## LIVE MUSIC

Eric Tessmer Band

## PROCLAMATIONS

Distinguished Service Award -- Rosemary Castleberry -- to be presented by Mayor Will Wynn and to be accepted by the honoree.

Proclamation -- ADA Commemoration Month -- to be presented by Mayor Will Wynn and to be accepted by Tanya Winters

Proclamation -- World Breastfeeding Month -- to be presented by Mayor Will Wynn and to be accepted by David Lurie and Donna Sundstrom

Proclamation -- Ramiro "Ray" Martinez Day -- to be presented by Council Member Mike Martinez and to be accepted by the honoree

Distinguished Service Award (Heroism) -- Volunteer Firefighter Matt Escobedo -- to be presented by Council Member Mike Martinez and to be accepted by the honoree

### **ZONING DISCUSSION ITEMS CONTINUED**

121. C814-89-0006.03 - Canyon Ridge PUD Amendment #3 - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 7300 F.M. 2222 Road, 6500 and 6508 Jester Boulevard (West Bull Creek Watershed) from planned unit development (PUD) district zoning to planned unit development (PUD) district zoning with conditions. First reading approved on May 18, 2006. Vote: 6-0 (Kim - off the dais). Applicant: FM 2222/Jester, L.P. (Louis R. Williams). Agent: Armbrust & Brown (Richard T. Suttle, Jr.). City Staff: Sherri Sirwaitis, 974-3057. A valid petition has been filed in opposition to this rezoning request.  
**Ordinance No. 20060727-121 for planned unit development (PUD) district zoning with conditions and deletion of fast food restaurant prohibition in the restrictive covenant was approved on Council Member McCracken's motion, Council Member Leffingwell's second on a 6-0 motion. Council Member Martinez was off the dais.**
149. C14-06-0079 - Bluebonnet Creek - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 2215 Bluebonnet Lane (West Bouldin Creek Watershed) from family residence (SF-3) district zoning to multi-family residence-medium density (MF-3) district zoning. Planning Commission Recommendation: To grant multi-family residence-medium density-conditional overlay (MF-3-CO) combining district zoning. Applicant: Howard Baker. Agent: Charles Whitford. City Staff: Robert Heil, 974-2330.  
**This item was postponed to August 10, 2006 at staff's request on Council Member Leffingwell's motion, Council Member McCracken's second on a 6-0 vote. Council Member Martinez was off the dais.**
150. C14-06-0099 - Goodrich - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 2105 Goodrich Ave. (West Bouldin Creek Watershed) from family residence (SF-3) district zoning to urban family residence (SF-5-CO) district zoning. Planning Commission Recommendation: To grant urban family residence-conditional overlay (SF-5-CO) combining district zoning. Applicant: David Ward. Agent: David Boren. City Staff: Robert Heil, 974-2330.  
**The public hearing was closed and the first reading granting urban family residence-conditional overlay (SF-5-CO) combining district zoning was approved with the following conditions on Council Member Cole's motion, Council Member McCracken's second on a 7-0 vote. The conditions were: 2,000 trip limitation, from the east property line would be a seventy foot building setback and within that area, allowed a natural detention pond would be built and parking would be allowed in this area, from the north property line, a building setback of 10 feet, between 10 feet and 20 feet from the North property line buildings are limited to a maximum of 1 story, between 20 feet and the middle of the property from the North property line buildings are limited to 2 stories, a**



maximum of 10 dwelling units on the property, 2 parking spaces required for each dwelling unit and in addition to parking provided for each dwelling unit 2 additional parking spaces are required.

#### PUBLIC HEARINGS AND POSSIBLE ACTIONS

152. Conduct a public hearing to receive comments on issues related to the full purpose annexation of the Lost Creek MUD annexation area (approximately 789 acres in Travis County, located west of Capital of Texas Highway, west of the intersection of Lost Creek Boulevard and Capital of Texas Highway). Full purpose annexation is anticipated in December 2008 in accordance with the City's Municipal Annexation Plan. This item was postponed to August 10, 2006 at staff's request on Mayor Pro Tem Dunkerley's motion, Council Member Leffingwell's second on a 7-0 vote.
153. Conduct a public hearing and approve an ordinance amending Ordinance No. 030717-131 to replace the restricted parking area map in Exhibit A with a new map that includes the following neighborhood associations: Cedar Valley, Laurel Oaks, Martin Luther King, North Shoal Creek, Pecan Springs/Springdale Hills, and Wooten. The public hearing was closed and Ordinance No. 20060727-153 was approved, delaying implementation until October 1, on Council Member McCracken's motion, Mayor Pro Tem Dunkerley's second on a 7-0 vote. Staff was instructed to report back to Council what steps were taken to advise citizens in these neighborhoods about this ordinance.

Mayor Wynn adjourned the meeting at 7:46 p.m. without objection.

The minutes for the Regular Meeting of July 27, 2006 were approved on this the 10th day of August, 2006 on Council Member Leffingwell's motion, Council Member McCracken's second on a 7-0 vote.