

AUSTIN CITY COUNCIL AGENDA

THURSDAY, APRIL 07, 2005, THE COUNCIL CHAMBERS OF CITY HALL, 301 WEST 2ND STREET, AUSTIN, TEXAS.



AUSTIN CITY CLERK
POSTED DATE/TIME

05 APR -1 PM 4:32

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

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**WILL WYNN, MAYOR ♦ JACKIE GOODMAN, MAYOR PRO TEM ♦ DARYL SLUSHER
RAUL ALVAREZ ♦ BETTY DUNKERLEY ♦ BREWSTER MCCrackEN ♦ DANNY THOMAS**

**NOTICE OF REGULAR MEETING
THURSDAY, APRIL 07, 2005**

9:55 A.M. Invocation.....	3
10:00 A.M. City Council Convenes.....	3
READING AND ACTION ON CONSENT AGENDA.....	3
Meeting Minutes.....	3
Austin Energy	4
Convention Center	5
Economic Growth and Redevelopment Services.....	5
Neighborhood Housing and Community Development	5
Neighborhood Planning and Zoning.....	5
Police.....	6
Public Works.....	7
Purchasing.....	10
Small and Minority Business Resources.....	11
ITEMS FROM COUNCIL	11
12:00 P.M. CITIZEN COMMUNICATIONS: GENERAL	12
EXECUTIVE SESSION (No Public Discussion On These Items)	12
2:00 PM BRIEFINGS.....	13
3:00 P.M. BOARD OF DIRECTORS MEETING OF AUSTIN HOUSING FINANCE CORPORATION. The Mayor will recess the City Council meeting. A Board meeting of Austin Housing Finance Corporation (AHFC) will be conducted. The AHFC Board may go into a closed session on any item on the AHFC agenda under Chapter 551 of the Texas Government Code to receive advice from legal counsel, to discuss matters of land acquisition, to discuss personnel matters, or for other reasons permitted by law as specifically listed on this agenda. Following adjournment of the AHFC Board meeting the City Council will re-convene.	13
4:00 P.M. ZONING HEARINGS AND APPROVAL OF ORDINANCES AND RESTRICTIVE COVENANTS.....	14
Zoning Ordinances / Restrictive Covenants	14
Zoning and Neighborhood Plan Amendment Hearings and Approval of Ordinances / Restrictive Covenants	17
5:30 P.M. LIVE MUSIC AND PROCLAMATIONS	19
LIVE MUSIC.....	19
PROCLAMATIONS.....	20
6:00 P.M. PUBLIC HEARINGS AND POSSIBLE ACTION	20
Neighborhood Housing and Community Development	20
Neighborhood Planning and Zoning.....	21
Public Works.....	21

9:55 A.M. Invocation

Rev. Arvy Crayton, Pastor, Unity Hill Missionary Baptist Church

10:00 A.M. City Council Convenes

THE CITY COUNCIL OF THE CITY OF AUSTIN, TEXAS WILL CONVENE AT 10:00 AM ON THURSDAY, APRIL 07, 2005, IN THE COUNCIL CHAMBERS OF CITY HALL, 301 WEST 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 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.

Meeting Minutes

1. Approval of minutes from the meetings of June 8, 2000 and March 24, 2005.

Austin Energy

2. Approve an ordinance amending the Fiscal Year 2004-2005 Austin Energy Operating Budget of Ordinance No. 040913-01 (1) to decrease the Operating Fund Other Operating expense by \$1,000,000 and increase the Transfer to Conservation Rebates and Incentives Fund; and (2) amend the Conservation Rebates and Incentives Fund to increase the Transfer in from Austin Energy Operating Fund by \$1,000,000 and to increase the Solar PV Rebate Program by the same amount. (Funding in the amount of \$1,000,000 is available in the Fiscal Year 2004-2005 Operations and Maintenance Expense Fund of Austin Energy.) (Recommended by the Electric Utility Commission and the Resource Management Commission.)
3. Approve the issuance of a Letter of Intent for a rebate in the amount of \$98,700 to LAKE AUSTIN MARINA for the installation of a solar photovoltaic system at their facility located at 2215 Westlake Boulevard. (Funding in the amount of \$98,700 is available in the Fiscal Year 2004-2005 Operating Budget of Austin Energy in the Conservation Rebates and Incentives Fund.) (Recommended by the Electric Utility Commission and the Resource Management Commission.)
4. Approve the issuance of a Letter of Intent for a rebate in the amount of \$99,680 to ST. GABRIEL'S CATHOLIC SCHOOL for the installation of a solar photovoltaic system at their facility located at 2500 Wimberly Lane. (Funding in the amount of \$99,680 is available in the Fiscal Year 2004-2005 Operating Budget of Austin Energy in the Conservation Rebates and Incentives Fund.) (Recommended by the Electric Utility Commission and the Resource Management Commission.)
5. Approve issuance of a rebate in the amount of \$59,904 to SOUTHWESTERN BELL CORPORATION for the installation of a high efficiency lighting retrofit at 1616 Guadalupe. (Funding in the amount of \$59,904 is available in the Fiscal Year 2004-2005 Operating Budget of the Conservation Rebates and Incentive Budget of Austin Energy.) (Recommended by the Electric Utility Commission and the Resource Management Commission.)
6. Approve reimbursement of costs to HOTEL PROPERTIES AUSTIN L.P., Austin, TX, for the purchase and installation of heat exchanger(s) and required piping as needed to interconnect the new Downtown Austin Marriott Hotel building to the Austin Energy district cooling system in an amount not to exceed \$128,000. (Funding in the amount of \$128,000 is available in the Fiscal Year 2004-2005 Approved Capital Budget of Austin Energy.) (Recommended by the Electric Utility Commission.)

Convention Center

7. Authorize negotiation and execution of an amendment to the Second Amended and Restated Lease Agreement with Greater Austin Performing Arts Center, Inc., d/b/a The Long Center on the new performing arts center known as The Long Center.

Economic Growth and Redevelopment Services

8. Approve an ordinance authorizing negotiation and execution of an Economic Development Agreement and creating an economic development program for FREESCALE SEMICONDUCTOR, INC., providing for economic incentives for a period of 10 years, including rebate of 100% of City property tax, payroll incentives, and airport financial assistance. (Estimated total amount of City incentives over a 10-year period is \$11,000,000.)

Neighborhood Housing and Community Development

9. Authorize the negotiation and execution of an amendment to the Fiscal Year 2004-2005 Service Agreement with the Austin Housing Finance Corporation (AHFC) by increasing the contract by \$125,000 for a total contract amount not to exceed \$13,699,670, to be used for the City's Community Housing Development Organization (CHDO) Capacity Building Activity. (Funding is available from the Grant Operating Budget, from the HOME Investment Partnerships Program for Fiscal Year 2004-2005.) (Related Item AHFC-2)

Neighborhood Planning and Zoning

10. Approve an ordinance annexing the Rosemont at Old Manor Area for full purposes (Approximately 23 acres in Travis County located south of US Highway 290 East, east of the abandoned Missouri-Kansas-Texas (MKT) Railroad and north of Old Manor Road); grant Multi-Family Medium Density (MF 3) interim zoning designation for the property within the annexation area, 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.)

11. Approve an ordinance annexing the Avery Ranch Area for full purposes (Approximately 62 acres in Williamson County located 2,000 feet north of the intersection of Avery Ranch Boulevard and Lisi Anne Drive) (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 first reading of an ordinance annexing the Goodnight Ranch for the limited purposes of planning and zoning. (Approximately 714 acres in southeastern Travis County east of Old Lockhart Highway located approximately one tenth of a mile east of the intersection of Slaughter Lane and Old Lockhart Highway) (Funding necessary to provide general governmental services to this tract is available in the budgets of the departments which will be providing the services.)
13. Approve an ordinance to annex the Pioneer Hill/COA Tract Area for full purposes (Approximately 42 acres in Travis County west of Criswell approximately 1,430 feet west of the intersection of Criswell Road and Sprinkle Road); waive zoning application fees for property within the annexed area for a period of one year from the effective date of annexation; and grant Traditional Neighborhood District (TND) interim zoning in accordance with the approved preliminary subdivision, Pioneer Hill Section 1 (C8-04-0031.1A). (Funding necessary to provide general governmental services to this tract is available in the budgets of the departments which will be providing the services.)

Police

14. Approve a resolution authorizing application and acceptance of \$22,253 in grant renewal funding from the State of Texas, Office of the Governor, Criminal Justice Division, Juvenile Accountability Incentive Block Grant Program (JAIBG), to continue enforcement of juvenile Class C Misdemeanor offenses and continuation of a contract with LifeWorks for transport for youth and provision of emergency shelter. (Grant funding is available from the State of Texas, Office of the Governor, Criminal Justice Division, for the grant period of August 1, 2005 through July 31, 2006. A cash match of \$2,473 is required and is included in the Fiscal Year 2004-2005 Operating Budget of the Police Department. Total funding for the JAIBG project is \$24,726.)

15. Approve an ordinance authorizing acceptance of grant funding in the amount of \$93,447 from the Governor's Office, Criminal Justice Division Coverdell Forensics Science Improvement Program for the Austin Police Department, Forensic Science Division to receive training in forensic sample evidence examination; and amending the Fiscal Year 2004-2005 Police Department Operating Budget Special Revenue Fund of Ordinance No. 040913-01 to appropriate \$93,447. (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.)
16. Approve a resolution authorizing application of \$155,545 in grant funding from the State of Texas, Office of the Governor, Criminal Justice Division, Title V Program, to continue enforcement of juvenile Class C criminal offenses and incorporate case management for youth. (Grant funding is available from the State of Texas, Office of the Governor, Criminal Justice Division, for the grant period of September 1, 2005 through August 31, 2006. A match of \$63,377 is required and will be met with existing salary cost and volunteer hours. The matching salary cost is included in the Fiscal Year 2004-2005 Operating Budget of the Police Department.)

Public Works

17. Approve an ordinance on third reading to renew the ROY'S TAXI, INC. taxicab franchise. (The taxicab permit fee of \$400 per year per permit is a revenue source. Expected annual revenue is \$62,000.)
18. Approve a resolution to authorize the acquisition of a permanent wastewater easement comprised of 7,129 square feet of land, a permanent wastewater easement comprised of 20,960 square feet of land, a temporary working space easement comprised of 8,839 square feet of land, a temporary working space easement comprised of 17,982 square feet, a temporary ingress and egress easement comprised of 7,884 square feet of land, and a temporary ingress and egress easement comprised of 20,755 square feet of land out of a portion of Lot 1, Bridge Creek Section III-A, out of the James P. Wallace Survey No. 57, in Travis County, Texas, located at 7625 North IH-35, from VICTORY CHRISTIAN CENTER OF AUSTIN, INC., a Texas non-profit corporation in Austin, Texas, in the amount not to exceed \$295,854 for the Austin Clean Water Program's Little Walnut/Buttermilk - Buttermilk Creek Project. (Funding is included in the Fiscal Year 2004-2005 Capital Budget of the Austin Water Utility.)

19. Approve a resolution to authorize the fee simple acquisition of 2.882 acres, a drainage easement consisting of 13.858 acres, a permanent access easement of 0.5510 acres, and 1.0785 acres of temporary construction easement out of the Peter Conrad Survey Number 112 and Louis Kincheloe Survey Number 21, Abstract Number 455 in Travis County, Texas, in an area north of Parmer Lane and east of McNeil Road, from AUSTIN WHITE LIME COMPANY, a Texas limited partnership; for the Watershed Protection and Development Review Department to create a regional detention facility, in the amount of \$511,560 for land and easement acquisition. (Funding is available in the Fiscal Year 2003-2004 Amended Capital Budget of the Watershed Protection and Development Review Department.) (Related Item 20)
20. Approve a resolution to authorize the fee simple acquisition of 3.768 acres, a drainage easement consisting of 30.34 acres and 1.229 acres of temporary construction easements, out of the Peter Conrad Survey number 112 and the Louis Kincheloe Survey Number 21, Abstract Number 455 in Travis County, Texas, in an area north of Parmer Lane and east of McNeil Road, from ROBINSON LAND LIMITED PARTNERSHIP, a Texas Limited Partnership; Robinson Ranch, a Texas General Partnership; A.H. Robinson, III, and John Oscar Robinson, Co-trustees for the following Trusts: the A. H. Robinson, Jr. 1986 Family Trust, Charlotte Dies Robinson 1986 Family Trust, George E. Robinson 1986 Family Trust, Virginia E. Robinson 1986 Family Trust, Al and Charlotte Robinson 1986 Family Trust No. 2, and the George and Virginia Robinson 1986 Family Trust No. 2; John Oscar Robinson, as Independent Co-Executor of the Estate of Flora Robinson King, Deceased; and Patricia Robinson Tyler, Independent Co-Executor of the Estate of Flora Robinson King, Deceased, (collectively, "Grantor") for Watershed Protection to create a regional detention facility, in the amount of \$370,440 for land and easement acquisition. (Funding is available in the Fiscal Year 2003-2004 Amended Capital Budget of the Watershed Protection and Development Review Department.) (Related Item 19)
21. Authorize execution of a Standard Utility Agreement with the TEXAS DEPARTMENT OF TRANSPORTATION for funding of the relocation of water lines at IH-35 and Yager Lane. (Recommended by Water and Wastewater Commission.)
22. Approve an ordinance authorizing negotiations and execution of all documents necessary to vacate a 3.153 acre portion of Sprinkle Cutoff Road and a 0.583 acre portion of prescriptive easement rights for a portion of Sprinkle Cutoff Road to PIONEER AUSTIN DEVELOPMENT LTD. ("Pioneer"), to improve road alignment and facilitate traffic flow, in exchange for Pioneer conveying a 4.493 acre tract to, and constructing portions of Braker Lane, Pioneer Farms Drive, and Sprinkle Cutoff Road for the City of Austin. (Recommended by the Zoning and Platting Commission and Urban Transportation Commission.)

23. Authorize execution of Amendment No. 1 to an Advanced Funding Agreement (AFA) between the Texas Department of Transportation and the City of Austin (City) regarding the Barton Springs Road (Robert E. Lee/Rollingwood Dr.) Bicycle Lanes Project, to revise construction letting and contract administration responsibilities in the AFA.
24. Authorize execution of a construction contract with KEYSTONE CONSTRUCTION, INC., Austin, TX for the Austin Clean Water Program's Barn Swallow Wastewater Rehabilitation Project in the amount of \$584,954 plus a \$58,495.40 contingency, for a total contract amount not to exceed \$643,449.40 (Funding in the amount of \$643,449.40 is included in the Fiscal Year 2004-2005 Capital Budget of the Austin Water Utility.) Lowest responsive bid of five received. 16.84% MBE and 6.78% WBE subcontractor participation.
25. Authorize execution of a construction contract with LAUGHLIN-THYSSEN, LTD., Houston, TX, for the Austin Clean Water Program's Upper Shoal - Lower Hancock Branch 18-Inch Wastewater Improvements Project in the amount of \$6,143,144 plus a \$614,314.40 contingency, for a total contract amount not to exceed \$6,757,458.40. (Funding in the amount of \$6,757,458.40 is included in the Fiscal Year 2004-2005 Capital Budget of the Austin Water Utility.) Lower bid of two received. 16.86% MBE and 16.52% WBE subcontractor participation.
26. Authorize execution of a construction contract with KEYSTONE CONSTRUCTION, INC., Austin, TX, for Anderson Hill Block A Subdivision Project for infrastructure improvements to support the future development of the ten new Smart Housing town homes in an amount not to exceed \$207,450. (Funding is available in Neighborhood Housing and Community Development Office (NHCD) HOME, Anderson Hill Redevelopment Program.) Lowest bid of two received. 13.19% MBE and 12.82% WBE subcontractor participation. (Recommended by Planning Commission and Board of Adjustments.)
27. Authorize execution of change order # 3 to the construction contract with ACTION CONSTRUCTION, INC., San Antonio, TX, for the Connelly-Yerwood Renovation Re-Bid in the amount of \$10,991.05, for a total contract amount not to exceed \$423,362.29. (Funding in the amount of \$10,991.05 is available in the Neighborhood Housing and Community Development Department (NHCD) Special Revenue Fund Section 108 loan proceeds.) 13.4% MBE and 21.2% WBE subcontractor participation to date.

28. Authorize negotiation and execution of a professional services agreement with URS CORPORATION, A NEVADA CORPORATION, Austin, TX, for engineering services for Austin-Bergstrom International Airport (ABIA) Airfield Lighting Improvements and Airfield Pavement Rehabilitation in an amount not to exceed \$310,000. (Funding is available in the Fiscal Year 2004-2005 Capital Budget of the Aviation Department.) Best qualification statement of seven received. 32.00% DBE sub consultant participation.

Purchasing

29. Authorize negotiation and execution of a contract with CLEAN POWER RESEARCH, Napa, CA, for consulting work to perform a cost benefit analysis to determine the comprehensive value of solar power in an amount not to exceed \$122,000. (Funding is available in the Fiscal Year 2004-2005 Approved Operating Budget of Austin Energy Conservation Rebates and Incentives Fund.) Best proposal of five proposals received. This contract will be awarded in compliance with Chapter 2-9 of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation.
30. Authorize execution of a contract with MASTER TECH SERVICES, INCORPORATED, Golden, CO, for repair of cooling towers at the Sand Hill Energy Center in an amount not to exceed \$108,600. (Funding is included in the Fiscal Year 2004-2005 Amended Operating Budget of Austin Energy.) 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.
31. Authorize execution of a 12-month supply agreement with BAKER & TAYLOR, INC., Charlotte, NC, for the purchase of music compact discs for the Austin Public Library in an amount not to exceed \$145,860, with two 12-month extension options in an amount not to exceed \$145,860 per extension option, for a total agreement amount not to exceed \$437,580. (Funding in the amount of \$50,321.70 is available in the Fiscal Year 2004-2005 Approved Operating Budget of the Library Department. Funding in the amount of \$22,608.30 is available in the Fiscal Year 2004-2005 Approved Capital Budget of the Library Department. Funding for the remaining six 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.

Small and Minority Business Resources

32. Authorize negotiation and execution of Interlocal Agreements with Travis County and Capital Metro for their participation in the focus groups and public hearings component of the "second generation availability study" regarding minority-owned and women-owned procurement programs, in an amount of \$15,000 to be paid to the City by both Travis County and Capital Metro. (Related Item 33)
33. Authorize negotiation and execution of an amendment to the professional services agreement with COLETTE HOLT & ASSOCIATES, Chicago, IL, for services relating to the "second generation availability study" related to minority-owned and women-owned procurement programs, in an amount not to exceed \$30,000, for a total contract amount not to exceed \$155,000. (Funding is available in Interlocal Agreements with both Travis County and Capital Metro, in the amount of \$15,000 each.) (Related Item 32)

ITEMS FROM COUNCIL

34. Board and Commission appointments.
35. Approve an ordinance waiving the board and commission residency requirements, the prohibition against serving on multiple boards or commissions, and the nine-member limit on board and commission composition under Chapter 2-1 of the City Code, and appoint members to the Bond Advisory Committee. (Mayor Will Wynn, Mayor Pro Tem Jackie Goodman and Council Member Betty Dunkerley)
36. Approve waiver or reimbursement of certain fees for the Texas Medal of the Arts Event sponsored by the Texas Cultural Trust Council, to be held on April 5, 2005. (Council Member Brewster McCracken)
37. Approve a resolution creating and appoint members to a "Blue Ribbon Committee" to assist the City with making recommendations regarding the quality of life issues being discussed in facilitated community meetings on the African American Community Scorecard. (Mayor Will Wynn, Council Member Betty Dunkerley and Council Member Daryl Slusher)
38. Approve an ordinance repealing and replacing Article 22 of Chapter 2-1 of the City Code relating to the Design Commission. (Council Member Brewster McCracken, Mayor Pro Tem Jackie Goodman and Council Member Raul Alvarez)
39. Approve a resolution relating to the compensation and benefits for the City Clerk. (Related Item 44)(Mayor Will Wynn)

12:00 P.M. CITIZEN COMMUNICATIONS: GENERAL

Pat Johnson - City Council, Manager and staff creates economic failures for some Austin businesses. (Towing Companies)

Chantllok Castro - Complaint relating to the Transportaton, Planning and Sustainability Department, as well as inadequate facilities for taxicab drivers at Austin-Berstrom International Airport.

Jennifer L. Gale - Developing a more Environmental Austin for posterity

Akwasi Evans - Austin Chauvinism

Colin Clark - Water Conservation: Proposed Water Treatment Plant #4

Susana Almanza - We need Public Housing for the poor and low-income to be built in the Saltillo Plaza and Saltillo TOD Area. We also need low-income senior housing in the area. This would stop the gentrification/displacement of the East Austin Community and allow for more dense population and the population that uses alternative transportation

Anthony Walker - East Austin Relationship W/Police : Midtown

Erika Gonzalez - Please join PODER in celebrating our 14th Anniversary honoring..."Children's Environmental Health and Justice". Our celebration will be held Friday, April 22, 2005 - Earth Day! At Fiesta Gardens East from 6 - 8 PM. PODER celebrates our indigenous traditions of honoring Mother Earth through ceremonial dance, songs and poetry

Ivan R. Williams Jr. - "Midtown"

Bart Stephens - West Austin News Art Car Parade

EXECUTIVE SESSION (No Public Discussion On These Items)**Private Consultation with Attorney - Section 551.071**

40. Discuss legal issues concerning proposed legislation in the 79th Legislative Session.
41. Discuss legal issues related to Collective Bargaining with the Austin Association of Professional Fire Fighters.

Real Property - Section 551.072

42. Discuss the sale, lease, or value of the Seaholm Power Plant property located on Cesar Chavez between Lamar Boulevard and Guadalupe Street west of the Green Water Treatment Plant and of Block 21 (bounded by Second Street, Guadalupe Street, Third Street, and Lavaca Street).
43. Discuss possible purchase, lease, or condemnation of one or more tracts of land near Austin-Bergstrom International Airport for airport expansion or airport-related activities.

Personnel Matters - Section-551.074

44. Evaluate the performance of and consider compensation and benefits for the City Clerk. (Related Item 39)

2:00 PM BRIEFINGS

45. Presentation of City staff recommendations on the Capital Area Metropolitan Planning Organization (CAMPO) 2030 Mobility Plan.
46. Presentation by City staff on the City's preliminary needs assessment for the potential 2006 bond election.
47. Presentation of the Police Department's policies regarding use of tasers, including a medical review and recommendation on their use.

3:00 P.M. BOARD OF DIRECTORS MEETING OF AUSTIN HOUSING

FINANCE CORPORATION. The Mayor will recess the City Council meeting. A Board meeting of Austin Housing Finance Corporation (AHFC) will be conducted. The AHFC Board may go into a closed session on any item on the AHFC agenda under Chapter 551 of the Texas Government Code to receive advice from legal counsel, to discuss matters of land acquisition, to discuss personnel matters, or for other reasons permitted by law as specifically listed on this agenda. Following adjournment of the AHFC Board meeting the City Council will re-convene.

- AHFC- 1 Approve the minutes of the March 3, 2005 Board meeting of the Austin Housing Finance Corporation.

- AHFC- 2** Approve a resolution amending the Austin Housing Finance Corporation Fiscal Year 2004-2005 Budget by increasing the Grant Operating Budget by \$125,000, and authorizing the negotiation and execution of an amendment to the Fiscal Year 2004-2005 Service Agreement with the City of Austin by increasing the contract by \$125,000 for a total contract amount not to exceed \$13,699,670 to be used for operating the City's Community Housing Development Organization (CHDO) Capacity Building Activity. (Funding is available from the Grant Operating Budget, from the HOME Investment Partnership Program for Fiscal Year 2004-2005.) (Related Item 9)
- AHFC- 3** Authorize the negotiation and execution of a federally-funded Rental Housing Development Assistance Program deferred-payment, forgivable loan in an amount not to exceed \$500,000 to COMMUNITY PARTNERSHIP FOR THE HOMELESS, INC., for the development of a 30-unit housing development for low-income families known as Cottage Community and located at 10620 Dessau Road. (Funding is available in the Fiscal Year 2004-2005 Austin Housing Finance Corporation budget allocation of the City of Austin Housing Trust Fund under the Rental Housing Development Assistance Program.)

4:00 P.M. ZONING HEARINGS AND APPROVAL OF ORDINANCES AND RESTRICTIVE COVENANTS

Zoning Ordinances / Restrictive Covenants

48. C14-04-0145 - 1209 Kinney Avenue - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 1209 Kinney Avenue (West Bouldin Creek Watershed) from family residence (SF-3) district zoning to family residence-conditional overlay (SF-3-CO) combining district zoning for Tract 1 and multifamily residence low density-conditional overlay (MF-2-CO) combining district zoning for Tract 2. First reading on January 27, 2005. Vote: 7-0. Conditions met as follows: Conditional Overlay incorporates the conditions imposed by Council on first ordinance reading. Applicant: Shirley and Volma Overton. Agent: Jim Bennett. City Staff: Robert Heil, 974-2330.

49. **C14-04-0201 - 12503 Tomanet Trail - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by zoning property locally know as 12503 Tomanet Trail (Walnut Creek Watershed) from interim-rural residence (I-RR) district zoning to neighborhood commercial (LR) district zoning. City Council approved single family residence large lot (SF-1) district zoning at first ordinance reading. Conditions met as follows: No conditions were imposed by Council at first ordinance reading. First reading on March 3, 2005. Vote: 7-0. Applicant: Thinh Giang. City Staff: Sherri Sirwaitis, 974-3057.**
50. **C14-04-0058 - Sahara Club Extension - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally know as 900 East Braker Lane (Walnut Creek Watershed) from community commercial (GR) district zoning to commercial-liquor sales (CS-1) district zoning with conditions. Conditions met as follows: Conditional overlay and restrictive covenant incorporates the conditions imposed or accepted at first ordinance reading. First reading on November 18, 2004. Vote: 5-2, Mayor Wynn and Council Member Slusher - Nay. Applicant: Walnut Ridge Shopping Center (Thomas C. Calhoun). Agent: Turnkey Properties (Victorious B. Giraud). City Staff: Sherri Sirwaitis, 974-3057.**
51. **C14-04-0078 - Rainey Street Neighborhood Rezoning (Tract A) - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property located southwest of the intersection of Davis Street and Red River Street, and west of Rainey Street between Davis Street and River Street (Town Lake Watershed) from general commercial services (CS) district zoning, multifamily residence medium density (MF-3) district zoning and family residence (SF-3) district zoning to central business district (CBD) district zoning. First reading on November 4, 2005. Vote: 6-0, Council Member Slusher - abstained. Applicant: City of Austin. Agent: Neighborhood Planning and Zoning Department (Glenn Rhoades). City Staff: Glenn Rhoades, 974-2775 (Related Items 52, 53, 54, 55, 56, 57, 58, 63)**
52. **C14-04-0079 - Rainey Street Neighborhood Rezoning (Tract B) - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code rezoning property bounded by Driskell Street on the north, Davis Street on the south, Rainey Street on the east and Red River Street on the west (Town Lake Watershed) from general commercial services (CS) district zoning and family residence (SF-3) district zoning to central business district (CBD) district zoning. First reading on November 4, 2004. Vote: 6-0, Council Member Slusher - abstained. Applicant: City of Austin. Agent: Neighborhood Planning and Zoning Department (Glenn Rhoades). City Staff: Glenn Rhoades, 974-2775. (Related Items 51, 53, 54, 55, 56, 57, 58, 63)**

53. C14-04-0080 - Rainey Street Neighborhood Rezoning (Tract C) - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property bounded by Cesar Chavez to the north, Driskill Street to the south and East Avenue (IH -35 North) to the east (Town Lake Watershed) from community commercial-conditional overlay (GR-CO) combining district zoning to central business district (CBD) district zoning. First reading on November 4, 2004. Vote: 6-0, Council Member Slusher - abstained. Applicant: City of Austin. Agent: Neighborhood Planning and Zoning Department (Glenn Rhoades). City Staff: Glenn Rhoades, 974-2775 (Related Items 51, 52, 54, 55, 56, 57, 58, 63)
54. C14-04-0081 - Rainey Street Neighborhood Rezoning (Tract D) - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property bounded by Driskill Street to the north, River Street to the south, East Avenue to the east and Rainey Street to the west (Town Lake Watershed) from commercial liquor sales (CS-1) district zoning, general commercial services (CS) district zoning, community commercial (GR) district zoning and family residence (SF-3) district zoning to central business district (CBD) district zoning. First reading on November 4, 2004. Vote: 6-0, Council Member Slusher - abstained. Applicant: City of Austin. Agent: Neighborhood Planning and Zoning Department (Glenn Rhoades). City Staff: Glenn Rhoades, 974-2775. (Related Items 51, 52, 53, 55, 56, 57, 58, 63)
55. C14-04-0082 - Rainey Street Neighborhood Rezoning (Tract E) - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property bounded by River Street to the north, Cummings Street to the south, Rainey Street to the west and East Avenue to the east (Town Lake Watershed) from general commercial services (CS) district zoning, limited office (LO) district zoning and multifamily residence medium density (MF-3) district zoning to central business district (CBD) district zoning. First reading on November 4, 2004. Vote: 6-0, Council Member Slusher - abstained. Applicant: City of Austin. Agent: Neighborhood Planning and Zoning Department (Glenn Rhoades). City Staff: Glenn Rhoades, 974-2775 (Related Items 51, 52, 53, 54, 56, 57, 58, 63)
56. C14-04-0083 - Rainey Street Neighborhood Rezoning (Tract F) - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property located southwest of the intersection of River Street and Rainey Street (Town Lake Watershed) from family residence (SF-3) district zoning to central business district (CBD) district zoning. First reading on November 4, 2004. Vote: 6-0, Council Member Slusher - abstained. Applicant: City of Austin. Agent: Neighborhood Planning and Zoning Department (Glenn Rhoades). City Staff: Glenn Rhoades, 974-2775 (Related Items 51, 52, 53, 54, 55, 57, 58, 63)

57. C14-04-0096 - Rainey Street Neighborhood Rezoning (Tract G) - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property bounded by IH-35 North to the east and south of its intersection with San Marcos Street (Town Lake Watershed) from general commercial services (CS) district zoning, community commercial (GR) district zoning and family residence (SF-3) district zoning to central business district (CBD) district zoning. First reading on November 4, 2004. Vote: 6-0, Council Member Slusher - abstained. Applicant: City of Austin. Agent: Neighborhood Planning and Zoning Department (Glenn Rhoades). City Staff: Glenn Rhoades, 974-2775. (Related Items 51, 52, 53, 54, 55, 56, 58, 63)
58. C14-04-0097 - Rainey Street Neighborhood Rezoning (Tract H) - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property located at the southwest corner of Lambie Street and IH-35 North (southbound frontage road) (Town Lake Watershed) from general commercial services (GR) district zoning to central business district (CBD) district zoning. First reading on November 4, 2004. Vote: 6-0, Council Member Slusher - abstained. Applicant: City of Austin. Agent: Neighborhood Planning and Zoning Department (Glenn Rhodes). City Staff: Glenn Rhoades, 974-2775. (Related Items 51, 52, 53, 54, 55, 56, 57, 63)

Zoning and Neighborhood Plan Amendment Hearings and Approval of Ordinances / Restrictive Covenants

- Z- 1 C14-05-0009 - Brazos Zoning - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by zoning property locally known as 11410 Manchaca Road (Slaughter Creek Watershed) from interim-rural residence (I-RR) 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: Ray Pickard. Agent: Crocker Consultants (Sarah Crocker). City Staff: Wendy Walsh, 974-7719.

- Z- 2** **C14-05-0015 - Jelson Commercial Development - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 6941 West U.S. Highway 290 (Williamson Creek Watershed-Barton Springs Zone) from rural residence (RR) district zoning to general commercial services (CS) district zoning. Zoning and Platting Commission Recommendation: To grant general commercial services-conditional overlay (CS-CO) combining district zoning. Applicant: Convict Hill Development, L.L.C. (William K. Reagan, II). Agent: Brown McCarroll, L.L.P. (Nikelle S. Meade). City Staff: Wendy Walsh, 974-7719.**
- Z- 3** **C14-05-0017 - Highway 71 - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by zoning property locally known as 3103 East State Highway 71 (Onion Creek Watershed) from interim-single family residence standard lot (I-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. Applicant: G.T. Land, L.P. (Pedro E. Landa). Agent: LOC Consultants (Sergio Lozano-Sanchez). City Staff: Wendy Walsh, 974-7719.**
- Z- 4** **C814-01-0038.02 - Parmer/Walnut Creek PUD Amendment #2 - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 1200-1210 West Parmer Lane (Walnut Creek Watershed) from community commercial (GR) district zoning and planned unit development (PUD) district zoning to planned unit development (PUD) district zoning. Zoning and Platting Commission Recommendation: To grant planned unit development (PUD) district zoning with conditions. Applicant: Edgar and Linda Perry, Exxon Corporation (Sandra L. Heysinger). Agent: McLean & Howard, L.L.P. (William P. McLean). City Staff: Sherri Sirwaitis, 974-3057.**
- Z- 5** **C14-05-0003 - 5701 Riverside Drive - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 5701 Riverside Drive (Country Club Creek Watershed) from limited office (LO) district zoning to community commercial-conditional overlay (GR-CO) combining district zoning. Planning Commission Recommendation: To community commercial-conditional overlay (GR-CO) combining district zoning. Applicant: BRTS Joint Ventures (H.C. Bell). Agent: Jim Bennett. City Staff: Robert Heil, 974-2330.**

- Z- 6** **C14-04-0150 - Neighbor's Stop & Go - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 6008 Manchaca Road (Williamson Creek Watershed) from limited office (LO) district zoning to neighborhood commercial-conditional overlay (LR-CO) combining district zoning. Zoning and Platting Commission Recommendation: To grant neighborhood commercial-conditional overlay (LR-CO) combining district zoning, with conditions. Applicant: Anthony R. Bertucci. Agent: Brown McCarroll, L.L.P. (Annick C. Beaudet). City Staff: Wendy Walsh, 974-7719. Note: A valid petition has been filed in opposition to this rezoning request.**
- Z- 7** **Conduct a public hearing and approve an ordinance to amend the Central East Austin Neighborhood Plan, an element of the Austin Tomorrow Comprehensive Plan, to change the Future Land Use Map from single-family residential land use designation to a mixed-use office land use designation for 901 E. 15th Street. (Related Item Z-8)**
- Z- 8** **C14-04-0091 - Family Dental Practice - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 901 East 15th Street (Waller Creek Watershed) from family residence-neighborhood plan (SF-3-NP) district zoning to limited office-mixed use-combining overlay-neighborhood plan (LO-MU-CO-NP) combining district zoning. Planning Commission Recommendation: To forward the request without a recommendation. Applicant: Dr. Fernando H. Loya. Agent: Lopez-Phelps & Associates (Amelia Lopez-Phelps). City Staff: Sherri Sirwaitis, 974-3057. (Related Item Z-7)**

5:30 P.M. LIVE MUSIC AND PROCLAMATIONS**LIVE MUSIC**

Will Janson

PROCLAMATIONS

Proclamations - Texas Library Association Conference - to be presented by Mayor Will Wynn and to be accepted by Dana Rooks and Gretchen Hoffman and National Library Week to be presented by Mayor Will Wynn and to be accepted by Brenda Branch

Proclamation - Public Health Week - to be presented by Mayor Will Wynn and to be accepted by David Lurie

Certificate of Appreciation - Rev. Emilee Whitehurst - to be presented by Mayor Will Wynn and to be accepted by the honoree

Proclamation - Wildfire Awareness Week - to be presented by Mayor Will Wynn and to be accepted by Acting Fire Chief Jim Evans

Distinguished Service Award - Johnny Gardner - to be presented by Mayor Will Wynn and City Manager Toby Hammett Futrell and to be accepted by the honoree

Certificate of Congratulations - GFOA Distinguished Budget Presentation Award - to be presented by Mayor Will Wynn and to be accepted by Greg Canally and John Stephens

Proclamation - Crime Victims' Rights Week - to be presented by Council Member Betty Dunkerley and to be accepted by David Lurie

6:00 P.M. PUBLIC HEARINGS AND POSSIBLE ACTION**Neighborhood Housing and Community Development**

59. Conduct a public hearing to receive citizen comments on community needs to develop the City's (1) annual Action Plan for Fiscal Year 2005-2006, related to allocation of the U.S. Department of Housing and Urban Development (HUD) grant funds, and (2) Community Development Fiscal Year 2005-2006 Program required by Texas Local Government Code Chapter 373, including proposed funding allocations. (The Community Development Commission will conduct hearings on April 12, 2005 and May 10, 2005 and make recommendations to Council on June 14, 2005. City Council final approval is required before the August 15, 2005 HUD submission deadline.)

60. Conduct a public hearing and approve an ordinance modifying the East 11th and 12th Streets Urban Renewal Plan to designate community parking on East 11th and 12th Streets, change permitted uses, building heights, and parking requirements, and add setback requirements along the East 12th Street Corridor. (Urban Renewal Board and Planning Commission approved the recommendation on the proposed modifications.)

Neighborhood Planning and Zoning

61. Conduct a public hearing on the limited purpose annexation of the Woods of Greenshores Area (Approximately 108 acres in Travis County east of the intersection of City Park Road and Pearce Road)
62. Conduct a public hearing for the disannexation of the Jet Lane Area (Approximately 6 acres in Travis County east of Highway 71 East at the end of Jet Lane).
63. Conduct a public hearing and approve an ordinance to amend Chapter 25-2 of the Land Development Code relating to the land use and site development regulations of the Waterfront Overlay (WO) District and the Rainey Street Subdistrict of the Waterfront Overlay District. (Reviewed by Planning Commission.) (Related Items 51, 52, 53, 54, 55, 56, 57, 58)

Public Works

64. Conduct a public hearing and adopt a resolution authorizing the use of approximately 1.265 acres for a wastewater line, 0.2551 acres for a lift station, and 2.3619 acres for temporary work space of dedicated parkland known as Butler Shores Park, to construct, use, maintain, repair, and replace a wastewater line in a tunnel for construction of the Barton Creek Lift Station Relief Main-Section 2, in accordance with Sec. 26.001 et seq. of the Texas Parks and Wildlife Code. (All costs associated with the wastewater mains and tunnel, as well as any parkland mitigation and restoration, will be paid by the City of Austin.) (Recommended by the Parks Board.)
65. Conduct a public hearing and adopt a resolution to use approximately 0.268 acres for a wastewater line and 0.863 acres for temporary work space of dedicated parkland known as Town Lake Park to construct, use, maintain, repair, and replace a wastewater line for construction of a portion of the Govalle 1 – South 2nd Street & East Bouldin Creek Relief Interceptor, in accordance with Sec. 26.001 et seq. of the Texas Parks and Wildlife Code. (All costs associated with the construction, as well as any parkland mitigation and restoration, will be paid by the City of Austin.) (Recommended by the Parks Board.)

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 at 974-2210 no later than three hours before the scheduled time of the item on which the person wishes to speak at the council meeting.

Cualquier persona puede solicitar servicios de intérprete en español comunicándose con la oficina del Secretario/a Municipal al 974-2210 a no más tardar de tres horas antes de la hora determinada para el asunto sobre el cual la persona desea comentar en la sesión del Consejo.

Council Meetings

January 13, 2005
January 27, 2005

February 3, 2005
February 10, 2005
February 17, 2005

March 3, 2005
March 10, 2005
March 24, 2005

April 7, 2005
April 14, 2005
April 28, 2005

May 12, 2005
May 19, 2005
May 26, 2005

June 9, 2005
June 23, 2005

July 28, 2005

August 4, 2005
August 18, 2005
August 25, 2005

September 1, 2005
September 12,13,14
(Budget Readings)
September 29, 2005

October 6, 2005
October 20, 2005
October 27, 2005

November 3, 2005
November 17, 2005

December 1, 2005
December 15, 2005

Cancelled Meetings

January 6, 2005

January 20, 2005

February 24, 2005

March 17, 2005
March 31, 2005

April 21, 2005

May 5, 2005

June 2, 2005
June 16, 2005
June 30, 2005

July 7, 2005
July 14, 2005
July 21, 2005

August 11, 2005

September 8, 2005

September 15, 2005
September 22, 2005

October 13, 2005

November 10, 2005
November 24, 2005

December 8, 2005
December 22, 2005
December 29, 2005