For meeting information, contact the City Clerk, 974-2210

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.
NOTICE OF REGULAR MEETING
THURSDAY, JANUARY 13, 2005

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9:55 A.M. Invocation

Multi-denominational invocation coordinated by Austin Area Interreligious Ministries

Posted Date: Friday, January 07, 2005
10:00 A.M. City Council Convenes

THE CITY COUNCIL OF THE CITY OF AUSTIN, TEXAS WILL CONVENE AT 10:00 AM ON THURSDAY, JANUARY 13, 2005, IN THE COUNCIL CHAMBERS OF CITY HALL, 301 W. 2ND STREET, AUSTIN, TEXAS.

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 the Electric Utility Department 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.

Meeting Minutes

1. Approval of minutes from the meeting of December 16, 2004.

Austin Energy

2. Approve issuance of a rebate in the amount of $98,586 to ORACLE CORPORATION for the installation of a high efficiency chiller, super-e motors, occupancy sensors and variable speed drives at 11400 North Lamar Blvd. (Funding in the amount of $98,586 is available in the Fiscal Year 2004-2005 Operating Budget of the Conservation Rebates and Incentive Budget of Austin Energy.) (Recommended by the Resource Management Commission.)

Posted Date: Friday, January 07, 2005
3. Approve issuance of a rebate in the amount of $58,904 to TYCO CORPORATION c/o REIT MANAGEMENT for the installation of a high efficiency lighting retrofit at 12501 Research Blvd. (Funding in the amount of $58,904 is available in the Fiscal Year 2004-2005 Operating Budget of the Conservation Rebates and Incentive Budget of Austin Energy.) (Recommended by the Resource Management Commission.)

Fire

4. Adopt an ordinance to establish classifications and positions in the classified service of the Austin Fire Department and repeal Ordinance No. 040913-06.

5. Adopt a resolution confirming the City Manager's designation of Assistant Fire Chief Jim Evans as Acting Fire Chief effective January 15, 2005.

Health and Human Services

6. Approve execution of an Interlocal Cooperation Agreement with Travis County and the Austin Travis County Mental Health Mental Retardation Center (ATCMHMRC) for the provision of mental health and mental retardation services by the ATCMHMRC in an amount not to exceed $2,598,200 ($1,472,147 City; $1,126,053 County), with three 12-month renewal options in an amount not to exceed $2,598,200 ($1,472,147 City; $1,126,053 County) per renewal option, for a total agreement amount not to exceed $10,392,800 ($5,888,588 City; $4,504,212 County). (Funding in the amount of $1,104,110 is included in the Fiscal Year 2004-2005 Approved Operating Budget of the Health and Human Services Department and $844,540 will be provided by Travis County. The contract period for the Interlocal Agreement will be January 1, 2005 through December 31, 2005. Funding for the remaining three months of the contract and renewal options is contingent upon available funding in future budgets.)

Posted Date: Friday, January 07, 2005
7. Approve execution of an Interlocal Cooperation Agreement with Travis County and the Austin Travis County Mental Health Mental Retardation Center (ATCMHMRC) for the provision of Substance Abuse Treatment Services by ATCMHMRC in an amount not to exceed $1,440,102.00 ($828,303 City; $611,799 County), with three 12-month renewal options in an amount not to exceed $1,440,102 ($828,303 City; $611,799 County) per renewal option, for a total agreement amount not to exceed $5,760,408 ($3,313,212 City; $2,447,196 County). (Funding in the amount of $426,227 is included in the Fiscal Year 2004-2005 Approved Operating Budget of the Health and Human Services Department, $195,000 is included in Approved Operating Budget of the Municipal Court and $458,849 will be provided by Travis County. Funding for the remaining three months of the agreement and renewal options is contingent upon available funding in future budgets.)

8. Approve execution of a 12-month contract for the Center for Disease Control's (CDC) STEPS for a Healthier Austin (SHA) Program, with AUSTIN FAMILIES, INC. dba FAMILYCONNECTIONS to provide training and programming at local childcare sites to promote physical activity and proper nutrition to parents, children and staff, in an amount not to exceed $52,595, and three 12-month extension options in an amount of $75,000, for a total agreement not to exceed $277,595. (Funding in the amount of $52,595 is included in the Fiscal Year 2004-2005 Approved Operating Budget of the Health and Human Services Special Revenue Fund from the U.S. Department of Health and Human Services' Centers for Disease Control and Prevention (CDC) Steps to a Healthier U.S. (STEPS) grant program. The grant period is from September 22, 2004 through September 21, 2005. Funding for the renewal options is contingent upon available funding in future budgets.)

**Neighborhood Housing and Community Development**

9. Approve the negotiation and execution of a Neighborhood Commercial Management Loan Program (NCMP) loan to SOUTHWEST KEY PROGRAM, INCORPORATED, (Southwest Key) in an amount not to exceed $624,000 and waive certain NCMP guideline requirements, subject to a written determination by the U.S. Department of Housing and Urban Development (HUD) of the maximum loan amount available under 24 CFR 570.209, for the construction of an approximately 32,000 square foot facility to house the corporate offices of Southwest Key, an alternative school, community computer lab, and business incubator. (Community Development Block Grant funding is available in the Neighborhood Housing and Community Development Department's Neighborhood Commercial Management Loan Program subject to a written determination of eligibility for Southwest Key and fund release from HUD.)

**Posted Date: Friday, January 07, 2005**
Neighborhood Planning and Zoning

10. Approve a resolution authorizing the release of two tracts totaling approximately 48.112 acres of extraterritorial jurisdiction (ETJ) from the City of Austin to the City of Dripping Springs (One of the proposed release tracts is approximately 630 feet west of the intersection of US 290 W and Nutty Brown Road, and the other proposed release tract is at the intersection of Nutty Brown Road and Kit Carson Drive).

11. Approve second/third reading of an ordinance to annex the Greenshores area (Approximately 176.8 acres in Travis County approximately one mile east of the intersection of City Park Road and Pearce Road); and waive zoning application fees for property within the annexed area for a period of one year from the effective date of annexation. (Funding necessary to provide general governmental services to this tract is available in the budgets of the departments which will be providing the services.)

12. Approve an ordinance adopting the Greenshores Annexation and Development Agreement, concerning annexation and development of Greenshores area (Approximately 176.8 acres in Travis County approximately one mile east of the intersection of City Park Road and Pearce Road. (Funding necessary to provide general governmental services to this tract is available in the budgets of the department which will providing the services.)

Police

13. Authorize the negotiation and execution of an Interlocal Agreement between the City of Austin and Travis County for after-school and summer youth programs to be provided by the Austin Eastside Story Foundation in an amount not to exceed $98,355. (Funding is available from Travis County in an amount not to exceed $98,355 for the period October 1, 2004 through September 30, 2005. There is no unanticipated impact. A fiscal note is not required.)
14. Approve an ordinance authorizing acceptance of $450,000 in grant funds from the Bureau of Justice Assistance “Law Enforcement Response to Human Trafficking” grant program; amend the Fiscal Year 2004-2005 Police Department Operating Budget Special Revenue Fund of Ordinance No. 040913-01 to appropriate $450,000; and amend the Fiscal Year 2004-2005 Police Department Operating Budget General Fund of Ordinance No. 040913-01 to create one full-time equivalent sworn position to support the Austin Police Department Immigrant Protection Team. (Funding is available from the Bureau of Justice for the grant period December 1, 2004 - November 30, 2007. An in-kind match of $68,123 is included in the Fiscal Year 2004-2005 Operating Budget. The remaining in-kind match requirement of $136,247 is contingent on the approval of future budgets.) (Related Item 15)

15. Approve an ordinance to establish classifications and number of positions in the classified service of the Police Department and repealing Ordinance No. 040913-07 Corrected. (The Fiscal Year 2004-2005 Operating Budget for the Police Department was amended to include grant funding for the new detective position.) (Related Item 14)

16. Approve a resolution authorizing application for grant funding in the amount of $249,961 for the Austin Police Department, Forensic Science Division to receive training in forensic sample evidence examination and the purchase of equipment. (Funding is available from the Governor's Office, Criminal Justice Division Coverdell Forensics Science Improvement Program for the grant period February 1, 2005 to August 31, 2005. An in-kind match is not required.)

**Public Works**

17. Approve an ordinance authorizing negotiation and execution of all documents necessary to vacate a portion of Yager Lane to Quentin Corp., in exchange for Quentin conveying a 1.356 acre tract and a 2.404 acre tract to City of Austin and constructing the IH-35/Tech Ridge Interchange. (Recommended by the Zoning and Platting Commission and the Urban Transportation Commission.)

18. Authorize the negotiation and execution of a contract to purchase approximately 12.746 acres located on the north side of Bear Creek and on the west side of proposed S.H.45 in Travis County from AARAL CORPORATION, in an amount not to exceed $55,000 as part of the open space project passed in the November 2000 bond election. (Funding is included in the Fiscal Year 2004-2005 Capital Budget of the Parks and Recreation Department.)

**Posted Date:** Friday, January 07, 2005
19. Approve an ordinance vacating an unimproved 0.984 acre portion of the 7000 Block of Montana Street right-of-way to Austin Housing Finance Corporation, to connect two separate parcels of land into one contiguous property to provide for future S.M.A.R.T. Housing development of affordable single-family housing. (Recommended by the Planning Commission and the Urban Transportation Commission.)

20. Approve an ordinance amending Section 12-4-66 of the City Code by designating a portion of North Lamar Boulevard as a 35 miles per hour school zone during certain times for Connally High School; and amending Section 12-4-63 of the City Code by designating a portion of Austin Woods Drive as a 20 miles per hour school zone during certain times for Hill Elementary School. (Funding in the amount of $10,300 is available in the Fiscal Year 2004-2005 Operating Budget of the Public Works Department for the installation of necessary flashers/signs.)

21. Authorize execution of change order #12 to the construction contract with CADENCE MCSHANE CORPORATION, Austin, TX, for security fence, gates, and exhibit track lights for the George Washington Carver Museum and Cultural Center and Carver Branch Library Expansion project in the amount of $44,987, for a total contract amount not to exceed $10,558,520.61. (Funding in the amount of $44,987 is available in the Fiscal Year 2004-2005 Approved Capital Budget of the Parks and Recreation Department.) 21.17% MBE and 7.31% WBE subcontractor participation to date.

22. Approve ratification of execution of change order #5 to the construction contract with SALAS CONSTRUCTORS, INC. (MBE - 74.74%), Buda, TX, for the Austin Clean Water Program South Congress Avenue Wastewater Project in the amount of $143,033.23, for a total contract amount not to exceed $876,365.23. (Funding in the amount of $143,033.23 is included in the Fiscal Year 2004-2005 Capital Budget of the Austin Water Utility.) 12.06% MBE and 13.2% WBE subcontractor participation to date.

23. Authorize execution of a construction contract with WURZEL BUILDERS, LTD, Austin, TX, for South Austin Neighborhood Center Repairs and Renovation in an amount not to exceed $308,550. (Funding is available in the Fiscal Year 2004-2005 Approved Capital Budget of the Health and Human Services Department.) Lowest bid of six received. 0.18% MBE and 20.78% WBE subcontractor participation.

Posted Date: Friday, January 07, 2005
24. Authorize execution of a construction contract with R. S. ELLIS, dba SOUTHWEST CORPORATION, Austin, TX, for the Municipal Building Window Refurbishment and Asbestos Abatement in the amount of $443,656 plus a $66,548.40 contingency, for a total contract amount not to exceed $510,204.40. (Funding in the amount of $510,204.40 is available in the Fiscal Year 2004-2005 Capital Budget of the Financial Services Department.) Only bid received. 24.59% MBE and 19.91% WBE subcontractor participation.

25. Authorize execution of a construction contract with FAZZONE CONSTRUCTION CO., INC., Cedar Park, TX, for Metz Recreation Center Renovation and Addition in the amount of $1,151,173 plus a $114,355 contingency, for a total contract amount not to exceed $1,265,528. (Funding in the amount of $1,265,528 is available in the Fiscal Year 2004-2005 Capital Budget of the Parks and Recreation Department.) Lowest bid of seven received. 12.46% MBE and 2.08% WBE subcontractor participation. (Recommended by the Planning Commission and the Urban Transportation Commission.) (Related Item 26)

26. Approve an ordinance amending the Fiscal Year 2004-2005 Public Works Capital Projects Management Fund Operating Budget of Ordinance No. 040913-01, to create a Transfer Out to PARD CIP in the amount of $475,000; amending the Fiscal Year 2004-2005 Austin Energy Operating Budget of Ordinance No. 040913-01, to increase the Transfer to General Government CIP in the amount of $125,000 and decrease Holly Good Neighbor Program operations and maintenance expenses by the same amount; and amending the Fiscal Year 2004-2005 Parks and Recreation Department Capital Budget of Ordinance No. 040913-02 to appropriate $600,000 to the Metz Recreation Center Expansion project. (Funding in the amount of $125,000 is available in the Fiscal Year 2004-2005 Austin Energy Operating Budget as part of undesignated funds for the Holly Mitigation Good Neighbor Program. Funding in the amount of $475,000 is available in the Fiscal Year 2004-2005 Public Works Capital Projects Management Fund.) (Related Item 25)

27. Authorize negotiation and execution of a professional services agreement with CARTER & BURGESS, INC., Austin, TX to provide engineering services for the North Burnet / Gateway Transportation and Urban Design Study in an amount not to exceed $475,000. (Funding is available in Fiscal Year 2004-2005 Capital Budget of the Economic Growth and Redevelopment Services Department.) Best qualification statement of six received. 15.9% MBE and 14.2% WBE subcontractor participation.
28. Authorize negotiation and execution of a professional services agreement with the following six (6) firms: SURVEYING AND MAPPING (SAM), INC., Austin, TX; COBB, FENDLEY & ASSOCIATES, INC., Austin, TX; GEOTRACK, INC. (MBE/MA), Baytown, TX; SO-DEEP, INC., San Antonio, TX; CLAUNCH & MILLER, INC., Austin, TX; and HALFF ASSOCIATES, INC., Austin, TX, for the subsurface utility engineering services (SUE) rotation list for various Capital Improvement Projects for an estimated period of three years or until financial authorization is expended, each agreement in an amount not to exceed $2,500,000 with a total of the six (6) agreements not to exceed $2,500,000 (estimated approximately $500,000 each of the first four (4) top ranked firms and $250,000 for each of the next two (2) ranked firms). (Funding in the amount of $2,500,000 is available in the Capital Budgets and/or Operating Budgets of the various departments for which services are needed.) Best six qualification statements of ten received. 15.9% MBE and 14.2% WBE subconsultant participation.

29. Authorize negotiation and execution of a professional services agreement with LOCKWOOD, ANDREWS & NEWNAM, INC., Austin, TX, to provide engineering services for the Davis Water Treatment Plant Filter Process Improvements and Valve Replacements in an amount not to exceed $600,000. (Funding is included in the Fiscal Year 2004-2005 Capital Budget of the Austin Water Utility.) Best qualification statement of six received. 15.90% MBE and 14.20% WBE subcontractor participation. (No recommendation by the Water and Wastewater Commission 01-05-05.)

Purchasing

30. Authorize execution of a contract with POWER SUPPLY, INCORPORATED, Austin, TX, for the purchase of a main breaker for the Sand Hill Energy Center Simple Cycle Units in an amount not to exceed $55,877. (Funding is available in the Fiscal Year 2004-2005 Approved Operating Budget of Austin Energy.) Lowest responsive bid of two bids received. This contract will be awarded in compliance with Chapter 2-9 of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation.
31. Authorize execution of a 12-month service agreement with GREATER AUSTIN ECONOMIC DEVELOPMENT CORPORATION, Austin, TX, for participation in the Opportunity Austin Campaign in an amount not to exceed $350,000 ($100,000 is for the Clean Energy business recruitment initiative through this Campaign), with four 12-month extension options in an amount not to exceed $350,000 per extension option, for a total amount not to exceed $1,750,000. (Funding in the amount of $350,000 is available in the Fiscal Year 2004-2005 Approved Operating Budget of Austin Energy.) Sole Source This contract will be awarded in compliance with Chapter 2-9 of the City Code (Minority Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation.

32. Authorize execution of a 12-month supply agreement with ALTIVIA CORPORATION, Houston, TX, for liquid chlorine in bulk truckload quantities for the Austin Water Utility in an amount not to exceed $192,800, with two 12-month extension options in an amount not to exceed $192,800 per extension option, for a total agreement amount not to exceed $578,400. (Funding in the amount of $128,533 is available in the Fiscal Year 2004-2005 Approved Operating Budget of the Austin Water Utility. Funding for the remaining four 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 2-9 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.

33. Authorize execution of a contract with OSHKOSH TRUCK CORPORATION, Oshkosh, WI, for one aircraft rescue and firefighting truck for the Austin-Bergstrom International Airport in an amount not to exceed $769,191.13. (Funding is available in the Fiscal Year 2004-2005 Approved Capital Budget of the Aviation Department.) One bid received. This contract will be awarded in compliance with Chapter 2-9 of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation.

Posted Date: Friday, January 07, 2005
34. Authorize negotiation and execution of Amendment No. 2 to the contract with GREGORY C. RIGAMER (GCR) AND ASSOCIATES, New Orleans, LA, for software upgrade to the Property and Revenue Information Management System (PRIMS) and conversion services to format and import the Airport's CAD files into PRIMS, in an amount not to exceed $55,000, with five 12-month extension options for maintenance services in an amount not to exceed $40,000 per extension option, for a revised total contract amount not to exceed $792,798. (Funding in the amount of $95,000 is available in the Fiscal Year 2004-2005 Approved Operating Budget of the Department of Aviation. Funding for the remaining maintenance options will be contingent upon available funding in future budgets.) This contract was awarded in compliance with Chapter 2-9 of the City Code (Minority-Owned and Woman-Owned Business Enterprise Procurement Program. No subcontracting opportunities were identified; therefore no goals were established for this solicitation. (To be reviewed by the Austin Airport Advisory Commission on January 11, 2005.)

35. Authorize execution of Amendment No. 5 to the contract with NEXTGEN HEALTHCARE INFORMATION SYSTEMS, INC., Horsham, PA, for fifteen additional licenses of the practice management software for the Community Care Services Department in an amount not to exceed $126,000; and to increase the extension options for maintenance in an amount not to exceed $22,860 per extension option, for a revised total contract amount not to exceed $1,109,768. (Funding in the amount of $126,000 is available in the Fiscal Year 2004-2005 Capital Budget of the Community Care Services Department. Funding for the maintenance options is contingent upon available funding in future budgets.) This contract will be awarded in compliance with Chapter 2-9 of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program.) No subcontracting opportunities were identified; therefore no goals were established for this solicitation.

36. Authorize execution of a 12-month supply agreement with WEBBERVILLE PROPANE, INC., Manor, TX, for liquid propane gas fuel in an amount not to exceed $587,112, with three 12-month extension options in an amount not to exceed $587,112 per extension option, for a total agreement amount not to exceed $2,348,448. (Funding in the amount of $440,334 is available in the Fiscal Year 2004-2005 Approved Operating Budget of the Financial and Administrative Services Department, Fleet Fund. Funding for the remaining three months of the original contract period and extension options is contingent upon available funding in future budgets.) Lowest bid of four bids received. This contract will be awarded in compliance with Chapter 2-9 of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation.

Posted Date: Friday, January 07, 2005
37. Authorize execution of a 12-month service agreement with VIC'S TIRE SERVICE, Austin, TX, for tire repair services in an amount not to exceed $125,000, with three 12-month extension options in an amount not to exceed $125,000 per extension option, for a total agreement amount not to exceed $500,000. (Funding in the amount of $93,750 is available in Fiscal Year 2004-2005 Approved Operating Budget of the Financial and Administrative Services Department, Fleet Fund. Funding for the remaining three months of the original contract period and extension options is contingent upon available funding in future budgets.) Lowest bid of two bids received. This contract will be awarded in compliance with Chapter 2-9 of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified, therefore, no goals were established for this solicitation.

38. Authorize execution of a 12-month supply agreement with PERFORMANCE PARTS EXPRESS, New Philadelphia, OH, for captive repair parts for Spartan fire trucks in an amount not to exceed $55,000, with three 12-month extension options in an amount not to exceed $55,000 per extension option, for a total agreement amount not to exceed $220,000. (Funding in the amount of $41,250 is available in the Fiscal Year 2004-2005 Approved Operating Budget of the Financial and Administrative Services Department, Fleet Fund. Funding for the remaining three months of the original contract period and extension options is contingent upon available funding in future budgets.) One bid received. This contract will be awarded in compliance with Chapter 2-9 of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified, therefore, no goals were established for this solicitation.

39. Authorize execution of a 12-month supply agreement with WAYEST SAFETY, INC., Forney, TX, for Scott Health & Safety airpacks and replacement parts for the Austin Fire Department in an amount not to exceed $950,000, with two 12-month extension options in an amount not to exceed $950,000 per extension option, for a total agreement amount not to exceed $2,850,000. (Funding in the amount of $633,333 is available in 2004-2005 Approved Operating Budget of the Austin Fire Department. Funding for the remaining four months of the original contract period and extension options is contingent upon available funding in future budgets.) Highest percentage discount of three bids received. This contract will be awarded in compliance with Chapter 2-9 of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation.

Posted Date: Friday, January 07, 2005
40. Authorize negotiation and execution of a 9-month service agreement with TKO ADVERTISING, INC., Austin, TX, for services to market the Steps to a Healthier Austin Initiative to target audiences in a specified geographic area in an amount not to exceed $230,000, with three 12-month extension options in an amount not to exceed $306,667 per extension option, for a total agreement amount not to exceed $1,150,001. (Funding in the amount of $230,000 is available in the Fiscal Year 2004-2005 Approved Operating Budget of the Austin/Travis County Health and Human Services Special Revenue Fund from the U.S. Department of Health and Human Services' Centers for Disease Control and Prevention (CDC) Steps to a Healthier U.S. grant program. Funding for the extension options is contingent upon available funding in future budgets.) Best proposal of seven proposals received. This contract will be awarded in compliance with Chapter 2-9 of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation.

41. Ratify a contract through the Texas Local Government Purchasing Cooperative (BuyBoard) with FREIGHTLINER OF AUSTIN, Austin, TX, for one mobile communications command vehicle for the Emergency Medical Services Department in an amount not to exceed $421,459. (Funding is available in the Fiscal Year 2003-2004 Special Revenue Fund of the Office of Emergency Management. Funding was provided through the Domestic Preparedness Equipment Grant from the Office for Domestic Preparedness, U.S. Department of Homeland Security.) Cooperative Purchasing.

42. Authorize execution of a contract with MEYER INSTRUMENTS, Houston, TX, for a forensic comparison macroscope for the Austin Police Department in an amount not to exceed $65,455. (Funding is available in the Austin Police Department Special Revenue Fund in the 2003 Project Safe Neighborhoods Office of Attorney General Grant.) Lowest bid of four bids received. This contract will be awarded in compliance with Chapter 2-9 of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation.

Posted Date: Friday, January 07, 2005
43. Authorize execution of a contract through the Texas Local Government Purchasing Cooperative (BuyBoard) with ALL AMERICAN SALES CORP., South Houston, TX, for Tomar LED lightbars for emergency vehicles in an amount not to exceed $615,285. (Funding in the amount of $423,750 is available in the Fiscal Year 2004-2005 Approved Operating Budget of the Austin Police Department. Funding in the amount of $118,650 is available in the Fiscal Year 2004-2005 Approved Police Federal Seized Fund. Funding in the amount of $67,800 is available in the Fiscal Year 2004-2005 Approved Vehicle Acquisition Fund. Funding in the amount of $5,085 is available in the Fiscal Year 2004-2005 Approved Operating Budget of the Austin Fire Department.) Purchasing Cooperative.

44. Authorize execution of a contract with AGILENT TECHNOLOGIES, INC., Wilmington, DE, for the purchase of a gas chromatograph/mass spectrometer for the Austin Police Department in an amount not to exceed $92,470.04. (Funding is available in the Fiscal Year 2004-2005 Approved Operating Budget of the Austin Police Department.) Sole source. This contract will be awarded in compliance with Chapter 2-9 of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this purchase.

45. Authorize execution of a 12-month service agreement with AAA FIRE & SAFETY EQUIPMENT CO., INC., Austin, TX, for new fire extinguishers, repair parts and recharge, repair, testing, and inspection services in an amount not to exceed $63,371, with two 12-month extension options in an amount not to exceed $63,371 per extension option, for a total agreement amount not to exceed $190,113. (Funding in the amount of $47,528 is available in the Fiscal Year 2004-2005 Approved Operating Budget for various City Departments. Funding for the remaining three months of the original contract period and extension options is contingent upon available funding in future budgets.) Lowest bid of four bids received. This contract will be awarded in compliance with Chapter 2-9 of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified, therefore, no goals were established for this solicitation.

**Watershed Protection and Development Review**

46. Authorize negotiation and execution of an Interlocal Agreement with Northtown Municipal Utility District for the purpose of monitoring the wet pond located on Ceylon Tea Circle, Lot 1, Gaston-Sheldon Subdivision, Section 1.

*Posted Date: Friday, January 07, 2005*
47. **Authorize negotiation and execution of an Interlocal Agreement with Travis County in an amount not to exceed $12,500, to study any potential streambank erosion impacts from development proposals along Onion Creek.** (Funding is included in the Fiscal Year 2004-2005 Operating Budget of the Watershed Protection and Development Review Department.)

**ITEMS FROM COUNCIL**


49. **Approve an ordinance amending Section 12-5-6 of the City Code relating to loading and unloading of musical instruments to add the 100 through 300 blocks of Fourth Street (West), Fifth Street (West), and Sixth Street (West).** (Council Member Brewster McCracken, Mayor Pro Tem Jackie Goodman and Council Member Betty Dunkerley)

50. **Approve a resolution authorizing payment of police and solid waste services costs associated with the Austin Area Heritage Council’s 2005 Martin Luther King, Jr. Parade to be held on January 17, 2005.** (Council Member Danny Thomas, Council Member Betty Dunkerley and Council Member Raul Alvarez)

51. **Approve the waiver of certain fees under Chapter 14-8 for the Southwest Key’s fourth Annual Go For the Gold 10K and Fiesta 5K Fun Run charity races being held on Saturday, March 12, 2005.** (Council Member Danny Thomas. Council Member Betty Dunkerley and Council Member Brewster McCracken)

52. **Approve a resolution amending the Economic Development Policy and Program established in Resolution No. 030612-15, including but not limited to revising subparagraphs 2.i and 2.j, to clarify the requirement for compliance with current water quality regulations, and to provide that a recipient of economic development incentives must comply with current water quality regulations during the term of an economic development agreement.** (Mayor Will Wynn and Council Member Betty Dunkerley)
Item(s) to Set Public Hearing(s)

53. Set a public hearing to approve using approximately 2.56 acres for drainage, 2.33 acres for temporary work space, and 1.40 acres for a wastewater line to allow the construction of improvements serving the Pioneer Hill development, through dedicated parkland known as Walnut Creek Greenbelt in accordance with Sec. 26.001 ct seq. of the Texas Parks and Wildlife code. (Suggested date and time: February 10, 2005 at 6:00 p.m. City Hall Council Chambers) (All costs associated with the construction as well as any parkland restoration will be paid by the requestor.) (To be reviewed by Parks Board on January 25, 2005.)

54. Set a public hearing to consider an ordinance amending Sections 25-2-805 and 25-2-899 relating to fence height (Suggested date and time: January 27, 2005, at 6:00 p.m., City Hall Council Chambers). (To be reviewed by Planning Commission on January 11, 2005.)

55. Set a public hearing to consider an ordinance amending Chapters 25-2 and 25-6 of the Land Development Code to establish Transit Oriented Development districts, and to adopt zoning and other regulations applicable in those districts. (Suggested date and time of public hearing: January 27, 2005, 6:00 p.m., City Hall Council Chambers). (To be reviewed by Planning Commission on January 11, 2005, Zoning and Platting Commission on January 18, 2005, and Design Commission on January 20, 2005.)

Posted Date: Friday, January 07, 2005
12:00 P.M. CITIZEN COMMUNICATIONS: GENERAL

Austin Poetry Society - Reading
Austin Poetry Society - Reading
Austin Poetry Society - Reading
Paul Avina - Security in East Austin
John McNabb - Update on Brandt Rd. Annexation
Pat Johnson - Failure of 2004 by the City Council to protect public against Towing Companies
Darlene Louk - Update on Brandt Rd. Annexation
Johnette Mason - Increase in MAP (Medical Assistance Program) co-payments at Community Health Clinics (CHC).
Jennifer Gale - Our American Prince of Peace, The Honorable Reverend Martin Luther King, Jr.

EXECUTIVE SESSION (No Public Discussion On These Items)

Private Consultation with Attorney - Section 551.071

56. Discuss legal issues regarding an amendment to Chapter 25-10 of the City Code relating to non-conforming signs to allow location of new off-premise signs (billboards) in various locations in the City if an existing off-premise sign is removed. (Related Item 71)

57. Discuss legal issues regarding the delay damages incurred by Cash Construction Company, Ltd. in connection with the street and drainage project on Dittmar Road. (Related Item 62)

58. Discuss legal issues related to Collective Bargaining with the Austin Association of Professional Fire Fighters.

Posted Date: Friday, January 07, 2005
59. Discuss legal issues in *Austin Community Coalition for Responsible Development v. the City of Austin, Texas, S.R. Ridge, Limited Partnership, James G. Monaghan, and Monaghan Company f/k/a Maple Run Joint Venture, Defendants and City of Sunset Valley and John Stratton, Intervenors.* Cause No. GN402443; in the 353rd Judicial District Court of Travis County, Texas. (concerns an alleged breach of a 1996 settlement agreement affecting development rights on property at Slaughter and MoPac)

60. Discuss legal issues regarding *City of Sunset Valley, Save Our Springs, et al v. City of Austin and Lowe's;* Cause No. GV-400101; in the 201st Judicial District of Travis County, Texas. (concerns a challenge to the Garza Brodie agreement by which the Lowe's litigation was resolved)

**Real Property - Section 551.072**

61. Discuss disposition of interests in real property acquired for the Barton Springs Clean Water Project (May 1998 Bond) and for the Open Space Project (November 2000 Bond).

**Action on Executive Session**

62. Approve negotiation and execution of a settlement agreement with Cash Construction Company, Ltd. in connection with delay damages incurred on the street and drainage project on Dittmar Road. (Related Item 57)

**2:00 P.M. BRIEFINGS AND POSSIBLE ACTION**

63. Briefing on the proposed changes to the City's ground lease with the Greater Austin Performing Arts Center Inc. d/b/a The Long Center for "The Long Center" and approval of a resolution amending the ground lease.

Posted Date: Friday, January 07, 2005
4:00 P.M.  ZONING HEARINGS AND APPROVAL OF ORDINANCES AND
RESTRICTIVE COVENANTS

Zoning Ordinances / Restrictive Covenants

64. Approve an ordinance amending Ordinance No. 040826-56, which adopted the Central Austin Combined Neighborhood Plan as an element of the Austin Tomorrow Comprehensive Plan, to establish a land use designation on the future land use map for 2307 (S. 23.3 Ft. of Lot 3 Olt. 37 Div. D Louis Horst Subdivision) and 2309 Rio Grande St. (Tract 80A) the West University Neighborhood Planning Area. Applicant: City of Austin. Agent: Neighborhood Planning & Zoning Department. City Staff: Mark Walters, 974-7695. (Related Item 65)

65. Approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 2307 (S. 23.3 Ft. of Lot 3 Olt. 37 Div. D Louis Horst Subdivision) and 2309 Rio Grande St. (Tract 80A) in the West University Neighborhood Planning Area. The proposed change will create a Neighborhood Plan (NP) combining district. Under the proposed West University NP, "Small Lot Amnesty", "Garage Placement", "Front Porch Setback", "Impervious Cover and Parking Placement Restrictions" and "Front or Side Yard Restrictions" may apply. The Neighborhood Mixed-Use Building special use is proposed for Tract 80A. City Council may approve a zoning change from General Office (GO) district zoning to Multi-family Residence - Moderate-High Density (MF-4) district zoning; Neighborhood Office (NO) district zoning; Limited Office (LO) district zoning; Neighborhood Commercial (LR) district zoning; Community Commercial (GR) district zoning; and Commercial Services (CS) district zoning. A Conditional Overlay (CO) combining district, Mixed Use (MU) combining district; or special use for a Neighborhood Plan (NP) combining district may also be added to these zoning base districts. First reading on June 10, 2004. Vote: 7-0. Second Reading on August 5, 2004. Vote: 7-0. Applicant: City of Austin. Agent: Neighborhood Planning and Zoning Department. City Staff: Mark Walters, 974-7695, and Glenn Rhoades, 974-2775. Note: A petition has been filed in opposition to this zoning request. (Related Item 64)
66. C14-04-0134 - Kingdom Hall Zoning 2 - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 801 West St. Elmo Road (Williamson Creek Watershed) from family residence (SF-3) district zoning to limited office-mixed use-conditional overlay (LO-MU-CO) combining district zoning, with conditions. First Reading on December 16, 2004. Vote: 7-0. Conditions met as follows: Conditional overlay and restrictive covenant incorporates the conditions imposed or accepted by Council at first ordinance reading. Applicant: Westlake Congregation of Jehovah's Witnesses (Tad A. Curtis). Agent: Crocker Consultants (Sarah Crocker). City Staff: Wendy Walsh, 974-7719.

67. C14-04-0152 - 4607 Manchaca Road - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 4607 Manchaca Road (Williamson Creek Watershed) from family residence (SF-3) district zoning to limited office-conditional overlay (LO-CO) combining district zoning. First Reading on December 16, 2004. Vote: 7-0. Conditions met as follows: Conditional Overlay incorporates the conditions imposed by Council at first ordinance reading. Applicant: JoJico Family Ltd. (Liliana R. Cohen). Agent: Bennett Consulting (Jim Bennett). City Staff: Wendy Walsh, 974-7719.

68. C14-04-0159 - Blackstone Apartments - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 2910 Medical Arts Street (Waller Creek Watershed) from multifamily residence medium density-neighborhood plan (MF-3-NP) combining district zoning to neighborhood commercial-mixed use-conditional overlay-neighborhood plan (LR-MU-CO-NP) combining district zoning. First reading on December 16, 2004. Vote: 7-0. Conditions met as follows: Conditional Overlay incorporates the conditions imposed by Council on first ordinance reading. Applicant: Austin Management Group (Steven Moore). Agent: City of Austin-Neighborhood Planning and Zoning Department. City Staff: Glenn Rhoades, 974-2775.

Zoning Hearings and Approval of Ordinances / Restrictive Covenants

Z-1  C14-04-0156 - William Booth Apartments - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 1001 Cumberland Road (West Bouldin Creek Watershed) from family residence (SF-3) district zoning to multi-family residence limited density (MF-1) district zoning. Zoning and Platting Commission Recommendation: To grant multi-family residence limited density (MF-1) district zoning. Applicant: Salvation Army (Major Dan New). Agent: LZT Architects (Herman Thun, A.I.A.) City Staff: Robert Heil, 974-2330.


Z-3  C14-04-0177 - Home Builders Association Parking - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 2301 Centre Plaza (Walnut Creek Watershed) from family residence (SF-3) district zoning to limited industrial services-conditional overlay (LI-CO) combining district zoning. Zoning and Platting Commission Recommendation: To grant limited industrial services-conditional overlay (LI-CO) combining district zoning. Applicant: Bill Brinkley & Vicki Pruett. Agent: HBA Greater Austin (Harry Savio). City Staff: Sherri Gager, 974-3057.

Z-4  C14-04-0172 - Filipino Video and Oriental Store - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 2309 West Parmer Lane (Walnut Creek Watershed) from neighborhood office (NO) district zoning to neighborhood commercial (LR) district zoning. Zoning and Platting Commission Recommendation: To grant neighborhood commercial-conditional overlay (LR-CO) combining district zoning. Applicant: Henry Gammad. Agent: Sammy Tolentino. City Staff: Glenn Rhoades, 974-2775.

Posted Date: Friday, January 07, 2005
Z- 5  C14-04-0180 - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 2444 South 1st Street (East Bouldin Creek Watershed) from family residence (SF-3) 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: Michael Vasquez. Agent: Michael Vasquez. City Staff: Tom Bolt, 974-2755.

Z- 6  C14-04-0170 - San Jose 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 2510 South 1st Street (East Bouldin Creek Watershed) from family residence (SF-3) district zoning to limited office-conditional overlay (LO-CO) district zoning and general office-conditional overlay (GO-CO) combining district zoning. Zoning and Platting Commission Recommendation: To grant limited office-conditional overlay (LO-CO) district zoning and general office-conditional overlay (GO-CO) combining district zoning. Applicant: San Jose Catholic Church (Father Tom Frank). Agent: LOC Consultants (Sergio Lozano-Sanchez). City Staff: Robert Heil, 974-2330.

Z- 7  C14-04-0171 - Barr Subdivision - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 1590-1602 Barclay Drive (Barton Creek and Eanes Creek Watersheds -Barton Springs Zone) from development reserve (DR) district zoning and single family residence standard lot (SF-2) district zoning. Zoning and Platting Commission Recommendation: To grant single family residence standard lot-conditional overlay (SF-2-CO) combining district zoning. Applicant: Gary Lee and Belanne Barr. Agent: Cunningham-Allen Inc. (Jana Rice). City Staff: Robert Heil, 974-2330.

Z- 8  C14-04-0182 - Wier Hills Drive - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 0 Wier Hills Drive [5.198 acres (more or less) out of the August Herold Survey No. 59, Travis County, Texas] (Barton Creek Watershed-Barton Springs Zone) from general office (GO) district zoning to townhouse and condominium residence (SF-6) district zoning. Zoning and Platting Commission Recommendation: To grant townhouse and condominium residence (SF-6) district zoning. Applicant: Southwest Travis County Road District No.1. (Gregory Chico). Agent: Brown-McCaroll (Annick Beaudet). City Staff: Robert Heil, 974-2330.

Posted Date: Friday, January 07, 2005

Z- 10  C14-04-0167 - 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 (GR) district zoning. Zoning and Platting Commission Recommendation: To grant community commercial-conditional overlay (GR-CO) combining district zoning. Applicant: Lester Euers. Agent: The Brown Group (Martin Brown). City Staff: Wendy Walsh, 974-7719.


Z- 12  C14-04-0136 - 1500 Summit Street - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 1500 Summit Street (Harper Creek watershed) from general office (GO) district zoning to general office-mixed use-conditional overlay (GO-MU-CO) combining district zoning. Planning Commission Recommendation: To grant to general office-mixed use-conditional overlay (GO-MU-CO) combining district zoning. Applicant: Waterloo Partners (John S. Graham) Agent: Thrower Designs (Ron Thrower) City Staff: Robert Heil 974-2330

Posted Date: Friday, January 07, 2005
Z-13 C14-04-0140 - Swafford - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 2108 Kinney Avenue (West Bouldin Creek Watershed) from family residence (SF-3) district zoning to neighborhood office-conditional overlay (NO-CO) combining district zoning. Zoning and Platting Commission Recommendation: To grant neighborhood commercial-conditional overlay (NO-CO) combining district zoning. Applicant: Clarence Jacobson. Agent: Crocker Consultants (Sarah Crocker). City Staff: Tom Bolt, 974-2755.


Z-15 C14-04-0181.SH - Shire's Court - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 2610, 2626, 2700 and 2902 Metcalfe Road; 1910 and 1916 Wickshire Lane (Country Club Creek Watershed) from family residence (SF-3) district zoning and limited office (LO) district zoning to townhouse & condominium residence-conditional overlay (SF-6-CO) combining district zoning. Planning Commission Recommendation: To grant townhouse & condominium residence-conditional overlay (SF-6-CO) combining district zoning, with conditions. Applicants: The Estate of Opal Ault (Donna Koch), Henry W. Ault and June Oliver Ault, Herby's Joint Venture (Jimmy Nassour), George Washington Sanders, and Stephen G. Jackson. Agent: Benchmark Land Development, Inc. (David C. Mahn). City Staff: Wendy Walsh, 974-7719.

5:00 P.M. LIVE MUSIC AND PROCLAMATIONS

LIVE MUSIC

Ray Benson

Posted Date: Friday, January 07, 2005
PROCLAMATIONS

City Hall Time Capsule Event - To be hosted by the Mayor, City Council Members and the City Manager

6:00 P.M. PUBLIC HEARINGS AND POSSIBLE ACTION

Public Works

70. Conduct a public hearing in accordance with Chapter 26 of the Parks and Wildlife Code and adopt an ordinance authorizing conveyance of 0.117 acres (5,095 square feet) for right-of-way for the U.S. Highway 183 expansion improvements from dedicated parkland known as Greenway and Destination Parkland (Solo Star tract) in exchange for an access easement across Little Walnut Creek at the crossing of U.S. Highway 183 with Little Walnut Creek. (All costs associated with the construction as well as any parkland restoration will be paid by the requestor.) (Recommended by the Parks Board.)

Watershed Protection and Development Review

71. Conduct a public hearing and approve an ordinance amending Chapter 25-10 of the City Code relating to nonconforming signs to allow location of new off-premise signs (billboards) in various locations in the City if an existing off-premise sign is removed. (Planning Commission conducted a public hearing and recommended no change to current ordinance.) (Related Item 56)

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.

Posted Date: Friday, January 07, 2005
### Council Meetings

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