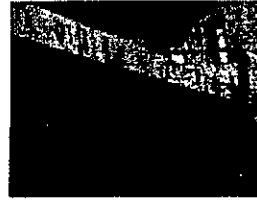
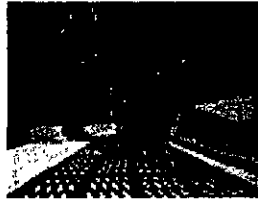


## AGENDA



**Thursday, August 31, 2006**

The Austin City Council will convene at 10:00 AM  
on Thursday, August 31, 2006, at Austin City Hall, Council Chambers,  
301 W. 2nd Street, Austin, TX 78701.



AUSTIN CITY CLERK  
JULIE L. BROWN

06 AUG 25 PM 3:04

- ✓ Mayor Will Wynn
- ✓ Mayor Pro Tem Betty Dunkerley
- ✓ Council Member Lee Leffingwell, Place 1
- ✓ Council Member Mike Martinez, Place 2
- ✓ Council Member Jennifer Kim, Place 3
- ✓ Council Member Brewster McCracken, Place 5
- ✓ Council Member Sheryl Cole, Place 6

For meeting information, contact City Clerk, 974-2210

*The City Council will go into a closed session under Chapter 551 of the Texas Government Code to receive advice from legal counsel, to discuss matters of land acquisition, to discuss personnel matters, to discuss or take action on a "competitive matter" of Austin Energy as provided for under Section 551.086, or for other reasons permitted by law as specifically listed on this agenda. If necessary, the City Council may go into a closed session as permitted by law regarding any item on this agenda.*

**Reading and Action on Consent Agenda**

**Action on the Following:**

**Ordinances / Resolutions / Motions -**

**All of the following items may be acted upon by one motion. No separate discussion or action on any of the items is necessary unless desired by a Council Member.**

**9: 55 AM -- Invocation**

Pastor David Boyd, St. David's Episcopal Church

**10: 00 AM -- City Council Convenes**

**Approval of Minutes**

1. Approval of the minutes from the meeting of August 24, 2006.  
**Backup Material**

**Austin Energy**

2. Approve an ordinance authorizing acceptance of \$30,000 in grant funds from the State Energy Conservation Office (SECO); and amending the Fiscal Year 2005-2006 Austin Energy Department Operating Budget of Ordinance No. 20050912-001 to appropriate \$30,000 in funding for the Texas Center for Commercialization of Electric Technology. Grant funding of \$30,000 is available from the State Energy Conservation Office. Recommended by the Electric Utility Commission. (Related to item # 3)  
**Backup Material**
3. Authorize negotiation and execution of an Interlocal Agreement with the State Energy Conservation Office (SECO) for the Texas Center for Commercialization of Electric Technology funding in the amount of \$30,000. Grant funding of \$30,000 is available from the State Energy Conservation Office. Recommended by the Electric Utility Commission. (Related to item # 2)  
**Backup Material**
4. Authorize negotiation and execution of an Interlocal Agreement with the Austin Independent School District (AISD) to provide funding for a plug-in hybrid electric school bus in an amount not to exceed \$65,000. Funding is available in the Fiscal Year 2005-2006 Amended Operating Budget of Austin Energy. Recommended by the Electric Utility Commission.  
**Backup Material**

5. Authorize negotiation and execution of a cost reimbursement agreement with SOUTHWEST EDUCATIONAL DEVELOPMENT LAB (SEDL), Austin, TX, for the purchase and installation of heat exchangers and associated piping needed to interconnect the new SEDL facility to Austin Energy's Mueller Cooling Heating and Power (CHP) plant in an amount not to exceed \$334,743. Funding in the amount of \$334,743 is available in the Fiscal Year 2005-2006 Capital Improvement Budget. Recommended by the Electric Utility Commission.  
**Backup Material**
6. Approve execution of a contract with SHAW ENERGY DELIVERY SERVICES, INC., Austin, TX, for construction of CKT 1021 Reroute and CKT 947 Fiber Install in an amount not to exceed \$709,494. Funding is available in the Fiscal Year 2005-2006 Amended Capital Improvement Budget of Austin Energy. 9.00% MBE and 0.35% WBE. Recommended by the Electric Utility Commission.  
**Backup Material**

#### **Law**

7. Approve an amendment to the legal services agreement with Steven & Gwendolyn Webb of Webb & Webb regarding franchise negotiations with Texas Gas Service, a division of ONEOK, Inc., in an amount not to exceed \$60,000, for a total contract amount not to exceed \$107,000. Funding in the amount of \$60,000 is available in the Fiscal Year 2005-2006 Approved Operating Budget of Financial and Administrative Services.  
**Backup Material**
8. Approve a legal services agreement with George and Brothers, L.L.P., continuing legal services begun with that firm under its old firm name of George and Donaldson, L.L.P., regarding Allissa M. Chambers v. Josie Valdez d/b/a Valdez Remodeling and the City of Austin; Cause No. 97-08030 in the 53rd Judicial District, Travis County, Texas, in an amount not to exceed \$15,000, for a total contract amount under both contracts not to exceed \$177,000. Funding in the amount of \$15,000 is available in the Fiscal Year 2005-2006 Approved Operating Budget of the Liability Reserve Fund.  
**Backup Material**

#### **Neighborhood Housing and Community Development**

9. Approve the negotiation and execution of three loans under the Holly Good Neighbor Program to demolish existing structures and reconstruct new homes, in a total amount not to exceed \$258,400 to: Juel M. Ritcheson in an amount not to exceed \$81,600; Luz Maria Vasquez in an amount not to exceed \$95,200; and Gavino Fernandez, Jr. in an amount not to exceed \$81,600. Construction on these projects will be performed by ILCOR HOMES, INC., Austin, Texas. Funding is included in the Fiscal Year 2005-2006 Holly Good Neighbor Program administered by the Neighborhood Housing and Community Development Department. Low bid of 3 bids received. 3.31% MBE and 0.43% WBE subcontractor participation.  
**Backup Material**
10. Approve negotiation and execution of Amendment # 2 to the cost reimbursement agreement with Austin Revitalization Authority, Inc. in an amount not to exceed \$70,181.77, for a revised total contract amount not to exceed \$335,455.77, to

reimburse SWB Texas for expenses related to construction of facilities and installation of telecommunication lines within and near East 11th Street Redevelopment, located between East 11th Street, Juniper Street, I.H. 35 and Navasota Street. Funding is available in the Fiscal Year 2005-2006 Operating Budget of Neighborhood Housing and Community Development.

**Backup Material**

#### **Public Safety and Emergency Management**

11. Approve negotiation and execution of an Interlocal Cooperation Act Agreement with Galveston County for short-term shelter during a mandatory evacuation.

**Backup Material**

#### **Public Works**

12. Approve a resolution authorizing the filing of eminent domain proceedings for the Govalle 1-Newton Street Area Wastewater Improvements Project, a portion of the Austin Clean Water Program, to acquire a 1,401 square foot permanent wastewater line easement out of the Isaac Decker League and being a portion of Lot 13, Block B5, R.L. Sweetman's Addition, Block 35, 36, B5, B6, B7, in Travis County, Texas, in the amount of \$22,930. The owners of the needed property interest are Ira Lee Shaw, George Davis, Jr., Alan Shaw, Craig Shaw, George Davis III, Elizabeth Shaw, Oliver Shaw, Elvis Shaw, Michael Gene Shaw, Raymond Shaw, and Nora Lee Shaw. The property is located at 411 West Mary Street, Austin, Travis County, Texas. Funding is included in the Fiscal Year 2005-2006 Capital Budget of the Austin Water Utility.

**Backup Material**

13. Authorize negotiation and execution of an Interlocal Agreement with the CAPITAL METROPOLITAN TRANSPORTATION AUTHORITY for development and funding of the extensions of Rundberg Lane and Saunders Lane and the dedication of Helen Milton Smith Way. The total estimated project cost is \$8,240,000. Funding in the amount of \$7,400,000 is available in the Fiscal Year 2005-2006 Amended Capital Budget of the Public Works Department; funding in the amount of \$840,000 is available in the Fiscal Year 2005-2006 Capital Budget of the Austin Water Utility. (Related to item # 14)

**Backup Material**

14. Approve an ordinance amending the Fiscal Year 2005-2006 Public Works Department Capital Budget of Ordinance No. 20050912-002 to appropriate \$1,600,000 of funding from Capital Metropolitan Transportation Authority to fund the extensions of Rundberg Lane and Saunders Lane. \$1,600,000 is available from a contribution by Capital Metropolitan Transportation Authority toward the project. (Related to item # 13)

**Backup Material**

15. Approve a resolution authorizing the negotiation and execution of all documents necessary to release a real property interest, an Access Easement, to HILL COUNTRY GALLERIA, LP in exchange for Hill Country Galleria, LP providing an alternate access drive to the City to access Galleria Parkway located between RM 2244 and RM 620 roughly parallel to SH 71, in Travis County.

**Backup Material**

16. Approve the negotiation and execution of a 25-year lease with GREG AND KAREN BIEHLE for the use of approximately 2,384 square feet of City-owned land located at 35th and Mills Avenue, for the purpose of off-site parking.  
**Backup Material**
17. Approve the negotiation and execution of a 25-year lease with JUDY TAYLOR for the use of approximately 1,957 square feet of City-owned land located at 34th and Mills Avenue, for the purpose of off-site parking.  
**Backup Material**
18. Approve an ordinance amending Section 12-4-24 of the City Code to establish a maximum speed limit of 25 miles per hour on residential streets within the area bounded by South 1st Street, Congress Avenue, Stassney Lane, and William Cannon Drive. Funding in the amount of \$6000 is available in the Fiscal Year 2005-2006 Operating Budget of the Public Works Department for installation of necessary signs.  
**Backup Material**
19. Approve an ordinance amending Section 12-4-24 of the City Code to establish a maximum speed limit of 25 miles per hour on residential streets within the area bounded by Stassney Lane, Manchaca Road, Ben White Boulevard, and the Union Pacific Railroad. Funding in the amount of \$10,000 is available in the Fiscal Year 2005-2006 Operating Budget of the Public Works Department for installation of necessary signs.  
**Backup Material**
20. Approve an ordinance amending Section 12-4-24 of the City Code to establish a maximum speed limit of 25 miles per hour on residential streets within Wooten and Sunset View Neighborhood areas bounded by U.S. Highway 183 (Research Boulevard) to the northeast, Anderson Lane to the south, and Burnet Road to the west. Funding in the amount of \$4,730 is available in the Fiscal Year 2005-2006 Operating Budget of the Public Works Department for the installation of necessary signs.  
**Backup Material**
21. Approve an ordinance amending Section 12-4-41 of the City Code by adding Park Bend Drive from MoPac Expressway (Loop 1) Northbound Service Road to 1160 feet west of Cedar Bend Drive to the list of streets having a maximum speed limit of 35 miles per hour at all times. Funding in the amount of \$300 is available in the Fiscal Year 2005-2006 Operating Budget of the Public Works Department for the installation of necessary signs.  
**Backup Material**
22. Authorize the City Manager to negotiate and execute construction contracts with Hensel Phelps Construction Company and the Schindler Group for the completion of the Austin-Bergstrom International Airport Elevator and Escalator Improvement Project in the not to be exceeded aggregate amount of \$1,105,281, as an item necessary to preserve or protect the public health or safety.  
**Backup Material**
23. Approve negotiation and execution of an amendment to the purchase contract with MONTOPOLIS LAND COMPANY to increase the non-refundable earnest money payment in the amount of \$47,000 for a total amount not to exceed \$94,000, related to the acquisition of approximately 50 acres located along Hergotz Road and Thompson

Lane. Funding in the amount of \$47,000 is available in the Fiscal Year 2005-2006 Capital Budget of the Austin Water Utility

**Backup Material**

24. Authorize execution of change order # 10 to the construction contract with BARECKY CONSTRUCTION COMPANY, Wimberley, TX, for the Spicewood Springs Branch Library Expansion Re-Bid in the amount of \$73,337, for a total contract amount not to exceed \$1,771,149.76. Funding in the amount of \$73,337 is available in the Fiscal Year 2005-2006 Approved Capital Budget of the Library Department. 0.10% MBE and 25.68% WBE subcontractor participation to date including this change order. Conditional Use Permit approved by Zoning and Platting Commission.

**Backup Material**

#### **Purchasing Office**

25. Authorize negotiation and execution of Amendment No. 4 of a contract with AMERICAN LEGAL PUBLISHING CORPORATION (ALP), Cincinnati, OH, to reformat and republish the Land Development Code Technical Criteria Manuals. Funding in the amount of \$70,395 is available in the Fiscal Year 2005-2006 Operating Budget from the Office of the City Clerk. 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 solicitation.

**Backup Material**

#### **Telecommunications & Regulatory Affairs**

26. Approve first reading of an ordinance granting a franchise agreement to Texas Gas Service, a division of ONEOK, Inc. to provide natural gas distribution services. Funding in the amount of \$ 6,548,600 in Franchise Fee Revenue was included in the FY 2006-07 Proposed Budget. Presented to Council Committee for Emerging Technology and Telecommunications
27. Approve an ordinance denying a rate increase filing of Atmos Energy Corporation, Mid-Tex Division; requiring reimbursement of municipal rate case expenses by the regulated utility; and providing notice of this ordinance to Atmos Energy Corporation, Mid-Tex Division.

**Backup Material**

#### **Watershed Protection and Development Review**

28. Approve an ordinance waiving the development regulations of Ordinance No. 20060309-058 to allow the construction of a single family residence at 1508 W. 30th Street, Austin, TX.
29. Approve an ordinance waiving the development regulations of Ordinance No. 20060309-058 to allow the construction of a single family residence at 4414 Larcina Drive Austin, TX.

**Backup Material**

#### Item(s) from Council

30. Approve appointments to citizen board and commissions, to Council subcommittees and other intergovernmental bodies and removal and replacement of members.  
**Backup Material**
31. Approve waiver of fees and requirements under Chapter 14 of the Code, and authorize payment of certain costs for the Fiesta de Independencia Foundation's 2006 Fiesta de Independencia to be held at Waterloo Park on September 15, 2006. (Council Member Mike Martinez Mayor Will Wynn Mayor Pro Tem Betty Dunkerley)  
**Backup Material**
32. Approve an ordinance repealing Section 12-1-33 of the City Code and replacing it with a new Section 12-1-33 to prohibit the use of an engine brake or retarder on a roadway within the corporate limits of the City, and providing an exemption for emergency vehicles. (Council Member Lee Leffingwell Mayor Pro Tem Betty Dunkerley)  
**Backup Material**
33. Approve a resolution recognizing the Austin Public Safety Officers Association as the sole and exclusive bargaining agent for all law enforcement officers employed by the Public Safety and Emergency Management Department other than the Department Director, Assistant Department Director, and other exempt employees, for purposes of engaging in Meet and Confer negotiations under Chapter 142 of the Texas Local Government Code, and determining that the City of Austin may engage in Meet and Confer negotiations under such Chapter. (Council Member Lee Leffingwell Council Member Mike Martinez)  
**Backup Material**
34. Approve a resolution directing the City Auditor, with input from the City Manager as well as public safety departments and public safety associations, and upon approval of the Audit & Finance Committee of the City Council, to solicit, negotiate, and execute a contract with consultants having expertise in public safety operations and administration for the purpose of conducting an independent assessment of public safety in the City of Austin. (Scope of work and implementation is contingent upon approved Fiscal Year 2006-2007 budget.) (Council Member Brewster McCracken Council Member Lee Leffingwell Council Member Mike Martinez)  
**Backup Material**

#### Item(s) to Set Public Hearing(s)

35. Set a public hearing to consider an Ordinance repealing Chapter 25-12, Article 3 of the City Code relating to pools and spas and adopting a new Chapter 10-7, Pools and Spas. (Suggested Date and Time: September 28, 2006 at 6:00 pm, Austin City Hall Council Chambers, 301 W. Second Street.)  
**Backup Material**
36. Set a public hearing to receive public comment on the location of a second day labor site at 2101 E. Ben White Blvd. (Suggested date and time: September 28, 2006 at 6:00 p.m., Austin City Hall, Council Chambers, 301 W. Second St.)  
**Backup Material**
37. Set a public hearing to consider an amendment to Section 25-2-4(B)(42) of the City Code to amend the definition of medical offices to include a compounding pharmacy

use. (Suggested date and time: September 28, 2006 at 6:00 p.m., City Hall Council Chambers, 307 West Second Street.)

**Backup Material**

38. Set a public hearing to receive public comments on proposed amendments to the Large Primary Service Special Contract Rider in the Electric Rate Schedule in Exhibit A of Ordinance No. 20050912-004, and on a proposed Large Primary Service Special Contract Rider II to be added to the Electric Rate Schedule. (Suggested date and time: September 28, 2006, at 6:00 p.m., Austin City Hall, Council Chambers, 301 West 2nd Street).

**Backup Material**

39. Set a public hearing under Chapter 26 of the Texas Parks and Wildlife Code to consider using approximately 45 acres for the construction of Water Treatment Plant # 4 (WTP# 4) on a Balcones Canyonland Preserves (BCP) tract known as Cortaña, located along F.M. 620 between Steiner Ranch Blvd. and F.M. 2222 in accordance with Sec. 26.001 et seq. of the Texas Parks and Wildlife Code. (Suggested date and time: September 28, 2006 at 6:00 p.m., Austin City Hall, Council Chambers, 301 W. Second Street, Austin, TX). All costs associated with the construction, as well as any BCP mitigation will be paid by the Austin Water Utility Department. Recommended by Water and Wastewater Commission, BCP Citizens Advisory Committee, Balcones Canyonland Preserve (BCP) Science Advisory Committee August, Environmental Board and BCP Coordinating Committee.

**Backup Material**

40. Set public hearings to receive comments on issues related to the full purpose annexation of the North Acres Annexation Area (approximately 381 acres in northeast Travis County, located between North IH-35 and Dessau Road just south of East Braker Lane.) Full purpose annexation is anticipated in December 2008 in accordance with the City's Municipal Annexation Plan. (Suggested dates and time: September 28, 2006 at 6:00 p.m., Austin City Hall, Council Chambers, 301 West Second Street, Austin, TX; and October 3, 2006 at 6:30 p.m., Holy Word Lutheran Church, 10601 Bluff Bend Dr., Austin, TX.)

**Backup Material**

41. Set a public hearing to consider amendments to Sections 25-2-766.13 and 25-2-766.14(A) of the City Code to authorize the administrative waiver of certain interim development design standards established in the Transit-Oriented Development (TOD) ordinance and Section 25-2-766.04(A) and Chapter 25-2, Appendix D of the City Code to establish the Highland Mall and South IH-35 TOD districts. (Suggested date and time: October 5, 2006 at 6:00 p.m., Austin City Hall, Council Chambers, 301 West 2nd Street.) (No fiscal impact.)

**Backup Material**

**11: 00 AM -- Morning Briefings**

42. Presentation of the City of Austin Fiscal Year 2006-2007 Proposed Budget including: the Neighborhood Planning and Zoning Department; Watershed Protection and Development Review Department; Public Works Department; Austin Water Utility; Austin Energy; and Economic Growth and Redevelopment Services Office.



**12: 00 PM -- Citizen Communications: General**

CarolAnneRose Kennedy - To Be Announced

Don A. Williamson - K.A.B.

Nancy Dennis - Peak Oil

Larry Gilg - Peak Oil

Susan Gilg - Peak Oil

John W. Botti - Peak Oil

Paul Robbins - City Issues

Richard H. Pierce - "Dick" Pierce - American Youthworks and the National Council of La Raza Strengthening Families Award

Richard Halpin - American Youthworks and the National Council of La Raza Strengthening Families Award

Pat Johnson - Ritual Rape of Motorist Continues by certain Towing Companies

**Executive Session**

43. Discuss legal issues related to Texas Local Government Code Chapter 245 claims by Advanced Micro Devices and Stratus Properties regarding development of the Lantana Tract. (concerns development in an area subject to the Save Our Springs Initiative, Chapter 25-8 of the City Code)(Private Consultation with Attorney 551.071)

**Backup Material**

44. Discuss legal issues related to the City of Austin Minority-Owned and Women-Owned Business Enterprise Procurement Program. (Private Consultation with Attorney 551.071)

**Backup Material**

45. Discuss legal issues related to Allissa M. Chambers v. Josie Valdez d/b/a Valdez Remodeling and the City of Austin; Cause No. 97-08030 in the 53rd Judicial District, Travis County, Texas (concerns a dispute involving Community Development Block Grant funds used for renovations to a home)(Private Consultation with Attorney - Section 551.071)

**Backup Material**

46. Discuss legal issues related to Anwar Choudhary, Individually and as next friend of Ahmed Choudhary, a minor, and Talat Choudhary v. City of Austin; Cause No. GN403979, in the 345th Judicial Court of Travis County, Texas. (concerns an alleged negligence claim) (Private Consultation with Attorney - Section 551.071) (Related to Item # 47)

**Backup Material**

**Action on Executive Session**

47. Approve a settlement agreement in Anwar Choudhary, Individually and as next friend of Ahmed Choudhary, a minor, and Talat Choudhary v. City of Austin; Cause No. GN403979, in the 345th Judicial Court of Travis County, Texas. (concerns an alleged negligence claim) (Related to item # 46)

**Backup Material**

**2: 00 PM -- Discussion and Possible Action on Bond Sales**

48. Approve an ordinance authorizing the issuance of \$24,150,000 City of Austin, Texas, Certificates of Obligation, Series 2006, and all related documents.

\$1,937,500 in the first year debt service requirement and \$400 estimated annual administration fee for the paying agent/registrar for the proposed Certificate of Obligation sale is included in the 2006-2007 Proposed Operating Budget of the General Obligation Debt Service Fund. Approved by the Audit and Finance Committee

**Backup Material**

49. Approve an ordinance authorizing the issuance of \$14,120,000 in City of Austin, Texas; Public Property Finance Contractual Obligations, Series 2006, and all related documents.

\$1,185,067 in the first year debt service requirement and \$400 estimated annual administration fee for the paying agent/registrar for the proposed contractual obligation sale is included in the 2006-2007 Proposed Operating Budget of the General Obligation Debt Service Fund. Approved by the Audit and Finance Committee.

**Backup Material**

50. Approve an ordinance authorizing the issuance of \$31,585,000 in City of Austin, Texas, Public Improvement Bonds, Series 2006, and all related documents.

\$1,579,250 in the first year debt service requirement and \$400 estimated annual administration fee for the paying agent/registrar for the proposed bond sale is included in the 2006-2007 Proposed Operating Budget of the General Obligation Debt Service Fund. Approved by the Audit and Finance Committee.

**Backup Material**

**2: 30 PM -- Briefings**

51. Conduct a briefing on the feasibility study regarding the combination of the Austin Police Department, the City Marshals, the Austin Park Police and the Airport Police under a central command and control.

**4: 00 PM -- Zoning Ordinances / Restrictive Covenants (HEARINGS CLOSED)**

52. 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. On March 23, 2006, the Council approved single-family residence-small lot-conditional overlay (SF-4A-CO) combining district zoning with conditions on first reading. 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.

**Backup Material**

53. C14-06-0080 - San Jose Lofts - Approve second/third readings of 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. First reading approved on August 24, 2006. Vote : 6-0 (Council Member Kim off the dais). Applicant: Southside Church of Christ. Agent: Armbrust & Brown (Amanda Morrow). City Staff: Robert Heil, 974-2330.

**Backup Material**

**4: 00 PM -- Zoning and Neighborhood Plan Amendments (Public Hearings and Possible Action)**

- 54 PH. C14-06-0135 - Private Mini Storage - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 604 and 700 Corral Lane and 7116 South IH-35 Service Road Southbound (South Boggy Creek Watershed) from single-family residence-standard lot (SF-2) district zoning and family residence (SF-3) district zoning to general commercial services (CS) district zoning. Staff Recommendation: To deny general commercial services (CS) district zoning. Zoning and Platting Commission Recommendation: To be reviewed on September 5, 2006. Applicant: Amy Trost and Christopher Masey; DL Chase Investments (Daniel Case). Agent: Lopez-Phelps & Associates, LLP (Amelia Lopez-Phelps). City Staff: Wendy Walsh, 974-7719.

**Backup Material**

- 55 PH. C14-06-0116 - 1017 West Slaughter - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 1017 West Slaughter Lane (Slaughter Creek Watershed) from development reserve (DR) district zoning to neighborhood commercial (LR) district zoning. Staff Recommendation: To grant neighborhood commercial-conditional overlay (LR-CO) combining district zoning for Tract 1, and limited office-conditional overlay (LO-CO) combining district zoning for Tract 2. Zoning and Platting

Commission Recommendation: To grant neighborhood commercial-mixed use-conditional overlay (LR-MU-CO) combining district zoning for Tract 1, and limited office-mixed use-conditional overlay (LO-MU-CO) combining district zoning for Tract 2. Applicant: Elinor Walther (Elinor Kosta). Agent: Land Answers (Jim Wittliff). City Staff: Wendy Walsh, 974-7719.

**Backup Material**

- 56 PH. C14-06-0136 - 1701 & 1703 Windoak - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 1701 & 1703 Windoak (Harpers Branch Watershed) from family residence (SF-3) district zoning to townhouse and condominium residence (SF-6) district zoning. Staff Recommendation: To grant townhouse and condominium residence-conditional overlay (SF-6-CO) combining district zoning. Planning Commission Recommendation: To grant townhouse and condominium residence-conditional overlay (SF-6-CO) combining district zoning. Applicant: FS Ventures (Jim Cummings). Agent: Urban Design (Laura Touns). City Staff: Robert Heil, 974-2330  
**Backup Material**
- 57 PH. C14H-05-0017 - Baugh-Colby House - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 1102 Enfield Road (Shoal Creek Watershed) from multi-family residence-medium density-neighborhood plan (MF-3-NP) combining district zoning to multi-family residence-medium density-historic-neighborhood plan (MF-3-H-NP) combining district zoning. Staff Recommendation: To grant multi-family residence-medium density-historic-neighborhood plan (MF-3-H-NP) combining district zoning. Planning Commission Recommendation: To grant multi-family residence-medium density-historic-neighborhood plan (MF-3-H-NP) combining district zoning. Applicant: Historic Landmark Commission. City Staff: Steve Sadowsky, 974-6454  
**Backup Material**
- 58 PH. C14-06-129 - Pavilion Park and Ride Expansion - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 11979 Research Boulevard and 11933 Jollyville Road (Walnut Creek Watershed) from public (P) district zoning; limited office (LO) district zoning; and community commercial (GR) district zoning to general commercial services (CS) district zoning. Staff Recommendation: To grant general commercial services-conditional overlay (CS-CO) combining district zoning for Tract 1 and limited office-conditional overlay (LO-CO) combining district zoning for Tract 2. Zoning and Platting Commission Recommendation: To grant general commercial services-conditional overlay (CS-CO) combining district zoning for Tract 1 and limited office-conditional overlay (LO-CO) combining district zoning for Tract 2. Applicant: Capital Metropolitan (John E. Hodges); Compass Properties (Mitchell Wong). Agent: Doucet & Associates (Ted McConaghy). City Staff: Sherri Sirwaitis, 974-3057.  
**Backup Material**
- 59 PH. C14-06-0104 - Olympic Heights West - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as the East terminus of Yandall Drive (also known as the 2400 Block of Frate Barker Road) (Slaughter Creek Watershed-Barton Springs Zone; Bear Creek Watershed) from interim-rural residence (I-RR) district zoning to single-family residence-standard lot (SF-2) district zoning for Tract 1; and single-family residence-small lot-conditional overlay (SF-4A-CO) combining district zoning for Tract 2. Staff

Recommendation: To grant single-family residence-small lot-conditional overlay (SF-4A-CO) combining district zoning for Tracts 1 and 2. Zoning and Platting Commission Recommendation: To grant single-family residence-standard lot-conditional overlay (SF-2-CO) combining district zoning for Tract 1; and single-family residence-small lot-conditional overlay (SF-4A-CO) combining district zoning for Tract 2. Applicant: Truman F. Martin and Joyce A. Martin. Agent: Jackson Walker, L.L.P. (Jim Nias). City Staff: Wendy Walsh, 974-7719.

**Backup Material**

- 60 PH. C14-06-0097 - Cody Pools - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 2300 West Parmer Lane (Walnut Creek Watershed) from interim-rural residence (I-RR) district zoning to general commercial services (CS) district zoning. Staff Recommendation: To grant limited office-conditional overlay (LO-CO) combining district zoning. Zoning and Platting Commission Recommendation: To grant neighborhood commercial-conditional overlay (LR-CO) combining district zoning. Applicant: Cody Pools, Inc. (Michael R. Church). Agent: Permit Me (Maureen Morphew). City Staff: Sherri Sirwaitis, 974-3057.

**Backup Material**

- 61 PH. C14-06-0100 - Bull Creek Apartments - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 4320-4330 Bull Creek Road (Shoal Creek Watershed) from multi-family residence-moderate-high density (MF-4) district zoning to multi-family residence-highest density-conditional overlay (MF-6-CO) combining district zoning. Staff Recommendation: To grant multi-family residence-moderate-high density (MF-4) district zoning and multi-family residence-highest density-conditional overlay (MF-6-CO) combining district zoning. Zoning and Platting Commission Recommendation: To grant multi-family residence-highest density-conditional overlay (MF-6-CO) combining district zoning. Applicant: ACS/Quali Ridge Properties (Manny Farahani). Agent: Ardent Residential (Brett Denton). City Staff: Jorge E. Rousselin, 974-2975.

**Backup Material**

- 62 PH. C14-06-0128 - Austex/Reeves - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 403 East Braker Lane (Walnut Creek Watershed) from community commercial-conditional overlay (GR-CO) combining district zoning to community commercial-conditional overlay (GR-CO) combining district zoning to change a condition of zoning. Staff Recommendation: To grant neighborhood commercial-conditional overlay (LR-CO) combining district zoning. Zoning and Platting Commission Recommendation: To grant community commercial-conditional overlay (GR-CO) combining district zoning to change a condition of zoning. Applicant: Austex Body & Paint (Henry Jones). Agent: Jim Bennett. City Staff: Jorge E. Rousselin, 974-2975.

**Backup Material**

**5: 30 PM -- Live Music**

Rosie Flores

**5: 30 PM -- Proclamations**

Presentation of a Design Award to the City by Rolfe Jennings, Concrete Reinforcing Steel Institute, to be accepted by Mayor Will Wynn and City Manager Toby Hammett Futrell

Proclamation -- National Prostate Cancer Month -- to be presented by Mayor Will Wynn and to be accepted by Leibel Harelik

Proclamation -- Electric Cars of Austin -- to be presented by Mayor Will Wynn and to be accepted by Dilum Chandrasoma

Proclamation -- 2nd Annual RIF of Austin Read-a-Thon -- to be presented by Mayor Will Wynn and to be accepted Pat Fuszek

Certificates of Congratulations -- Volunteers of the Month for July and August -- to be presented by Council Member Brewster McCracken and to be accepted by Jan Neve and Linda Welsh

#### **6: 00 PM -- Public Hearings and Possible Actions**

- 63 PH. Conduct a public hearing and consider an ordinance amending Title 25 of the City Code to establish regulations relating to the distance separating a mobile food establishment from a residential use. (No fiscal impact.) (Recommended by Planning Commission.)

**Backup Material**

- 64 PH. Conduct a public hearing to receive public comment on the City of Austin Fiscal Year 2006-2007 Proposed Budget including the Neighborhood Planning and Zoning Department, the Watershed Protection and Development Review Department, the Public Works Department, the Austin Water Utility, Austin Energy, and the Economic Growth and Redevelopment Services Office.

**Backup Material**

- 65 PH. Conduct a public hearing on the proposed ad valorem tax rate for Fiscal Year 2006-2007.

**Backup Material**

- 66 PH. Conduct 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. No fiscal impact

**Backup Material**

- 67 PH. Conduct a public hearing to receive public comment on the proposed rate and fee changes for the Solid Waste Services as part of the Fiscal Year 2006-2007 Proposed Budget. No fiscal impact.


**Backup Material**

- 68 PH. Conduct a public hearing and approve second/third readings of an ordinance amending the City Code to establish design standards for commercial, multi-family and mixed use development. The design standards ordinance includes regulations addressing building location, streets and walkways, pedestrian and vehicular connections, parking, exterior lighting, screening, open space, shading, building design


and related Land Development Code amendments. (Recommended by Planning Commission, Zoning and Platting Commission; Design Commission and, Environmental Board)


 **Backup Material**

- 69 PH. Conduct a public hearing and consider an ordinance amending Title 25 of the City Code relating to height provisions, compatibility provisions, noncomplying structure provisions, building permit provisions, and the applicability of the residential design and compatibility regulations adopted by Council on June 22, 2006; and additional amendments necessary to reformat the residential design and compatibility regulations adopted by Council on June 22, 2006. (Recommended by Planning Commission)

 **Backup Material**

Adjourn

 *The City of Austin is committed to compliance with the Americans with Disabilities Act. Reasonable modifications and equal access to communications will be provided upon request.*

 *For assistance please call 974-3256 OR 974-2445 TDD.*

A person may request a Spanish language interpreter be made available by contacting the City Clerk's Office not later than two hours before the scheduled time of the item on which the person wishes to speak. Please call 974-3256 in advance or inform the City Clerk's staff present at the council meeting.

Cualquier persona puede solicitar servicios de intérprete en español comunicándose con la oficina del Secretario/a Municipal a no más tardar de dos horas antes de la hora determinada para el asunto sobre el cual la persona desea comentar. Por favor llame al 974-3256 con anticipo o informe al personal del

Secretario/a Municipal presente en la sesión del Consejo.

# CITY COUNCIL AGENDA

## Council Meetings

January 12, 2006  
January 26, 2006

February 2, 2006  
February 9, 2006  
February 16, 2006

March 2, 2006  
March 9, 2006  
March 23, 2006

April 6, 2006  
April 20, 2006  
April 27, 2006

May 4, 2006  
May 18, 2006  
May 25, 2006

June 8, 2006  
June 22, 2006

July 27, 2006

August 10, 2006  
August 24, 2006  
August 31, 2006

September 11,12,13  
(Budget Readings)  
September 28, 2006

October 5, 2006  
October 19, 2006  
October 26, 2006

November 2, 2006  
November 16, 2006  
November 30, 2006

December 7, 2006  
December 14, 2006

## Cancelled Meetings

January 5, 2006  
January 19, 2006

February 23, 2006

March 16, 2006  
March 30, 2006

April 13, 2006

May 11, 2006

June 1, 2006  
June 15, 2006  
June 29, 2006

July 6, 2006  
July 13, 2006  
July 20, 2006

August 3, 2006  
August 17, 2006

September 7, 2006  
September 14, 2006  
September 21, 2006

October 12, 2006

November 9, 2006  
November 23, 2006

December 21, 2006  
December 28, 2006