

AGENDA



Thursday, February 1, 2007

The Austin City Council will convene at 10:00 AM on
Thursday, February 1, 2007 at Austin City Hall
301 W. Second Street, Austin, TX

AUSTIN CITY CLERK
POSTING DATE/TIME

2007 JAN 26 PM 4:01



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

For meeting information, contact City Clerk, 974-2210

The City Council will go into a closed session under Chapter 551 of the Texas Government Code to receive advice from legal counsel, to discuss matters of land acquisition, to discuss personnel matters, to discuss or take action on a "competitive matter" of Austin Energy as provided for under Section 551 086, or for other reasons permitted by law as specifically listed on this agenda. If necessary, the City Council may go into a closed session as permitted by law regarding any item on this agenda

Reading and Action on Consent Agenda

Action on the Following:

Ordinances / Resolutions / Motions -

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

9: 55 AM -- Invocation

Pastor Doyin Oke, Redeemed Christian Church of God Salvation Center

10. 00 AM -- City Council Convenes

Announcements of proposed items for upcoming council meeting. (No discussion on these items.)

Approval of Minutes

- 1 Approval of the minutes of the Austin City Council from the regularly scheduled meeting of January 25, 2007

Austin Energy

- 2 Authorize negotiation and execution of an Interlocal Agreement with the State of Texas Energy Conservation Office (SECO) for grant funding in the amount of \$10,000 to extend the City's involvement in the Clean Cities program with funding from February 1, 2007 to August 31, 2007. Grant funding is available from the State of Texas Energy Conservation Office. No match is required. Recommended by the Electric Utility Commission. (Related to item #3)
- 3 Approve an ordinance authorizing acceptance of \$10,000 in grant funds from the United States Department of Energy through the State of Texas Energy Conservation Office, and amending the Fiscal Year 2006-2007 Austin Energy Operating Budget of Ordinance No. 20060911-001 to appropriate \$10,000 for the purpose of continuing the Clean Cities Program for the grant period of February 1, 2007 through August 31, 2007. Funding in the amount of \$10,000 in grant funds is available from the State of Texas Energy Conservation Office. No match is required. Recommended by the Electric Utility Commission. (Related to item #2)

- 4 Approve a resolution authorizing the purchase of a building and approximately 12 acres of land from TOKYO ELECTRON AMERICA, INC , located at 2510 Grove Boulevard for the relocation of Austin Energy's Energy Control Center (ECC), in an amount not to exceed \$16,520,000, including closing costs Funding is available in the Fiscal Year 2006-2007 Capital Budget of Austin Energy Recommended by the Electric Utility Commission
- 5 Approve a resolution authorizing (1) the negotiation and execution of an agreement with the City Public Service Board of San Antonio ("CPSE") to jointly acquire land, options for land, and related water rights at a site in Matagorda County, Texas, (2) the purchase, whether jointly with CPSE or otherwise, of such land, interests in land, and related water rights, and (3) such other agreements as may be necessary to accomplish these transactions Request for funding confidential pursuant to Texas Government Code Sections 551 086 and 552 133, and Council Resolution 20051201-002 The Electric Utility Commission was briefed, no vote was taken or recommendation made (Related to item #42)
- 6 Approve negotiate and execution of an agreement between the City and the Texas General Land Office for an option to lease state lands in west Texas for a solar power suitability study and to lease state lands for an optional production period for a solar-generated electricity project over a 50-year term in an amount not to exceed \$1,048,770 Funding is available in the Fiscal Year 2006-2007 Approved Operating Budget of Austin Energy Funding for future years is contingent upon available funding in future budgets Recommended by the Electric Utility Commission (Related to items #23, 24 and 40)

Austin Water Utility

- 7 Authorize the City Manager to negotiate and execute an agreement with Wells Branch Municipal Utility District and Dartagnan Partners, LP, to provide pass-through wastewater service to the "Technopolis" tract located near the intersection of FM 1325 and Merriltown Drive No City funds are required by this action The developer will construct the necessary infrastructure Recommended by the Water and Wastewater Commission
- 8 Approve an ordinance authorizing the negotiation and execution of an agreement between the City and Samsung Austin Semiconductor, L L C reimbursing Samsung for the design and construction of a wastewater meter and appurtenances at the Samsung chip manufacturing facility on Parmer Lane for a total project amount not to exceed \$500,000, and waiving Sections 15-9-272, 15-9-273, 15-9-275 and 15-9-285 of the City Code relating to payment for and maintenance of meters Funding is available in the Fiscal Year 2006-2007 Capital Improvement Budget of the Austin Water Utility Recommended by the Water and Wastewater Commission
- 9 Approve Service Extension Request No 2524 with CENTEX HOMES, INC for wastewater service not to exceed a peak wet weather flow of 179 gallons per minute (gpm) for a tract of approximately 93 1 acres located within the Drinking Water Protection Zone in the City's extraterritorial jurisdiction along U S Highway 290 West There is no unanticipated fiscal impact Recommended by the Water and Wastewater Commission
- 10 Approve an ordinance authorizing negotiation and execution of a cost participation agreement, Service Extension Request No 2523, with CENTEX HOMES, INC , providing terms and conditions for construction of 12-inch water

main and appurtenances to provide water service to the Ridgeview Subdivision located along U S Highway 290 West, east of South View Road with City cost reimbursement in an amount not to exceed 33% of the actual construction costs ("hard costs") or \$165,082, whichever is less, and approve an Ordinance waiving the requirements of Section 25-9-62 of the City Code relating to amount of cost participation Funding is available in the Fiscal Year 2006-2007 Capital Improvement Budget of the Austin Water Utility Recommended by the Water and Wastewater Commission Recommended by the Environmental Board

- 11 Authorize execution of a service agreement with BENITEZ CONSTRUCTION, INC (77 45%), Manor, TX, for the construction of Water Distribution System Improvements (Leaking Mains, Services & Valves) in an amount not to exceed \$356,550 Funding is available in the Fiscal Year 2006-2007 Capital Improvement Budget of the Austin Water Utility This contract will be awarded in compliance with Chapter 2-9A of the City Code (Minority-Owned and Woman-Owned Business Enterprise Procurement Program) by meeting the goals 0 00% MBE and 5 61% WBE subcontractor participation Recommended by the Water and Wastewater Commission

Budget

- 12 Approve an ordinance amending the Fiscal Year 2006-2007 Public Works Department Capital Budget of Ordinance No 20060911-002 to increase appropriations by \$9,000,000 for street reconstruction, and \$1,000,000 for sidewalks, for a total increase of \$10,000,000, amending the Fiscal Year 2006-2007 Watershed Protection and Development Review Department Capital Budget of Ordinance No 20060911-002 to increase appropriations by \$7,000,000 for Watershed Protection Master Plan projects and \$30,000,000 for open space, for a total increase of \$37,000,000, amending the Fiscal Year 2006-2007 Parks and Recreation Department Capital Budget of Ordinance No 20060911-002 to increase appropriations by \$5,850,000 for park facilities, facility improvements and facility renovations, and by \$4,650,000 for parkland acquisition and development, for a total increase of \$10,500,000, amending the Fiscal Year 2006-2007 Neighborhood Housing and Community Development Department Capital Budget of Ordinance No 20060911-002 to increase appropriations by \$5,000,000 for affordable housing programs, amending the Fiscal Year 2006-2007 Municipal Court Capital Budget of Ordinance No 20060911-002 to increase appropriations by \$16,000,000 for a new municipal courthouse facility, amending the Fiscal Year 2006-2007 Health and Human Services Department Capital Budget of Ordinance No 20060911-002 to increase appropriations by \$450,000 for a Animal Shelter facility, amending the Fiscal Year 2006-2007 Financial and Administrative Services Department Capital Budget of Ordinance No 20060911-002 to increase appropriations by \$650,000 for the Austin Film Studios, by \$400,000 for the African-American Heritage Facility, and by \$5,000,000 for the Public Safety Training Facility project, for a total increase of \$6,050,000 Funding in the amount of \$85,000,000 will be provided by the future issuance of Public Improvement Bonds, approved by the voters on November 7, 2006 (Related to item #13)
- 13 Approve a resolution declaring the City of Austin's official intent to reimburse itself from November 2006 Proposition 1 General Obligation Bonds to be issued for expenditures in the amount of \$10,000,000 related to street reconstruction and sidewalk reconstruction and improvements, to reimburse itself from

November 2006 Proposition 2 General Obligation Bonds to be issued for expenditures in the amount of \$37,000,000 related to Watershed Protection Master Plan Projects and Open Space preservation and, to reimburse itself from November 2006 Proposition 3 General Obligation Bonds to be issued for expenditures in the amount of \$10,500,000 related to park facilities, facility improvements and facility renovations and parkland acquisition and development, to reimburse itself from November 2006 Proposition 4 General Obligation Bonds to be issued for expenditures in the amount of \$1,050,000 related to Community and Cultural facility projects, to reimburse itself from November 2006 Proposition 5 General Obligation Bonds to be issued for expenditures in the amount of \$5,000,000 related to affordable housing programs, and to reimburse itself from November 2006 Proposition 7 General Obligation Bonds to be issued for expenditures in the amount of \$21,450,000 related to public safety facility projects Funding of \$85,000,000 in General Obligation Public Improvement Bonds to be issued in August 2007 or later (Related to item #12)

Emergency Medical Services

- 14 Approve negotiation and execution of an Interlocal Agreement with Austin Independent School District (AISD) for the provision of Emergency Medical Technician (EMT-B) training in two Austin high schools for a term of one year, in an amount not to exceed \$8,000, with two 12-month renewal options, in an amount not to exceed \$8,000 per renewal option, for a total contract amount not to exceed \$24,000 Funding in the amount of \$8,000 was included in the Fiscal Year 2006-2007 Operating Budget of the EMS Department Funding for the renewal options is contingent upon the available funding in future budgets

Fire

- 15 Adopt an ordinance to establish classifications and positions in the classified service of the Austin Fire Department eliminate a position, and add a position and repeal Ordinance No 20060911-005 Funding in the amount of \$35,977 is included in the Fiscal Year 2006-2007 Operating Budget of the Austin Fire Department

Health and Human Services

- 16 Approve an ordinance authorizing acceptance of \$30,000 in grant funds from the ROBERT WOOD JOHNSON FOUNDATION, Princeton, NJ, and amending the Fiscal Year 2006-2007 Health and Human Service Department Operating Budget Special Revenue Fund of Ordinance No 20060911-001 to appropriate \$30,000 for the Health Promotion/Disease Prevention program to partner with the Indigent Care Collaboration to evaluate internal business practices using the Robert Wood Johnson informatics systems within the Disease Surveillance unit Funding is available from the Robert Wood Johnson Foundation The grant period is December 1, 2006 through February 28, 2008 No City match is required

Law

- 17 Approve an amendment to the outside counsel contract with Scott, Douglass & McConnico, LLP, Austin, TX, for legal counsel concerning issues relating to the design and construction issues of the airport parking garage, in the amount of \$130,000, for a total contract amount of \$355,000 Funding in the amount of

\$130,000 is available in the Fiscal Year 2006-2007 Capital Budget of the Aviation Department

Neighborhood Planning & Zoning

- 18 Approve an ordinance amending Ordinance No 20061116-055 to substitute a new future land use map (FLUM) that correctly reflects the determinations made by Council for certain properties in the East Riverside/Oltorf Combined FLUM identified as Tract 222 (4600 and 4604 Ben White Boulevard East), Tract 35B (2500, 2500 ½, 2510 ½ Willow Hill Drive and 2018 ½ S Pleasant Valley Road), Tract 37 (2109-2237 E Riverside Drive, 1700-1702 Willow Creek Drive), Tract 43A (2001 E Riverside Drive), Tract 45 (1801-1919 E Riverside Drive), Tract 45A (1805-1909 E Riverside Drive), Tract 45B (1905 E Riverside Drive), Tract 47 (1005 and 1007 Summit Street), Tract 21B (2510, 2510 ½, 2512, 2520, 2520 ½ Elmont Drive), Tract 35A (2429-2515 ½ E Riverside Drive), Tract 38 (2237 E Riverside Drive), and Tract 42 (2021, 2023 E Riverside Drive)

Parks and Recreation

- 19 Authorize the negotiation and execution of an Interlocal Agreement between the City and the Lower Colorado River Authority (LCRA) to allow parties to locate, maintain and replace buoys at Tom Miller Dam on Lake Austin Funding will be provided by the Lower Colorado River Authority (LCRA) City will reimburse actual maintenance costs Recommended by the Parks and Recreation Board

Public Works

- 20 Approve a resolution authorizing the fee simple acquisition of Lot 6, Block N, Onion Creek Forest, Section 2, Amended Plat, a subdivision in Travis County, Texas, located at 5603 Vine Hill Drive, from Frank and Pamela Webb for the Onion Creek Voluntary Flood Buyout-FEMA-1606-DR Project, in the amount of \$200,000 for the land and improvements and \$25,000 owner assisted relocation benefits, plus moving related expenses not to exceed \$20,000 for a total amount not to exceed \$245,000 Funding is available in the Fiscal Year 2006-2007 Capital Budget of the Watershed Protection and Development Review Department
- 21 Authorize negotiation and execution of a professional services agreement with each of the following 10 firms HNTB CORPORATION, Austin, TX, HALFF ASSOCIATES, INC , Austin, TX, OTHON, INC , Austin, TX, HVJ ASSOCIATES, INC (MBE/MB), Austin, TX, FREESE AND NICHOLS, INC , Austin, TX, LOCKWOOD ANDREWS and NEWNAM, INC , Austin, TX, DANNENBAUM ENGINEERING COMPANY, Austin, TX, MARTINEZ, WRIGHT and MENDEZ, INC (MBE/MH), Austin, TX, S and B INFRASTRUCTURE, LTD, Austin, TX and, KLOTZ ASSOCIATES, INC , Austin, TX, to provide professional engineering services for street reconstruction projects for a period of approximately six years or until financial authorization expended, each agreement in an amount not to exceed \$12,500,000, with the total amount of the 10 agreements not to exceed \$12,500,000 Funding is available in the Operating and Capital budgets of the various departments for which services are needed Best 10 qualification statements of 38 statements received 1 7% African American, 9 5% Hispanic, 5 3% Native/Asian American and, 14 2% Women Business Enterprise (WBE)

- 22 Approve the ratification of the construction contract with KEYSTONE CONSTRUCTION INC , Austin, TX, for emergency construction of the Austin Clean Water Program Harold Court Wastewater Repair Project in the amount of \$142,128 70 Funding is available in the Fiscal Year 2006-2007 Capital Improvement Budget of the Austin Water Utility Recommended by the Water and Wastewater Commission

Purchasing Office

- 23 Authorize award, negotiation, and execution of a 12-month requirements service contract with SUNEDISON, Baltimore, MD, for the purchase of up to 500 kilowatts (kW) of solar-generated power at the Austin Convention Center rooftop in an estimated amount not to exceed \$215,000, with 19 12-month extension options in an estimated amount not to exceed \$215,000 per extension option, for a total estimated contract amount not to exceed \$4,300,000 Funding will be provided through the Electric Fuel Charge revenue Best evaluated proposal of 12 proposals received This contract will be awarded in compliance with Chapter 2-9D 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 (Related to items #6, 24 and 40)
- 24 Authorize award, negotiation, and execution of a 12-month requirements service contract with SUNEDISON, Baltimore, MD, for the purchase of up to 210 kilowatts (kW) of solar-generated power at the Austin Building Services Office Warehouse rooftop in an estimated amount not to exceed \$100,000, with 19 12-month extension options in an estimated amount not to exceed \$100,000 per extension option, for a total estimated contract amount not to exceed \$2,000,000 Funding will be provided through the Electric Fuel Charge revenue Best evaluated proposal of 12 proposals received This contract will be awarded in compliance with Chapter 2-9D 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 (Related to items #6, 23 and 40)
- 25 Authorize award and execution of 12 contracts through the Texas Local Government Purchasing Cooperative (BuyBoard) with RDO EQUIPMENT CO , Pflugerville, TX, for the purchase of two articulated wheeled loaders, five tractor/loader/backhoes, one mini hydraulic excavator, and four skid steer loaders in an amount not to exceed \$829,072 28, LANDMARK EQUIPMENT, INC , Irving, TX, for the purchase of one agricultural tractor with mower in an amount not to exceed \$60,955, VERMEER OF TEXAS, Round Rock, TX for the purchase of one tractor-mounted rock wheel in an amount not to exceed \$90,171, TYMCO INTERNATIONAL, LTD , Waco, TX, for the purchase of five street sweepers in an amount not to exceed \$687,361 50, HEIL OF TEXAS, Houston, TX, for the purchase of one rear loading refuse collection body in an amount not to exceed \$69,125, INTERSTATE TRAILERS, INC , Mansfield, TX, for the purchase of six equipment trailers in an amount not to exceed \$92,856, RUSH TRUCK CENTER, Houston, TX, for the purchase of two cab and chassis for loader/dump trucks, and four cab and chassis for dead-end refuse collection trucks in an amount not to exceed \$356,066, EQUIPMENT SOUTHWEST, INC , Irving, TX, for the purchase of two dump bodies with front loader attachments, and four dead-end refuse collection bodies in an amount not to exceed \$354,474 64, COOPER EQUIPMENT COMPANY, San Antonio, TX, for the purchase of two live-bottom trailers, one paver special trailer, one compost

turner, and one asphalt distributor body in an amount not to exceed \$588,947 64, KINLOCH EQUIPMENT COMPANY, Arlington, TX, for the purchase of five catch basin cleaner bodies, and two street sweepers in an amount not to exceed \$896,580 26, UNDERGROUND, INC , Houston, TX, for the purchase of one sewer cleaning body with TV inspection camera in an amount not to exceed \$171,092 Funding in the amount of \$58,114 54 is available in the Fiscal Year 2006-2007 Vehicle Acquisition Fund Funding in the amount of \$163,965 11 is available in the Fiscal Year 2006-2007 Operating Budget of the Aviation Department Funding in the amount of \$135,834 21 is available in the Fiscal Year 2006-2007 Operating Budget of the Austin Water Utility Funding in the amount of \$1,729,023 38 is available in the Fiscal Year 2006-2007 Capital Budget of the Austin Water Utility Funding in the amount of \$18,880 is available in the Fiscal Year 2006-2007 Capital Budget of the Austin Energy Department Funding in the amount of \$858,748 90 is available in the Fiscal Year 2006-2007 Capital Budget of the Public Works Department Funding in the amount of \$1,157,106 14 is available in the Fiscal Year 2006-2007 Capital Budget of the Solid Waste Services Department Funding in the amount of \$75,029 04 is available in the Fiscal Year 2006-2007 Capital Budget of the Watershed Protection and Development Review Department Cooperative Purchase

- 26 Authorize award and execution of a 36-month requirements supply contract through the Texas Multiple Award Schedule (TXMAS) with TCI TIRE CENTERS, LLC , Austin, TX, for the purchase of tires and tubes in an estimated amount not to exceed \$1,080,000, with three 12-month extension options in an estimated amount not to exceed \$360,000 per extension option, for a total estimated contract amount not to exceed \$2,160,000 Funding in the amount of \$240,000 is available in the Fiscal Year 2006-2007 Operating Budget of the Financial and Administrative Services Department, Fleet Fund Funding for the remaining 28 months of the original contract period and extension options is contingent upon available funding in future budgets Cooperative Purchase
- 27 Authorize award, negotiation, and execution of a 36-month requirements service contract with SPANISH LANGUAGE SOLUTIONS, Austin, TX, for language proficiency exam services in an estimated amount not to exceed \$363,740, with three 12-month extension options in an estimated amount not to exceed \$129,580 per extension option, for a total estimated contract amount not to exceed \$752,480 Funding in the amount of \$104,580 is included in the Fiscal Year 2006-07 Operating Budget of various city departments Funding for the extension options is contingent upon available funding in future budgets Best evaluated proposal of two proposals received This contract will be awarded in compliance with Chapter 2-9C of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program) No subcontracting opportunities were identified, therefore, no goals were established for this solicitation
- 28 Authorize execution of a contract through the TEXAS LOCAL GOVERNMENT PURCHASING COOPERATIVE (BUYBOARD) with DAKTRONICS, San Antonio, TX, for the purchase of new scoreboards in an amount not to exceed \$83,000 56 Funding is available in the Fiscal Year 2006-2007 Capital Budget for the Parks and Recreation Department Cooperative Purchase This contract will be awarded in compliance with Chapter 2-9D 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

- 29 Authorize award and execution of a contract through the Texas Building and Procurement Commission with TOTER INC , Statesville, NC, for the purchase of garbage carts in an amount not to exceed \$791,186 76 Funding is available in the Fiscal Year 2006-2007 Operating Budget of the Solid Waste Services Department Cooperative Purchase

Item(s) from Council

- 30 Approve appointments to citizen board and commissions, to Council subcommittees and other intergovernmental bodies and removal and replacement of members
- 31 Approve a resolution directing the City Manager to develop a direct marketing campaign to further promote Austin Energy's energy audit, rebate and loan-buy down programs to the most energy inefficient residential households in the City to achieve better energy efficiency and reduce energy costs for those households (Council Member Jennifer Kim, Council Member Lee Leffingwell and Mayor Will Wynn)
- 32 Approve a resolution renaming the Northeast Park to the Davis-White Northeast Park and waiving any applicable requirements of Chapter 14-1 of the City Code (Council Member Sheryl Cole and Council Member Mike Martinez)

Item(s) to Set Public Hearing(s)

- 33 Set a public hearing to consider an ordinance amending the Austin Tomorrow Comprehensive Plan by amending the future land use map of the East Riverside/Oltorf Combined Neighborhood Plan, for property located at 1818 South Lakeshore Boulevard The combined planning area is bounded by IH-35 on the west, Town Lake and the Colorado River on the north, Grove Boulevard and Montopolis Drive on the east, and Ben White/SH-71 on the south
(Suggested date and time March 1, 2007 at 4 00 PM, Austin City Hall, 301 W Second Street, Austin, TX)
- 34 Set public hearings for the full purpose annexation of the following annexation areas (1) Avery Ranch Area, Group 2 Approximately 45 acres in Williamson County south of the intersection of Avery Ranch Boulevard and Nearabout Road , and (2) Blazier Elementary School Area Approximately 16 acres in southern Travis County south of the intersection of Thaxton Road and Nuckols Crossing Road Suggested dates and times March 1, 2007 at 6 00 PM, and March 8, 2007 at 6 00 PM, Austin City Hall, 301 W Second Street, Austin, TX)

10: 30 AM -- Morning Briefings

- 35 Seaholm Conceptual Design

12: 00 PM -- Citizen Communications General

CarolAnneRose Kennedy - KNEE REPLACEMENT COMMEND-HER-CHIEF

Craig Plackis - Plumbing Ordinance

Jeff Jack - Code Enforcement

Lori C-Renteria - Concerns about Residential Programs for Felon's in TDCJ Facilities

Pat Johnson - The Public has the right to know who the Registered Sex Offender is that APD was forced to issue a Wrecker License to

Paul Robbins - City Issues

Susana Almanza - School Board, County Commissioners and State Representatives are all single member district representatives Why can't the Austin City Council have Single Member Districts?

Randy Chupik - Waste Water Service Extension Request for 2413 Spring Lane

Tom Risher - Traffic fatalities and solutions in traffic management

Executive Session

- 36 Discuss legal issues concerning legislation in the 80th Legislative Session (Private Consultation with Attorney - Section 551 071)
- 37 Discuss legal issues concerning development at Northcross Mall (Private Consultation with Attorney - Section 551 071)
- 38 Discuss legal issues concerning annexation of Lost Creek Municipal Utility District (Private Consultation with Attorney - Section 551 071)
- 39 Discuss legal issues related to governmental and official immunity (Private Consultation with Attorney - Section 551 071)
- 40 Discuss solar power purchases by Austin Energy (Public Power Utility Competitive Matters - Section 551 086)(Related to items #6, 23 and 24)
- 41 Discuss Austin Energy's generation resource strategic plan (Public Power Utility Competitive Matters - Section 551 086)
- 42 Discuss and take action on Austin Energy generation resource planning issues (Public Power Utility Competitive Matters - Section 551 086)(Related to item #5)
- 43 Discuss tariff strategies (Public Power Utility Competitive Matters - Section 551 086)
- 44 Discuss acquisition of an interest in real property for the Open Space Project (Real Property - Section 551 072) (Related to item #45)

Action on Executive Session

- 45 Approve a resolution authorizing the City Manager to negotiate and execute all documents necessary to acquire an interest in land in Hays County through a conservation easement (Related to item #44)

2: 00 PM -- Briefings

- 46 Presentation on the Families with Children Report

3. 00 PM -- Austin Housing Finance Corporation Board of Directors Meeting

The Mayor will recess the City Council meeting to conduct a Board of Directors' Meeting of the Austin Housing Finance Corporation. Following adjournment of the AHFC Board meeting the City Council will re-convene (See attached AHFC agenda)

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

- 47 C2A-84-002 - Schlumberger PDA Amendment #5 - Approve second reading of an ordinance amending Chapter 25-2 of the City Code by rezoning property locally known as 8311 RR 620 North (Bull Creek Watershed from research and development-planned development area R&D - PDA) combining district zoning to research and development-planned development area (R&D - PDA) combining district zoning to change a condition of zoning with conditions. First reading approved on January 11, 2007. Vote 7-0. Applicant: USL Austin Reserve, L P. Agents: Armbrust & Brown, L L P (Richard Suttle) and Consort (Ben Turner). City Staff: Tina Bui, 974-2755.
- 48 C14-05-0206 - 5100 Commercial Park - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 5100 Commercial Drive (Walnut Creek Watershed) from interim-single-family residence-standard lot (I-SF-2) district zoning to limited industrial service-conditional overlay (LI-CO) combining district zoning. First reading approved on February 16, 2006. Vote 7-0. Applicant and Agent: Jim Galemore. City Staff: Robert Heil, 974-2330.
- 49 C14-05-0111 - Parker Lane Neighborhood Plan Combining District (PART) - Approve third reading of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning two tracts (total of 18.88 acres) locally known as 2600, 2600 1/2 S Pleasant Valley Road (Tract 203) and, 4600, 4604 E Ben White Blvd (Tract 222). These tracts lie within the Country Club Watershed. The proposed zoning change will create the Parker Lane Neighborhood Plan Combining District (NPCD) and implement the land use recommendations of the East Riverside/Oltorf Combined Neighborhood Plan. Under the proposed Parker Lane NPCD, "Small Lot Amnesty", "Garage Placement", "Impervious Cover and Parking Placement Restrictions", and "Prohibited Parking in the Front Yard" may apply. The City Council may approve a zoning change to any of the following: Rural Residential (RR), Single-Family Residence - Large Lot (SF-1), Single-Family Residence--Standard Lot (SF-2), Family Residence (SF-3), Single-Family - Small Lot & Condominium Site (SF-4A/B), Urban Family Residence (SF-5), Townhouse & Condominium Residence (SF-6), Multi-Family Residence - Limited Density (MF-1), Multi-family Residence - Low Density (MF-

2), Multi-family Residence - Medium Density (MF-3), Multi-family Residence - Moderate-High Density (MF-4), Multi-family Residence - High Density (MF-5), Multi-family Residence - Highest Density (MF-6), Mobile Home Residence (MH), Neighborhood Office (NO), Limited Office (LO), General Office (GO), Commercial Recreation (CR), Neighborhood Commercial (LR), Community Commercial (GR), Warehouse / Limited Office (W/LO), Commercial Services (CS), Commercial-Liquor Sales (CS-1), Commercial Highway (CH), Industrial Park (IP), Major Industrial (MI), Limited Industrial Services (LI), Research and Development (R&D), Development Reserve (DR), Agricultural (AG), Planned Unit Development (PUD), Historic (H), and Public (P) A Conditional Overlay (CO), Planned Development Area Overlay (PDA), Mixed Use Combining District Overlay (MU), Neighborhood Conservation Combining District (NCCD), or Neighborhood Plan Special Use (NP) may also be added to these zoning base districts First reading approved on October 19, 2006 Vote 7-0 Second reading approved on November 16, 2006 Vote 6-0-1 (Kim abstained) Applicant and Agent City of Austin, Neighborhood Planning and Zoning Department City Staff Robert Heil 974-2330 and Melissa Laursen 974-7226

- 50 C14-05-0112 - Riverside Neighborhood Plan Combining District (PART) - Approve third reading of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning 11 tracts (total of 23 34 acres) locally known as 2109-2237 E Riverside Drive and 1700-1702 Willow Creek Drive (Tract 37), 1701-1713 Burton Drive (Tract 39), 2001 E Riverside Drive (Tract 43A), 2019, 2021, 2023 E Riverside Drive (Tract 43B), 1801-1919 E Riverside Drive (Tract 45), 1805-1909 E Riverside Drive (Tract 45A), 1905 E Riverside Drive (Tract 45B), 1605 E Riverside Drive (Tract 46), 1005, 1007 Summit Street (Tract 47), 1301 S IH-35 Service Road NB (Tract 49) and, 1301 S IH-35 Service Road NB (Tract 50) These tracts lie within the Harpers Branch and Town Lake Watersheds The proposed zoning change will create the Riverside Neighborhood Plan Combining District (NPCD) and implement the land use recommendations of the East Riverside/Oltorf Combined Neighborhood Plan Under the proposed Riverside NPCD, "Small Lot Amnesty", "Garage Placement", "Impervious Cover and Parking Placement Restrictions" and "Prohibited Parking in the Front Yard" may apply The Neighborhood Mixed Use Building special use is proposed for Tracts 37, 43A, 45, 45A, 45B, and 47 The Neighborhood Urban Center special use is proposed for Tracts 37, 43A, 45, 45A and 45B The City Council may approve a zoning change to any of the following Rural Residential (RR), Single-Family Residence - Large Lot (SF-1), Single-Family Residence—Standard Lot (SF-2), Family Residence (SF-3), Single-Family - Small Lot & Condominium Site (SF-4A/B), Urban Family Residence (SF-5), Townhouse & Condominium Residence (SF-6), Multi-Family Residence - Limited Density (MF-1), Multi-family Residence - Low Density (MF-2), Multi-family Residence - Medium Density (MF-3), Multi-family Residence - Moderate-High Density (MF-4), Multi-family Residence - High Density (MF-5), Multi-family Residence - Highest Density (MF-6), Mobile Home Residence (MH), Neighborhood Office (NO), Limited Office (LO), General Office (GO), Commercial Recreation (CR), Neighborhood Commercial (LR), Community Commercial (GR), Warehouse / Limited Office (W/LO), Commercial Services (CS), Commercial-Liquor Sales (CS-1), Commercial Highway (CH), Industrial Park (IP), Major Industrial (MI), Limited Industrial Services (LI), Research and Development (R&D), Development Reserve (DR), Agricultural (AG), Planned Unit Development (PUD), Historic (H), and Public (P) A Conditional Overlay (CO), Planned Development Area Overlay (PDA), Mixed Use Combining District Overlay (MU), Neighborhood Conservation Combining District (NCCD), or Neighborhood Plan Special Use (NP) may also be added to these zoning base

districts First reading approved on October 19, 2006 Vote 7-0 Second reading approved on November 16, 2006 Vote 6-0-1 (Kim abstained) Applicant and Agent City of Austin, Neighborhood Planning and Zoning Department City Staff Robert Heil 974-2330 and Melissa Laursen 974-7226

- 51 NPA-05-0021 - East Riverside/Oltorf Neighborhood Plan - Approve third reading of an ordinance amending Ordinance 20061116-055, adopting the East Riverside/Oltorf Combined Neighborhood Plan, to establish a land use designation on the future land use map for the following 12 tracts 2600, 2600 ½ S Pleasant Valley Road (Tract 203), 2109-2237 E Riverside Drive and 1700-1702 Willow Creek Drive (Tract 37), 1701-1713 Burton Drive (Tract 39), 2001 E Riverside Drive (Tract 43A), 2019, 2021, 2023 E Riverside Drive (Tract 43B), 1801-1919 E Riverside Drive (Tract 45), 1805-1909 E Riverside Drive (Tract 45A), 1905 E Riverside Drive (Tract 45B), 1605 E Riverside Drive (Tract 46), 1005, 1007 Summit Street (Tract 47), 1301 S IH-35 Service Road NB (Tract 49) and, 1301 S IH-35 Service Road NB (Tract 50) The combined planning area is bounded by IH-35 on the west, Town Lake and the Colorado River on the north, Grove Boulevard and Montopolis Drive on the east and State Highway 71 (Ben White Boulevard East) on the south First reading approved on October 19, 2006 Vote 7-0 Second reading approved on November 16, 2006 Vote 6-0-1 (Kim-abstained) Applicant and Agent City of Austin, Neighborhood Planning and Zoning Department City Staff Melissa Laursen 974-7226

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

- 52 PH C14-06-0220 - Thornton Bungalows - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 2206-2210 Thornton Road (West Bouldin Creek Watershed) from urban family residence-conditional overlay (SF-5-CO) combining district zoning to single-family residence-condominium-conditional overlay (SF-4B-CO) combining district zoning Staff Recommendation To grant single-family residence-condominium-conditional overlay (SF-4B-CO) combining district zoning Planning Commission Recommendation To be reviewed on January 30, 2007 Applicant Thornton Cottages Austin, L P (James Austin) Agent Stansberry Engineering (Blayne Stansberry) City Staff Robert Heil, 974-2330
- 53 PH C14-04-0196 01 - Horn Building - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as Guadalupe Street and Avenue A (Waller Creek Watershed) from neighborhood conservation combining district (NCCD) district zoning to neighborhood conservation combining district (NCCD) district zoning to change a condition of zoning Staff Recommendation To grant neighborhood conservation combining district (NCCD) district zoning to change a condition of zoning Planning Commission Recommendation To be reviewed on January 30, 2007 Applicant and Agent Horn Building Partnership (Richard Horn) City Staff Glenn Rhoades, 974-2775
- 54 PH C14-06-0205 - 2003 South Lamar - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 2003 South Lamar (West Bouldin Creek Watershed) from family residence (SF-3) district zoning and general commercial services-conditional overlay (CS-CO) combining district zoning to general commercial

services-mixed use-conditional overlay (CS-MU-CO) combining district zoning
Staff Recommendation To grant general commercial services-mixed use-
conditional overlay (CS-MU-CO) combining district zoning Planning
Commission Recommendation To grant general commercial services-mixed
use-conditional overlay (CS-MU-CO) combining district zoning Applicant and
Agent Johnny Cuchia City Staff Robert Heil, 974-2330

55 C14-06-0227 - 5103 Commercial Park - Conduct a public hearing and approve
PH an ordinance amending Chapter 25-2 of the Austin City Code by rezoning
property locally known as 5103 Commercial Park (Walnut Creek Watershed)
from interim-single-family residence-standard lot (I-SF-2) district zoning to
limited industrial service-conditional overlay (LI-CO) combining district zoning
Staff Recommendation To grant limited industrial service-conditional overlay
(LI-CO) combining district zoning Zoning and Platting Commission
Recommendation To grant limited-industrial service-conditional overlay (LI-
CO) combining district zoning Applicant and Agent Texcal Properties (Michael
E Lackey) City Staff Robert Heil, 974-2330

56 C14-06-0183 - CLB/7th and Rio Grande - Conduct a public hearing and
PH approve an ordinance amending Chapter 25-2 of the Austin City Code by
rezoning property locally known as 605 and 615 West 7th Street (Shoal Creek
Watershed) from community commercial (GR) district zoning to central
business district-central urban redevelopment (CBD-CURE) combining district
zoning Staff Recommendation To grant central business district-central urban
redevelopment (CBD-CURE) combining district zoning with conditions Planning
Commission Recommendation To grant downtown mixed use-conditional
overlay (DMU-CO) combining district zoning Applicant Michael J McGinnis
Agent Drenner & Golden Stuart Wolff, L L P (Michele M Rogerson) City Staff
Jorge E Rousselin, 974-2975

57 C14-72-015(RCA) - 1517 E Anderson Ln - Conduct a public hearing and
PH approve a restrictive covenant amendment for the property located at 1517 E
Anderson Lane (Buttermilk Creek Watershed) Staff Recommendation To deny
the restrictive covenant amendment Zoning and Platting Commission
Recommendation To deny the restrictive covenant amendment Applicant
American Condominium Corporation Agent Jim Bennett City Staff Robert
Heil, 974-2330

58 NPA-06-0009 01 - University Enterprises - Conduct a public hearing and
PH approve an ordinance amending Ordinance No 011213-41, the Central East
Austin Neighborhood Plan, an element of the Austin Tomorrow Comprehensive
Plan, by amending the future land use map from single family to community
commercial for the property located at 1901-1903 E 11th Street Staff
Recommendation To deny community commercial designation Planning
Commission Recommendation To deny community commercial designation
Applicant University Enterprises (Bertha Means) Agent Carter Design Group
(Donna Carter) City Staff Robert Heil, 974-2330

59 C14-06-0159 - University Enterprises - Conduct a public hearing and approve
PH an ordinance amending Chapter 25-2 of the Austin City Code by rezoning
property locally known as 1901-1903 E 11th Street (Town Lake Watershed)
from family residence-neighborhood plan (SF-3-NP) combining district zoning
to community commercial-mixed use-neighborhood plan (GR-MU-NP)
combining district zoning Staff Recommendation To deny community
commercial-mixed use-neighborhood plan (GR-MU-NP) combining district
zoning Planning Commission Recommendation To deny community

commercial-mixed use-neighborhood plan (GR-MU-NP) combining district zoning Applicant University Enterprises (Bertha Means) Agent Carter Design Associates (Donna Carter) City Staff Robert Heil, 974-2330

60 NPA-06-0015 01 - Springdale Road -East MLK Combined Neighborhood Plan -
PH Conduct a public hearing and approve an ordinance amending Ordinance No 021107-Z-11, the East MLK Combined Neighborhood Plan, an element of the Austin Tomorrow Comprehensive Plan, by amending the future land use map from open space to mixed use for the property located at O (21 2 Ac of Abs 22 Sur 29 Tannehill JC) Springdale Road Staff Recommendation To grant mixed use designation Planning Commission Recommendation To be reviewed on January 30, 2007 Applicant Neighborhood Planning and Zoning Department, Seiders Family Trust, Et Al Agent Peter Cesaro City Staff Kathleen Welder, 974-2856

61 C14-06-0221 - Springdale Road-East MLK Combined Neighborhood Plan -
PH conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as O (21 2 Ac of Abs 22 Sur 29 Tannehill JC) Springdale Road (Little Walnut Creek Watershed) from public-neighborhood plan (P-NP) combining district zoning to community commercial-mixed use-conditional overlay-neighborhood plan (GR-MU-CO-NP) combining district zoning Staff Recommendation To grant community commercial-mixed use-conditional overlay-neighborhood plan (GR-MU-CO-NP) combining district zoning and multi-family residence-medium density-neighborhood plan (MF-3-NP) combining district zoning Planning Commission Recommendation To be reviewed on January 30, 2007 Applicant Neighborhood Planning and Zoning Department, Seiders Family Trust, Et Al) Agent Peter Cesaro City Staff Jerry Rusthoven, 974-3207

5 30 PM -- Live Music

Dana Falconberry

5: 30 PM -- Proclamations

Proclamation -- Renaming Northeast Park as Davis-White Northeast Park -- to be presented by Council Member Sheryl Cole and to be accepted by Capt Louie White and Mrs Ray Davis

Proclamation -- Black History Month -- to be presented by Mayor Will Wynn and to be accepted by Council Member Sheryl Cole

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

Proclamation -- Engineering Week -- to be presented by Mayor Will Wynn and to be accepted by Rich McMaster and Katie Kizziar


Proclamation -- Love Austin Music Month -- to be presented by Mayor Will Wynn and to be accepted by Suzanne Quinn


Proclamation -- KMFA's 40th Anniversary -- to be presented by Mayor Will Wynn and to be accepted by Mandy Dealey, Jack Allen and Steve Moore

6: 00 PM -- Public Hearings and Possible Actions

- 62 PH Conduct a public hearing and approve an ordinance adopting local standards of care for the Parks and Recreation Department's children's recreation program Approved by the Parks and Recreation Board
- 63 PH Conduct a public hearing and consider action on an appeal by Michelle Snider and Charlie Palmer of the Zoning and Platting Commission's decision to deny a Conditional Use Permit for Shady Oaks Dog Kennel located at 5604 Travis Cook Road (Site Plan Number SPC-06-0027A) Denied by Zoning and Platting Commission
- 64 PH Conduct a public hearing and consider floodplain variances requested by Mr Mickey Bentley on behalf of Mr William Sisco and Ms Elizabeth Sisco to allow construction of a duplex at 5613 Joe Sayers Avenue in the 100-year and 25-year floodplains of the Hancock Branch of Shoal Creek and to waive the requirement to dedicate a drainage easement to the full limit of the 100-year floodplain to exclude the footprint of the proposed duplex
- 65 PH Conduct a public hearing and approve an ordinance amending Chapter 25-2, Subchapter E, Design Standards and Mixed Use, of the City Code regarding Vertical Mixed Use and the Opt-In/Opt-Out process To be reviewed by Planning Commission on January 30, 2007
- 66 PH Conduct a public hearing and approve an ordinance amending Title 25 of the City Code to establish additional requirements for the location of large retail uses ("Big Box retail") in permitted zoning districts There is no unanticipated fiscal impact A fiscal note is not required To be reviewed by the Planning Commission on January 30, 2007

Adjourn

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

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

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

Cualquier persona puede solicitar servicios de interprete en español comunicandose con la oficina del Secretario/a Municipal a no mas tardar de dos horas antes de la hora determinada para el asunto sobre el cual

la persona desea comentar Por favor llame al 974-3256 con anticipo o informe al personal del Secretario/a Municipal presente en la sesion del Consejo