

**AUSTIN CITY COUNCIL  
MINUTES****REGULAR MEETING  
THURSDAY, SEPTEMBER 29, 2005****Invocation:** Pastor Vance Russell, Arise Christian Fellowship

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, September 29, 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 10:10 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 Leffingwell's motion, Council Member McCracken's second on a 6-0 vote. Council Member Alvarez was off the dais.

1. Approval of the minutes from the meetings of September 1 and 12, 2005.  
**The minutes from the meetings of September 1 and 12, 2005 were approved.**
2. Approve issuance of a rebate in the amount of \$47,050 to EANES Independent School District, Austin TX, for the installation of high efficiency air conditioning equipment and variable frequency drives at Valley View Elementary located at 1201 South Capital of Texas Highway. (Funding in the amount of \$47,050 is available in the Fiscal Year 2004-2005 Operating Budget of the Conservation Rebates and Incentive Budget of Austin Energy.) (Recommended by the Resource Management Commission and the Electric Utility Commission.)  
**The motion authorizing the issuance of a rebate was approved.**
3. Approve issuance of a rebate in the amount of \$56,685 to DELL, INC., Austin, TX for the installation of a high efficiency lighting and air conditioning retrofit at 701 East Parmer Lane. (Funding in the amount of \$56,685 is available in the Fiscal Year 2004-2005 Operating Budget of the Conservation Rebates and Incentive Budget of Austin Energy.) (Recommended by the Resource Management Commission and the Electric Utility Commission.)  
**The motion authorizing the issuance of a rebate was approved.**
4. Approve issuance of a rebate in the amount of \$67,042 to FREESCALE SEMICONDUCTOR, Austin, TX, for the installation of a high efficiency lighting retrofit at their facility located at 6501 West William Cannon Boulevard. (Funding in the amount of \$67,042 is available in the Fiscal Year 2004-2005 Operating Budget of the Conservation Rebates and Incentive Budget of Austin Energy.) (Recommended by the Resource Management Commission.)  
**The motion authorizing the issuance of a rebate was approved.**

5. Approve negotiation and execution of an Interlocal Agreement for Pretreatment Services establishing the Austin's Water Utility assistance to the City of Manor for performing pretreatment inspections, sampling, lab analyses, permitting, and enforcement support. (The City of Manor will pay the City for services rendered on a time and materials basis plus overhead.) (Recommended by the Water and Wastewater Commission.)  
**The motion authorizing the negotiation and execution of an interlocal agreement was approved.**
6. Authorize negotiation and execution of an amendment to the Agreement for Wholesale Wastewater Service to the City of Manor to extend the time period for interim wholesale wastewater service for the Lane Street Lift Station area. (Recommended by the Water and Wastewater Commission.)  
**The motion authorizing the negotiation and execution of an amendment to the agreement was approved.**
7. Approve amendment to the West Howard Lane Interlocal Cooperation Agreement between the City and Travis County to pay for design changes on the relocation of Austin Water Utility water and wastewater lines for Scofield Ridge Parkway Improvements in an amount not to exceed \$105,819 for a total agreement amount not to exceed \$800,819. (Funding in the amount of \$105,819 is included in the Fiscal Year 2004-2005 Capital Budget of the Austin Water Utility.) (Recommended by the Water and Wastewater Commission.)  
**The motion authorizing the amendment was approved.**
8. Approve a resolution adopting the National Incident Management System (NIMS) as the standard for incident management for the City.  
**Resolution No. 20050929-008 was approved.**
9. Authorize negotiation and execution of Renewal of and Amendment One to the Interlocal Cooperation Agreement with Travis County for emergency medical services in Travis County to renew the agreement through Fiscal Year 2005-2006 and amend the amount of fees payable to City and certain exhibits. (Funding from Travis County in the amount of \$9,158,522 was included in the Approved Fiscal Year 2005-2006 Operating Budget of the EMS Department.) (Related Item 10)  
**The motion authorizing the negotiation and execution of renewal and amendment one was approved.**
10. Authorize negotiation and execution of Renewal of and Amendment One to the Interlocal Cooperation Agreement with Travis County for STAR Flight air ambulance services to renew the agreement through Fiscal Year 2005-2006 and amend the amount of the monthly fee payable to City and certain exhibits. (Funding from Travis County in the amount of \$1,351,119 was included in the Approved Fiscal Year 2005-2006 Budget of the EMS Travis County Reimbursed Fund.) (Related Item 9)  
**The motion authorizing the negotiation and execution of renewal of the interlocal cooperation agreement and amendment one was approved.**
11. Authorize an amendment to the City Grant Agreement with the World Congress on Information Technology (WCIT) and acceptance of an assignment of U.S. Department of Housing and Urban Development grant funds from WCIT in the amount of \$248,000 for renovations to the Austin Convention Center. (Funding is available from the U.S. Department of Housing and Urban Development (HUD) Economic Development Initiative Special Project grant program for the WCIT Ethernet Backbone Project.)  
**The motion authorizing an amendment to the City grant agreement was approved.**

12. Authorize negotiation and execution of an outside counsel contract with TRAVIS WILLIAMSON & ASSOCIATES, Austin, Texas for legal services regarding Cause No. A-05-CA-287-SS; *Jessie Lee Owens, Jr., Deceased by Barbara Shorts, Mother and Representative of Estate and Jessie Lee Owens, Sr., Father v. City of Austin, Stan Knee as Chief of Police, Officer Scott Glasgow. In Their Official and Individual Capacities*, in the United States District Court, Western District, Austin Division (concerns alleged use of excessive force) (Funding in the amount of \$133,250.00 is available in the Fiscal Year 2005-2006 Approved Operating Budget of the Liability Reserve Fund.) (Related Item 64)  
**The motion authorizing the negotiation and execution of an outside counsel contract was approved.**
13. Approve the negotiation and execution of a loan to Mack McKinley dba The Common Interest Karaoke Bar, Austin, TX, in compliance with applicable federal requirements, including Code of Federal Regulations Title 24 Section 85.40 performance goals, under the Neighborhood Commercial Management Loan Program in an amount not to exceed \$75,000 to construct leasehold improvements and purchase fixtures necessary to outfit the business to be located at 8440 Burnet Road. (Funding is available in the Neighborhood Housing and Community Development Department Special Revenue Fund - Neighborhood Commercial Management Program Section 108.)  
**This item was postponed to October 6, 2005.**
14. Approve the negotiation and execution of a twelve-month contract with the AUSTIN TENANT'S COUNCIL, Austin, Texas, in an amount not to exceed \$264,927 for tenant-landlord counseling, technical assistance and mediation assistance. (Funding is available in the Proposed Fiscal Year 2005-2006 Operating Budget of Neighborhood Housing and Community Development from Community Development Block Grant funds. Funding is subject to environmental review and fund release by the U.S. Department of Housing and Urban Development.)  
**The motion authorizing the negotiation and execution of a contract was approved.**
15. Authorize the negotiation and execution of a one-year service agreement with the Austin Housing Finance Corporation in an amount not to exceed \$15,182,497 to manage and operate various City housing programs in Fiscal Year 2005-2006. (Funding sources for the service agreement include: (1) Grant Operating Budget-New Funding - \$1,143,229 from the Housing Trust Fund; \$37,824 from the City UNO-Housing Trust Fund; \$830,474 from the City S.M.A.R.T. Housing™ Capital Improvement Project Fund; \$2,654,684 from HUD HOME Program Income; \$806,259 from the HUD Community Development Block Grant revolving fund; \$2,472,433 from the HUD Community Development Block Grant; \$204,041 from the HUD American Dream Down Payment Initiative; and \$4,074,354 from the HUD HOME Investment Partnership Program, (2) Grant Operating Budget-Carryforward Funding - \$433,912 from the S.M.A.R.T. Housing™ Capital Improvement Project Fund; and \$1,154,534 from the HUD Community Development Block Grant, and (3) the AHFC Housing Assistance Fund - \$1,370,753. Funding is subject to HUD environmental review and fund release.) (Related Item AHFC-3)  
**The motion authorizing the negotiation and execution of a one year service agreement was approved.**
16. Approve a resolution consenting to the annexation of approximately 1.63 acres, located at 102 Skyline Drive, by Travis County Water Control and Improvement District 10 (WCID 10). (Recommended by Water and Wastewater Commission.)  
**Resolution No. 20050929-016 was approved.**

17. Authorize execution of change order # 2 to the construction contract with MAC INC. (DBE 66.95%), Austin, TX for additional labor and materials for Zilker Loop Trail Phase 1 in the amount of \$53,236, for a total contract amount not to exceed \$1,053,041. (Funding in the amount of \$53,236 is available in the Fiscal Year 2004-2005 Capital Budget of the Parks and Recreation Department.) 1.94 % DBE subcontractor participation to date.  
**The motion authorizing the execution of change order #2 to the construction contract was approved.**
18. Approve an ordinance authorizing acceptance of \$155,545 in grant funding from the State of Texas, Office of the Governor, Criminal Justice Division, Title V Program; and amending the Fiscal Year 2004-2005 Operating Budget of the Police Department, Special Revenue Fund of Ordinance No. 040913-01 to appropriate \$155,545 for the continued enforcement of juvenile Class C criminal offenses with case management for youth; and add three grant-funded full-time equivalent positions. (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 \$64,837 is required and will be met with existing salary cost and volunteer hours. The matching salary cost is included in the approved Fiscal Year 2005-2006 Operating Budget of the Police Department. Continued operation of this program is contingent upon available grant funding.)  
**Ordinance No. 20050929-018 was approved.**
19. Approve a resolution authorizing application for grant funding from the Governor's Office Criminal Justice Division in the amount of \$93,447 for the Austin Police Department, Forensic Science Division to receive training in forensic sample evidence. (Funding in the amount of is available in Fiscal Year 2005-2006 from the Governor's Office Criminal Justice Division.)  
**Resolution No. 20050929-019 was approved.**
20. Approve a resolution authorizing the filing of eminent domain proceedings for the Onion Creek/Lower South Boggy Phase II Project, a portion of the Austin Clean Water Program, to acquire a 1,461 square foot permanent access easement out of the Santiago Del Valle Grant, being a portion of Lot 1, Boggy Creek Addition Amended, City of Austin, Travis County in the amount of \$300. The owner of the needed property interest is RIDGWAY-HENDRICKSON, INC., dba RIDGWAY, INC., of Austin, Texas. The property is located at 8201 Bluff Springs Road, Austin, Travis County, Texas. (Funding is included in the Fiscal Year 2004-2005 Capital Budget of the Austin Water Utility.)  
**Resolution No. 20050929-020 was approved.**
21. Approve resolution to authorize negotiation and execution of the sale to the STATE OF TEXAS of a drainage easement of 0.071 acres of land in the Thomas Anderson Survey No. 17, Travis County, Texas and being a part of that 0.104 acre tract of land conveyed to the City by Deed recorded in Volume 9073, Page 740 of the Deed Records of Travis County, Texas, in an amount not to exceed \$6,012.90.  
**Resolution No. 20050929-021 was approved.**
22. Approve resolution to authorize negotiation and execution of the sale to the STATE OF TEXAS of 0.613 acres of land, part of Lot 1A, Block A, a called 13.317 acre Lot, Tracor Industrial Subdivision Amended, recorded in Book 95, Pages 281-284, Plat Records of Travis County, Texas, and also being part of a called 2.276 acre tract, both being conveyed to the City and recorded in Document Number 2004083515 of the Official Public Records of Travis County, Texas, in an amount not to exceed \$97,200.  
**Resolution No. 20050929-022 was approved.**

23. Approve a resolution authorizing the execution of a Multiple Use Agreement between the Texas Department of Transportation and the City of Austin regarding construction, maintenance and operation of the portion of the Lance Armstrong Bikeway within the IH-35 right-of-way near 4th Street. (Related Item 24)  
**Resolution No. 20050929-023 was approved.**
24. Authorize the execution of an amendment to the Advance Funding Agreement with the Texas Department of Transportation (TxDOT) for the Lance Armstrong Bikeway and payment of an amount not to exceed \$63,211.13 to TxDOT for the construction of the portion of the Bikeway in the right-of-way of IH-35 near 4<sup>th</sup> Street. (Funding is available in the Fiscal Year 2004-2005 Capital Budget of the Public Works Department.) (Related Item 23)  
**The motion authorizing the execution of an amendment to the Advance Funding Agreement was approved.**
25. Authorize negotiation and execution of a professional services agreement with each of the following six firms: ENCOTECH ENGINEERING CONSULTANTS, INC. (MBE/MA), Austin, TX; WAUGH ENGINEERING, INC. (WBE/FR), Austin, TX; DATUM ENGINEERS, INC., Austin, TX; CARRASQUILLO ASSOCIATES, LTD. (MBE/MH), Austin, TX; JOSE I. GUERRA, INC. (MBE/MH), Austin, TX; FRANK LAM & ASSOCIATES, INC. (MBE/MA), Austin, TX, for the structural engineering services rotation list 2005-2007 for various Capital Improvement Projects for an estimated period of two years or until financial authorization is expended in an amount not to exceed \$900,000, for the total of six agreements not to exceed \$900,000. (Funding in the amount of \$900,000 is available in Capital or Operating Budget of the Public Works Department and various departments requiring services.) Best qualification statement of eleven received. 16.5% MBE and 14.2% WBE subcontractor participation.  
**The motion authorizing the negotiation and execution of a professional services agreement was approved.**
26. Authorize negotiation and execution of a professional services agreement with DAVID FORD CONSULTING ENGINEERS, INC., Sacramento, CA, for the Flood Early Warning System (FEWS) Evaluation and Improvements in an amount not to exceed \$160,000. (Funding is available in the Fiscal Year 2004-2005 Approved Capital Budget of the Watershed Protection and Development Review Department.) Best qualification statement of four received. 16.5% MBE and 14.2% WBE subconsultant participation.  
**The motion authorizing the negotiation and execution of a professional services agreement was approved.**
27. Authorize negotiation and execution of an amendment to the professional services agreement with URS CORPORATION, a Nevada Corporation, Austin, TX, for engineering services for the East Runway Perimeter Road Project in the amount of \$200,000 for a total contract amount not to exceed \$300,000. (Funding in the amount of \$200,000 is available in the Fiscal Year 2004-2005 Amended Capital Budget of the Aviation Department and anticipated Federal Aviation Administration grant award.) 52.70% DBE subconsultant participation to date. (Recommended by the Austin Airport Advisory Commission.)  
**The motion authorizing the negotiation and execution of an amendment to the professional services agreement was approved.**

28. Authorize negotiation and execution of an amendment to the professional services agreement with URS CORPORATION, a Nevada Corporation, Austin, TX, for the completion of the Affected Property Assessment Report (APAR) required by the Texas Commission on Environmental Quality (TCEQ) Voluntary Cleanup Program and final environmental consulting services for the Mabel Davis Park Landfill Site Assessment and Remediation Project in the amount of \$51,500 for a total contract amount not to exceed \$1,960,231.56. (Funding in the amount of \$51,500 is available in the Fiscal Year 2004-2005 Capital Budget of the Solid Waste Services Department.) 5% MBE and 13.9% WBE subcontractor participation to date. (Related Item 29)

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

29. Authorize negotiation and execution of an amendment to the professional services agreement with URS CORPORATION, a Nevada Corporation, Austin, TX, for completion of construction phase services and warranty assistance for the Mabel Davis Park Landfill Site Assessment and Remediation Project in the amount of \$150,000 for a total contract amount not to exceed \$1,311,860. (Funding in the amount of \$150,000 is available in the Fiscal Year 2004-2005 Capital Budget of the Solid Waste Services Department.) 15% MBE and 6.3% WBE subcontractor participation to date. (Related Item 28)

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

30. Authorize execution of a construction contract with AARON CONCRETE CONTRACTORS, L.P. (MBE/MH 72.32%), Austin, TX, for construction of the Boggy Creek Oak Springs Water Quality Pond in an amount not to exceed \$524,011.05. (Funding is available in the Fiscal Year 2002-2003 Amended Capital Budget of the Watershed Protection and Development Review Department.) Lowest bid of four responsive bids received. 0.00% MBE and 10.00% WBE subcontractor participation. (Recommended by the Environmental Board and by the Planning Commission.)

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

31. Authorize execution of a construction contract with MUNIZ CONCRETE AND CONTRACTING, INC., Austin, TX, (MBE/MH 37.64%), for Neighborhood Traffic Calming 2005 - Cherrywood Neighborhood in an amount not to exceed \$315,153.97. (Funding is available in the Fiscal Year 2004-2005 Amended Capital Budget of the Public Works Department.) Only 1 responsive bid received. 7.04% MBE and 6.89% WBE subcontractor participation.

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

32. Authorize execution of a construction contract with MAC, INC. (MBE 84.34%), Austin, TX, for the 2005 Downtown Alley Reconstruction in an amount not to exceed \$247,530. (Funding in the amount of \$202,530 is available in the Fiscal Year 2004-2005 Approved Operating Budget of the Public Works Department and funding in the amount of \$45,000 is included in the Fiscal Year 2004-2005 Capital Budget of the Austin Water Utility.) Lowest bid of two bids received. 0% MBE and 7.59% WBE subcontractor participation.

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

33. Authorize execution of a construction contract with KEYSTONE CONSTRUCTION, INC., Austin, TX, for the Austin Clean Water Program: Govalle 3 - Wickshire Lane/Burleson Court, Phase 2 in an amount not to exceed \$553,143. (Funding is included in the Fiscal Year 2004-2005 Capital Budget of the Austin Water Utility.) Lowest bid of three received. 15.48% MBE and 6.36% WBE subcontractor participation. (Recommended by the Water and Wastewater Commission.)

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

34. Authorize execution of a construction contract with CENTRAL TEXAS UTILITY SERVICES, LLC, (MBE/FH 91.10%), Del Valle, TX for the Austin Clean Water Program: Little Walnut-Rockhurst Lane Wastewater Improvements Project in an amount not to exceed \$348,519.38. (Funding is included in the Fiscal Year 2004-2005 Capital Budget of the Austin Water Utility.) Lowest of two bids received. 1.8% MBE and 7.1% WBE subcontractor participation. (Recommended by the Water and Wastewater Commission.)  
**The motion authorizing the execution of a construction contract was approved.**
35. Authorize execution of a construction contract with PEABODY GENERAL CONTRACTORS, INC., (WBE/FR 90.66%), Dripping Springs, TX for the Austin Clean Water Program: Little Walnut - Meadowood Drive Wastewater Improvements Project in an amount not to exceed \$378,126. (Funding is included in the Fiscal Year 2004-2005 Capital Budget of the Austin Water Utility.) Lowest of three bids received. 4.71% MBE and 4.63% WBE subcontractor participation. (Recommended by the Water and Wastewater Commission.)  
**The motion authorizing the execution of a construction contract was approved.**
36. Authorize execution of a construction contract with JAY-REESE CONTRACTORS, INC., Austin, TX, for the Austin Clean Water Program: Lower South Boggy Creek Streambank Stabilization- Phase II project in an amount not to exceed \$220,421. (Funding is included in the Fiscal Year 2004-2005 Capital Budget of the Austin Water Utility.) Lower of two bids received. 5.66% MBE and 26.55% WBE subcontractor participation. (Recommended by the Water and Wastewater Commission.)  
**The motion authorizing the execution of a construction contract was approved.**
37. Authorize execution of a construction contract with HAEGELIN CONSTRUCTION CO., LTD., for the Austin Clean Water Program: P2-Williamson Wastewater Improvements Project in the amount of \$2,465,097.75 plus a \$123,254.89 contingency, for a total contract amount not to exceed \$2,588,352.64. (Funding in the amount of \$2,588,352.64 is included in the Fiscal Year 2004-2005 Capital Budget of the Austin Water Utility.) Second lowest bid of five bids received. 20.51% MBE and 6.12% WBE subcontractor participation. (Recommended by the Water and Wastewater Commission.)  
**The motion authorizing the execution of a construction contract was approved.**

**Item 38 was pulled for discussion.**

39. Authorize execution of a 12-month revenue producing service agreement with SOLOMON CORPORATION, Solomon, KS for sale and disposal of obsolete transformers in an amount not to exceed \$180,876.15, with three 12-month extension options in an amount not to exceed \$180,876.15 per extension option, for a total agreement amount not to exceed \$723,504.60. High 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 revenue producing service agreement was approved.**

40. Authorize execution of Amendment No. 2 to a contract with HUGHES SUPPLY, Austin, TX for backfill polyurethane foam in the amount not to exceed \$47,328, for a revised contract amount not to exceed \$85,956 and to each of the two extension options in an amount not to exceed \$47,328, for a revised total contract amount not to exceed \$240,932. (Funding in the amount of \$47,328 is available in the Fiscal Year 2005-2006 Approved Operating Budget (Inventory Fund) of Austin Energy. Funding for the extension options is contingent upon available funding in future budgets.) 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 execution of amendment No. 2 to a contract was approved.**

41. Authorize negotiation and execution of a 12-month service agreement with NORTHROP GRUMMAN TECHNICAL SERVICES, INC., Herndon, VA through the State of Texas Department of Information Services Go Direct program for the purchase of business continuity services including equipment, software, software maintenance and disaster recovery services in an amount not to exceed \$122,523, with three 12-month extension options in an amount not to exceed \$122,523 per extension option, for a total agreement amount not to exceed \$490,092. (Funding in the amount of \$122,523 is included in the Fiscal Year 2005-2006 Approved Operating Budget of Austin Energy. Funding for the extension options is contingent upon available funding in future budgets.) Purchasing Cooperative.

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

42. Authorize negotiation and execution of a 12-month service agreement with CREATIVE CONSUMER RESEARCH, Austin, TX for marketing research service studies in an amount not to exceed \$300,000, with four 12-month extension options in an amount not to exceed \$300,000 per extension options, for a total agreement amount not to exceed \$1,500,000. (Funding in the amount of \$300,000 is available in the Fiscal Year 2005-2006 Approved Operating Budget of Austin Energy. Funding for the extension options is contingent upon available funding in future budgets.) Best evaluated proposal of eight 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.

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

43. Authorize negotiation and execution of a 12-month service agreement with GE ENERGY MANAGEMENT SERVICES, INC., Denver, CO for software maintenance and support for Austin Energy in an amount not to exceed \$208,701, with four 12-month extension options in an amount not to exceed \$229,571 for the first extension option, \$252,528 for the second extension option, \$277,780 for the third extension option and \$305,559 for the fourth extension option, for a total agreement amount not to exceed \$1,274,139. (Funding in the amount of \$208,701 is available in the Fiscal Year 2005-2006 Approved Operating Budget of Austin Energy. Funding for the extension options is contingent upon available funding in future budgets.) 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 negotiation and execution of a service agreement was approved.**



44. Authorize negotiation and execution of a 12-month service agreement with WORKSUITE, LLC, Houston, TX for software maintenance and support for Austin Energy in an amount not to exceed \$114,092, with four 12-month extension options in an amount not to exceed \$125,501 for the first extension option, \$138,051 for the second extension option, \$151,856 for the third extension option, \$167,042 for the fourth extension option, for a total agreement amount not to exceed \$696,542. (Funding in the amount of \$114,092 is available in the Fiscal Year 2005-2006 Approved Operating Budget of Austin Energy. Funding for the extension options is contingent upon available funding in future budgets.) 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 negotiation and execution of a service agreement was approved.**

45. Authorize execution of a 12-month supply agreement with SHERWIN WILLIAMS COMPANY, Austin, TX for airfield traffic marking paint in an amount not to exceed \$47,811, with two 12-month extension options in an amount not to exceed \$47,811 per extension option, for a total agreement amount not to exceed \$143,433. (Funding in the amount of \$47,811 is included in the Fiscal Year 2005-2006 Approved Operating Budget of the Department of Aviation. Funding for the extension options is contingent upon available funding in future budgets.) Low bid of eight 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.**

46. Authorize negotiation and execution of a contract with DATAWORKS PLUS, Greenville, SC for the supply, installation, and implementation of a Digital Management System (DMS) for the Austin Police Department Forensics Lab in an amount not to exceed \$50,000, with four extension options to purchase maintenance support in an amount not to exceed \$5,600 per extension option, for a total contract amount not to exceed \$72,400. (Funding in the amount of \$30,000 is available in the Fiscal Year 2004-2005 Approved Operating Budget of the Communications and Technology Management Department. Funding in the amount of \$20,000 is available in the Fiscal Year 2004-2005 Approved Police Federal Seized Fund Budget of the Austin Police Department. Funding for the extension options is contingent on available funding in future budgets.) Best proposal of five 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.**

47. Authorize execution of a 12-month supply agreement with PERFORMANCE INDUSTRIAL POWER, Buda, TX for the purchase of original equipment manufacturer parts and services for medium and heavy duty diesel engines and transmissions in an amount not to exceed \$250,000, with three 12-month extension options in an amount not to exceed \$250,000 per extension option, for a total agreement amount not to exceed \$1,000,000. (Funding in the amount of \$250,000 is included in the Fiscal Year 2005-2006 Approved Operating Budget of the Financial and Administrative Services Department, Fleet Fund. Funding for the 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.**

48. Authorize execution of a contract with J G ARCO IRIS PAINTING CONTRACTORS, Austin, TX for roof repair and painting services in an amount not to exceed \$60,570. (Funding is available in the Fiscal Year 2004-2005 Approved Operating Budget of the Financial and Administrative Services, Fleet Fund.) Low 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 contract was approved.**
49. Authorize execution of a 37-month supply agreement with SIRSIDYNIX, Provo, UT, for the purchase of self-check systems for the Library Department in an amount not to exceed \$285,976. (Funding in the amount of \$80,275 is available in the Fiscal Year 2004-2005 Approved Operating Budget of the Communications and Technology Management Department. Funding in the amount of \$32,110 is available in the Fiscal Year 2004-2005 Approved Capital Budget of the Library Department. Funding for the remaining 36 months of the original contract period is contingent upon availability in future budgets.) Lowest bid meeting specification 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 supply agreement was approved.**
50. Authorize execution of a 12-month service agreement with GINNY'S PRINTING, Austin, TX for flat sheet printing services in an amount not to exceed \$445,579, with three 12-month extension options in an amount not to exceed \$445,579 per extension option, for a total agreement amount not to exceed \$1,782,316. (Funding in the amount of \$445,579 is included in the 2005-2006 Approved Operating Budgets of all City Departments. Funding for the extension options is contingent upon available funding in future budgets.) Low 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.  
**This item was postponed to October 6, 2005.**

**Item 51 was pulled for discussion.**

52. Board and Commission appointments, Council subcommittee appointments, and appointments to other governmental bodies.  
**The following appointments were made:**

<u>Board/ Appointee</u>	<u>Consensus/ Council Nominee</u>	<u>Appointment/ Reappointment</u>
<u>Asian American Resource Center Advisory Board</u> Ying Li	Consensus	Appointment
<u>Commission on Immigrant Affairs</u> Amine Salim	Consensus	Appointment
<u>Saltillo District Redevelopment Project Community Advisory Group</u> Mark Rogers	Consensus	Reappointment

Solid Waste Advisory Commission

Rosemary Wyman

Council Member Dunkerley's

Reappointment

53. Approve a motion to postpone the date of the African American Quality of Life Briefing from October 6th, 2005 to October 27th, 2005. (Mayor Pro Tem Danny Thomas and Mayor Will Wynn)  
**The motion to postpone the date of the African American Quality of Life briefing to October 27, 2005 was approved.**
54. Approve an ordinance waiving certain fees and requirements, and authorizing payment of certain costs for the Lance Armstrong Celebration to be held on October 2, 2005 at Auditorium Shores. (Mayor Will Wynn, Council Member Betty Dunkerley and Council Member Brewster McCracken)  
**Ordinance No. 20050929-054 was approved.**
55. Approve a resolution directing the City Manager to process an amendment to Chapter 25-2 of the City Code related to Transit Oriented Development (TOD) Ordinance (Ordinance No. 20050519-008) to add a TOD district in the Oak Hill area, to be located in the general vicinity of the intersection of U.S. Highways 290 and 71. (Council Member Brewster McCracken, Council Member Lee Leffingwell and Council Member Betty Dunkerley)  
**Resolution No. 20050929-055 was approved.**
56. Approve a resolution directing the City Manager to change the City's water leak-related bill adjustment policy. (Council Member Brewster McCracken and Mayor Will Wynn)  
**Resolution No. 20050929-056 was approved.**
57. Set a public hearing to approve an ordinance amending Section 15-6-14 of the City Code to expand the downtown contract service area and amend Ordinance No.20050912-004 in the Fiscal Year 2005-2006 Fee Schedule of the Solid Waste Services Department to increase the downtown contract service rates. (Suggested date and time: October 20, 2005 at 6:00 p.m., City Hall Council Chambers, 301 West 2<sup>nd</sup> Street.) (Reviewed by Solid Waste Advisory Commission.)  
**The public hearing was set for October 20, 2005 at 6:00 p.m., City Hall Council Chambers, 301 West 2<sup>nd</sup> Street.**
58. Set a public hearing to consider a floodplain variance requested by Mr. and Mrs. James Damman to allow construction of an addition to an existing single-family residence in the 100 year floodplain of Lake Austin at 2503 Tydings Cove (Suggested date and time: October 6, 2005 at 6:00 p.m., City Hall Council Chambers, 301 West Second Street.)  
**The public hearing was set for October 6, 2005 at 6:00 p.m., City Hall Council Chambers, 301 West Second Street.**
59. Set a public hearing to amend City Code Section 25-8-514 (Save Our Springs Initiative) to allow for the construction of a pollution prevention pond in the Critical Water Quality Zone (CWQZ) upstream of Barton Springs Pool. (Suggested date and time: October 20, 2005 at 6:00 p.m., City Hall Council Chambers, 301 West Second Street.) (Recommended by Parks and Recreation Board. Informational Presentation to Environmental Board.)  
**The public hearing was set for October 20, 2005 at 6:00 p.m., City Hall Council Chambers, 301 West Second Street.**

60. Set public hearings for the full purpose annexation of the following areas: (1) Wildhorse Shapiro Tract (Approximately 185 acres located in Travis County south of U.S. Highway 290 East at the intersection of U.S. Highway 290 East and the proposed State Highway 130); (2) Maynard Tract (Approximately 1.7 acres in southeastern Travis County north of Burleson Road approximately 970 feet east of the intersection of Burleson Road and U.S. Highway 183 South); (3) COA Parkland Areas: (a) Tract One: Johnny Morris Road (Approximately 195 acres in Travis County west of Johnny Morris Road approximately seven-tenths of a mile south of the intersection of Johnny Morris Road and U.S. Highway 290 East.); (b) Tract Two: Morrison Ranch (Approximately 321 acres in Travis County south of FM 969 approximately one-half mile east of the intersection of F.M. 969 and Decker Lane.) (4) Rancho Alto Area (Approximately 83 acres in Travis County south of Frate Barker Road approximately three-tenths of a mile west of the intersection of Frate Barker Road and Manchaca Road.); (5) Lowe's at Brodie Area (Approximately 35 acres in Travis County west of Brodie Lane approximately three-tenths of a mile north of the intersection of Brodie Lane and William Cannon Drive.) (Suggested dates and times: October 20, 2005 at 6:00 p.m., and October 27, 2005 at 6:00 p.m., City Hall Council Chambers, 301 W. 2<sup>nd</sup> Street).  
**The public hearing was set for October 20 and 27, 2005 at 6:00 p.m., City Hall Council Chambers, 301 W. 2<sup>nd</sup> Street.**
61. Set a public hearing for the limited purpose annexation of the Scarbrough Subdivision area (Approximately 46 acres located in Travis County west of the intersection of IH-35 North and Three Points Drive between Bratton Lane and IH-35 North). (Suggested dates and times: October 20, 2005 at 6:00 p.m., and October 27, 2005 at 6:00 p.m., City Hall Council Chambers, 301 West 2<sup>nd</sup> Street).  
**The public hearing was set for October 20 and 27, 2005 at 6:00 p.m., City Hall Council Chambers, 301 West 2<sup>nd</sup> Street.**
62. Set a public hearing to consider a request for a waiver from the minimum distance requirement of City Code, Section 4-9-4(A) between a restaurant at 1123 S. Congress and a school located at 1102 S. Congress. (Suggested date and time: October 20, 2005 at 6:00 p.m.)  
**The public hearing was set for October 20, 2005 at 6:00 p.m., City Hall Council Chambers, 301 West 2<sup>nd</sup> Street.**

Items 63 through 67 were Executive Session items.

Item 68 was action on an Executive Session item.

Item 69 was a briefing set for a time certain of 2:00 p.m.

Items AHFC-1 through AHFC-6 were set for a time certain of 3:00 p.m.

Items 70 through 76 and Z-1 through Z-25 were zoning items set for 4:00 p.m.

Items 77 through 79 were public hearings set for 6:00 p.m.

### **DISCUSSION ITEMS**

38. Authorize removal of curb islands from Shoal Creek Boulevard between 38<sup>th</sup> Street and Foster Lane and approve striping of Shoal Creek Boulevard with car-free bicycle lanes on both sides and designated parking on the east side of the street. (Funding in the amount of \$236,000 is available in the Fiscal Year 2005-2006 Operating Budget of the Public Works Department.) (Recommended by Land Use and Transportation Subcommittee.)

The motion authorizing the removal of curb islands from Shoal Creek Boulevard and directing staff to seek public input and to bring a re-striping plan back to the Land Use Committee and to Council by December 1, 2005 was approved on Council Member Leffingwell's motion, Council Member McCracken's second on a 6-0 vote. Council Member Alvarez was off the dais.

Mayor Wynn recessed the Council Meeting to go into Executive Session at 11:43 a.m.

#### EXECUTIVE SESSION

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

#### Private Consultation with Attorney - Section 551.071

Item 63 was discussed later in Executive Session.

64. Discuss legal issues in Cause No. A-05-CA-287-SS; *Jessie Lee Owens, Jr., Deceased, by Barbara Shorts, Mother and Representative of Estate and Jessie Lee Owens, Sr., Father v. City of Austin, Stan Knee as Chief of Police, Officer Scott Glasgow, In Their Official and Individual Capacities*, in the United States District Court, Western District, Austin Division and the outside counsel contract with Travis Williamson & Associates. (concerns alleged deadly force) (Related Item 12)

**This item was withdrawn.**

Item 65 was discussed later in Executive Session.

66. Discuss legal issues in *Roark & Hardee L.P. d/b/a The Warehouse Saloon and Billiards, et al. v. City of Austin*; Cause No. GN 503352; in the 98<sup>th</sup> Judicial District, Travis County, Texas. (concerns the new smoking ban in Austin)

Item 67 was discussed later in Executive Session.

Executive Session ended and Mayor Wynn called the Council Meeting back to order at 12:05 p.m.

#### CITIZEN COMMUNICATIONS: GENERAL

Beryl D. Southall - Sites for Grief and Bereavement Support Groups. **He was not present when his name was called.**

Leeza Hair - Fire Dept. Hiring Practices. **She was not present when her name was called.**

Lawrence Cranberg - Texas Institute of Urban Studies

Matthew Manninen - 12th Street Corridor

Erika Gonzalez - We invite you to el Festival De las Plantas on Saturday Oct. 15, 2005 from 9am to 4pm at the Roy Guerrero Colorado River Park

Susana Almanza - Critical Housing Crisis in East Austin Due to Gentrification and Unfair Tax Burden!

Jeff Trigger - Presentation of International Downtown Assoc. "Mcrit Award for Planning" to the City of Austin

Richard Halpin - City Investment in Energy: Solar & People

Becky Halpin - City Investment in Energy: Solar & People. **She donated her time to Richard Halpin.**

Leonard O. Mann - 12th Street Townhouse. **He was not present when his name was called.**

**Mayor Wynn recessed the Council Meeting to go into Executive Session at 12:30 p.m.**

#### **EXECUTIVE SESSION CONTINUED**

63. Discuss legal issues regarding an amendment to Chapter 25-10 of the City Code relating to non-conforming signs to allow location of new off-premise signs (billboards) in various locations in the City if an existing off-premise sign is removed. (Related Item 51)
65. Discuss legal issues in Cause No. GN201624; *Jeff White v. City of Austin*; in the 126<sup>th</sup> Judicial District, Travis County, Texas. (concerns alleged retaliation against an Austin Police Department Officer) (Related Item 68)
67. Discuss legal issues related to Collective Bargaining with the Austin Association of professional Fire Fighters.

**Executive Session ended and Mayor Wynn called the Council Meeting back to order at 2:36 p.m.**

#### **Action on Executive Session**

68. Approve a settlement agreement in Cause No. GN201624; *Jeff White v. City of Austin*; in the 126<sup>th</sup> Judicial District, Travis County, Texas. (concerns alleged retaliation against an Austin Police Department Officer)(Related Item 65)  
**The motion authorizing a settlement agreement in the amount of \$200,000, \$100,000 for Detective White and \$100,000 for his attorney was approved on Council Member Dunkerley's motion, Council Member Leffingwell's second on a 4-0 vote. Council Members Alvarez, Kim and McCracken were off the dais.**

#### **BRIEFINGS**

69. Presentation on the implementation status of Austin City Council Resolutions and Environmental Board Resolutions pertaining to Air Quality, and the status of local air quality planning efforts.  
**The presentation was made by Roger Duncan, Vice President Austin Energy and Fred Blood, Manager Austin Energy.**

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

**Mayor Wynn recessed the Council Meeting at 3:08 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 3:21 p.m.**

51. Approve an ordinance on second/third reading amending Chapter 25-10 of the City Code relating to nonconforming signs to allow location of new off-premise signs (billboards) in various locations in the City if an existing off-premise sign is removed. (Planning Commission voted for no change to the current code.) (Related Item 63)
- The second reading of the September 29, 2005 version of the ordinance, as distributed to the Council during the meeting, was approved on Council Member Dunkerley's motion, Council Member Leffingwell's second on a 4-3 vote. Those voting aye were: Mayor Pro Tem Thomas and Council Members Dunkerley, Leffingwell, and McCracken. Those voting nay were: Mayor Wynn and Council Members Alvarez and Kim.**

Mayor Wynn recessed the Council Meeting at 3:48 pm.

Mayor Wynn called the Council Meeting back to order at 4:10 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 Mayor Pro Tem Thomas' motion, Council Member Alvarez' second on a 7-0 vote.**

70. C14-05-0015 - Jelson Commercial Development - Approve third reading of 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-Barton Springs Zone) from rural residence (RR) district zoning to general commercial services (CS) district zoning. First reading approved on April 14, 2005. At first reading the City Council approved neighborhood commercial (LR) district zoning. Vote: 7-0. Second Reading approved on September 1, 2005. Vote: 7-0. At second reading the City Council approved general commercial services-conditional overlay (CS-CO) combining district zoning with conditions. 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.
- Ordinance No. 20050929-070 for general commercial services-conditional overlay (CS-CO) combining district zoning with conditions was approved.**
71. C14-05-0048 - Palm Harbor Round Rock Sales Office - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 15996 N. Interstate 35 Service Road Southbound (Gilleland Creek Watershed) from single-family residence-standard lot (SF-2) district zoning to general commercial services-conditional overlay (CS-CO) combining district zoning. First reading approved August 25, 2005. Vote: 7-0. Applicant: Palm Harbor Homes (Greg Vaughn). Agent: The Moore Group, Inc. (Ed Moore). City Staff: Sherri Sirwaitis, 974-3057.
- Ordinance No. 20050929-071 for general commercial services-conditional overlay (CS-CO) combining district zoning was approved.**
72. C14-05-0064 - Parmer Meadows - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 12509 North Lamar Boulevard (Walnut Creek Watershed) from community commercial-conditional overlay (GR-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. Applicant: Continental I-35 Fund Limited Partnership (Daniel J. Minahan). Agent: Doucet and Associates (Carol M. Stewart). City Staff: Sherri Sirwaitis, 974-3057.
- This item was postponed to October 6, 2005 at the applicant's request.**

73. C14-04-0196 - Hyde Park North NCCD (4505 Duval) - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 4505 Duval Street (Waller Creek Watershed) from multi-family residence-medium density (MF-3) district zoning and community commercial (GR) district zoning to community commercial-mixed use-neighborhood combining conservation district-neighborhood plan (GR-MU-NCCD-NP) combining district zoning. First reading approved on August 18, 2005. Vote: 6-0 (McCracken off the dais). Applicant: City of Austin. Agent: Neighborhood Planning and Zoning Department. City Staff: Glenn Rhoades, 974-2775.  
**Ordinance No. 20050929-073 for community commercial-mixed use-neighborhood combining conservation district-neighborhood plan (GR-MU-NCCD-NP) combining district zoning was approved.**
74. C14H-04-0015 - Gregg House. Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 2700 E. 12th 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. First reading approved December 2, 2004. Vote: 7-0. Applicant: Historic Landmark Commission. City Staff: Steve Sadowsky, 974-6454.  
**This item was withdrawn.**
75. C14H-04-0020 - James and Mary Owens House. Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 1809 E. 13th Street from commercial services-neighborhood plan (CS-NP) combining district zoning to commercial services-historic-neighborhood plan (CS-H-NP) combining district zoning. First reading approved December 2, 2004. Vote: 7-0. Applicant: Historic Landmark Commission. City Staff: Steve Sadowsky, Historic Preservation Office, Neighborhood Planning and Zoning Department, 974-6454. A valid petition has been filed in opposition to this rezoning request.  
**This item was withdrawn.**
76. C14-04-0150 - Manchaca Mixed Use, Tract 1 (formerly known as Neighbor's Stop & Go) - Approve second reading of 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 general office-mixed use-conditional overlay (GO-MU-CO) combining district zoning. On May 12, 2005, the City Council approved limited office-mixed use-conditional overlay (LO-MU-CO) combining district zoning as amended by the applicant. Vote: 7-0. Applicant: Anthony R. Bertucci. Agent: McCarroll, L.L.P. (Annick C. Beaudet). City Staff: Wendy Walsh, 974-7719. (Related Item Z-4)  
**This item was postponed to October 6, 2005 at the applicant's request.**

### **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 Alvarez' motion, Council Member Leffingwell's second on a 7-0 vote.**

- Z-4 C14-04-0150 - Manchaca Mixed Use - Tract 2 (formerly known as 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 limited office-mixed use-conditional overlay (LO-MU-C) 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: McCarroll, L.L.P. (Annick Beaudet). City Staff: Wendy Walsh, 974-7719. (Related Item 76) A valid petition has been filed in opposition to this rezoning request.

**This item was postponed to October 6, 2005 at the neighborhood's request.**

- Z-5 C14-05-0106.01 - West Congress Neighborhood Plan Rezoning, Tract 2B - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 4105-4107 South First Street (West Bouldin Creek Watershed) from limited office-neighborhood plan (LO-NP) combining district zoning to general commercial services-mixed use-neighborhood plan (CS-MU-NP) combining district zoning. Planning Commission Recommendation: To grant general commercial services-mixed use-neighborhood plan (CS-MU-NP) combining district zoning. Applicant: City of Austin. Agent: Neighborhood Planning and Zoning Department. City Staff: Wendy Walsh, 974-7719.

**The first reading of the ordinance for general commercial services-mixed use-neighborhood plan (CS-MU-NP) combining district zoning was approved.**

- Z-6 C14-05-0106.02 - West Congress Neighborhood Plan Rezoning, Tract B - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 414 West Stassney Lane (Williamson Creek Watershed) from family residence-neighborhood plan (SF-3-NP) combining district zoning to general office-mixed use-neighborhood plan (GO-MU-NP) combining district zoning. Planning Commission Recommendation: To grant general office-mixed use-neighborhood plan (GO-MU-NP) combining district zoning. Applicant: City of Austin. Agent: Neighborhood Planning and Zoning Department. City Staff: Wendy Walsh, 974-7719.

**This item was postponed to October 6, 2005 at the neighborhood association's request.**

- Z-7 C14-05-0107.01 - East Congress Neighborhood Plan Rezoning, Tract A - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 700 Industrial Boulevard; 908-932 East St. Elmo Road; 4100-4336 Santiago Street, from limited industrial-neighborhood plan (LI-NP) combining district zoning; general commercial services--neighborhood plan (CS-NP) combining district zoning to limited industrial-planned development agreement-neighborhood plan (LI-PDA-NP) combining district zoning. Planning Commission Recommendation: To grant limited industrial-planned development area-neighborhood plan (LI-PDA-NP) combining district zoning. Applicant: City of Austin. Agent: Neighborhood Planning and Zoning Department. City Staff: Wendy Walsh, 974-7719.

**The first reading of the ordinance for limited industrial-planned development area-neighborhood plan (LI-PDA-NP) combining district zoning was approved.**

- Z-8 C14-05-0097 - Asian Center - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 901 W. Braker Lane (Walnut Creek Watershed) from community commercial-conditional overlay (GR-CO) combining district zoning to community commercial-conditional overlay (GR-CO) combining district zoning to modify a condition of zoning, with conditions. Zoning and Platting Commission Recommendation: To grant community commercial-conditional overlay (GR-CO) combining district zoning (to change a condition of zoning) with conditions. Applicant: Minh-Duc-Lu. Agent: Mike Wilson. City Staff: Jorge Rousselin, 974-2975.

**Ordinance No. 20050929-Z008 for community commercial-conditional overlay (GR-CO) combining district zoning (to change a condition of zoning) with conditions was approved.**

- Z-9 C14H-05-0011 – Edgar von Boeckmann House. Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 4401 Avenue H from family residence-neighborhood conservation (SF-3-NCCD) combining district zoning to family residence-historic-neighborhood conservation (SF-3-H-NCCD) combining district zoning. Historic Landmark Commission Recommendation: To grant family residence-historic-neighborhood conservation (SF-3-H-NCCD) combining district zoning. Planning Commission Recommendation: Pending. Applicants: Judge Robert Lee Pitman and David Christian Smith. City Staff: Steve Sadowsky, 974-6454.  
**Ordinance No. 20050929-Z009 for family residence-historic-neighborhood conservation (SF-3-H-NCCD) combining district zoning was approved.**
- Z-10 C14-05-0119 - P.C.W. Construction Equipment & Sales - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 10704 South IH-35 Service Road Southbound (Onion Creek Watershed) from interim rural residence (I-RR) district zoning to general commercial services-conditional overlay (CS-CO) combining district zoning. Applicant: P.C.W., Inc. (Rolando Jaimes). Agent: DST Realty (Maggie Trevino). City Staff: Wendy Walsh, 974-7719.  
**Ordinance No. 20050929-Z010 for general commercial services-conditional overlay (CS-CO) combining district zoning was approved.**
- Z-11 C14-04-0211 - Onion Creek RV - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 10815 Bradshaw Road (Rinard Creek Watershed) from interim-rural residence (I-RR) district zoning to neighborhood commercial (LR) district zoning. Zoning and Platting Commission Recommendation: To grant neighborhood commercial-conditional overlay (LR-CO) combining district zoning. Applicant: Hector Aguirre. Agent: Jim Bennett Consulting (Jim Bennett). City Staff: Wendy Walsh, 974-7719.  
**Ordinance No. 20050929-Z011 for neighborhood commercial-conditional overlay (LR-CO) combining district zoning was approved.**
- Z-12 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 grant community commercial-conditional overlay (GR-CO) combining district zoning. Applicant and Agent: Midbar Investment Co., L.L.C., (Claire Brooks). City Staff: Robert Heil, 974-2330.  
**Ordinance No. 20050929-Z012 for community commercial-conditional overlay (GR-CO) combining district zoning was approved.**
- Z-13 C14-05-0109 - Park Place at Anderson Mill - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 9707 Anderson Mill Road (Bull Creek Watershed) from townhouse and condominium residence-conditional overlay (SF-6-CO) combining 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. Applicant: Equity Secured Capital (Vince DiMare). Agent: Ash Creek Homes, Inc. (Scott Morledge). City Staff: Sherri Sirwaitis, 974-3057.  
**Ordinance No. 20050929-Z013 for neighborhood commercial-conditional overlay (LR-CO) combining district zoning was approved.**

- Z-14 C14-05-0104 - Smith 1.2 - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 11912-B North Lamar Boulevard (Walnut Creek Watershed) from neighborhood office (NO) district zoning to general office (GO) district zoning. Zoning and Platting Commission Recommendation: To grant general office-conditional overlay (GO-CO) combining district zoning with conditions. Applicant: Clay Chip Smith. Agent: Bennett Consulting (Jim Bennett). City Staff: Sherri Sirwaitis, 974-3057.  
**Ordinance No. 20050929-Z014 for general office-conditional overlay (GO-CO) combining district zoning with conditions was approved.**
- Z-15 C14-05-0086 - McNeil House Apartments - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 6280 McNeil Drive (Walnut Creek Watershed) from rural residence (I-RR) district zoning to multi-family residence-low density (MF-2) district zoning. Zoning and Platting Commission Recommendation: To grant multi-family residence-low density (MF-2) district zoning. Applicant: Union Creek Partners, L.P. (Danuel R. Stanger, General Partner); Allara Family Living Revocable Trust (Raymond J. Allara & Janet Allara, Trustees). Agent: Dougherty, Hearon & Moody, P.C. (Peter J. Cesaro). City Staff: Sherri Sirwaitis, 974-3057.  
**Ordinance No. 20050929-Z015 for multi-family residence-low density (MF-2) district zoning was approved.**
- Z-16 C14-05-0100 - Lake Creek Park - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 10101-10113 Lake Creek Parkway (Lake Creek Watershed) from limited office (LO) and single-family residence (SF-2) district zoning for Tract 1; limited office-conditional overlay (LO-CO) combining district zoning for Tract 2; and limited office-conditional overlay (LO-CO) combining district zoning and rural residence (I-RR) district zoning for Tract 3 to limited office (LO) district zoning for Tract 1; townhouse and condominium residence (SF-6) district zoning for Tract 2; and single-family residence-small lot (SF-4A) district zoning for Tract 3. Zoning and Platting Commission Recommendation: To grant limited office (LO) district zoning for Tract 1; limited office-conditional overlay (LO-CO) combining district zoning for Tract 2; and single-family residence-small lot (SF-4A) district zoning for Tract 3. Applicant: Ardennes, L.P. by CGA Ardennes GP, LLC (David E. Castilla & Paula Vangrieken). Agent: Armbrust & Brown (Richard T. Suttle). City Staff: Sherri Sirwaitis, 974-3057.  
**The first reading of the ordinance for limited office (LO-CO) district zoning for Tract 1; limited office-conditional overlay (SF-6) combining district zoning for Tract 2; and single-family residence-small lot (SF-4A) district zoning for Tract 3 was approved.**
- Z-17 C14-05-0103 - 3500 Jefferson Unit 101 - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 3500 Jefferson Street, Unit 101 (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-conditional overlay (CS-1-CO) combining district zoning subject to conditions. Applicant: Live Oak Development, Inc. (Daniel W. Herd). Agent: Joe Wyman. City Staff: Jorge Rousselin, 974-2975.  
**The first reading of the ordinance for commercial liquor sales-conditional overlay (CS-1-CO) combining district zoning subject to conditions was approved.**

- Z-18 C14-79-151 (RCT) - Z-Lofts Subdivision - Conduct a public hearing and approve a restrictive covenant termination for the property locally known as 2919 Martin Luther King Jr. Blvd. East (Boggy Creek Watershed). Zoning and Platting Commission Recommendation: To grant the request to terminate the restrictive covenant. Applicant: Marbella Development. Agent: Jan Davis. City Staff: Robert Heil, 974-2330.  
**The motion authorizing a restrictive covenant termination was approved.**
- Z-19 NPA-05-0014.01 - Freidrich Lane - Conduct a public hearing and approve an ordinance to amend the Southeast Combined Neighborhood Plan, an element of the Austin Tomorrow Comprehensive Plan, to change the Future Land Use Map from commercial mixed-use land use designation to industrial land use designation for 5200 Freidrich Lane. Planning Commission Recommendation: To grant industrial land use designation. Applicant: City of Austin. Agent: Neighborhood Planning and Zoning Department. City Staff: Kathleen Welder, 974-2856. (Related Item Z-20)  
**Ordinance No. 20050929-Z019 to grant industrial land use designation was approved.**
- Z-20 C14-05-0081 - Freidrich Lane - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 5200 Freidrich Lane (Williamson Creek Watershed) from neighborhood office-mixed use-neighborhood plan (NO-MU-NP) combining district zoning to limited industrial services-neighborhood plan (LI-NP) combining district zoning. Planning Commission Recommendation: To grant limited industrial services-neighborhood plan (LI-NP) combining district zoning. Applicant: Rick Park, Inc. (John H. Biggar). Agent: Jim Bennett Consulting (Jim Bennett). City Staff: Wendy Walsh, 974-7719. (Related Item Z-19)  
**Ordinance No. 20050929-Z020 to grant limited industrial services-neighborhood plan (LI-NP) combining district zoning was approved.**
- Z-22 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 October 20, 2005 at the applicant's request.**
- Z-23 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: Jerry Rusthoven. 974-3207.  
**The first reading of the ordinance for limited office-conditional overlay (LO-CO) combining district zoning was approved.**

- Z-24 C14-05-0050 - The Millican House - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 1610 West Avenue (Shoal Creek Watershed) from limited office-historic (LO-H) combining district zoning to general office-historic (GO-H) combining district zoning. Zoning and Platting Commission Recommendation: To deny general office-historic (GO-H) combining district zoning. Applicant: Paul Flashner. Agent: Leasing Concierge (Susan Minter). City Staff: Jorge Rousselin, 974-2975.

**This item was withdrawn.**

### **ZONING DISCUSSION ITEMS**

- Z-1 NP-05-0022 - Conduct a public hearing and approve an ordinance amending the Austin Tomorrow Comprehensive Plan by adopting the Greater South River City Combined Neighborhood Plan for the area bounded by Town Lake on the north, IH-35 on the east, Ben White Boulevard on the south and South Congress Avenue on the west. (Recommended by Planning Commission) (Related Items Z-2, Z-3)

**The public hearing was closed and Ordinance No. 20050929-Z001 amending the Austin Tomorrow Comprehensive Plan by adopting the Greater South River City Combined Neighborhood Plan with the exception of items related to the Secondary Apartment and Small Lot Amnesty special uses and Tracts 1, 3, 28, 29 a and b and 35 was approved on Council Member McCracken's motion, Mayor Pro Tem Thomas' second on a 6-0 vote. Council Member Kim recused herself on this item because she owns property in this neighborhood.**

**The motion to postpone action on Tracts 1, 3, 28, 29a and b, and 35 and the Secondary Apartment and Small Lot Amnesty special uses until October 20, 2005 and to keep the public hearing open for these items was approved on Council Member McCracken's motion, Council Member Dunkerley's second on a 6-0 vote. Council Member Kim recused herself on this item because she owns property in this neighborhood.**

- Z-2 C14-05-0138 - Greater South River City Combined Neighborhood Plan (St. Edward's neighborhood) - 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 the St. Edward's Neighborhood, bounded on the north by E. Oltoft St., on the south by Ben White Blvd., on the west by S. Congress Ave. and on the east by IH-35. The proposed zoning changes will create a Neighborhood Plan (NP) combining district covering the entire area. Under the proposed St. Edward's NP, "Small Lot Amnesty," "Secondary Apartment," "Front Porch Setback," "Garage Placement," "Impervious Cover and Parking Placement Restrictions" and "Prohibiting Parking in the Front Yard" are proposed for the entire area. The Neighborhood Mixed Use Building special use is proposed for Tracts 102-105. The Neighborhood Urban Center special use is proposed for Tract 101. The City Council may approve a base district zoning change to any of the following: Rural Residence (RR) district zoning; Single-Family Residence - Large Lot (SF-1) district zoning; Single-Family Residence-Standard Lot (SF-2) district zoning; Family Residence (SF-3) district zoning; Single-Family - Small Lot & Condominium Site (SF-4A/B) district zoning; Urban Family Residence (SF-5) district zoning; Townhouse & Condominium Residence (SF-6) district zoning; Multi-Family Residence - Limited Density (MF-1) district zoning; Multi-family Residence - Low Density (MF-2) district zoning; Multi-family Residence - Medium Density (MF-3) district zoning; Multi-family Residence - Moderate-High Density (MF-4) district zoning; Multi-family Residence - High Density (MF-5) district zoning; Multi-family Residence - Highest Density (MF-6) district zoning; Mobile Home Residence (MH) district zoning; Neighborhood Office (NO) district zoning; Limited Office (LO) district zoning; General Office (GO) district zoning; Commercial Recreation (CR) district zoning; Neighborhood Commercial (LR) district

zoning; Community Commercial (GR) district zoning; Warehouse / Limited Office (W/LO) district zoning; General Commercial Services (CS) district zoning; Commercial-Liquor Sales (CS-1) district zoning; Commercial Highway (CH) district zoning; Industrial Park (IP) district zoning; Major Industrial (MI) district zoning; Limited Industrial Services (LI) district zoning; Research and Development (R&D) district zoning; Development Reserve (DR) district zoning; Agricultural (AG) district zoning; Planned Unit Development (PUD) district zoning; Historic (H) district zoning; and Public (P) district zoning. A Conditional Overlay (CO) combining district, Planned Development Area (PDA) combining district, Mixed Use (MU) combining district; or Neighborhood Conservation (NC) combining district may also be added to these zoning base districts. Planning Commission Recommendation: To grant the requested zoning with conditions. Applicant: City of Austin. Agent: Neighborhood Planning and Zoning Department. City Staff: Adam Smith, 974-7685, Sherri Sirwaitis, 974-3057. (Related Items Z-1, Z-3)

**The public hearing was closed and Ordinance No. 20050929-Z002 approving the St. Edward's Neighborhood Plan Combining District zoning with the exception of the Secondary Apartment and Small Lot Amnestoy special uses was approved on Mayor Pro Tem Thomas' motion, Council Member Dunkerley's second on a 6-0 vote. Council Member Kim recused herself on this item because she owns property in this neighborhood.**

- Z-3 C14-05-0139 - South River City Neighborhood Planning Area Rezoning - Conduct a public hearing to approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning the area bounded by: Town Lake on the north; IH-35 on the east; Oltorf Street on the south; South Congress Avenue on the west. (Blunn Creek; East Boulding Creek; Harpers Branch & Town Lake Watershed). The proposed zoning change will create a neighborhood plan combining district (NPCD) covering the entire area. Under the proposed South River City NPCD, small lot amnesty, secondary apartment, garage placement, impervious cover and parking placement restrictions" and prohibiting parking in the front yard zoning regulations are proposed for the Travis Heights-Swisher Subdistrict. The Travis Heights Subdistrict is generally bounded by Town Lake on the north, IH-35 on the east, Oltorf Street on the south, South Congress Avenue on the west & excluding the Fairview Park Subdistrict which is generally bounded by Riverside Drive and Music Lane on the north, Sunset Lane on the east, Monroe Street on the south and South Congress Avenue on the west. The neighborhood mixed-use building special use is being proposed for tracts 4-8, 11-14, 17, 28 & 29a&b. The neighborhood urban center special use is being proposed for tract 18. Planning Commission Recommendation: Applicant: City of Austin. Agent: Neighborhood Planning and Zoning Department. City Staff: Adam Smith, 974-7685 & Sherri Sirwaitis, 974-3057. (Related Items Z-1, Z-2)

**The public hearing was closed and Ordinance No. 20050929-Z003, approving the South River City Neighborhood Plan Combining District with the exception of the Secondary Apartment and Small Lot Amnesty special uses and Tracts 1, 3, 38, 29 a and b, and 35 was approved on Council Member Leffingwell's motion, Mayor Pro Tem Thomas' second on a 6-0 vote. Council Member Kim was off the dais.**

Mayor Wynn recessed the Council Meeting at 5:20 p.m.

### LIVE MUSIC

Austin Lyric Opera

### PROCLAMATIONS

Proclamation - COA Combined Charities Campaign Kick-Off - to be presented by Mayor Will Wynn and to be accepted by Campaign Chair

Proclamation - Arbor Day - to be presented by Mayor Will Wynn and to be accepted by Jay Culver

Proclamation - Mental Health Month - to be presented by Mayor Will Wynn and to be accepted by Beverly Scarborough

Proclamation - Austin Organic Gardeners 60th Anniversary - to be presented by Mayor Will Wynn and to be accepted by Venkappa Gani

**Mayor Wynn called the Council Meeting back to order at 6:18 p.m.**

- Z-21 C14-04-0196 - Hyde Park North NCCD (609 Fairfield) - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 609 Fairfield (Waller Creek Watershed) from family residence (SF-3) district zoning to single-family residence-standard lot-neighborhood conservation combining district-neighborhood plan (SF-2-NCCD-NP) combining district zoning and family residence-neighborhood conservation combining district-neighborhood plan (SF-3-NCCD-NP) combining district zoning. Planning Commission Recommendation: To grant family residence-conditional overlay-neighborhood conservation combining district-neighborhood plan (SF-3-CO-NCCD-NP) combining district zoning the conditions. Applicant: City of Austin. Agent: Neighborhood Planning and Zoning Department. City Staff: Glenn Rhoades, 974-2775.

**This item was postponed to October 6, 2005 at the owner's request.**

- Z-25 C14-05-0034.SH - Peaceful Hill Subdivision - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 308 Ralph Ablanado Drive and 8319 Peaceful Hill Lane (South Boggy Creek & Onion Creek Watersheds) from townhouse and condominium residence (SF-6) district zoning, warehouse-limited office (W/LO) district zoning, limited industrial (LI) district zoning and development reserve (DR) district zoning to single-family residence-small lot (SF-4A) district zoning. Zoning and Platting Commission Recommendation: To deny single-family residence-small lot (SF-4A) district zoning. Applicant: Southwest Strategies Group (John Rosato). Agent: Main Street Homes (Ken Blaker). City Staff: Wendy Walsh, 974-7719. A valid petition has been filed in opposition to this zoning change request.

**Ordinance No. 20050929-Z025 for single-family residence-small lot (SF-4A) district zoning with restrictions was approved on Mayor Pro Tem Thomas' motion, Council Member McCracken's second on a 7-0 vote.**

See Amendments at bottom of minutes.

#### **PUBLIC HEARINGS AND POSSIBLE ACTION**

79. Conduct a public hearing and approve an ordinance amending City Code Sections 30-1-93, 30-1-131, 30-2-40 and 30-2-56, relating to the City / Travis County single office for subdivision regulation; the amendments conform to the Third Amendment to the Agreement on Subdivision Platting in the Extraterritorial Jurisdiction Between the City of Austin and Travis County and are in accordance with the requirements of Chapter 242 of the Texas Local Government Code. (Recommended by Planning Commission.)

**The public hearing was closed and Ordinance No. 20050929-079 was approved on Council Member McCracken's motion, Mayor Pro Tem Thomas' second on a 7-0 vote.**

77. Conduct a public hearing and adopt an ordinance amending Sections 25-9-33 (d), 25-4-195, and 30-2-195 of the Austin City Code relating to water and wastewater service extension requests by modifying the requirements concerning annexation requests. (Recommended by Water and Wastewater Commission)  
**The public hearing was closed and Ordinance No. 20050929-077 was approved on Mayor Pro Tem Thomas' motion, Mayor Wynn's second on a 7-0 vote.**
78. Conduct a public hearing and adopt a resolution authorizing the use of approximately 1.36 acres (57,707 square feet) for two sedimentation/filtration ponds, along with an approximately 3-acre (130,680 square feet) temporary working space area use agreement to allow for the construction of the ponds through dedicated parkland known as Zilker Park located on Barton Hills Drive in accordance with Sec. 26.001 et seq. of the Texas Parks and Wildlife Code. (All costs associated with the construction of the ponds, as well as any park restoration, will be paid by the Watershed Protection and Development Review Department.) (Recommended by the Parks Board.)  
**The public hearing was closed and Resolution No. 20050929-078 was approved on Council Member Leffingwell's motion, Council Member second on a 7-0 vote.**

**Mayor Wynn adjourned the meeting at 7:33 p.m. without objection.**

**The minutes for the Regular Meeting of September 29, 2005 were approved on this the 6th day of October, 2005 on Council Member Kim's motion, Council Member Dunkerley's second on a 7-0 vote.**

**The minutes for the regular meeting of September 29, 2005 were amended and approved on October 27, 2005 on Council Member Alvarez' motion, Council Member Dunkerley's second on a 6-0 vote. The following amendments were made:**

- Z-25 C14-05-0034.SH - Peaceful Hill Subdivision - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 308 Ralph Ablanado Drive and 8319 Peaceful Hill Lane (South Boggy Creek & Onion Creek Watersheds) from townhouse and condominium residence (SF-6) district zoning, warehouse-limited office (W/LO) district zoning, limited industrial (LI) district zoning and development reserve (DR) district zoning to single-family residence-small lot (SF-4A) district zoning. Zoning and Platting Commission Recommendation: To deny single-family residence-small lot (SF-4A) district zoning. Applicant: Southwest Strategies Group (John Rosato). Agent: Main Street Homes (Ken Blaker). City Staff: Wendy Walsh, 974-7719. A valid petition has been filed in opposition to this zoning change request.  
**The first reading of the ordinance for single-family residence-small lot (SF-4A) district zoning with restrictions was approved on Mayor Pro Tem Thomas' motion, Council Member McCracken's second on a 7-0 vote.**