

**AUSTIN CITY COUNCIL  
MINUTES****REGULAR MEETING  
THURSDAY, JULY 28, 2005**

**Invocation:** Rev. Randy Adams, Associate Pastor, Congress Avenue Baptist Church

The following represents the actions taken by the Austin City Council in the order they occurred during the meeting. While the minutes are not in sequential order, all agenda items were discussed. The City Council of Austin, Texas, convened in a regular meeting on Thursday, July 28, 2005 in the Council Chambers of City Hall, 301 W. 2<sup>nd</sup> Street, Austin, Texas.

Mayor Wynn called the Council Meeting to order at 10:06 a.m.

**CONSENT AGENDA**

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

1. Approval of the minutes from the meetings of June 20 (canvassing the runoff election and swearing-in ceremony of new council members) and the meeting on June 23, 2005.  
**The minutes from the meetings of June 20 (canvassing the runoff election and swearing-in ceremony of new council members) and the meeting on June 23, 2005 were approved.**
2. Approve the issuance of a Letter of Intent for a rebate in the amount of \$74,816.80 to FOUNDATION COMMUNITIES, Austin, TX, for the installation of a solar photovoltaic system at their facility located at 201 St. Elmo Road. (Funding in the amount of \$74,816.80 is available in the Fiscal Year 2004-2005 Operating Budget of Austin Energy in the Conservation Rebates and Incentives Fund.) (Recommended by the Resource Management Commission.)  
**The motion authorizing the issuance of a letter of intent was approved.**
3. Approve a resolution authorizing the City Manager to negotiate and execute an amendment to the First Agreement For The Provision Of Wholesale Wastewater Service Between The City Of Austin and The City Of West Lake Hills in order to modify the administrative processes and definitions related to the provision of City of Austin wholesale wastewater service. (No City funds are required by this action.) (Recommended by Water and Wastewater Commission)  
**Resolution Number 20050728-003 was approved.**
4. Approve an ordinance amending Ordinance No. 040913-05, the Fiscal Year 2004-2005 EMS Department Fee Schedule to approve changes made by Travis County Commissioners Court to the STAR Flight fees.  
**Ordinance No. 20050728-004 was approved.**

5. Authorize the execution of the Capital Area Council of Governments Interlocal Contract for Enhanced 9-1-1 Database Program, between the City of Austin and the Capital Area Council of Governments (CAPCOG) for the purpose of establishing and maintaining 9-1-1 emergency telephone service on a county wide based on the standards of the CAPCOG Geographic Information Services (GIS) Program. (Funding in the amount of \$340,697 is available in the Fiscal Year 2005-2006 Proposed Operating Budget of the Communications and Technology Management Department. This amount is a reimbursement from CAPCOG.)  
**The motion authorizing the execution of the Capital Area Council of Governments Interlocal Contract was approved.**
  6. Approve the 2005 General Obligation Bond Sale Schedule. (\$19,535,000 in Public Improvement and Refunding Bonds, \$7,185,000 in Certificates of Obligation, and \$14,940,000 in Contractual Obligations.)  
**Ordinance No. 20050728-006 was approved.**
  7. Authorize and direct publication of an Official Notice of Intention to Issue \$7,185,000 in City of Austin, Texas, Certificates of Obligation, Series 2005. (\$569,250 in the first year debt service requirement and \$600 estimated annual administration fee for the paying agent/registrar for the proposed Certificate of Obligation sale is included in the 2005-2006 Proposed Operating Budget of the General Obligation Debt Service Fund.)  
**Resolution No. 20050728-007 was approved.**
  8. Authorize negotiation and execution of an Interlocal Agreement with the City of Sunset Valley for the Fire Department to provide Fire Protection Services to Sunset Valley for an initial three year term beginning October 1, 2004 and ending September 30, 2007 with three one year renewals. (Anticipated revenue for Fiscal Year 2004-2005 is \$136,170. Revenue in Fiscal Year 2005-2006 is anticipated to be \$149,787.)  
**The motion authorizing negotiation and execution of an interlocal agreement was approved.**
  9. Authorize negotiation and execution of an interlocal agreement with the TEXAS DEPARTMENT OF STATE HEALTH SERVICES, Austin, TX. and an interlocal agreement with the BRAZOS VALLEY COUNCIL OF GOVERNMENTS, Bryan, TX. Both agreements will be executed for the period July 1, 2005 through June 30, 2006, with two 12-month renewal options, for a total three year period ending June 30, 2008, for the provision of HIV service data support through a new HIV services software application called the AIDS Regional Information and Evaluation System (ARIES).  
**The motion authorizing the execution of two interlocal agreements was approved.**
- Item 10 was pulled for discussion.**
11. Authorize approval of an ordinance to accept grant funds from the Texas Association of Regional Councils in the amount of \$4,000; and to amend the Fiscal Year 2004-2005 Management Services/Office of Emergency Management Operating Budget Special Revenue Fund of Ordinance No. 040913-01 to appropriate \$4,000 for a total grant amount of \$50,000, for the continuance of the Citizen Corps Council and Citizen Emergency Response Team Program and to create one full-time equivalent position. (Funding in the amount of \$4,000 is available in Fiscal Year 2005 from the Texas Association of Regional Councils for the grant period April 30, 2005 - August 31, 2006. No City match is required.)  
**Ordinance No. 20050728-011 was approved.**

12. Approve 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 grant funds, and (2) Community Development Fiscal Year 2005-2006 Program required by Texas Local Government Code Chapter 373, including funding allocations, and authorizing application to the U.S. Department of Housing and Urban Development for a \$3 million Section 108 Program loan to fund business loans under the City's Neighborhood Commercial Management Program. (Federal Funds: CDBG, HOME, ESG, HOPWA, EDI Grant, Section 108 Funds, American Dream Downpayment Initiative, Lead Hazard Control Grant, Healthy Homes Grant. Other Funds: Housing Assistance Fund, General Fund, Housing Trust Fund, Housing Bonds. Please see attached budget back-up.) (The Community Development Commission (CDC) received citizen input on April 12 and May 10, 2005 on the FY 2005-06 Action Plan and Chapter 373 Community Development FY 2005-06 Program. The CDC adopted recommendations to the Council for use of FY 2005-06 CDBG and HOME funds at their meeting on June 14, 2005. Please see attached back up for their recommendations.)  
**This item was postponed to August 4, 2005.**
13. Approve a resolution authorizing negotiation and execution of an interlocal agreement with Texas Commission on Environmental Quality (TCEQ) for Federal Environmental Protection Agency (EPA) Mobile Source Outreach Assistance funding for a Parking Benefit District project with the City of Austin matching funds in an amount not to exceed \$28,850. (Total Project cost is \$78,580. Grant funding of \$43,275 is provided through EPA Mobile Source Outreach Assistance Funding administered by TCEQ. City's match of \$28,850 in in-kind services is available in the Fiscal Year 2004-2005 Operating Budget of the Neighborhood Planning and Zoning Department. Funding for the second and any subsequent grant years is contingent upon available funding in future budgets.)  
**Resolution No. 20050728-013 was approved.**
14. Authorize an Interlocal Agreement between the City of Austin and Travis County for an Assistant District Attorney for the Project Safe Neighborhood gun violence program in an amount not to exceed \$88,655 for the period September 1, 2005 through August 31, 2006. (Funding is available in the Fiscal Year 2004-2005 operating budget for the Austin Police Department.)  
**The motion authorizing the renewal of an interlocal agreement was approved.**
15. Authorize renewal of an Interlocal Agreement between the City of Austin and Travis County for a Downtown Business District Attorney in an amount not to exceed \$20,000 in Fiscal Year 2005-2006, with an option to extend two additional one year terms in an amount not to exceed \$20,000 for each year. (Funding is available in the Proposed Fiscal Year 2005-2006 Operating Budget for the Austin Police Department.)  
**The motion authorizing the renewal of an interlocal agreement was approved.**
16. Approve a resolution to authorize the fee simple acquisition of Lot 87, of Grant Park, an addition to the City of Austin, Travis County, Texas, located at 1805 Victoria Drive from Virgie Morton Floyd and Stacey dey Hurst, Dependent Co-Administrators of the Estate of Azie B. Morton, for the Streambank Restoration and Erosion Management Program, in the amount of \$90,000 for the land and improvements and moving related expenses not to exceed \$10,000, for a total not to exceed \$100,000. (Funding in the amount of \$100,000 is included in the Fiscal Year 2002-2003 Amended Capital Budget of the Watershed Protection and Development Review Department.)  
**Resolution No. 20050728-016 was approved.**

17. Approve a resolution authorizing the filing of eminent domain proceedings for the Govalle 3-Carson Creek at Montopolis Drive portion of the Austin Clean Water Program to acquire a 5,652 square foot permanent wastewater line easement, a 1,702 square foot permanent access easement, and a 17,556 square foot temporary working space easement out of the Santiago Del Valle Survey, Abstract 24 in Travis County, Texas, in the amount of \$15,550. The owners of the property interests sought to be condemned are Coney H. Dorough, Catherine Bearden Dorough and The Coney and Catherine Dorough 1998 Descendants' Trust, of Austin, TX. The property is located at 7135 East Ben White Boulevard, Austin, Travis County, Texas. (Funding is included in the Fiscal Year 2004-2005 Approved Capital Budget of the Austin Water Utility.)  
**Resolution No. 20050728-017 was approved.**
18. Approve negotiation and execution of a three year lease for 3.029 acres of land being Lot 12, Joseph Clayton Subdivision, located at 901 Braker Lane East, Austin, Texas from Burdell Ranch Partners, Ltd., San Rafael, CA., for use by the Austin Water Utility for the Walnut Creek Annexation Project as a staging area and material storage site, in an amount not to exceed \$146,866. (Funding is included in the Fiscal Year 2004-2005 Capital Budget of the Austin Water Utility.)  
**The motion authorizing the negotiation and execution of a lease renewal was approved.**
19. Authorize negotiation and execution of a 12-month lease renewal of 2.52 acres of land and 3,000 square feet of office and warehouse improvements located at 5109 East Ben White Boulevard, from 5005 B.W. LP, Spicewood, TX, for the Watershed Protection and Development Review Department Pond Maintenance Program, in an amount not to exceed \$42,000. (Funding for the renewal contract period is contingent upon available funding in future budgets.)  
**The motion authorizing the negotiation and execution of a lease renewal was approved.**
20. Approve an ordinance to amend section 12-4-21 of the City Code to establish a 10 miles per hour speed limit on State Highway 165 in the Texas State Cemetery; amend section 12-4-42 of the City Code to establish a 40 miles per hour speed limit on a portion of Samsung Boulevard; amend section 12-4-43 of the City Code to expand the 45 miles per hour speed limit on a portion of Airport Boulevard; and amend section 12-4-94 of the City Code to establish a 45 miles per hour construction speed zone on a portion of U.S. Highway 183. (Funding in the amount of \$300 is available in Fiscal Year 2004-2005 Approved Operating Budget of the Public Works Department for the installation of necessary signs and all other necessary speed limit signing will be posted by the Texas Department of Transportation.)  
**Ordinance No. 20050728-020 was approved.**
21. Approve a resolution adopting an Interlocal Agreement with the Texas Department of Transportation (TxDOT) and Williamson County for the operation and maintenance of traffic signals in Williamson County along TxDOT controlled roadways. (As part of this Interlocal Agreement, the City of Austin will be reimbursed by TxDOT for the operation and maintenance of traffic signals included in the Agreement.)  
**Resolution No. 20050728-021 was approved.**
22. Authorize execution of a construction contract with VIKING CONSTRUCTION, INC., Georgetown, TX, for the 2005 Miscellaneous Streets Slurry Seal project in an amount not to exceed \$336,668.40. (Funding is available in the Fiscal Year 2004-2005 Approved Operating Budget of the Public Works Department Transportation Fund.) 14.69% MBE and 12.62% WBE subcontractor participation.  
**The motion authorizing the execution of a construction contract was approved.**

23. Authorize execution of a construction contract with BRAZOS ROOFING INTERNATIONAL OF SOUTH DAKOTA, INC., Waco, TX, for Austin-Bergstrom International Airport Buildings Roof Repairs - Building 6010 (Learning Resource Center) in an amount not to exceed \$181,888. (Funding is available in the Fiscal Year 2004-2005 Amended Capital Budget of the Department of Aviation.) Lowest bid of four received. This contract will be 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.

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

24. Authorize execution of a construction contract with AARON CONCRETE CONTRACTORS, LP (MBE/MH 38.13%), Austin, TX, for the CMTA-BGA Street Reconstruction on Middle Fiskville Road from Koenig Lane to Highland Mall Boulevard and on Northcrest Boulevard from Crestland Drive to Prince Drive Projects, for a total contract amount not to exceed \$943,097.80. (Funding in the amount of \$934,592.80 is available in the Fiscal Year 2004-2005 Amended Capital Budget of the Public Works Department and funding in the amount of \$8,505 is available in the Fiscal Year 1995-1996 Capital Budget of the Austin Water Utility.) Lower of two bids received. 4.24% MBE and 52.84% WBE subcontractor participation.

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

25. Authorize execution of a 12-month supply agreement with CUSTOM CRETE, Austin, TX for ready-mix concrete in an amount not to exceed \$288,690, with four 12-month extension options in an amount not to exceed \$288,690, for a total agreement amount not to exceed \$1,443,450. (Funding in the amount of \$48,115 is available in the Fiscal Year 2004-2005 Amended Operating Budget of Austin Energy. Funding for the remaining ten 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.

**The motion authorizing the execution of a supply agreement was approved.**

26. Authorize negotiation and execution of a 12-month service agreement with POWER MEASUREMENT, INC., Oakland, CA for Internet based Utility Information Services for Austin Energy (AE) in an amount not to exceed \$77,900, with four 12-month extension options in an amount not to exceed \$98,300 per extension option, for a total agreement amount not to exceed \$471,100. (Funding in the amount of \$77,900 is available in the Fiscal Year 2005-2006 Proposed Operating Budget of Austin Energy. Funding for the extension options is contingent upon available funding in future budgets.) Sole Source.

**The motion authorizing the negotiation and execution of a service agreement was approved.**

27. Authorize execution of a 12-month service agreement with AUS-TEX PRINTING & MAILING, Austin, TX for printing and mailing of a new customer brochure and inserts in an amount not to exceed \$55,007.73, with three 12-month extension options in the amount not to exceed \$55,007.73 per extension option, for a total contract amount of \$220,030.92. (Funding in the amount of \$9,167.45 is available in the Fiscal Year 2004-2005 Amended Operating Budget of Austin Energy. Funding for the remaining ten months of the original contract period and extension options is contingent upon available funding in future budgets.) Lowest bid of five bids received. This contract will be awarded in compliance with Chapter 2-9 of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation.

**The motion authorizing the execution of service agreement was approved.**

28. Authorize ratification of Amendment No. 1 to a contract with FLOWSERVE CORP, Phillipsburg, NJ for pump repair in an amount not to exceed \$100,800, and authorize the execution of Amendment No. 2 in an amount not to exceed \$65,000, for a revised contract amount not to exceed \$560,729. (Funding in the amount of \$165,800 is available in the Fiscal Year 2004-2005 Amended Operating Budget of Austin Energy) This contract was awarded in compliance with Chapter 2-9 of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation.

**The motion authorizing the ratification of Amendment No. 1 to a contract was approved.**

29. Authorize execution of a 12-month supply agreement with AUSTIN WHITE LIME COMPANY, Austin, TX, for quicklime for the Austin Water Utility in an amount not to exceed \$743,185, with two 12-month extension options in an amount not to exceed \$743,185 per extension option, for a total contract amount not to exceed \$2,229,555. (Funding in the amount of \$185,797 is available in Fiscal Year 2004-2005 Approved Operating Budget of the Austin Water Utility. Funding for the remaining nine months of the original contract period and extension option is contingent upon available funding in future budgets.) Only bid received. This contract will be awarded in compliance with Chapter 2-9 of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontract opportunities were identified; therefore, no goals were established for this solicitation.

**The motion authorizing the execution of a supply agreement was approved.**

30. Authorize execution of a 12-month supply agreement with PLANT EQUIPMENT & SERVICE, INC. Bryan, TX for the purchase of epoxy cement manhole seal surface kits for the Austin Water Utility in an amount not to exceed \$49,170, with two 12-month extension options in an amount not to exceed \$49,170 per extension option, for a total contract amount not to exceed \$147,510. (Funding in the amount of \$4,098 is available in the Fiscal Year 2004-2005 Approved Operating Budget of the Austin Water Utility. Funding for the remaining eleven months of the initial contract period and extension options is contingent upon available funding in future budgets.) Lowest bid of six bids received. This contract will be awarded in compliance with Chapter 2-9 of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation.

**The motion authorizing the execution of a supply agreement was approved.**

31. Authorize execution of two 12-month supply agreements with AIRGAS SOUTHWEST, Austin, TX and UNITED RENTAL TRENCH SAFETY, Austin, TX for the purchase of multi-gas detection monitors for the Austin Water Utility in amounts not to exceed \$63,351 and \$65,548.66 respectively, with two 12-month extension options in amounts not to exceed \$63,351 and \$65,548.66 respectively for each extension option, for total contract amounts not to exceed \$190,053 and \$196,645.98 respectively. (Funding in the amount of \$21,484 is available in Fiscal Year 2004-2005 Approved Operating Budget for the Austin Water Utility. Funding for the remaining ten months of the original contracts and extension options is contingent upon available funding in future budgets.) Lowest bids of eleven bids received. These contracts will be awarded in compliance with Chapter 2-9 of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation.

**The motion authorizing the execution of a two supply agreements was approved.**

32. Authorize execution of a 12-month supply agreement with ACT PIPE & SUPPLY, Pflugerville, TX, for the purchase of reinforced concrete meter boxes and covers for the Austin Water Utility in an amount not to exceed \$63,007, with two 12-month extension options in an amount not to exceed \$63,007 per extension option, for a total agreement amount not to exceed \$189,021. (Funding in the amount of \$5,251 is available in the Fiscal Year 2004-2005 Approved Operating Budget of the Austin Water Utility. Funding for the remaining 11 months of the original contract period and extension options is contingent upon available funding in future budgets.) Lowest bid of four bids received. This contract will be awarded in compliance with Chapter 2-9 of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation.

**The motion authorizing the execution of a supply agreement was approved.**

33. Authorize execution of a 12-month supply agreement with HILL COUNTRY ELECTRIC SUPPLY, Austin, TX for the supply of miscellaneous electrical supplies for the Austin Water Utility in an amount not to exceed \$76,000, with two 12-month extension options in an amount of \$76,000 per extension option, for a total agreement amount not to exceed \$228,000. (Funding in the amount of \$6,334 is available in Fiscal Year 2004-2005 Approved Operating Budget of the Austin Water Utility. Funding for the remaining 11 months of the original contract period and extension options is contingent upon available funding in future budgets.) Only bid received. This contract will be awarded in compliance with Chapter 2-9 of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation.

**The motion authorizing the execution of a supply agreement was approved.**

34. Authorize execution of a 12-month supply agreement with JAMES JONES COMPANY, El Monte, CA for brass fittings of various types and sizes for the Austin Water Utility in an amount not to exceed \$74,858.40, with two 12-month extension options in an amount not to exceed \$74,858.40 per extension option, for a total contract amount not to exceed \$224,575.20. (Funding in the amount of \$12,476.40 is available in the Fiscal Year 2004-2005 Approved Operating Budget of the Austin Water Utility. Funding for the remaining 10 months of the original contract period and extension options is contingent upon available funding in future budgets.) Lowest bid of three bids received. This contract will be awarded in compliance with Chapter 2-9 of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation.

**The motion authorizing the execution of a supply agreement was approved.**

35. Authorize execution of a 12-month supply agreement with ALLIED SALES CO., Austin, TX for the purchase of industrial lubricants for the Austin Water Utility in an amount not to exceed \$62,672.93, with two 12-month extension options in an amount not to exceed \$62,672.93 per extension option, for a total contract amount not to exceed \$188,018. 79. (Funding in the amount of \$5,222.74 is available in the Fiscal Year 2004-2005 Approved Operating Budget of the Austin Water Utility. Funding for the remaining 11 months of the initial contract and extension options is contingent upon available funding in future budgets.) Lowest bid of three bids received. This contract will be awarded in compliance with Chapter 2-9 of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation.  
**The motion authorizing the execution of a supply agreement was approved.**
36. Authorize execution of Amendment No. 3 to the contract with US FILTER/DAVIS PRODUCTS, Sarasota, FL to increase the contract amounts in extension option periods 1 and 2, for the purchase of bioxide salt for the Austin Water Utility in an amount not to exceed \$86,521 for the first extension option and \$107,889 for the second extension option, for a revised total contract amount not to exceed \$896,660. (Funding in the amount of \$50,878.50 is available in the Fiscal Year 2004-2005 Approved Operating Budget of the Austin Water Utility. Funding for the remaining six months of the current option period and extension option period 2 is contingent upon available funding in future budgets.) Sole Source.  
**The motion authorizing the execution of Amendment No. 3 to the contract was approved.**
37. Authorize ratification of an emergency purchase contract with KOETTER FIRE PROTECTION OF AUSTIN LLC, Pflugerville, TX for the purchase and installation of a fire alarm control panel for the Austin Water Utility in an amount not to exceed \$137,900. (Funding is available in Fiscal Year 2004-2005 Capital Budget of the Austin Water Utility.) Low bid of two bids received. Emergency Purchase.  
**The motion authorizing the ratification of an emergency purchase contract was approved.**
38. Authorize execution of a contract with EATON ELECTRICAL SERVICES AND SYSTEMS, Austin, TX to upgrade the existing lighting system at Austin Bergstrom International Airport (ABIA) in an amount not to exceed \$76,559. (Funding is available in the Fiscal Year 2004-2005 Amended Operating Budget of the Aviation Department.) Sole Source.  
**The motion authorizing the execution of a contract was approved.**
39. Authorize execution of Amendment No. 1 to the contract with WALGREENS HEALTH INITIATIVES, Deerfield, IL for pharmacy management and dispensing services, to increase the contract in an amount not to exceed \$1,260,243 for a revised current year contract amount not to exceed \$2,460,243; and to increase the extension options one through four amounts not to exceed \$1,397,638, \$1,495,351, \$1,623,823, and \$1,787,566 respectively for each succeeding year; for a total revised contract amount not to exceed \$15,564,621. (Funding for the current term of the contract is available in the Fiscal Year 2004-2005 Operating Budget of the Community Care Services Department. Funding for the extension 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.  
**This item was postponed to August 4, 2005.**



40. Authorize execution of a 12-month supply agreement with MCKESSON MEDICAL-SURGICAL INC., Richmond, VA, for the purchase of disposable medical supplies for the Community Care Services Department and Health and Human Services Department in amounts not to exceed \$500,000 and \$175,000 respectively, with four 12-month extension options in amounts not to exceed \$500,000 and \$175,000 respectively per extension option, for a total agreement amount not to exceed \$3,375,000. (Funding in the amount of \$83,333 is available in the Fiscal Year 2004-2005 Approved Operating Budget of the Community Care Services Department. Funding in the amount of \$29,166 is available in the Fiscal Year 2004-2005 Approved Operating Budget of the Health and Human Services Department. Funding for the remaining 10 months of the original contract period and extension options is contingent upon available funding in future budgets.) Lowest bidder meeting specifications. This contract will be awarded in compliance with Chapter 2-9 of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore no goals were established for this solicitation.

**The motion authorizing the execution of a supply agreement was approved.**

41. Authorize negotiation and execution of a contract with McKESSON HEALTH SOLUTIONS LLC MEDICAL MANAGEMENT SYSTEMS, Phoenix, AZ for the supply, installation and implementation of a Triage Call Center Information Management System in an amount not to exceed \$203,300, with four extension options to purchase maintenance support for \$35,000 per extension option, for a total contract amount not to exceed \$343,300. (Funding in the amount of \$203,300 is available in the Fiscal Year 2004-2005 Approved Capital Budget of the Community Care Services Department. Funding for the extension options is contingent upon available funding in future budgets.) Best proposal of four proposals received. This contract will be 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.

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

42. Authorize execution of a contract with E.J. WARD, INC., San Antonio, TX, for a radio frequency fueling system in an amount not to exceed \$194,710. (Funding is available in the Fiscal Year 2004-2005 Amended Capital Budget of the Financial and Administrative Services Department, Fleet Fund.) 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.

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

43. Authorize execution of a 12-month service agreement with LONGHORN MOBILE GLASS SERVICE, Austin, TX, for automotive glass repair and replacement 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 \$20,883 is available in the Fiscal Year 2004-2005 Approved Operating Budget of the Financial and Administrative Services Department, Fleet Fund. Funding for the remaining 10 months of the original contract period and extension options is contingent upon available funding in future budgets.) Lowest bid of three bids received. This contract will be awarded in compliance with Chapter 2-9 of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified, therefore, no goals were established for this solicitation.

**The motion authorizing the execution of a service agreement was approved.**

44. Authorize ratification of a contract with ENVIRONMENTAL SYSTEMS PRODUCTS, INC., Austin, TX for the purchase of vehicle emissions testing equipment in an amount not to exceed \$49,000. (Funding is available in the Fiscal Year 2004-2005 Operating Budget of the Financial and Administrative Services Department, Fleet Fund.) This contract will be awarded in compliance with Chapter 2-9 of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation.  
**The motion authorizing the ratification of a contract was approved.**
45. Authorize execution of a contract through Houston-Galveston Area Council of Governments (H-GAC) with PIILPOTT MOTORS, LTD., Nederland, TX, for the purchase of five light duty vehicles in an amount not to exceed \$166,767.21. (Funding in the amount of \$113,390.97 is available in the Fiscal Year 2004-2005 Approved Vehicle Acquisition Fund, Fleet Services. Funding in the amount of \$53,376.24 is available in the Fiscal Year 2004-2005 Approved Capital Budget of the Austin Fire Department.) Purchase Cooperative  
**The motion authorizing the execution of a contract was approved.**
46. Authorize execution of a 12-month service agreement with CONCENTRA HEALTH SERVICES, INC. dba CONCENTRA MEDICAL CENTERS, San Antonio, TX for drug and alcohol testing for City commercial drivers in an amount not to exceed \$51,000, with five 12-month extension options in an amount not to exceed \$51,000 per extension option, for a total agreement amount not to exceed \$306,000. (Funding in the amount of \$4,250 is available in the Fiscal Year 2004-2005 Approved Operating Budget of the Human Resources Department. Funding for the remaining 11 months of the original contract period and extension options is contingent upon available funding in future budgets.) Lowest bid of five bids received. This contract will be awarded in compliance with Chapter 2-9 of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation.  
**The motion authorizing the execution of a service agreement was approved.**
47. Authorize execution of a 12-month rotational contract with DIAMONDHEAD INTERNATIONAL SALES COMPANY, Crosby, TX, ABATEMENT REMEDIATION SPECIALISTS, INC., Marble Falls, TX and TLI & ENVIRONMENTAL SERVICES (MBE-MH), Kempner, TX, for lead hazard control services for the Neighborhood Housing and Community Development Department in an amount not to exceed a total of \$190,000. (Funding is available in the Fiscal Year 2004-2005 Approved Operating Budget of the Neighborhood Housing and Community Development Department (Lead Hazard Control Grant)) Three lowest bids of six bids received. This contract will be awarded in compliance with Chapter 2-9 of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation.  
**The motion authorizing the execution of a rotational contract was approved.**

48. Authorize execution of a contract with INDUSTRIAL OVERHEAD DOOR CO., INC., Austin, TX, for the purchase and installation of two overhead doors at City Hall for the Building Services Division of the Finance and Administrative Services Department in an amount not to exceed \$57,601. (Funding is available in the Fiscal Year 2004-2005 Approved Operating Budget Special Revenue Fund of the Office of Emergency Management (U.S. Department of Homeland Security Grant).) Only bid received. This contract will be awarded in compliance with Chapter 2-9 of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation.

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

49. Authorize execution of a 12-month service agreement with AUSTIN SOFTBALL UMPIRES ASSOCIATION, INC., Austin, TX for softball umpire operations and management program services in an amount not to exceed \$250,624, with one 12-month extension option in amount not to exceed \$250,624, for a total contract amount not to exceed \$501,248. (Funding in the amount of \$20,886 is available in the Fiscal Year 2004-2005 Approved Operating Budget of the Softball Enterprise Fund of the Parks and Recreation Department. Funding for the remaining eleven months of the original contract period and extension option is contingent upon available funding in future budgets.) Only proposal received. This contract will be awarded in compliance with Chapter 2-9 of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation.

**The motion authorizing the execution of a service agreement was approved.**

50. Authorize ratification of two contracts through the Texas Local Government Purchasing Cooperative (BuyBoard) with LONGHORN INTERNATIONAL TRUCKS, LTD., Austin, TX, for the purchase of three truck chassis in an amount not to exceed \$295,742.00, and with HELL OF TEXAS, Houston, TX for the purchase of three automated refuse collection bodies for the Solid Waste Services Department in an amount not to exceed \$268,828.47. (Funding in the amount of \$564,570.47 is available in the Fiscal Year 2004-2005 Approved Operating Budget of the Solid Waste Services Department.) Purchase Cooperative

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

51. Authorize execution of a 12-month service agreement with A-1 QUALITY BLUEPRINT & FAST COPY, Austin, TX for blueline printing services in an amount not to exceed \$104,253, with three 12-month extension options in an amount not to exceed \$104,253 per extension option, for a total agreement amount not to exceed \$417,012. (Funding in the amount of \$17,376 is available in the Fiscal Year 2004-2005 Approved Operating Budget of various City Departments. Funding for the remaining 10 months of the original contract period and extension options is contingent upon available funding in future budgets.) Lowest bid of four bids received. This contract will be awarded in compliance with Chapter 2-9 of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation.

**The motion authorizing the execution of a service agreement was approved.**

52. Approve negotiation and execution of a contract AUSTIN INDEPENDENT SCHOOL DISTRICT (AISD) for the provision of transportation services for students participating in the Earth Camp program for the Fiscal Year 2005-2006 in an estimated amount of \$13,000; and to include two additional one-year extension options for Fiscal Year 2006-2007 for \$13,650 and Fiscal Year 2007-2008 for \$14,333, for a total contract not to exceed \$40,930. (Funding in the amount of \$13,000 is included in the Fiscal Year 2005-2006 Proposed Operating Budget of the Watershed Protection and Development Review Department. This is contingent on approval of the Fiscal Year 2005-2006 budget and the availability of funding in future budgets.)

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

53. Board and Commission appointments.

**The following board and commission appointments were made:**

<u>Board/ Appointee</u>	<u>Consensus Council Nominee</u>	<u>Appointment/ Reappointment</u>
<u>Board of Adjustment</u>		
Bruce Nadig (Alternate)	Consensus	Appointment
Dorothy Richter (Alternate)	Consensus	Reappointment
<u>Building and Fire Code Board of Appeals</u>		
Celia Malin	Consensus	Reappointment
<u>Building and Standards Commission</u>		
Ethelynn Beebe	Consensus	Reappointment
David Brown	Consensus	Reappointment
<u>Electric Board</u>		
Robert Schmidt	Council Member Alvarez'	Reappointment
<u>Environmental Board</u>		
Rodney Ahart	Mayor Pro Tem Thomas'	Reappointment
Karin Ascot	Council Member Leffingwell's	Reappointment
<u>Historic Landmark Commission</u>		
Patti Hansen	Consensus	Reappointment
Jean Mather	Consensus	Reappointment
<u>Mechanical, Plumbing and Solar Board</u>		
Paul Hovey	Consensus	Reappointment
<u>Parks and Recreation Board</u>		
Jeb Boyt	Council Member Dunkerley's	Reappointment
Jeff Francell	Consensus	Reappointment
Linda Guerrero	Council Member Alvarez'	Reappointment
<u>Planning Commission</u>		
John-Michael Cortez	Council Member Alvarez'	Reappointment
Mandy Dealey	Consensus	Appointment
<u>Resource Management Commission</u>		
Grace Hsieh	Council Member Leffingwell's	Appointment

Karen Strnad	Council Member Alvarez'	Reappointment
<u>Solid Waste Advisory Commission</u> Gerard Acuna	Council Member Alvarez'	Reappointment
<u>Water and Wastewater Commission</u> Karen Friese	Council Member McCracken's	Reappointment
<u>Zoning and Platting Commission</u> John Michael Donisi	Mayor Pro Tem Thomas'	Reappointment
Joseph Martinez	Consensus	Reappointment
Janis Pinnelli	Consensus	Reappointment

54. Approve a resolution related to new or existing Council sub-committees and Council representation to local intergovernmental and interregional organizations or committees, including appointments. (Mayor Will Wynn and Council Member Betty Dunkerley)  
**Resolution No. 20050728-054 was approved.**
55. Approve the waiver of additional development fees not to exceed \$2,000 including the landscape inspection fee, related to construction of a building by Southwest Key - East Austin Community Development Project located in the 6000 block of Jain Lane. (Council Member Betty Dunkerley, Mayor Will Wynn and Council Member Raul Alvarez)  
**The motion approving the waiver of additional development fees was approved.**
56. Approve a resolution directing the City Manager to designate the Guadalupe Neighborhood as an area needing a traffic calming study, to work with the neighborhood stakeholders to identify the scope of the study, and to estimate the cost of undertaking a traffic calming process in the area. The Guadalupe Neighborhood is in the Central East Austin Neighborhood Plan area and is bounded by I-35, East 11th Street, the Texas State Cemetery and East 7th Street. (Council Member Raul Alvarez and Mayor Will Wynn and Mayor Pro Tem Danny Thomas)  
**Resolution No. 20050728-056 was approved.**
57. Approve a resolution directing the City Manager to re-allocate \$550,000 from the Capital Metro quarter-cent funds that are currently set aside for improvements to E. 5th St. for the following projects: \$250,000 for Great Street Improvements along the railroad tracks abutting the Saltillo Lofts Project (located just South of the intersection of Comal St. and E. 5th St., across from Plaza Saltillo); \$250,000 for development of a pocket park in the un-used Medina St. right-of-way located between E. 5th St. and the alley North of E. 5th St. (located adjacent to the TOPS office supply warehouse on E. 5th St.); and \$50,000 for development of the Cepeda Music Garden. (Council Member Raul Alvarez and Mayor Will Wynn and Mayor Pro Tem Danny Thomas)  
**Resolution No. 20050728-057 was approved.**
58. Set a public hearing on the continuance of Chapter 9-3, concerning night and daytime curfews for juveniles. (Suggested date and time: August 4, 2005 at 6:00 p.m., City Hall Council Chambers, 301 West 2<sup>nd</sup> Street)  
**The public hearing was set for August 4, 2005 at 6:00 p.m., City Hall Council Chambers, 301 West 2<sup>nd</sup> Street.**

59. Set a public hearing to consider an amendment to Chapter 25-10, Sign Regulations, of the City of Austin Land Development Code to remove language in subsection 25-10-43(B) which allows automatic approval of a variance application if the Sign Review Board does not act on the variance request by the 46th day after the application is filed. (Suggested date and time: August 4, 2005, 6:00 p.m., City Hall Council Chambers, 301 West 2<sup>nd</sup> Street)  
**The public hearing was set for August 4, 2005 at 6:00 p.m., City Hall Council Chambers, 301 West 2<sup>nd</sup> Street.**
60. Set a public hearing to consider a variance request by Mitchell and Jan Davis to allow construction of a single-family house in the 25-year and 100-year floodplains of Boggy Creek at Clifford Avenue, at Lots 1, 2, and 3, Block A of the proposed Z-Lofts Subdivision located at the southeast corner of the intersection of Martin Luther King Jr. Boulevard and Clifford Avenue. (Suggested date and time: August 4, 2005 at 6:00 p.m., City Hall Council Chambers, 301 West 2<sup>nd</sup> Street) (No funding necessary.)  
**The public hearing was set for August 4, 2005 at 6:00 p.m., City Hall Council Chambers, 301 West 2<sup>nd</sup> Street.**
61. Set a public hearing to consider a variance request by Greystar Management Services to allow construction of a multi-family structure with parking garage in the 25-year floodplain of Waller Creek at 901 Red River Street. (Suggested date and time: August 4, 2005 at 6:00 p.m., City Hall Council Chambers, 301 West 2<sup>nd</sup> Street.)  
**The public hearing was set for August 4, 2005 at 6:00 p.m., City Hall Council Chambers, 301 West 2<sup>nd</sup> Street.**
62. Set a public hearing to receive public comment on the proposed rate and fee increases for the Drainage Fee of the Watershed Protection and Development Review Department as part of the Fiscal Year 2005-2006 Proposed Budget. (Suggested date and time: September 1, 2005 at 6:00 p.m., City Hall Council Chambers, 301 West 2<sup>nd</sup> Street)  
**The public hearing was set for September 1, 2005 at 6 p.m. City Hall Council Chambers, 301 West 2<sup>nd</sup> Street.**
63. Set a public hearing to receive public comment on the proposed rate and fee changes for the Austin Water Utility as part of the Fiscal Year 2005-2006 Proposed Budget. (Suggested date and time: September 1, 2005, at 6:00 p.m., City Hall Council Chambers, 301 West 2<sup>nd</sup> Street)  
**The public hearing was set for September 1, 2005 at 6 p.m. City Hall Council Chambers, 301 West 2<sup>nd</sup> Street.**

Items 64 through 69 were Executive Session items.

Items 70 and 71 were action on an Executive Session items.

Items 72 and 73 were briefings set for a time certain of 2:00 p.m.

Items AHFC-1 through AHFC-4 were set for a time certain of 3:00 p.m.

Items 74 through 80 and Z-1 through Z-26 were zoning items set for 4:00 p.m.

Items 81 and 82 were public hearings set for 6:00 p.m.

**DISCUSSION ITEMS**

10. Approve an ordinance amending Section 2-2-35 of the City Code relating to the Ethics Review Commission's city council candidate forums and their advertising. (Recommended by the Ethics Review Commission)

**Ordinance No. 20050728-010 was approved on Council Member Alvarez' motion, Mayor Pro Tem Thomas' second on a 7-0 vote.**

**Mayor Wynn recessed the Council meeting at 10:42 a.m. to go into Executive Session.**

**EXECUTIVE SESSION (No Public Discussion on These Items)**

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

**Private Consultation with Attorney - Section 551.071**

**Items 64, 65, and 66 were discussed later in Executive Session.**

67. Discuss legal issues in *City of Austin v. Ryan-O Excavating, Inc.*, Cause No. 03-05-00108CV in the Third Court of Appeals, Austin, Texas. (concerns the Barton Springs Road utility construction project) (Related Item 70)
68. Discuss legal issues in *Josie Ellen Champion, et al. v. City of Austin*, Cause No. GN-400513, in the Travis County District Court. (concerns a legal challenge to zoning ordinances governing tracts at FM 2222 and Loop 360) (Related Item 71)

**Item 69 was discussed later in Executive Session.**

**Executive Session ended at 12:01 p.m.**

**Mayor Wynn called the Council Meeting back to order at 12:03 p.m.**

**CITIZEN COMMUNICATIONS: GENERAL**

Stefan Wray - The City needs to stop ignoring requests for more information on the fraud investigation. Will the ACAC Board be held accountable?

Pam Thompson - The Producers Advisory Committee recommends that the current manager - ACAC - NOT have its contract renewed on October 1

Kenneth Altes - Prevent the sale of the Seaholm Plant

Paul Robbins - City Issues

Pat Johnson - Keeping Campaign Promises, did you really mean what you told voters, or is this a case of broken promises to get elected and a payback to campaign contributions for votes in their favor?

Robert Thomas - Labor and Industrial Relations, Grievance Reports at the Rosewood Park and Recreation Center

Susana Almanza - The "New Urbanism" is displacing the poor and the poor working class people of East Austin. We need housing and economic development that benefits the residents of East Austin! What good is the "New Urbanism" if it becomes economic racism!

Ron Frank - Maintaining A.M.N. as an internet TV Station

Nailah Sankofa - Inform Council of the Cultural Arts Program - Upcoming

Lawrence Cranberg, Ph.D - Last right of the elderly

**Action on Executive Session**

70. Approve a settlement agreement in *City of Austin v. Ryan-O Excavating, Inc.*, Cause No. 03-05-00108CV in the Third Court of Appeals, Austin, Texas. (concerns the Barton Springs Road utility construction project)(Related Item 67)  
**The motion approving a settlement agreement of \$685,000 was approved on Council Member Dunkerley's motion, Council Member McCracken's second on a 7-0 vote.**
71. Approve a resolution authorizing the City Manager to execute a mediation agreement related to Cause No. GN 400513, *Josie Ellen Champion, et. al v. City of Austin*, in the 261st Judicial District Court of Travis County, and to initiate the re-zoning process for Tracts 1, 2 and 3 of the Champion Property (generally located at FM 2222 and Loop 360) as specified in the agreement. (concerns a legal challenge to zoning ordinances governing tracts at FM 2222 and Loop 360)(Related Item 68)  
**This item was withdrawn from the agenda.**

**Mayor Wynn recessed the Council meeting at 12:35 p.m. to go into Executive Session.**

**EXECUTIVE SESSION CONTINUED**

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

**Private Consultation with Attorney - Section 551.071**

64. Discuss legal issues concerning proposed legislation in the 79<sup>th</sup> First Called Legislative Session and legislation passed by the 79<sup>th</sup> Regular Legislative Session.

**Executive Session ended at 2:10 p.m.**

**Mayor Wynn called the Council meeting back to order at 2:15 p.m.**

**BRIEFINGS AND POSSIBLE ACTION**



72. Presentation of the City of Austin Proposed Budget for Fiscal Year 2005-2006.  
**The presentation was made by Toby Futrell, City Manager, John Stephens, Chief Financial Officer, David Smith, City Attorney, Vickie Schubert, Deputy Chief Financial Officer and Greg Canally, Budget Officer.**
73. Approve the Fiscal Year 2005-2006 budget schedule and set public hearings to receive public comment on the City of Austin Proposed Budget for Fiscal Year 2005-2006. (Suggested dates and times: August 4, 2005, August 18, 2005, August 25, 2005, and September 1, 2005 at 6:00 p.m., City Hall, 301 West 2<sup>nd</sup> Street.)  
**The motion to approve the Fiscal Year 2005-2006 budget schedule and set the public hearings was approved on Mayor Pro Tem Thomas' motion, Council Member Dunkerley's second on a 7-0 vote.**

**BOARD OF DIRECTORS MEETING OF AUSTIN HOUSING FINANCE CORPORATION.**

Mayor Wynn recessed the Council Meeting at 4:19 p.m. to go into the Board of Director's Meeting of the Austin Housing Finance Corporation. See separate minutes.

AHFC adjourned and the regular Council meeting was called back to order at 4:30 p.m.

Mayor Wynn called the Council meeting back to order at 4:30 p.m.

**ZONING CONSENT ITEMS**

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

74. C14-05-0009 - Brazos - Approve third reading of 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-conditional overlay (GR-CO) combining district zoning, with conditions. The conditional overlay and restrictive covenant incorporates the conditions imposed or accepted at second ordinance reading. Second Reading on May 12, 2005. Vote: 7-0. Applicant: Ray Pickard, Jr.; Wayne Edward Pickard; Rene Leon Pickard. Agent: Crocker Consultants (Sarah Crocker). City Staff: Wendy Walsh, 974-7719.  
**Ordinance No. 20050728-074 for community commercial-conditional overlay (GR-CO) combining district zoning with conditions and restrictive covenant accepted at second reading was approved.**
75. C14-05-0011 - Shumaker - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 2900 N. FM 973 (Colorado River Watershed) from development reserve (DR) district zoning to limited industrial services-conditional overlay (LI-CO) combining district zoning. First Reading on May 12, 2005. Vote 7-0. Applicant: Wade Shumaker. Agent: Minter Joseph & Thornhill (John Joseph Jr.) City Staff: Robert Heil, 974-2330.  
**Ordinance No. 20050728-075 for limited industrial services-conditional overlay (LI-CO) combining district zoning was approved.**

76. C14-05-0036 - Pioneer Farms - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 11418 Sprinkle Cutoff Road (Walnut Creek Watershed) from development reserve (DR) district zoning and development reserve-historic (DR-H) combining district zoning to public (P) district zoning and public-historic (P-H) combining district zoning. First reading on May 12, 2005. Vote: 7-0. Property Owner: Heritage Society of Austin (Mike Ward). Applicant: City of Austin. Agent: Neighborhood Planning and Zoning Department. City Staff: Robert Heil: 974-2330.  
**Ordinance No. 20050728-076 for public (P) district zoning and public-historic (P-H) combining district zoning was approved.**
77. C814-96-0003 - Pioneer Crossing - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 1800 ft. along the north side of Samsung Blvd., approximately 1000 ft. east from its intersection with Sprinkle Cutoff Road (Walnut Creek Watershed) from Planned Unit Development (PUD) district zoning to Planned Unit Development (PUD) district zoning in order to modify the land use plan. First reading on May 19, 2005. Vote: 6-0 (Thomas off the dais). Applicant: Pioneer Development Corp. (Ralph Reed). Agent: Planned Environments (Jim Vater). City Staff: Thomas Bolt, 974-2755.  
**Ordinance No. 20050728-077 for Planned Unit Development (PUD) district zoning was approved.**

**Item 78 was pulled for discussion.**

79. C14H-05-0006 - Thompson Carter House - Approve first reading of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 1815 Waterston Avenue from family residence-neighborhood plan (SF-3-NP) combining district zoning to family residence-historic-neighborhood plan (SF-3-H-NP) combining district zoning. Planning Commission Recommendation: Forward without a recommendation due to lack of a quorum vote. Applicant: Historic Landmark Commission. Agent: Neighborhood Planning and Zoning Department. City Staff: Steve Sadowsky, 974-6454. A valid petition has been filed in opposition to this rezoning request.  
**This item was postponed to August 18, 2005 at staff's request.**

**Item 80 was pulled for discussion.**

#### **ZONING CONSENT ITEMS**

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

- Z- 1 C14-04-0114 - Keesee Tract - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by zoning and rezoning property locally known as 10900-10915 Block of South IH-35 Service Road Northbound (Onion Creek Watershed) from interim-rural residence (I-RR) district zoning and multi-family residence low density-conditional overlay (MF-2-CO) combining district zoning to community commercial-mixed use-conditional overlay (GR-MU-CO) combining district zoning for Tract One and general commercial services-mixed use-conditional overlay (CS-MU-CO) combining district zoning for Tract Two. Zoning and Platting Commission Recommendation: To grant community commercial-mixed use-conditional overlay (GR-MU-CO) combining district zoning for Tract One and general commercial services-mixed use-conditional overlay (CS-MU-CO) combining district zoning for Tract Two, with conditions. Applicant: Keesee Partners, Ltd. (Jerry Keesee). Agent: Richard H. Crank, ASLA (Richard H. Crank). City Staff: Wendy Walsh, 974-7719.  
**Ordinance No. 20050728-Z001 for community commercial-mixed-use-conditional overlay (GR-MU-CO) combining district zoning on Tract One and general commercial services-mixed use-conditional overlay (CS-MU-CO) combining district zoning on Tract Two, with conditions was approved.**
- Z- 2 C14-05-0077 - Crescent Machinery - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 127 and 129 East Riverside Drive (East Bouldin Watershed) from limited industrial service (LI) district zoning to general commercial services-conditional overlay (CS-CO) combining district zoning. Zoning and Platting Commission Recommendation: To grant general commercial services-conditional overlay (CS-CO) combining district zoning with conditions. Applicant: Crescent Machinery (Michael Tinsley). Agent: DSWMvK (Michelle R. Allen). City Staff: Robert Heil, 974-2330.  
**Ordinance No. 20050728-Z002 for general commercial services-conditional overlay (CS-CO) combining district zoning with conditions was approved.**
- Z- 3 C14-05-0068 - The Common Interest - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 8440 Burnet Road #142 (Shoal Creek Watershed) from general commercial services (CS) district zoning to commercial-liquor sales (CS-1) district zoning. Zoning and Platting Commission Recommendation: To grant commercial-liquor sales (CS-1) district zoning. Applicant: Wm. Investments, No Four Spectrum, Ltd., The Common Interest. Agent: Jim Bennett. City Staff: Thomas Bolt, 974-2755.  
**Ordinance No. 20050728-Z003 for commercial-liquor sales (CS-1) district zoning was approved.**
- Z- 4 C14-05-0075 - The Shops at Riverplace - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 10601 FM 2222 (West Bull Creek Watershed) from community commercial (GR) 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: Spasco Ltd. (Sandy Aron). Agent: Offices of Bradley Greenblum (Bradley Greenblum). City Staff: Thomas Bolt, 974-2755.  
**Ordinance No. 20050728-Z004 for general commercial services-conditional overlay (CS-CO) combining district zoning was approved.**

- Z- 5 C14-05-0076 - The Shops at Riverplace (CS-1 Zoning) - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 10601 FM 2222 (West Bull Creek Watershed) from community commercial (GR) district zoning to commercial-liquor sales (CS-1) district zoning. Zoning and Platting Commission Recommendation: To grant commercial-liquor sales-conditional overlay (CS-1-CO) combining district zoning. Applicant: Spasco Ltd. (San Aron). Agent: Offices of J. Bradley Greenblum (Bradley Greenblum). City Staff: Thomas Bolt, 974-2755.  
**Ordinance No. 20050728-Z005 for commercial-liquor sales-conditional overlay (CS-1-CO) combining district zoning was approved.**
- Z- 6 C14-05-0073 - Grace Covenant Church - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 9500 Research Blvd. (Shoal Creek Watershed) from multi-family residence medium density (MF-3) district zoning to general office (GO) district zoning. Zoning and Platting Commission Recommendation: To grant general office (GO) district zoning. Applicant: Grace Covenant Church (Ray Anderson). Agent: Consort. Inc. City Staff: Thomas Bolt, 974-2755.  
**Ordinance No. 20050728-Z006 for general office (GO) district zoning was approved.**
- Z- 7 C14-05-0079 - Bluff Springs - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 6625 Bluff Springs Road (Williamson Creek Watershed) from neighborhood commercial (LR) 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 & Agent: R & K investments (Russel Moore). City Staff: Wendy Walsh, 974-7719.  
**Ordinance No. 20050728-Z007 for community commercial-conditional overlay (GR-CO) combining district zoning was approved.**
- Z- 8 C14-05-0089 - Crist Land Addition - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 420 Thompson Lane (Colorado River Watershed) from rural residence (RR) district zoning and interim-single-family residence standard lot (I-SF-2) district zoning to family residence (SF-3) district zoning. Zoning and Platting Commission Recommendation: To grant single-family residence large lot-conditional overlay (SF-1-CO) combining district zoning. Applicant: James A. Crist. Agent: A.E.C., Inc. (Phil Moncada). City Staff: Wendy Walsh, 974-7719.  
**Ordinance No. 20050728-Z008 for single-family residence large lot-conditional overlay (SF-1-CO) combining district zoning was approved.**
- Z- 9 C14-05-0044 - Cella 2 - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by zoning property locally known as 10933 South IH-35 Service Road Northbound (Onion Creek Watershed) from interim-single-family residence standard lot (I-SF-2) district zoning to community commercial (GR) district zoning. Zoning and Platting Commission Recommendation: To grant community commercial-conditional overlay (GR-CO) combining district zoning, with conditions. Applicant: Cella Investment Group (Terry Gregoricka). Agent: Jim Bennett Consulting (Jim Bennett). City Staff: Wendy Walsh, 974-7719.  
**This item was postponed to August 18, 2005 on the applicant's request.**

- Z- 10 C14-04-0186 - Helen, Ltd. - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as Anderson Mill Road at Swan Drive (Bull Creek Watershed) from townhouse and condominium residence (SF-6) district, neighborhood commercial (LR) district, and community commercial (GR) district zoning to community commercial-conditional overlay (GR-CO) district zoning. Zoning and Platting Commission Recommendation: To grant community commercial-conditional overlay (GR-CO) district zoning with conditions. Applicant: Helen, Ltd. (William B. Phol). Agent: Phol, Brown, and Associates (Lee Miks). City Staff: Sherri Sirwaitis, 974-3057.  
**Ordinance No. 20050728-Z010 for community commercial-conditional overlay (GR-CO) district zoning with conditions was approved.**
- Z- 11 C14-04-0164 - Lake Creek - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as North Lake Creek Parkway and Lakeline Boulevard (Lake Creek Watershed) from general office (GO) district zoning to general commercial services (CS) district zoning. Zoning and Platting Commission Recommendation: To grant general commercial services-mixed use-conditional overlay (CS-MU-CO) combining district zoning. Applicant: SPF Joint Venture (Mike Reynolds). Agent: Minter, Joseph and Thornhill (John M. Joseph). City Staff: Sherri Sirwaitis, 974-3057.  
**Ordinance No. 20050728-Z011 for general commercial services-mixed use-conditional overlay (CS-MU-CO) combining district zoning was approved.**
- Z- 12 C14-04-0165 - Lake Creek - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as Lakeline Boulevard at Lake Creek Parkway (Lake Creek Watershed) from community commercial (GR) district zoning to general commercial services (CS) district zoning. Zoning and Platting Commission Recommendation: To grant general commercial services-mixed use-conditional overlay (CS-MU-CO) district zoning. Applicant: SPF Joint Venture (Mike Reynolds). Agent: Minter, Joseph and Thornhill (John M. Joseph). City Staff: Sherri Sirwaitis, 974-3057.  
**Ordinance No. 20050728-Z012 for general commercial services-mixed use-conditional overlay (CS-MU-CO) district zoning was approved.**
- Z- 13 C14-04-0166 - Lake Creek - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as Lakeline Boulevard at Lake Creek Parkway (Lake Creek Watershed) from general office (GO) district zoning to general commercial services (CS) district zoning. Zoning and Platting Commission Recommendation: To grant general commercial services-conditional overlay (CS-CO) district zoning. Applicant: SPF Joint Venture (Mike Reynolds). Agent: Minter, Joseph and Thornhill (John M. Joseph). City Staff: Sherri Sirwaitis, 974-3057.  
**Ordinance No. 20050728-Z013 for general commercial services-conditional overlay (CS-CO) district zoning was approved.**
- Z- 14 C14-05-0033 - 2529 South Lamar Blvd.- Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 2529 South Lamar Blvd. (southwest side of Bluebonnet Lane, beginning approximately 285 feet southeast of the intersection of Bluebonnet Lane and South Lamar Blvd.) (West Bouldin Watershed) from family residence (SF-3) district zoning to limited office-mixed use-conditional overlay (LO-MU-CO) combining district zoning. Zoning and Platting Commission Recommendation: To grant limited office-mixed use-conditional overlay (LO-MU-CO) combining district zoning with conditions. Applicant: Gene Payne. Agent: Jim Bennett. City Staff: Robert Heil, 974-2330.  
**The first reading of the ordinance for limited office-mixed use-conditional overlay (LO-MU-CO) combining district zoning with conditions was approved.**

- Z- 15 C14-05-0084 - Manor Commercial - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by zoning property locally known as 7700 Old Manor Road (Walnut Creek Watershed) from interim-rural residence (I-RR) district zoning to limited industrial services-conditional overlay (LI-CO) combining district zoning. Zoning and Platting Commission Recommendation: To be considered on August 2, 2005. Applicant: Daniel W. Herd. Agent: Bury & Pittman (Jim Gallegos). City Staff: Robert Heil, 974-2330.

**This item was postponed to August 18, 2005 at staff's request.**

- Z- 16 C14-05-0088 - Oak Hill Center - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 7212 State Highway 71 West (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 be considered on August 16, 2005. Applicant and Agent: Midbar Investment Co., L.L.C., (Claire Brooks). City Staff: Robert Heil, 974-2330.

**This item was postponed to August 25, 2005 at staff's request.**

**Items Z-17 through Z-19 were pulled for discussion.**

- Z- 20 C14-05-0042 - 11601 North Lamar Blvd. - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by zoning property locally known as 11601 North Lamar Blvd. (Walnut Creek Suburban Watershed) from interim rural residence (I-RR) district zoning to community commercial (GR) district zoning. Zoning and Platting Commission Recommendation: To grant limited office-conditional overlay (LO-CO) combining district zoning. Applicant: Steven Tong. Agent: Shaw Hamilton Consultants (Shaw Hamilton). City Staff: Thomas Bolt, 974-2755.

**This item was postponed to August 25, 2005 at staff's request.**

- Z- 21 C14-05-0040 - 800 West 6<sup>th</sup> Street - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 800 West 6<sup>th</sup> Street and 602, 606 & 700 West Avenue (Shoal Creek Watershed) from general office (GO) district zoning and downtown mixed use (DMU) district zoning to central business district-conditional overlay-central urban redevelopment district (CBD-CO-CURE) combining district zoning. Zoning and Platting Commission Recommendation: To grant downtown mixed use-conditional overlay-central urban redevelopment district (DMU-CO-CURE) combining district zoning. Applicant: PSP Investments, LTD (Jay Willman). Agent: Arnbrust & Brown, L.L.P. (Richard Suttle, Jr.). City Staff: Thomas Bolt, 974-2755.

**Ordinance No. 20050728-Z021 for downtown mixed use-conditional overlay-central urban redevelopment district (DMU-CO-CURE) combining district zoning, with the height restriction of 136 feet was approved.**

- Z- 22 C14-05-0025 - 1706 & 1708 W. 6<sup>th</sup> Street - Old West Austin Neighborhood Plan rezoning - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 1706 & 1708 W. 6<sup>th</sup> Street (Town Lake Watershed) from family residence-neighborhood plan (SF-3-NP) combining district zoning to neighborhood office-mixed use-conditional overlay-neighborhood plan (NO-MU-CO-NP) combining district zoning. Planning Commission Recommendation: To grant neighborhood office-mixed use-conditional overlay-neighborhood plan (NO-MU-CO-NP) combining district zoning. Property Owners: 1706-Sara & Jeffrey Leon; 1708-Don Henry. Applicant: City of Austin. Agent: Neighborhood Planning and Zoning Department. City Staff: Thomas Bolt, 974-2755.

**This item was postponed to August 25, 2005 at the neighborhood's request.**

- Z- 23 C14-05-0074 - H20 Car Wash - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 3327 West Slaughter Lane (Slaughter Creek-Barton Springs Zone) from limited office-conditional overlay (LO-CO) combining district zoning to community commercial-conditional overlay (GR-CO) combining district zoning. Zoning and Platting Commission Recommendation: To grant community commercial-conditional overlay (GR-CO) combining district zoning with conditions. Agent: Terra Advisors, DBA (Michael F. Doerr). Agent: Sarah Crocker. City Staff: Wendy Walsh, 974-7719.

**This item was postponed to August 25, 2005 at the applicant's request.**

**Item Z-24 was pulled for discussion.**

- Z- 25 C814-88-0001.08 - Gables at Westlake - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 3100-3320 North Capital of Texas Highway (Lake Austin Watershed) from planned unit development (PUD) district zoning to planned unit development (PUD) district zoning to change a condition of zoning. Zoning and Platting Commission Recommendation: To grant planned unit development (PUD) district zoning with conditions. Applicant: Protestant Episcopal School Council (Brad Powell). Agent: Drenner Stuart Metcalfe von Kreisler (Steve Drenner). City Staff: Glenn Rhoades, 974-2775. (Related Item Z-26)

**This item was postponed to August 18, 2005 at the applicant's request.**

- Z- 26 C814-88-0001(RCA) - Gables at Westlake - Conduct a public hearing and approve a restrictive covenant amendment for the property locally known as 3100-3320 Capital of Texas Highway (Lake Austin Watershed). Zoning and Platting Commission Recommendation: To approve the restrictive covenant amendment. Applicant: Protestant Episcopal School Council (Brad Powell). Agent: Drenner Stuart Metcalfe von Kreisler (Steve Drenner). City Staff: Glenn Rhoades, 974-2775. (Related Item Z-25)

**This item was postponed to August 18, 2005 at the applicant's request.**

### **ZONING DISCUSSION ITEMS**

78. C14-04-0198 - 801 West Oltorf - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 801 West Oltorf (Bouldin Creek Watershed) from family residence (SF-3) district zoning to neighborhood office-mixed use (NO-MU) combining district zoning. First reading on June 9, 2005: Vote 5-1: Goodman-Nay, McCracken-off the dais. Applicant: Lopez & Urrutia, L.L.P. Agent: Land Answers (Jim Witliff). City Staff: Robert Heil, 984-2330.

**Ordinance No. 20050728-078 for neighborhood office-mixed use (NO-MU-CO) combining district zoning with the additional restrictions on height and square footage outlined by the applicant was approved on Council Member Kim's motion, Council Member Alvarez' second on a 5-2 vote. Those voting aye were: Mayor Wynn, Mayor Pro Tem Thomas, and Council Members Alvarez, Dunkerley and Kim. Those voting nay were: Council Members Leffingwell and McCracken.**

**Mayor Wynn recessed the Council meeting to go into Executive Session at 5:40 p.m. and for Live Music and Proclamations.**

**LIVE MUSIC**

Brian Keane

**PROCLAMATIONS**

Proclamation - ADA Month - to be presented by Mayor Will Wynn and to be accepted by members of the Mayor's Committee for People with Disabilities

Proclamation - Walk Texas Day - to be presented by Mayor Will Wynn and to be accepted by David Lurie

Certificates of Congratulations - Winning City Teams who participated in the Silicon Marathon Relay - to be presented by Mayor Will Wynn and to be accepted by the honorees

**EXECUTIVE SESSION CONTINUED**

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

**The Executive Session ended and Mayor Wynn called the meeting to order at 7:20 p.m.**

**ZONING DISCUSSION ITEMS CONTINUED**

80. C14-05-0026 - Frontier Valley Drive - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 1805 Frontier Valley Drive (Carson Creek Watershed) from single-family residence standard lot-neighborhood plan (SF-2-NP) combining district zoning to multi-family residence medium density-conditional overlay-neighborhood plan (MF-3-CO-NP) combining district zoning with conditions. First reading approved on June 23, 2005, Vote: 4-3 (Mayor Pro Tem Thomas, Alvarez and Kim - Nay). Property Owner: Marbella Corp. Applicant: City of Austin. Agent: Neighborhood Planning and Zoning Department. City Staff: Robert Heil, 974-2330.

**The second reading for multi-family residence medium density-conditional overlay-neighborhood plan (MF-3-CO-NP) combining district zoning with conditions outlined in the first reading was approved on Council Member McCracken's motion, Council Member Leffingwell's second on a 4-3 vote. Those voting aye were: Mayor Wynn, and Council Members Dunkerley, Leffingwell and McCracken. Those voting nay were: Mayor Pro Tem Thomas, Council Member Alvarez and Council Member Kim. Council Member Alvarez' friendly amendment to limit this development to 13 units per acre was not accepted by the maker of the motion.**

- Z-17 C14H-05-0009 - Lyman Bailey House - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 1409 East 2nd Street from family residence- neighborhood plan (SF-3-NP) combining district zoning to family residence-historic-neighborhood plan (SF-3-H-NP) combining district zoning. Historic Landmark Commission Recommendation: To grant family residence-historic-neighborhood plan (SF-3-H-NP) combining district zoning. Planning Commission Recommendation: To grant family residence-historic-neighborhood plan (SF-3-H-NP) combining district zoning. Applicant: Historic Landmark Commission. Property Owner: Dan Day. City Staff: Steve Sadowsky, 974-6454. A valid petition has been filed in opposition to this rezoning request.

**The public hearing was closed and family residence-historic-neighborhood plan (SF-3-H-NP) combining district zoning was denied on Council Member McCracken's motion, Mayor Pro Tem Thomas' second on a 7-0 vote.**



- Z-18 C14-05-0043 - Warren Broz - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as U.S. Highway 183 North at Caldwell Drive (Lake Creek Watershed) from 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) district zoning. Applicant: Warren Broz. Agent: Thrower Design (Ron Thrower). City Staff: Sherri Sirwaitis, 974-3057.

**The public hearing was closed and Ordinance No. 20050728-Z018 for community commercial-conditional overlay (GR-CO) district zoning with conditions and prohibitions as agreed by the applicant was approved on Council Member McCracken's motion, Council Member Dunkerley's second on a 7-0 vote.**

- Z- 19 C14-05-0049 - Jeff Blatt - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 500 West 16<sup>th</sup> Street (Shoal Creek Watershed) from general office (GO) district zoning to downtown mixed use (DMU) district zoning. Zoning and Platting Commission Recommendation: To deny downtown mixed use-conditional overlay (DMU-CO) combining district zoning. Applicant: Jeff Blatt. Agent: Thrower Design (Ron Thrower). City Staff: Thomas Bolt, 974-2755.

**The public hearing was closed and first reading for downtown mixed use-conditional overlay (DMU-CO) combining district zoning was approved on Council Member Leffingwell's motion, Council Member Dunkerley's second on a 6-0 vote. Council Member Kim was off the dais.**

- Z- 24 C14-04-0196 - Hyde Park North NCCD - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as an area bounded by 51<sup>st</sup> Street to the north, Red River Street to the east, Guadalupe to the west and 45<sup>th</sup> Street to the south (Waller Creek Watershed). The proposed zoning change will create a Neighborhood Plan Combining District (NP) and a Neighborhood Conservation Combining District (NCCD) for the entire area. Under the proposed North Hyde Park NPCD, "Small Lot Amnesty" is proposed for the entire area. The Neighborhood Mixed Use Building special use is proposed for Tracts 2, 3 and 4. The North Hyde Park NCCD proposes modified site design and development standards including but not limited to the following: land use, floor area ratios (FAR), building heights, mixed use developments, garages, parking, impervious and building coverage allowances, setbacks, and driveway and parking access. The proposed zoning change also implements the land use recommendations of the Hyde Park Neighborhood Plan for the area. The City Council may approve a zoning change to any of the following: rural residence (RR) district; single-family residence -- large lot (SF-1) district; single-family residence standard lot (SF-2) district; family residence (SF-3) district; single-family -- small lot and condominium site (SF-4A/B) district; urban family residence (SF-5) district; townhouse and condominium residence (SF-6) district; multi-family residence - limited density (MF-1) district; multi-family residence - low density (MF-2) district; multi-family residence - medium density (MF-3) district; multi-family residence -- moderate-high density (MF-4) district; multi-family residence - high density (MF-5) district; multi-family residence - highest density (MF-6) district; mobile home residence (MH) district; neighborhood office (NO) district; limited office (LO) district; general office (GO) district; commercial recreation (CR) district; neighborhood commercial (IR) district; community commercial (GR) district; warehouse/limited office (W/LO) district; general commercial services (CS) district; commercial-liquor sales (CS-1) district; commercial highway (CH) district; industrial park (IP) district; major industrial (MI) district; limited industrial services (LI) district; research and development (R&D) district; development reserve (DR) district; agricultural (AG) district; planned unit development (PUD) district; historic (H) district; and public (P) district.

Neighborhood conservation combining district (NCCD) or neighborhood plan special use (NP) may also be added to these zoning base districts. Planning Commission Recommendation: To grant neighborhood conservation combining district (NCCD) district zoning. Applicant: City of Austin. Agent: Neighborhood Planning and Zoning Department (Glenn Rhoades, 974-2775, Alex Koenig, 974-3515).

**The motion to close the public hearing and approve the first reading of the Hyde Park North Neighborhood Conservation Combining District – NP except for those tracts on which there were valid petitions and adopt the changes in base zoning as described in the handout was approved on Council Member McCracken's motion, Mayor Pro Tem Thomas' second on a 7-0 vote.**

**The motion to include 4912 Avenue G, 4700 Red River, 812 E. 47<sup>th</sup> Street, 816 E. 47<sup>th</sup> Street in the NCCD was approved on Council Member Alvarez' motion, Council Member Leffingwell's second on a 7-0 vote.**

**The motion to include 808, 810, and 812 E 46<sup>th</sup> Street in the NCCD was approved on Council Member Leffingwell's motion, Mayor Wynn's second on a 7-0 vote.**

**The motion to include 4500 Duval in the NCCD with the following additional permitted uses: bed and breakfast (Type 1 and 2), convenience services, hotel-motel, printing and publishing (limited to 300 trips per day), auto washing (only in conjunction with another use and limited to no more than 20% of the site area), auto rental, auto sales, service station; add plant nursery as a conditional use; and limiting the property to existing compatibility standards and limiting the height to 30 feet from the west property line and 35 feet for the remainder of the property was approved on Council Member McCracken's motion, Mayor Pro Tem Thomas' second on a 7-0.**

**The motion to postpone action on Tract 3, 4505 Duval to August 18, 2005, time certain, was approved on Council Member McCracken's motion, Council Member Alvarez' second on a 7-0 vote.**

**The motion to reconsider the main motion and amend it to reflect these additional standards for Avenue A District -- limit the maximum building coverage and impervious cover for all multi-family zoning districts to 70% and set minimum front setback at 10 feet and maximum front setback at 20 feet was approved on Council Member Alvarez' motion, Mayor Pro Tem Thomas' second on a 7-0 vote.**

**The motion to waive the rules and allow Council to meet after 10 p.m. was approved Mayor Pro Tem Thomas' motion, Mayor Wynn's second on a 7-0 vote.**

**PUBLIC HEARINGS AND POSSIBLE ACTION****Public Works**

81. Conduct a public hearing and approve a resolution granting Travis County Water Control and Improvement District No. 17 a 20-foot wide 22,903 square foot easement for the construction of a wastewater line through dedicated Balcones Canyonland Preserve (BCP) known as Double J&T located off of FM 620 on Murfin Road in accordance with Sec. 26.001 et seq. of the Texas Parks and Wildlife code. (All costs associated with the line, as well as any preserve restoration will be paid by Travis County Water Control and Improvement District No. 17.) (Recommended by BCP Coordinating Committee.)

**The public hearing was closed and Resolution No. 20050728-081 was approved on Council Member Dunkerley's motion, Mayor Wynn's second on a 7-0 vote.**

82. Conduct a public hearing and adopt a resolution authorizing the use of a 0.872 acre wastewater line along with a 0.402 acre temporary working space and 0.408 acre temporary staging area and material storage site for the construction of a wastewater line through dedicated parkland known as Reed Park located on Pecos Street in accordance with Sec. 26.001 et seq. of the Texas Parks and Wildlife Code. (All costs associated with the line, as well as any parkland restoration, will be paid by the Austin Clean Water Program on behalf of the Austin Water Utility and the Public Works Department.) (Recommended by the Parks Board on May 24, 2005.)

**The public hearing was closed and Resolution No. 20050728-082 was approved on Council Member Dunkerley's motion, Mayor Wynn's second on a 7-0 vote.**

**Mayor Wynn recessed the Council meeting at 10:05 p.m. to go into Executive Session.**

**EXECUTIVE SESSION CONTINUED**

66. Discuss legal issues concerning amendments to Right-of-Way Procurement Agreements with the Texas Department of Transportation for State Highway 71, U.S. Highway 183, and U.S. Highway 290 West, regarding reimbursement to the City of Austin for right-of-way acquisition and utility relocation costs for the proposed tolled portions of those highways.
69. Discuss legal issues regarding the Friesenhahn Tract purchased by the City and the transfer of development rights in Ordinance No. 000406-13 associated with that purchase. The Tract is located southwest of the intersection of Capital of Texas Highway South (Loop 360) and MoPac (Loop One) in an area subject to the Save Our Springs Initiative, Chapter 25-8 of the City Code.

**Executive Session ended at 10:48 p.m.**

**Mayor Wynn adjourned the meeting at 10:50 p.m. without objection.**

**The minutes for the Regular Meeting of July 28, 2005 were approved on this the 4th day of August, 2005 on Council Member Alvarez' motion, Council Member Leffingwell's second on a 7-0 vote.**