

AGENDA



Thursday, August 9, 2007

The Austin City Council will convene at 10 00 AM on
Thursday, August 9, 2007 at Austin City Hall
301 W Second Street, Austin, TX



AUSTIN CITY CLERK
POSTING DATE/TIME
07 AUG -3 P.M. 36

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.

Invocation

Deacon Ralph Arevalo, St. Julia's Catholic Church

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 and special called meeting of July 26, 2007.

Austin Water Utility

2. Approve an ordinance amending Chapter 6-4 of City Code relating to water use management, incorporating recommendations from the Water Conservation Task Force, to become effective October 1, 2007. The twice-a-week watering schedule was recommended by the Water and Wastewater Commission.

Budget

3. Approve a resolution adopting a maximum proposed ad valorem tax rate of \$0.4034 cents per \$100 taxable value that the City Council will consider for Fiscal Year 2007-2008, and setting the date that the Council will adopt the Fiscal Year 2007-2008 ad valorem tax rate (Suggested dates are Monday, September 10, 2007, Tuesday, September 11, 2007, or Wednesday, September 12, 2007), (Related to item #39).

City Clerk

- 4 Approve an ordinance repealing City Code Chapter 12 4, Speed Limits , adopting a new Chapter 12 4 to reformat current City Code provisions regarding speed limits, and to delete obsolete provisions regarding minimum speed limits and certain construction speed zones, and adopting a savings clause

Emergency Medical Services

- 5 Approve an ordinance on second reading to grant a non-emergency medical transfer franchise to Acadian Ambulance Service, Inc under Chapter 10 2 of the City Code Recommended by the Austin Travis County EMS Advisory Board

Health and Human Services

- 6 Approve an ordinance authorizing acceptance of \$593,309 in grant funds from the TEXAS DEPARTMENT OF STATE HEALTH SERVICES, Austin, TX and amending the Fiscal Year 2006 2007 Health and Human Services Department Operating Budget Special Revenue Fund of Ordinance No 20060911 001, to appropriate \$593,309 for a total grant amount of \$1,173,309 for HIV/AIDS health education and prevention services, and creating two new full time equivalent grant positions Funding is available from the Texas Department of State Health Services, Infectious Disease and Control Branch, Bureau of HIV and STD Prevention, Austin, TX The grant period is September 1, 2007 through December 31, 2008 No City match is required

Law

- 7 Approve an amendment to the outside counsel contract with Scott, Douglass & McConnico, LLP, Austin, TX In the amount of \$200,000 for legal counsel concerning development at Northcross Mall including legal services related to cause of action no D 1 GN-07-001957, Responsible Growth For Northcross, Inc v The City of Austin, Lincoln Property Company Commercial, Inc , and Lincoln Northcross, LTD , and cause of action no D-1-GN 07-002012, Allandale Neighborhood Association v The City of Austin, Lincoln Property Company Commercial, Inc , and Lincoln Northcross, LTD (concerning site plan approvals by the City) for a total contract amount not to exceed \$424,000 Funding is available in the Liability Reserve Fund

Parks and Recreation

- 8 Approve an ordinance rejecting the 1985 proposed dedication of public right-of way and accepting a dedication of approximately 63 acres of additional parkland easements and alternate right of way access and parking facilities for the Walnut Creek Greenbelt located at the mouth of Walnut Creek at the Colorado River adjacent to Delwau Lane approximately ½ mile east of US 183
- 9 Authorize the use of Lady Bird Lake (formerly known as Town Lake) for two water events associated with the Flugtag landing and the Austin Triathlon open water swim to be held on August 25, 2007 and September 3, 2007 respectively There is no unanticipated fiscal impact A fiscal note is not required

Public Works

- 10 Approve a resolution authorizing the fee simple acquisition of Lot 2, Block H,

Onion Creek Forest, Section 2, Amended Plat, a subdivision in Travis County, Texas, located at 6900 Onion Crossing Drive, Austin, Texas, from Nina Hellums for the Onion Creek Voluntary Flood Buyout FEMA 1606-DR Project for the land and improvements for a total amount not to exceed \$52,000 Funding is available in the Fiscal Year 2006-2007 Capital Budget of the Watershed Protection and Development Review Department

- 11 Approve a resolution authorizing the fee simple acquisition of Lot 6, Block H, Onion Creek Forest, Section 2, Amended Plat, a subdivision in Travis County, Texas, located at 6908 Onion Crossing Drive, Austin, Texas, from Norman Daniel Hunt Individually and Independent Executor of the Estate of Macaria Avila Hunt for the Onion Creek Voluntary Flood Buyout-FEMA-1606-DR Project for the land and improvements for a total amount not to exceed \$50,000 Funding is available in the Fiscal Year 2006 2007 Capital Budget of the Watershed Protection and Development Review Department
- 12 Approve a resolution authorizing the fee simple acquisition of Lot 3, Block M, Onion Creek Forest, Section 2, a subdivision in Travis County, Texas, according to the map or plat of record in Volume 68, Page 54, of the Plat Records of Travis County, Texas, located at 5403 Vine Hill Drive, Austin Texas, from Maria Teresa Manzo for the Onion Creek Voluntary Flood Buyout-FEMA-1606 DR Project, in the amount of \$45,000 for the land and improvements and \$31,500 in owner assisted relocation benefits, plus moving related expenses not to exceed \$10,000, for a total amount not to exceed \$86,500 Funding is available in the Fiscal Year 2006-2007 Capital Budget of the Watershed Protection and Development Review Department
- 13 Approve a resolution authorizing the fee simple acquisition of Lot 10, Block N, Onion Creek Forest, Section 2, Amended Plat, a subdivision in Travis County, Texas, located at 5701 Vine Hill Drive, Austin, Texas, from Juan Ramirez for the Onion Creek Voluntary Flood Buyout-FEMA-1606-DR Project, in the amount of \$70,000 for the land and improvements and \$59,000 in owner assisted relocation benefits, plus moving related expenses not to exceed \$10,000 for a total amount not to exceed \$139,000 Funding is available in the Fiscal Year 2006 2007 Capital Budget of the Watershed Protection and Development Review Department
- 14 Approve a resolution authorizing the fee simple acquisition of Lots 18 and 19, Block J Onion Creek Forest, Section 2 a subdivision in the Plat Records of Travis County, Texas, located at 6901 Onion Crossing Court, Austin Texas, from William O and Shirley Schramm for the Onion Creek Voluntary Flood Buyout FEMA-1606-DR Project, in the amount of \$115,000 for the land and improvements and \$29,900 in owner assisted relocation benefits, plus moving related expenses not to exceed \$10,000, for a total amount not to exceed \$154 900 Funding is available in the Fiscal Year 2006-2007 Capital Budget of the Watershed Protection and Development Review Department
- 15 Approve a resolution authorizing the fee simple acquisition of Lot 10, Block D, Onion Creek Forest, Section 2, Amended Plat, a subdivision in Travis County, Texas, located at 6904 Thatch Lane, Austin, Texas, from Debby Wolverton for the Onion Creek Voluntary Flood Buyout-FEMA-1606 DR Project, in the amount of \$60,000 for the land and improvements and \$29,900 in owner assisted relocation benefits, plus moving related expenses not to exceed \$10,000, for a total amount not to exceed \$99,900 Funding is available in the Fiscal Year 2006-2007 Capital Budget of the Watershed Protection and Development Review Department

- 16 Approve a resolution authorizing the fee simple acquisition of Lot 40, Block E, of Yarrabee Bend South, Section 1, a subdivision in Travis County, Texas, located at 7306 Dixie Drive, Austin, Texas, from Bill A Zileski, AKA William A Zileski, for the Streambank Restoration and Erosion Management Program, in the amount of \$130,000 for the land and improvements and \$22,500 in owner assisted relocation benefits, plus moving related expenses not to exceed \$10,000, for a total amount not to exceed \$162,500 Funding is available in the Fiscal Year 2006 2007 Capital Budget of the Watershed Protection and Development Review Department
- 17 Approve an ordinance authorizing the City Manager to transfer certain real property at 3501 Webberville Road to the Austin Housing Finance Corporation for the development of affordable residential housing
- 18 Approve an ordinance authorizing the City Manager to transfer certain real property at 2412 Bryan Street and 2414 Bryan Street to the Austin Housing Finance Corporation for the development of affordable residential housing
- 19 Approve a resolution authorizing the negotiation and execution of a Multiple Use Agreement with the Texas Department of Transportation for the use of right of-way along MoPac Expressway adjacent to Zilker Park Recommended by the Parks and Recreation Board, the Urban Transportation Commission, and, the Planning Commission
- 20 Authorize execution of a construction contract with AUSTIN FILTER SYSTEMS, INC , Austin, TX, for Fort Branch Creek Channel Restoration – Westminster Drive to Manor Road in the amount of \$3,667,926 plus a \$183,396 contingency, for a total contract amount not to exceed \$3,851,322 Funding is available in the Fiscal Year 2006-2007 Capital Budget of the Watershed Protection and Development Review Department Only one bid received This contract will be awarded in compliance with Chapter 2-9A of the City Code (Minority Owned and Women Owned Business Enterprise Procurement Program) 12 389% MBE and 13 290% WBE subcontractor participation
- 21 Authorize execution of a construction contract with MUNIZ CONCRETE AND CONTRACTING, INC (MBE/MH 92 19%), Austin, TX, for the 2007 Miscellaneous Bridge Maintenance Project in an amount not to exceed \$446,554 Funding is available in the Fiscal Year 2006 2007 Operating Budget of the Public Works Department Lower of two bids received This contract will be awarded in compliance with Chapter 2-9A of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program) through the achievements of Good Faith Efforts of 0 00% MBE and 7 81% WBE subcontractor participation
- 22 Authorize negotiation and execution of a professional services agreement with STANLEY CONSULTANTS, INC , Austin, TX, for engineering services for Austin Energy s transmission, substation, distribution, planning, project management, operations, real estate, and network engineering groups for an estimated period of three years or until financial authorization is expended, in an amount not to exceed \$1,000,000 per year, for a total contract amount not to exceed \$3,000,000 Funding in the amount of \$2,500,000 (35% Transmission, 25% Distribution Substation, and 40% Distribution) is available in the Fiscal Year 2006-2007 Capital Budget of Austin Energy Funding for the remaining \$500,000 is contingent upon available funding in future Operating Budgets Best qualification statement of five statements received This contract will be awarded in compliance with Chapter 2 9B of the City Code (Minority Owned

and Women-Owned Business Enterprise Procurement Program) by meeting the goals with 16 5% MBE and 14 2% WBE subconsultant participation Recommended by the Electric Utility Commission

- 23 Authorize negotiation and execution of a professional services agreement with the following 18 firms MCGRAY and MCGRAY LAND SURVEYORS, INC (WBE/FR 69 30%), Austin, TX, SURVEYING and MAPPING, INC , Austin, TX, MWM DESIGN GROUP (MBE/MH 69 30%), Austin, TX, MACIAS and ASSOCIATES, L P (MBE/MH 69 30%), Austin, TX, LANDMARK SURVEYING, INC (WBE/FR), Austin, TX, CARTER and BURGESS, INC , Austin, TX, C FAULKNER ENGINEERING, Austin, TX, ZAMORA WARRICK and ASSOCIATES, L L C (MBE/MH 69 30%), Austin, TX, BAKER-AICKLEN and ASSOCIATES, INC , Cedar Park, TX, PBS and J, Austin, TX, I T GONZALEZ ENGINEERS, (MBE/MH 69 30%), Austin, TX, BURY+PARTNERS, INC , Austin, TX, LENZ and ASSOCIATES, INC , Austin, TX, CANALES, MARTINEZ and NASH SURVEYING CO (MBE/MH 69 30%), Austin, TX, SURVCON, INC , Austin, TX, RODS SURVEYING INC , Austin, TX, THE WALLACE GROUP, Austin, TX, and TERRA FIRMA LAND SURVEYING, Austin, TX for surveying services for a period of two years or until financial authorization is expended, in an amount not to exceed \$3,000,000, with a total of the 18 agreements not to exceed \$3,000,000 Funding is available in the Fiscal Year 2006–2007 Capital Budget and/or Operating Budget of the Public Works Department and various other departments for which services are needed Best eighteen qualification statements of twenty-four statements received This contract will be awarded in compliance with Chapter 2 9B of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program) by meeting the goals of 16 5% MBE and 14 2% WBE subconsultant participation

Purchasing Office

- 24 Authorize execution of Amendment No 5, with ENVIRONMENTAL SYSTEMS RESEARCH INSTITUTE (ESRI), INC , Redlands, CA, to increase the contract for the purchase of a software license for Mobile Mapping in an amount not to exceed \$160,012, for a revised estimated contract amount not exceed 2,140,738 75 Funding is available in the fiscal Year 2006-2007 Capital Budget for Austin Energy Contract Amendment This purchase 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
- 25 Authorize award, negotiation, and execution of a 12-month requirements service contract with ENVIRONMENTAL SYSTEMS RESEARCH INSTITUTE (ESRI), INC , Redlands, CA, for the purchase of technical services, annual maintenance and support, and implementation services in an estimated amount not to exceed \$634,819, with four 12-month extension options in an estimated amount not to exceed \$40,000 per extension, for a total estimated contract amount not to exceed \$794,819 Funding in the amount of \$634,819 is available in the Fiscal Year 2006-2007 Capital Budget for Austin Energy Funding for the extension options is contingent upon available funding in future budgets Best evaluated proposal of four proposals received This purchase 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

- 26 Authorize award and execution of a 24 month requirements supply contract with POWER SUPPLY, Austin, TX, for electrical maintenance supplies in an estimated amount not to exceed \$106,070, with two 12 month extension options in an estimated amount not to exceed \$53,035 per extension option, for a total estimated contract amount not to exceed \$212,140 Funding in the amount of \$8,840 is available in the Fiscal Year 2006 2007 Operating Budget of the Austin Energy Department Funding for the remaining 22 months of the original contract period and extension options is contingent upon available funding in future budgets Lowest bid meeting specification of six bids 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
- 27 Authorize award and execution of Amendment No 1 to a contract with TECHLINE, LTD, Austin, TX for 3-phase dead front switchgear to increase the current contract term in an estimated amount not to exceed \$274,944, and increase each of the two remaining 12-month extension options in an estimated amount not to exceed \$137,472 per extension option, for a revised total estimated contract amount not to exceed \$1,099,776 Funding in the amount of \$34,368 is available in the Fiscal Year 2006 2007 Operating Budget of the Austin Energy Department Funding for the remaining 21 months of the original contract period and extension options is contingent upon available funding in future budgets Contract Amendment This contract was 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
- 28 Authorize award and execution of a contract through the State of Texas Multiple Award Schedule (TXMAS), with SIMPLEX GRINNELL, Austin, TX for the design, installation, and maintenance of the security and fire alarm system at the Rutherford Lane Campus in an amount not to exceed \$143,264 Funding is available in the Fiscal Year 2006-2007 Capital Improvement Project Fund of the Finance and Administrative Services Department, Building Services Division 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) This contract is a Cooperative Purchase, therefore, it is exempted under Chapter 252 022 of the Texas Local Government Code and no goals were established for this solicitation
- 29 Authorize execution of a two- year Interlocal Agreement with the State of Texas, General Land Office (GLO) to supply natural gas to the City in an estimated amount of \$240,000 per year with options to extend for subsequent biennial periods Funding in the estimated amount of \$20,000 is available in the Fiscal Year 2006 2007 Operating Budgets of various City departments Future funding is contingent upon available funding in future budgets Interlocal Agreement This contract will be awarded in compliance with Chapter 2-9D of the City Code (Minority Owned and Women-Owned Business Enterprise Procurement Program) This contract is an Interlocal Agreement, therefore, it is exempted under Chapter 252 022 of the Texas Local Government Code and no goals were established for this solicitation
- 30 Authorize execution of a contract through the TEXAS LOCAL GOVERNMENT PURCHASING COOPERATIVE (BUYBOARD) with L D TEBBEN CO INC , Austin,

TX, for the repair and replacement of the roof at Doris Miller Auditorium building in an amount not to exceed \$114,994 Funding is available in the Fiscal Year 2006-2007 Capital Budget of the Parks and Recreation Department Cooperative Purchase This contract will be awarded in compliance with Chapter 2-9C of the City Code (Minority Owned and Women-Owned Business Enterprise Procurement Program) This contract is a Cooperative Purchase, therefore, it is exempted under Chapter 252 022 of the Texas Local Government Code and no goals were established for this solicitation

- 31 Authorize execution of a 24-month supply agreement through the United States General Services Administration's State and Local Law Enforcement Equipment Procurement Program (1122 Program) with DEFENSE ENERGY SUPPORT CENTER (DESC), Lackland Air Force Base, TX, for the purchase of aircraft fuel for the Austin Police Department (APD) in an amount not to exceed \$120,000 with the option to renew for successive 1 year terms Funding in the amount of \$10,000 is available in the Fiscal Year 2006-2007 Operating Budget of the Austin Police Department Funding for the remaining twenty two months of the original contract period and extension options is contingent upon available funding in future budgets 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) This contract is a Cooperative Purchase, therefore, it is exempted under Chapter 252 022 of the Texas Local Government Code and no goals were established for this solicitation

Telecommunications & Regulatory Affairs

- 32 Approve an ordinance on the first reading only granting a franchise agreement to ATMOS Energy Corporation to provide natural gas distribution services Anticipated revenue is dependent on final terms of the franchise agreement

Item(s) from Council

- 33 Approve appointments to citizen board and commissions, to Council subcommittees and other intergovernmental bodies and removal and replacement of members
- 34 Set a public hearing to receive public comment on the search for a new City Manager (Suggested date and time August 23 2007, 6 00 p m Austin City Hall, 301 W Second Street, Austin, TX) (Mayor Will Wynn and Mayor Pro Tem Betty Dunkerley)
- 35 Approve a resolution directing the City Manager to conduct a study to determine the possibility of a regional water treatment plant with the communities of Leander, Cedar Park and Round Rock and report to council within 30 days with a recommendation (Council Member Mike Martinez, Council Member Brewster McCracken and Council Member Jennifer Kim)
- 36 Approve a resolution directing the City Manager to study the feasibility of providing comparable facilities for both men and women at each Austin Fire Department station (Council Member Mike Martinez and Mayor Pro Tem Betty Dunkerley)
- 37 Approve a resolution directing the City Manager to bring forward an ordinance establishing a property damage fund within Austin Water Utility to reimburse Austin Water Utility customers who experience water or wastewater damage

caused by Austin Water Utility or other City of Austin infrastructure or personnel (Council Member Brewster McCracken, Mayor Will Wynn and Council Member Jennifer Kim)

- 38 Approve an ordinance amending the City Code to add Chapter 4-11 relating to establishments that are not licensed by the Texas Alcoholic Beverage Commission and which are known as Bring Your Own Bottle (BYOB) establishments, providing for criminal and civil penalties, and amending Ordinance No 20060911-004 to add a BYOB venue permit fee (Council Member Sheryl Cole Mayor Will Wynn Council Member Mike Martinez)

Item(s) to Set Public Hearing(s)

- 39 Set a public hearing on the proposed ad valorem tax rate for Fiscal Year 2007-2008 (Suggested dates and times August 23, 2007 at 6 00 p m and August 30, 2007 at 6 00 pm, Austin City Hall, 301 W Second St , Austin, TX) (Related to item #3)
- 40 Set a public hearing to consider an appeal by Gavino Fernandez of the Planning Commission's decision to approve a conditional use permit for a cultural center located at 209 Pedernales St (Site Plan Number SPC 06-0039A) (Suggested date and time August 23, 2007, 6 00 p m , at Austin City Hall, 301 W Second Street, Austin, TX) Planning Commission recommended the Conditional Use Permit and the Compatibility Waiver
- 41 Set a public hearing to consider an appeal by Bill Bunch, representing the Save Our Springs Alliance, of the Zoning and Platting Commission's decision to approve a Conditional Use Site Plan Permit, to allow construction of water quality and drainage improvements on a site greater than one acre in size in P-Public zoning located at 7701 River Place Boulevard, SPC 2007 0290C, Water Treatment Plant #4 (Suggested date and time August 30, 2007, 6 00 p m , at Austin City Hall, 301 W Second Street, Austin, TX) Zoning and Platting Commission approved staff recommendation to allow the construction of ponds for water quality and drainage and associated improvements

12 00 PM -- Citizen Communications General

Julia Dworschack - Austin Animal Issues

Marta Cotera - Support for Southwest Key Programs

Elizabeth Gonzales - Support for Southwest Key Programs

Erika Gonzalez PODER S Young Scholars for Justice - Please increase budget for Youth Services in East Austin

Leticia Fonseca PODER S Young Scholars for Justice - Please increase budget for Youth Services in East Austin

Sal Cavazos - Support for Southwest Key Programs

Susana Almanza Support PODER S Young Scholars for Justice Increase Youth Services Support Southwest Key Programs

Librado Almanza Increase Budget for Youth Services PODER S Young Scholars

for Justice

CarolAnneRose Kennedy - P E E I N G in rePUBLIC CAN POOLS

Carmen D Llanes - Speaking with PODER's Young Scholars for Justice -
Increase Youth Services in East Austin and support Southwest Key

Executive Session

- 42 Discuss legal issues related to arbitration of annexation issues under Texas *Local Government Code Chapter 43, including arbitration of the annexation service plan for the Peninsula Annexation area (approximately 432 acres located west of Lake Austin, north of Bee Creek, and south of the intersection of Westlake Drive and Trailview Mesa), and the Strategic Partnership Agreement for Lost Creek Municipal Utility District (approximately 788 acres located in the vicinity of Loop 360 and Lost Creek Blvd), and Lost Creek Municipal Utility District v City of Austin, et al, Cause No D-1-GN-001377, in the 126th Judicial District Court, Travis County (concerns issues related to water supply contract and annexation) (Private consultation with Attorney Section 551 071)*
- 43 *Discuss legal issues relating to the proposed agreement with the Lower Colorado River Authority (LCRA) regarding future water supplies and the settlement agreement between the City and LCRA executed June 18, 2007 (Private Consultation with Attorney - Section 551 071)*
- 44 Discuss legal issues related to Responsible Growth For Northcross, Inc v The City of Austin, Lincoln Property Company Commercial, Inc , and Lincoln Northcross, LTD , Cause No D 1 GN 07-001957 in the 200th Judicial District Court, Travis County, Texas, and Allandale Neighborhood Association v The City of Austin, Lincoln Property Company Commercial, Inc , and Lincoln Northcross, LTD , Cause No D 1 GN 07-002012 in the 98th Judicial District Court, Travis County, Texas (concerns site plan approvals by the City for Northcross Mall) (Private Consultation with attorney - Section 551 071)
- 45 Discuss legal issues related to development under the Waterfront Overlay regulations in Title 25 of the City Code, and legal issues related to Savetownlake Org v City of Austin, Cause No D-1-GN 0700596, in the 353rd Judicial District Court (Private Consultation with Attorney Section 551 071)
- 46 Discuss legal issues related to the search for a new City Manager (Private Consultations with Attorney – Section 551 071)
- 47 Discuss personnel matters related to the search for a new City Manager (Personnel Matters – Section 551 074)

2 00 PM -- Briefings

- 48 Presentation of the Fiscal Year 2007-2008 Proposed Budget for the Community Services Departments, including the Parks and Recreation Department, the Library Department, the Health and Human Services Department, the Neighborhood Housing and Community Development Department, and, the Solid Waste Services Department

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 and Neighborhood Plan Amendments (Public Hearings and Possible Action)

- 49 PH C14H-07 0005 Bull House - Conduct a public hearing and approve an ordinance amending Chapter 25.2 of the Austin City Code by rezoning property locally known as 2213 Windsor Road, East (Shoal Creek Watershed) from family residence (SF-3) district zoning to family residence-historic (SF-3 H) combining district zoning. Staff recommendation: To grant family residence-historic (SF-3-H) combining district zoning. Historic Landmark Commission recommendation: To grant family residence-historic (SF-3-H) combining district zoning. Zoning and Platting Commission recommendation: To be reviewed on August 7, 2007. Applicant: Historic Landmark Commission Owners: Carlos and Aurora Tames. City Staff: Steve Sadowsky, 974-6454.
- 50 PH NPA 07 0014 01 - Grocer's Tract - Conduct a public hearing and approve an ordinance amending Ordinance No. 021010-11, the Southeast Combined Neighborhood Plan (Franklin Park), an element of the Austin Tomorrow Comprehensive Plan, to change the land use designation on the future land use map (FLUM) from office to industrial for the property located at the intersection of Teri Road and Freidrich Lane (southwest corner) (Williamson Creek Watershed). Staff Recommendation: To deny industrial land use designation. Planning Commission Recommendation: To approve industrial land use designation. Applicant: Southpark Office Partners, LTD. Agent: Jim Bennett. City Staff: Gregory Montes, 974-2629.
- 51 PH C14-2007-0073 - Grocer's Tract - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 5015 South IH-35 Service Road Northbound and the Southwest corner of Teri Road and Freidrich Lane (Williamson Creek Watershed) from community commercial-neighborhood plan (GR NP) combining district zoning, and limited office neighborhood plan (LO NP) combining district zoning to general commercial services-neighborhood plan (CS NP) for Tract 1 and limited industrial service-conditional overlay-neighborhood plan (LI CO-NP) combining district for Tract 2. Staff Recommendation: To deny general commercial services neighborhood plan (CS-NP) combining district zoning for Tract 1, and to grant neighborhood commercial neighborhood plan (LR NP) combining district zoning for Tract 2. Planning Commission Recommendation: To grant general commercial services-neighborhood plan for Tract 1, and limited industrial service-conditional overlay neighborhood plan (LI-CO-NP) combining district zoning for Tract 2. Applicant: Southpark Office Partners, Ltd. (Jamil Alam). Agent: Jim Bennett Consulting (Jim Bennett). City Staff: Wendy Walsh, 974-7719.
- 52 PH C14 2007-0085 - 8888 Tallwood - Conduct a public hearing and approve an ordinance amending Chapter 25.2 of the Austin City Code by rezoning property locally known as 8888 Tallwood Drive (Shoal Creek Watershed) from general commercial services (CS) 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 (CS-MU) combining district zoning. Zoning and Platting Commission Recommendation: To grant general commercial services mixed use conditional overlay (CS-MU-

CO) combining district zoning Applicant Tallwood Partners LPHM (Mac) Pike Agent Clark, Thomas & Winters, PC (John Joseph) City Staff Jorge E Rousselin, 974-2975

- 53 PH C14H 06-0044 - Leonidas W Payne, Jr House - Conduct a public hearing and approve an ordinance amending Chapter 25 2 of the Austin City Code by rezoning property locally known as 2104 Pearl Street (Shoal Creek Watershed) from multi family residence-moderate-high density-neighborhood plan (MF 4 NP) combining district zoning to multi-family residence moderate-high density historic neighborhood plan (MF-4-H NP) combining district zoning Staff Recommendation To grant multi-family residence moderate-high density historic-neighborhood plan MF-4-H-NP) combining district zoning Historic Landmark Commission Recommendation To grant multi-family residence moderate high density historic-neighborhood plan (MF-4-H-NP) combining district zoning Planning Commission Recommendation To grant multi family residence moderate-high density historic-neighborhood plan (MF-4-H NP) combining district zoning Applicant Historic Landmark Commission City Staff Steve Sadowsky, 974-6454
- 54 PH C14-2007-0014 - Webb Estates Conduct a public hearing and approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 4700 City Park Road, north of the intersection of City Park Road and Westminister Glen Avenue (Turtle Creek and West Bull Creek Watersheds) from development reserve (DR) district zoning to single-family residence large lot-conditional overlay (SF-1-CO) combining district zoning with conditions First reading approved on June 21, 2007 Vote 6-0 (Mayor Wynn off the dais) Applicant 4914 City Park Road (Letha Webb) and James Boamerges Agent Clark, Thomas & Winters, PC (John Joseph) City Staff Jorge E Rousselin, 974-2975 A valid petition has been filed in opposition to this rezoning request
- 55 PH NP-2007 023 - Conduct a public hearing and approve an ordinance amending the Austin Tomorrow Comprehensive Plan by adopting the University Hills/Windsor Park Combined Neighborhood Plan The combined planning area is bounded by IH-35 on the west, Highway 290 on the north, Highway 183 on the east and Manor Road and East 51st Street on the south Reviewed by Planning Commission
- 56 PH C14-2007-0006 - University Hills Neighborhood Plan Combining District Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property bounded by Hwy 290 & Hwy 183 to the north, Hwy 183 to the east, Manor Road to the south, and Northeast Drive to the West (726 acres) The proposed zoning change will create the University Hills Neighborhood Plan Combining District (NPCD) and implement the land use recommendations of the University Hills / Windsor Park Combined Neighborhood Plan for a total of 20 tracts (152 acres) Under the proposed University Hills NPCD, Impervious Cover and Parking Placement Restrictions, and Garage Placement for New Single-Family construction are proposed for the entire area The Neighborhood Urban Center special use is proposed for Tract 208 The Residential Infill special use is proposed for Tract 220 The Planning Commission may recommend and the City Council may approve a zoning change to any of the following Single Family Standard Lot (SF-2), Family Residence (SF-3), 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), Neighborhood Office (NO), Limited

Office (LO), General Office (GO), Neighborhood Commercial (LR), Community Commercial (GR), Commercial Services (CS), Commercial Liquor Sales (CS-1), Limited Industrial Services (LI) and Public (P) A Conditional Overlay (CO), Mixed Use Combining District Overlay (MU), or Neighborhood Plan Special Use (NP) may also be added to these zoning base districts Applicant and Agent City of Austin, Neighborhood Planning and Zoning Department City Staff Robert Heil, 974-2330, Adrienne Domas, 974-6355

- 57 C14-2007-0007 Windsor Park Neighborhood Plan Combining District -
PH Conduct a public hearing and approve an ordinance amending Chapter 25 2 of the Austin City Code by rezoning property bounded by bounded by I 35 to the west, Hwy 290 to the north, Northeast Drive to the east, Manor Road & E 51st Street to the South (1526 acres) The proposed zoning change will create the Windsor Park Neighborhood Plan Combining District (NPCD) and implement the land use recommendations of the University Hills / Windsor Park Combined Neighborhood Plan for a total of 97 tracts (285 acres) Under the proposed Windsor Park NPCD, Small Lot Amnesty, Secondary Apartment, , Impervious Cover and Parking Placement Restrictions, and Front Porch Setback are proposed for the entire area The Neighborhood Urban Center special use is proposed for Tract 17, 20, 42 The Planning Commission may recommend and the City Council may approve a zoning change to any of the following Family Residence (SF 3), 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), Neighborhood Office (NO), Limited Office (LO), General Office (GO), Neighborhood Commercial (LR), Community Commercial (GR), Commercial Services (CS), Commercial Liquor Sales (CS 1), Limited Industrial Services (LI) and Public (P) A Conditional Overlay (CO), Mixed Use Combining District Overlay (MU), or Neighborhood Plan Special Use (NP) may also be added to these zoning base districts Applicant and Agent City of Austin, Neighborhood Planning and Zoning Department City Staff Robert Heil, 974 2330, Adrienne Domas, 974-6355
- 58 Conduct a public hearing and approve an ordinance amending Chapter 25-2,
PH Subchapter E, Article 5, of the Land Development Code (Design Standards & Mixed Use) to add roadway segments in the University Hills/Windsor Park Combined Neighborhood Planning Area to the list of Core Transit Corridors Reviewed by Planning Commission

5 30 PM -- Live Music

Gina Chavez

5 30 PM -- Proclamations

Proclamation -- Meet the Lender -- to be presented by Mayor Will Wynn and to be accepted by Rosy Jalifi

Proclamation - Home Movie Day - to be presented by Mayor Will Wynn and to be accepted by Snowden Becker

Proclamation -- Capital City Lions Club 40th Anniversary --to be presented by Mayor Will Wynn and to be accepted by Lions Club members

Distinguished Service Awards -- Heroes of the 1966 UT Tower Incident - to be

presented by Mayor Will Wynn and to be accepted by the honorees and families


Proclamation - Stop on Red Week - to be presented by Council Member Jennifer Kim and to be accepted by representatives of Public Works and the Austin Police Department

Distinguished Service Award - Ann Ciccolella, Zachary Scott Theatre - to be presented by Council Member Mike Martinez and to be accepted by the honoree

6 00 PM -- Public Hearings and Possible Actions

- 59 PH Conduct a public hearing to receive public comment on the City of Austin Fiscal Year 2007-2008 Proposed Budget for the Community Services Departments, including the Parks and Recreation Department, the Library Department, the Health and Human Services Department, the Neighborhood Housing and Community Development Department, and, the Solid Waste Services Department
- 60 PH Conduct a public hearing and consider an ordinance nominating a proposed Otis Spunkmeyer production expansion facility located at 6315 East Stassney Lane, Austin, Texas, for designation by the Governor's Office of Economic Development and Tourism as an Enterprise Project in accordance with Texas Government Code Chapter 2303 (Texas Enterprise Zone Act)

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.

CITY COUNCIL AGENDA

Council Meetings

January 11 2007
January 25 2007

February 1 2007
February 15, 2007

March 1, 2007
March 8 2007
March 22, 2007

April 5 2007
April 12 2007
April 19, 2007

May 3 2007
May 17, 2007
May 24, 2007

June 7, 2007
June 21 2007

July 26 2007

August 9, 2007
August 23 2007
August 30, 2007

September 10 11 12
(Budget Readings)
September 27, 2007

October 11, 2007
October 18 2007

November 1 2007
November 8 2007
November 29 2007

December 6 2007
December 13 2007

Cancelled Meetings

January 4 2007
January 18, 2007

February 8, 2007
February 22, 2007

March 15, 2007
March 29, 2007

April 26 2007

May 10, 2007
May 31, 2007

June 14, 2007
June 28, 2007

July 5, 2007
July 12, 2007
July 19 2007

August 2, 2007
August 16, 2007

September 6, 2007
September 13, 2007
September 20 2007

October 4 2007
October 25 2007

November 15 2007
November 22, 2007

December 20 2007
December 27, 2007