



AUSTIN CITY COUNCIL  
MINUTES

REGULAR MEETING  
THURSDAY, APRIL 12, 2007

Invocation: Pastor Timothy Tutt, United Christian Church

The following represents the actions taken by the Austin City Council in the order they occurred during the meeting. While the minutes are not in sequential order, all agenda items were discussed. The City Council of Austin, Texas, convened in a regular meeting on Thursday, April 12, 2007 in the Council Chambers of City Hall, 301 West Second Street, Austin, Texas.

Mayor Wynn called the Council Meeting to order at 10:18 a.m.

The Mayor asked Council Members to report on upcoming agenda items:

- ◆ Council Member Kim indicated there would be an item on a future agenda to propose a creation of a 3-D map for Austin for zoning and land development issues, including funding and recommendations on implementation.
- ◆ Mayor Wynn indicated that he and other co-sponsors will bring forward a study of peak oil usage by Austin Energy.

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 Cole's motion, Mayor Pro Tem Dunkerley's second on a 6-0 vote. Council Member Leffingwell was absent.

1. Approval of the minutes of the Austin City Council from the regularly scheduled meeting of April 5, 2007.  
The minutes from the regularly scheduled meeting of April 5, 2007 were approved.
2. Approve the issuance of a Letter of Intent for a rebate in the amount of \$66,976.88 to ALORI PROPERTIES (37TH STREET), Austin, TX, for the installation of a solar photovoltaic system at their facility located at 506 West 37th Street, Austin, TX. Funding in the amount of \$66,976.88 is available in the Fiscal Year 2006-2007 Operating Budget of Austin Energy in the Conservation Rebates and Incentives Fund. Recommended by the Resource Management Commission.  
The motion authorizing the issuance of a letter of intent for a rebate in the amount of \$66,976.88 was approved.
3. Authorize negotiation and execution of a contract with PUSH UP FOUNDATIONS, INC., Austin, TX to provide men's shelter services, on a month-to-month contract basis from April 1, 2007 - July 31, 2007, for a monthly amount of \$14,166.66, and a total contract amount not to exceed \$56,666.64. Funding is included in the Fiscal Year 2006-2007 Operating Budget of the Health and Human Services Department.  
This item was postponed to April 19, 2007.

4. Approve a resolution authorizing the fee simple acquisition of Lot 8, Block C, Onion Creek Forest, Section 1, a subdivision in Travis County, Texas, located at 5304 Sand Hill Drive from Martha Fuhrman and William Fuhrman for the Onion Creek Voluntary Flood Buyout-FEMA-1606-DR Project, in the amount of \$50,000 for the land and improvements. Funding is available in the Fiscal Year 2006-2007 Capital Budget of the Watershed Protection and Development Review Department.  
**Resolution No. 20070412-004 was approved.**
5. Approve a resolution authorizing the fee simple acquisition of Lot 1, Block N, Onion Creek Forest, Section 2, Amended Plat, a subdivision in Travis County, Texas, located at 7003 Thatch Lane, from Jose O. and Maria D. Ortiz for the Onion Creek Voluntary Flood Buyout-FEMA-1606-DR Project, in the amount of \$40,000 for the land and improvements and \$45,000 owner assisted relocation benefits, plus moving related expenses not to exceed \$10,000, for a total amount not to exceed \$95,000. Funding in the amount of \$95,000 is available in the Fiscal Year 2006-2007 Capital Budget of the Watershed Protection and Development Review Department.  
**Resolution No. 20070412-005 was approved.**
6. Approve a resolution amending Resolution No. 20070111-026 authorizing the negotiation and execution of all appropriate documents for the TEXAS DEPARTMENT OF TRANSPORTATION (TxDOT) to waive the City's local match fund participation requirement of \$69,300 for the Channel Road Bridge at Rocky Cliff Slough Project, an authorized federal off-system bridge program project, and for the City's performance of an equivalent amount of structural work on the Circle S Bridge #1 over South Boggy Creek (0.90 miles South of William Cannon Drive) project and the Burleson Road Bridges at Country Club Creek project. There is no anticipated fiscal impact. A fiscal note is not required.  
**Resolution No. 20070412-006 was approved.**
7. Approve a resolution amending Resolution No. 20070111-027 authorizing the negotiation and execution of all appropriate documents for the TEXAS DEPARTMENT OF TRANSPORTATION (TxDOT) to waive the City's local match fund participation requirement of \$88,200 for the Old Manor Road at Tannehill Branch Project, an authorized federal off-system bridge program project, and for the City's performance of an equivalent amount of structural work on the Circle S Bridge #1 over South Boggy Creek (0.90 miles South of William Cannon Drive) project and the Burleson Road Bridges at Country Club Creek Project. There is no anticipated fiscal impact. A fiscal note is not required.  
**Resolution No. 20070412-007 was approved.**
8. Authorize Amendment No. 1 to increase the spending authority and increase the term length of coal transportation tariff agreements with BNSF RAILWAY COMPANY, Ft. Worth, TX, and UNION PACIFIC RAILROAD, Omaha, NE, for the transportation of coal supplies by rail to the Fayette Power Project; and short term transportation contracts with qualified trucking companies for the transportation of coal supplies by truck to the Fayette Power Project from \$12 million per year to a revised amount of \$80 million per year for terms of up to 60 months in length. Up to \$80 million per fiscal year. Funding will be provided through the Electric Utility Fuel Charge revenue. Contract Amendment. 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.  
**The motion authorizing amendment number 1 to increase the spending authority and increase the term length of coal transportation tariff agreements was approved.**
9. Authorize negotiation, ratification, and execution of coal transportation tariff agreement with BNSF RAILWAY CO. (BNSF), Ft. Worth, TX, for coal transportation service in an amount not to exceed

\$49,000,000. Funding will be provided through the Electric Utility Fuel Charge revenue. Critical Business Need. 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.

**The motion authorizing the negotiation, ratification, and execution of coal transportation tariff agreement was approved.**

10. Authorize award and execution of two contracts through the Texas Local Government Purchasing Cooperative (BuyBoard) with HEIL OF TEXAS, Houston, TX, for the purchase of 17 automated refuse collection bodies in an amount not to exceed \$1,950,171.32; and LONGHORN INTERNATIONAL TRUCKS, LTD, Austin, TX, for the purchase of 17 truck cab and chassis in an amount not to exceed \$1,828,359. Funding in the amount of \$3,778,530.32 is available in the Fiscal Year 2006-2007 Capital Budget of the Solid Waste Services Department. Cooperative Purchase.  
**The motion authorizing the award and execution of two contracts with Heil of Texas and Longhorn International Trucks, Ltd was approved.**
11. Approve an ordinance authorizing the issuance of City of Austin, Texas Water and Wastewater System Revenue Refunding Bonds, Series 2007A (Forward Refunding), in an amount not to exceed \$70,000,000 and authorizing and approving related documents; and repealing Ordinance No. 20070322-028 and any accompanying documents. There is no debt service requirement in FY 2007. The FY 2008 debt service requirement will be included in the 2007-2008 proposed Budget of the Utility Revenue Bond Redemption Fund.  
**Ordinance No. 20070412-011 was approved.**
12. Approve an ordinance authorizing the issuance of City of Austin, Texas Water and Wastewater System Revenue Refunding Bonds, Series 2007B (Advanced Refunding), in an amount not to exceed \$220,000,000 and authorizing and approving related documents. There is no debt service requirement in FY 2007. The FY 2008 debt service requirement will be included in the 2007-2008 proposed Budget of the Utility Revenue Bond Redemption Fund.  
**Ordinance No. 20070412-012 was approved.**
13. Authorize negotiation and execution of an amendment to the professional services agreement with PARSONS WATER AND INFRASTRUCTURE, INC., Austin, TX for professional engineering services on the Drainage Infrastructure Geographic Information System Data Acquisition project, in an amount of \$650,000 for a total contract amount not to exceed \$1,000,000. Funding is available in the Fiscal Year 2006-2007 Capital Budget of the Watershed Protection and Development Review Department. This contract was awarded in compliance with Chapter 2-9B of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement) with 17.0% MBE and 13.7% WBE subcontractor participation to date.  
**The motion authorizing the negotiation and execution of an amendment to the professional services agreement was approved.**
14. Approve appointments to citizen board and commissions, to Council subcommittees and other intergovernmental bodies and removal and replacement of members.  
**The following appointments were made:**

Board/  
Appointee

Consensus/  
Council Nominee

Appointment/  
Reappointment

Charter Revision Committee  
Betty Baker

Mayor Pro Tem Dunkerley's

Appointment

Rick Chapa  
Gus Garcia  
Chad Williams

Mayor Wynn's  
Council Member Martinez'  
Council Member McCracken's

Appointment  
Appointment  
Appointment

Electric Utility Commission  
Santos "Buddy" Ruiz

Mayor Pro Tem Dunkerley's

Appointment

Human Rights Commission  
Lisa Scheps

Mayor Wynn's

Appointment

Water and Wastewater Commission  
Mario Espinoza

Mayor Pro Tem Dunkerley's

Appointment

**Item 15 was pulled for discussion.**

16. Approve a resolution initiating code amendments and/or development agreements to appropriately address proposed development for Zion Rest Baptist Church at 3326 Paisano Trail, Austin, TX, and its associated property located across from the church on Paisano Trail and the Westbank Community Library District located generally in the western portion of Travis County within the Eanes Independent School District. This concerns development in the Barton Springs Zone. (Mayor Will Wynn Mayor Pro Tem Betty Dunkerley)  
**Resolution No. 20070412-016 was approved.**
17. Approve an ordinance authorizing negotiation and execution of a contract between the City and the First Night Austin Organization to co-sponsor the First Night Austin 2008, to be held on December 31, 2007. (Mayor Pro Tem Betty Dunkerley Mayor Will Wynn Council Member Sheryl Cole)  
**Ordinance No. 20070412-017 was approved.**
18. Approve waiver of fees under Chapter 14 of the City Code for the Schlotzsky's 25th Annual Bun Run, to be held on April 15, 2007. (Mayor Will Wynn Mayor Pro Tem Betty Dunkerley Council Member Brewster McCracken)  
**The motion authorizing the waiver of fees was approved.**

Item 19 was a briefing item set for 10:30 a.m.

Items 20 through 23 were Executive Session items.

Items 24 through 31 were zoning items set for 4:00 p.m.

Items 32 and 33 were public hearing items set for 6:00 p.m.

#### **DISCUSSION ITEM**

15. Approve a resolution creating the Waller Creek Citizen Advisory Committee. (Council Member Sheryl Cole Mayor Pro Tem Betty Dunkerley and Council Member Brewster McCracken)  
**Resolution No. 20070412-015 was approved with the following amendments on Council Member Cole's motion, Mayor Pro Tem Dunkerley's second on a 6-0 vote. Council Member Leffingwell was absent. The amendment was to add two additional members to the Waller Creek Citizen Advisory Committee -- one to represent the Mexican American Culture Center and the second as an additional member representing the City.**

19. Presentation of the Mayor's Mental Health Task Force Monitoring Committee 2006 Annual Report by Dr. Susan Stone  
The presentation was made by Dr. Susan Stone, Mayor's Mental Health Task Force Monitoring Committee.

Mayor Wynn recessed the Council Meeting to go into Executive Session at 10:55 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.

Executive Session ended and Mayor Wynn called the Council Meeting back to order at 12:14 p.m.

**CITIZEN COMMUNICATIONS: GENERAL**

Scott Johnson - Central Texas Electric Lawn Mower Program

Jean Armstrong - Impact of Wal-Mart - Northcross Mall

CarolAnneRose Kennedy - ILL.EAGLEEMMY.GRANTS

Sean Hayden - Impact of Wal-Mart - Northcross Mall

Bridget Wallace - Wal-Mart Supercenter - Northcross Mall. She was not present when her name was called.

Donna Beth McCormick - Northcross

Paul Abina - Austin Energy Bill

Pat Johnson - CTECH 911 Call Takers and Dispatchers

Ben Ogbodiegwu - Push-Up Car Wash

Gavino Fernandez - Push-Up Car Wash

Mayor Wynn recessed the Council Meeting to go into Executive Session at 12:52 p.m.

**EXECUTIVE SESSION CONTINUED**

20. Discuss legal issues concerning legislation in the 80th Legislative Session. (Private Consultation with Attorney - Section 551.071)
21. Discuss legal issues concerning development at Northcross Mall. (Private Consultation with Attorney - Section 551.071)  
This item was withdrawn.

22. Discuss legal issues relating to the labor negotiations for a Meet and Confer contract with the Austin Safety Officers Association. (Private Consultation with Attorney - Section 551.071)  
**This item was withdrawn.**
23. Discuss legal issues related to Cause No. 6233380; State of Texas v. Ben Ogbodiegwu, in the Municipal Court, City of Austin, Travis County, Texas, and contract agreements with Push Up Foundations, Inc. and the City of Austin. (Private Consultation with Attorney - Section 551.071)  
**This item was withdrawn.**

**Executive Session ended and Mayor Wynn recessed the Council Meeting at 2:02 p.m.**

**Mayor Wynn called the Council Meeting back to order at 4:32 p.m.**

### **ZONING CONSENT ITEMS**

**The following zoning items were acted on by one motion. No separate discussion or action occurred on any of the items. The consent items were approved on Council Member Martinez' motion, Council Member McCracken's second on a 6-0 vote. Council Member Leffingwell was absent.**

24. C14-06-0121 - The Domain - Approve second and third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 10700-11000 Burnet Road, 11100-11900 Burnet Road; 2800 Block of Braker Lane and 3300 West Braker Lane (Walnut Creek Watershed) from major industrial-planned development area (MI-PDA) combining district zoning to major industrial-planned development area (MI-PDA) combining district zoning to change a condition of zoning with conditions. First reading approved on March 1, 2007. Vote: 7-0. Applicant: RREEF Domain, L.P. (Chad Marsh). Agent: Drenner+Golden, Stuart, Wolff, L.L.P. (Michele Haussmann). City Staff: Jorge E. Rousselin, 974-2975.  
**Ordinance No. 20070412-024 for major industrial-planned development area (MI-PDA) combining district zoning to change a condition of zoning with conditions and amendments was approved. The amendments to the ordinance were. Part III, (P) (2) should read: "... provided that a hike and bike trail shall be allowed in this area." Part III (Q) should read: "Sidewalk standard. Burnet Road is not currently a Core Transit Corridor. However the following subsections of Chapter 25-2, Subchapter E (Design Standards and Mixed Use), Section 2.2.2. Core Transit Corridors standards shall apply to all properties adjacent to Burnet Road:" Part III (Q) (2) should read, "Sidewalks on the properties adjacent to Burnet Road shall not be required until Burnet Road has curb and gutters. Sidewalks shall be built in accordance with the standards in the North Burnet Gateway Neighborhood Plan." The amendments to the restrictive covenant were. (3)(a) should read "a minimum of the two star rating under the Austin Energy Green Building Program in effect on April 12, 2007; or." (3)(b) should read "a minimum of the LEED Silver Certification for Core and Shell for residential and office development or LEED certification for retail development under the LEED program; provided, however, all buildings certified under the LEED system must, at a minimum, require an increase in energy efficiency to 14% above ASHRAE 90.1 – 2004 User's Manual." The first sentence of Part III, (Q) (1) should be deleted.**
25. C14-06-0123 - Ardent 1 - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 1500 South Lamar Boulevard (West Bouldin Creek Watershed) from community commercial (GR) district zoning and general commercial services (CS) district zoning to community commercial-mixed use-conditional overlay (GR-MU-CO) combining district zoning. First reading approved on November 16, 2007. Vote: 7-0. Applicant: Ocean Stone SC, L.L.C. (Robert S. Peek Jr.). Agent: Drenner & Golden Stuart Wolff, SSP (Michele Rogerson). City Staff: Robert Heil, 974-2330.

**This item was postponed to April 19, 2007 at the staff's request.**

26. C14-06-0124 - Ardent 2 - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 1418 South Lamar Boulevard (West Bouldin Creek Watershed) from multi-family residence-medium density (MF-3) district zoning and general commercial services (CS) district zoning to community commercial-mixed use-conditional overlay (GR-MU-CO) combining district zoning. First reading approved on November 16, 2007. Vote: 7-0. Applicant: Ocean Stone SC, L.L.C. (Robert S. Peek Jr.). Agent: Drenner & Golden Stuart Wolff, SSP (Michele Rogerson). City Staff: Robert Heil, 974-2330.

**This item was postponed to April 19, 2007 at the staff's request.**

27. C14-06-0157 - 13233 Pond Springs Road - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 13233 Pond Springs Road (Lake Creek Watershed) from interim-rural residence (I-RR) district zoning to community commercial-conditional overlay (GR-CO) combining district zoning for Tract 1; commercial-liquor sales-conditional overlay (CS-1) combining district zoning for Tract 2; and community commercial-conditional overlay (GR-CO) combining district zoning for Tract 3. First reading approved on December 7, 2006. Vote: 7-0. Applicant: The London Management Trust (Michael S. London). Agent: Vincent Gerard and Associates, Inc. (Vincent Huebinger). City Staff: Sherri Sirwaitis, 974-3057.

**Ordinance No. 20070412-027 for community commercial-conditional overlay (GR-CO) combining district zoning for Tract 1; commercial-liquor sales-conditional overlay (CS-1) combining district zoning for Tract 2; and community commercial-conditional overlay (GR-CO) combining district zoning for Tract 3 was approved.**

### **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 Mayor Pro Tem Dunkerley's motion, Council Member Martinez' second on a 6-0 vote. Council Member Leffingwell was absent.

28. NPA-07-0007.01 - Jamestown Condos - Conduct a public hearing to approve an ordinance amending Ordinance No. 000629-106, the North Austin Civic Association (NACA) Neighborhood Plan, an element of the Austin Tomorrow Comprehensive Plan, to change the land use designation on the future land use map (FLUM) from commercial to mixed use for the property located at 8323 Jamestown Drive (Little Walnut Creek Watershed). Staff Recommendation: To approve a land use designation of mixed use. Planning Commission Recommendation: To approve a land use designation of mixed use. Applicant: Rex Gore. Agent: Land Design Studio (Gary Bellamy). City Staff: Paul DiGiuseppe, 974-2685.

**Ordinance No. 20070412-028 for a land use designation of mixed use on the Future Land Use Map was approved.**

29. C14-07-0007 - Jamestown Condos - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 8323 Jamestown Drive (Little Walnut Creek Watershed) from general commercial services-neighborhood plan (CS-NP) combining district zoning to general commercial-services-neighborhood plan (CS-NP) combining district zoning to change a condition of zoning. Staff Recommendation: To grant general commercial services-conditional overlay-neighborhood plan (CS-CO-NP) combining district zoning. Planning Commission Recommendation: To grant general commercial services-conditional overlay-neighborhood plan (CS-CO-NP) combining district zoning. Applicant: Rex Gore. Agent: Land Design Studio (Gary Bellamy). City Staff: Tina Bui, 974-2755.

**Ordinance No. 20070412-029 for general commercial services-conditional overlay-neighborhood plan (CS-CO-NP) combining district zoning was approved.**

30. C14-07-0010 - Cardinal Station - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 3306-3310 South 2nd Street (Bouldin creek watershed) from family residence (SF-3) district zoning to public (P) district zoning. Staff Recommendation: To grant public (P) district zoning. Planning Commission Recommendation: To grant public (P) district zoning. Applicant: Austin Energy. Agent: Davar Engineering (Jim Herbert). City Staff: Robert Heil, 974-2330.  
The first reading of the ordinance for public (P) district zoning was approved.

### **ZONING DISCUSSION ITEM**

31. C814-06-0109 - Lakeshore PUD - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 2201 Lakeshore Blvd. (Town Lake Watershed) from multi-family residence medium density-neighborhood plan (MF-3-NP) combining district zoning to planned unit development-neighborhood plan (PUD-NP) combining district zoning. Staff Recommendation: To grant planned unit development-neighborhood plan (PUD-NP) combining district zoning with conditions. Planning Commission Recommendation: To grant planned unit development-neighborhood plan (PUD-NP) combining district zoning with conditions. Applicant: Lakeshore LTD. Agent: Armbrust and Brown (David Armbrust). City Staff: Robert Heil, 974-2330.  
The public hearing was closed and the first reading of the ordinance with the following amendments for planned unit development-neighborhood plan (PUD-NP) combining district zoning with conditions was approved on Mayor Pro Tem Dunkerley's motion, Council Member McCracken's second on a 5-1 vote. Council Member Kim voted nay. Council Member Leffingwell was absent. The modifications were: 1) Areas designated for public use shall be fully accessible to the public no later than 6 years after re-development activities have commenced. 2) 20% of all rental units built in excess of the MF-3 maximum of 1,800 units shall be reserved for residents earning 80% of median household income. 3) The Lakeshore PUD shall be subject to any city-wide parkland dedication fees approved by City Council within 18 months of the PUD ordinance adoption up to a maximum of \$650 per unit, provided that the owner shall receive a credit for costs associated with on-site public space and park improvements. All fees collected by the city shall be used for parkland improvements made along the Town Lake Park. The preceding shall satisfy all City of Austin parkland dedication requirements for the PUD. And 4) Residential uses may be converted to commercial as long as there is no increase in the net peak hour vehicle trips.

Mayor Wynn recessed the Council Meeting at 5:26 p.m.

### **LIVE MUSIC**

South Austin Jug Band

### **PROCLAMATIONS**

Proclamation -- Peggy Zuleika Lynch Day -- to be presented by Mayor Will Wynn and to be accepted by the honoree

Proclamation -- Community Development Block Grant Program -- to be presented by Mayor Will Wynn and to be accepted by Paul Hilgers

Honorary Citizen Certificates -- High School Sister City Exchange Students from Koblenz, Germany and Certificates of Appreciation -- Host Families -- to be presented by Mayor Will Wynn and to be accepted by the honorees

Proclamation -- Week of the Young Child -- to be presented by Mayor Will Wynn and to be accepted by Amanda Hernandez

Proclamation -- 50th Anniversary of the National Pan American Golf Association of Austin, Inc. -- to be presented by Mayor Will Wynn and to be accepted by Jesse Pena

Proclamation -- It's My Park Day -- to be presented by Council Member Jennifer Kim and to be accepted by Sherri Kuhl

Mayor Wynn called the Council Meeting back to order at 6:34 p.m.

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

32. Conduct a public hearing and consider an appeal by Nicki Mebane and Walter Olenick of the Planning Commission's decision to approve a revision to a conditional use permit (Section 25-2-491 of the City Code) to increase the number of beds from 35 to 58 for a transitional housing use in CS-CO, Commercial Services, for Bannum, Inc. located at 1109 East 52nd Street. (Site Plan Number: SPC-05-0027A). Conditional Use Permit approved by Planning Commission. Parking variance denied by Board of Adjustment.

The public hearing was closed and the following motion was approved on Mayor Pro Tem Dunkerley's motion, Council Member Cole's second on a 6-0 vote. Council Member Leffingwell was absent. The motion was to deny the appeal and include these four conditions in the condition use permit: 1) The operator of the facility must comply with all parking regulations within 180 days of the approval of the Planning Commission; 2) They must provide an onsite manager; 3) There must be 24 hour security; and 4) They are required to have the employees walk the property daily.

33. Conduct a public hearing to receive public comment and approve a resolution to select 2201 East Ben White Boulevard as a site for a day labor center and directing the City Manager to negotiate and execute a lease for the site. Recommended by the Public Health and Human Services Subcommittee.

The public hearing was closed and Resolution No. 20070412-033, approving a one year lease with renewal options on the site recommended by staff, was approved on Council Member Martinez' motion, Mayor Pro Tem Dunkerley's second on a 6-0 vote. Council Member Leffingwell was absent. Mayor Wynn asked staff to continue to look for a site for the day labor center in South Austin that might be more appropriate on a long-term basis.

Mayor Wynn adjourned the meeting at 9:05 p.m. without objection.

The minutes for the Regular Meeting of April 12, 2007 were approved on this the 19th day of April, 2007 on Council Member Kim's motion, Council Member Martinez' second on a 7-0 vote.