



AUSTIN CITY COUNCIL  
MINUTES

REGULAR MEETING  
THURSDAY, SEPTEMBER 27, 2007

**Invocation:** Pastor Carlos Cloyd, Parker Lane United Methodist 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, September 27, 2007 in the Council Chambers of City Hall, 301 West Second Street, Austin, Texas.

Mayor Wynn called the Council Meeting to order at 10:20 a.m.

Mayor Pro Tem Dunkerley was absent from this meeting.

The Mayor asked Council Members to report on upcoming agenda items; however, no upcoming items were mentioned.

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

1. Approval of the minutes of the Austin City Council from the regularly scheduled meeting of August 30, 2007 and the special called meeting of September 10, 2007.  
**The minutes from the meeting of August 30, 2007 and September 10, 2007 were approved.**
2. Approve the issuance of a Letter of Intent for a rebate in the amount of \$79,218.14 to FRIENDS MEETING OF AUSTIN, Austin, TX, for the installation of a solar photovoltaic system at its facility located at 3701 E. Martin Luther King Blvd. Funding is available in the Fiscal Year 2006-2007 Operating Budget of Austin Energy Conservation Rebates and Incentives Fund. Recommended by the Resource Management Commission and the Electric Utility Commission.  
**The motion authorizing the issuance of a letter of intent for a rebate in the amount of \$79,218.14 to Friends Meeting of Austin was approved.**
3. Approve the issuance of a Letter of Intent for a rebate in the amount of \$60,165 to SPORTSMAN'S FINEST, Austin, TX, for the installation of a solar photovoltaic system at its facility located at 12434 FM 2244. Funding is available in the Fiscal Year 2006-2007 Operating Budget of Austin Energy Conservation Rebates and Incentives Fund. Recommended by the Resource Management Commission and the Electric Utility Commission.  
**The motion authorizing the issuance of a letter of intent for a rebate in the amount of \$60,165 to Sportsman's Finest was approved.**

4. Authorize reimbursement of costs to ZOM TEXAS, INC., for the purchase and installation of heat exchanger(s), associated piping and modifications to existing building air conditioning equipment needed to interconnect their new residential building to the Austin Energy district cooling system in an amount not to exceed \$151,058. Funding is available in the Fiscal Year 2007-2008 Capital Improvement Budget. Recommended by the Electric Utility Commission.  
**The motion authorizing the reimbursement of costs to Zom Texas, Inc. was approved.**
5. Approve an ordinance authorizing negotiation and execution of a cost participation agreement, related to Service Extension Request No. 2620, with AUSTIN INDEPENDENT SCHOOL DISTRICT, providing terms and conditions for the construction of 12-inch water main and appurtenances to provide water service to the Oak Hill Elementary School located at 6101 Patton Ranch Road with City cost reimbursement in an amount not to exceed 33% of the actual construction costs ("hard costs") or \$58,519, whichever is less; waiving the requirements of Section 25-9-62 of the City Code relating to amount of cost reimbursement; and waiving the requirements of Section 25-9-67 of the City Code relating to the cost reimbursement payment schedule. Funding is available in the Fiscal Year 2006-2007 Capital Budget of the Austin Water Utility. Recommended by the Water and Wastewater Commission.  
**Ordinance No. 20070927-005 was approved.**
6. Approve an ordinance amending Chapter 6-4 of the City Code and repealing Parts 4, 5, 6, and 8 of Ordinance No. 20070809-002 relating to water use management. No fiscal impact. Reviewed by the Resource Management Commission. Recommended by the Water and Wastewater Commission.  
**Ordinance No. 20070927-006 was approved with the following amendments.**  
Part 3, Section 6-4-63 should read: "(B) A person may not irrigate outdoors at a commercial facility on a day other than a designated water use day, except: (1) at a golf course; or (2) as provided in Subsection (E)." Part 3, Section 6-4-63, (E)(3) of the ordinance was deleted.
7. Approve the appointment of Art Alfaro, Treasurer, to the Board of Directors of Austin-Bergstrom International Airport.  
**The motion authorizing the appointment of Art Alfaro, Treasurer, to the Board of Directors of Austin Bergstrom International Airport was approved.**

**Item 8 was pulled for discussion.**

9. Approve an ordinance authorizing acceptance of \$229,065 in grant funds from the U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES, HEALTH RESOURCES AND SERVICES ADMINISTRATION, Washington, D.C.; and amending the Fiscal Year 2006-2007 Health and Human Services Department Operating Budget Special Revenue Fund of Ordinance 20060911-001 to appropriate \$229,065 for the Minority AIDS Initiative (MAI) Program. Funding is available from the U.S. Department of Health and Human Services Health Resources and Services Administration. The grant period is August 1, 2007 through July 31, 2008. No City match is required. The Austin Area Comprehensive HIV Planning Council recommended MAI target populations, service categories and funding allocations for the 2007-2008 MAI grant year.  
**Ordinance No. 20070927-009 was approved.**
10. Approve an ordinance authorizing acceptance of \$71,527 in grant funds from the TEXAS DEPARTMENT OF STATE HEALTH SERVICES, Austin, TX; and amending the Fiscal Year 2006-2007 Health and Human Services Operating Budget Special Revenue Fund of Ordinance No. 20060911-001 to appropriate \$71,527 to provide diabetes education for the prevention and reduction of diabetes through the Steps to a Healthier Austin Program. Funding is available from the TEXAS DEPARTMENT OF STATE HEALTH SERVICES (DSHS), Austin, TX. The grant period is September 1, 2007 through August 31, 2008. No City match is required.  
**Ordinance No. 20070927-010 was approved.**

11. Approve execution of a 12-month contract with FAMILY ELDERCARE, Austin, TX, for senior services, in an amount estimated not to exceed \$134,000, with three 12-month extension options in an amount estimated not to exceed \$134,000 per extension option, for a total agreement amount estimated not to exceed \$536,000. Funding in the amount of \$95,747 is available in the Fiscal Year 2007-2008 Operating Budget of Neighborhood Housing and Community Development Department through the Community Development Block Grant. Funding in the amount of \$38,253 is included in the Fiscal Year 2007-2008 Operating Budget of the Neighborhood Housing and Community Development Department. The initial contract period will be October 1, 2007 through September 30, 2008. Funding for the three extension options is contingent upon available funding in future budgets provided by the U.S. Department of Housing and Urban Development (HUD) and the Neighborhood Housing and Community Development Department. Recommended by the Community Development Commission.  
**The motion authorizing the execution of a contract with Family Eldercare was approved.**
12. Approve execution of a 12-month Interlocal Agreement with AUSTIN COMMUNITY COLLEGE, Austin, TX to provide child care quality improvement and training services for an estimated annual amount not to exceed \$160,638 with three 12-month renewal options in an estimated amount not to exceed \$160,638 per renewal option for an estimated total agreement amount not to exceed \$642,552. Funding in the amount of \$114,442 is available in the Fiscal Year 2007-2008 Operating Budget of the Health and Human Services Department and funding in the amount of \$46,196 is available in the Fiscal Year 2007-2008 Operating Budget of the Health and Human Services Department Special Certification Fund. The initial period of the Agreement is October 1, 2007 through September 30, 2008. Funding for the renewal options is contingent upon available funding in future budgets. Reviewed by the Child Care Council.  
**The motion authorizing the execution of an interlocal agreement with Austin Community College was approved.**
13. Approve execution of two contracts: (1) a 12-month Interlocal Agreement with the AUSTIN INDEPENDENT SCHOOL DISTRICT, Austin, TX for Teen Parent Child Care services in an amount not to exceed \$149,644, with three 12-month extension options in an amount not to exceed the \$149,644 per extension option for an estimated total agreement amount not to exceed \$598,576; and (2) a 12-month contract with GENERATIONS CHILD DEVELOPMENT CENTERS, INC., Austin, TX for Teen Parent Child Care services in an amount not to exceed \$102,156 with three 12-month extension options in an amount not to exceed \$102,156 per extension option for an estimated total contract amount not to exceed \$408,624. Funding in the amount of \$251,800 is available in Fiscal Year 2007-2008 Operating Budget of Neighborhood Housing and Community Development Department through the Community Development Block Grant. The initial period for the contracts will be October 1, 2007 - September 30, 2008. Funding for the three extension options is contingent upon available funding in future budgets provided by the U.S. Department of Housing and Urban Development. Recommended by the Community Development Commission. Reviewed by the Child Care Council.  
**The motion authorizing the execution of two contracts: an interlocal agreement with the Austin Independent School District and a contract with Generations Child Development Centers, Inc. was approved.**

14. Authorize execution of a 12-month local match agreement with WORKSOURCE GREATER AUSTIN AREA WORKFORCE DEVELOPMENT BOARD, Austin, TX for child care services in an estimated annual amount not to exceed \$331,832, with three 12-month extension options in an estimated amount not to exceed \$331,832 per extension option, for an estimated total agreement amount not to exceed \$1,327,328. Funding is available in the Fiscal Year 2007-2008 Operating Budget of the Health and Human Services Department. The initial period of the agreement is October 1, 2007 through September 30, 2008. Funding for the extension options is contingent upon available funding in future budgets. Reviewed by the Child Care Council.  
**The motion authorizing the execution of a local match agreement with Worksource Greater Austin Area Workforce Development Board was approved.**
15. Approve execution of a contract with CHILD, INC., Austin, TX for Early Head Start child development services in an amount not to exceed \$84,928, with three 12-month extension options in an amount not to exceed \$84,928 per extension option for an estimated total contract amount not to exceed \$339,712. Funding is available in the Fiscal Year 2007-2008 Operating Budget of Neighborhood Housing and Community Development Department through the Community Development Block Grant. The initial period for the contract will be October 1, 2007 - September 30, 2008. Funding for the three extension options is contingent upon available funding in future budgets provided by the U.S. Department of Housing and Urban Development. Recommended by the Community Development Commission. Reviewed by the Child Care Council.  
**The motion authorizing the execution of a contract with Child, Inc. was approved.**

Item 16 was pulled for discussion.

17. Authorize the negotiation and execution of an amendment for an increase to the outside counsel contract with Hilgers Bell & Richards, L.L.P., Austin, Texas for legal services related to Lost Creek Municipal Utility District Strategic Partnership Agreement arbitration and subsequent litigation designated as Cause No. D-1-GN-001377, Lost Creek Municipal Utility District v. City of Austin, in the 126th Judicial District Court of Travis County, Texas, in the amount of \$133,850 for a total amount not to exceed \$173,550. Funding is available in the Fiscal Year 2007-2008 Operating Budget of the Austin Water Utility.  
**The motion authorizing the negotiation and execution of an amendment for an increase to the outside counsel contract with Hilgers Bell and Richards, L.L.P. was approved.**
18. Authorize negotiation and execution of an amendment to the outside counsel contract with THOMPSON & KNIGHT, L.L.P., Austin, TX for negotiating and drafting documents related to the redevelopment of Robert Mueller Municipal Airport Project in an amount not to exceed \$150,000, for a total contract amount not to exceed \$1,316,500. Funding is available in the Fiscal Year 2006-2007 Operating Budget of the Economic Growth and Redevelopment Services Office.  
**The motion authorizing the negotiation and execution of an amendment to the outside counsel contract with Thompson and Knight, L.L.P. was approved.**
19. Authorize the negotiation and execution of a one-year service agreement with the Austin Housing Finance Corporation (AHFC) to fund, manage, and operate various affordable housing programs using City general obligation housing bond proceeds in an amount not to exceed \$8,500,000. Funding in the amount of \$8,500,000 will be provided by the future issuance of City of Austin Public Improvement Bonds, approved by the voters on November 7, 2006. The AHFC Board approved a one-year service agreement with the City for the first installment of City general obligation housing bonds in the amount of \$5,000,000.  
**The motion authorizing the negotiation and execution of a service agreement with the Austin Housing Finance Corporation (AHFC) was approved.**

20. Authorize the negotiation and execution of a one-year service agreement with the Austin Housing Finance Corporation (AHFC) in an amount not to exceed \$10,204,192 for use by the Corporation to fund, manage and operate various City housing programs in Fiscal Year 2007-2008. The sources to fund the annual AHFC service agreement include: \$617,253 from the Operating Budget of the Neighborhood Housing and Community Development Department; \$1,043,00 from the City's Housing Trust Fund; \$261,156 from the City's University Neighborhood-Overlay (UNO) Housing Trust Fund; \$44,000 from the City's S.M.A.R.T. Housing Capital Improvement Project (CIP) Fund; \$3,803,080 from the City's U. S. Department of Housing and Urban Development (HUD) HOME Program; \$2,531,536 from the City's HUD Community Development Block Grant; \$101,815 from the City's HUD American Dream Down Payment Grant; \$236,507 generated from Community Development Block Grant Program Income; \$1,565,845 generated from HOME Program Income.  
**The motion authorizing the negotiation and execution of a service agreement with the Austin Housing Finance Corporation (AHFC) was approved.**
21. Authorize execution of a construction contract with NUCO CONTRACTING, L.P. (WBE), Del Valle, Texas for Holly Good Neighbor Program residential foundation repair for six homes in an amount not to exceed \$90,900. Funding is available in the Fiscal Year 2006-2007 Holly Good Neighbor Program administered by the Neighborhood Housing and Community Development Department. No subcontracting opportunities were identified; therefore, no goals were established for this solicitation.  
**The motion authorizing the execution of a construction contract with Nuco Contracting, L.P. (WBE) was approved.**

**Item 22 was pulled for discussion.**

23. Approve an ordinance adopting Amendment #12 to the Agreement Concerning The Creation and Operation of the North Austin Municipal Utility District(MUD)No. 1 ( C12M-07-0002 - Amber Oaks), to revise the Consent Agreement to change the Land Use Plan to change the land use for a 6.8 acre tract of land located at the southwest corner of FM 620 and Briarwick Drive owned by Austin Jack, LLC, from retail use to multi-family use. (Recommended by Planning Commission).  
**This item was postponed to October 18, 2007.**
24. Approve an ordinance adopting the Second Amendment to the Strategic Partnership Agreement (SPA) between the City of Austin and Tanglewood Forest Limited District.  
**Ordinance No. 20070927-024 was approved.**
25. Approve ratification of an 8-month Interlocal Agreement with the University of Texas Center for Public Policy Dispute Resolution to provide facilitation services for the South Lamar Combined Neighborhood Planning area; and authorize a two-month extension, in the amount of \$28,620. Funding is available in the Fiscal Year 2006-2007 Operating Budget of the Neighborhood Planning and Zoning Department.  
**The motion authorizing the ratification of an interlocal agreement with the University of Texas Center for Public Policy Dispute Resolution was approved.**
26. Approve an ordinance to annex the Thaxton Place annexation area for full purposes (approximately 31 acres in southern Travis County south of the intersection of Thaxton Road and Salt Springs Drive). Funding necessary to provide general governmental services to this tract is available in the budgets of the departments that will be providing the services.  
**Ordinance No. 20070927-026 was approved.**

27. Approve an ordinance to annex the Watersedge annexation area for full purposes (approximately 985 acres in southeastern Travis County at the northwest corner of the intersection of State Highway 71 East and Doctor Scott Drive). Funding necessary to provide general governmental services to this tract is available in the budgets of the departments that will be providing the services.  
**Ordinance No. 20070927-027 was approved.**
28. Approve an ordinance authorizing acceptance of \$35,000 in grant funds from the Austin Convention and Visitors Bureau (ACVB); and amending the Fiscal Year 2006-2007 Parks and Recreation Department Operating Budget Special Revenue Fund of Ordinance No. 20060911-001, to appropriate \$35,000 for the reparation/restoration of the Old Bakery Emporium located at 1006 Congress Avenue, Austin, TX. Funding is available from the Austin Convention and Visitors Bureau (AVCB). The grant period is April 4, 2007 through April 3, 2009. No City match is required.  
**Ordinance No. 20070927-028 was approved.**
29. Authorize execution of Amendment No. 1 to the Interlocal Agreement for Booking and Related Services between Travis County and the City of Austin in the amount of \$4,631,338 for Fiscal Year 2007-2008. Funding is available in the Fiscal Year 2007-2008 Operating Budget of the Austin Police Department.  
**The motion authorizing the execution of amendment number 1 to the interlocal agreement for booking and related services between Travis County and the City of Austin was approved.**
30. Approve the negotiation and execution of a 36-month lease with the possibility of future extensions for approximately 2,499 square feet of office space for the Health and Human Services Department, HIV Prevention Programs, located at 55 N. IH 35, Suite 220, from EXTEND-A-CARE INC., Austin TX, in an amount not to exceed \$109,054.76. Funding in the amount of \$36,986, (\$34,986 for annual rent and \$2,000 for finish out), is available in the Fiscal Year 2007-2008 Operating Budget of the Health and Human Services Department. The remainder of the lease funding is contingent upon available funding in future budgets.  
**This item was withdrawn.**
31. Approve the execution of a 60-month lease renewal for 3,785 square feet of office space for the South Austin Substation Division of the Municipal Court Department, located at 5738 Manchaca Road, Suite 17, from CHERRY CREEK PLAZA PARTNERSHIP LTD., Austin TX, in an amount not to exceed \$305,445.20 for the initial renewal. Funding for the initial twelve months of the lease term \$57,531.96 is available in the Fiscal Year 2007-2008 Approved Operating Budget of the Municipal Court Department. Funding for the remaining lease term is contingent upon available funding in future budgets.  
**The motion authorizing the execution of a lease renewal for the South Austin Substation Division of the Municipal Court Department was approved.**
32. Approve an ordinance vacating the 900 block of Banyon Street, the 1000 block of Aggie Lane, and a 5 foot wide right-of-way segment adjacent to 1013 Aggie Lane to Crestview Stationi LLR Land LP. Recommended by Planning Commission and Urban Transportation Commission.  
**Ordinance No. 20070927-032 was approved.**
33. Authorize award and execution of two 24-month requirements supply contracts with SIEMENS POWER TRANSMISSION & DISTRIBUTION c/o FAPCO, New Braunfels, TX for the purchase of 145kV-63kA circuit breakers in an estimated amount not to exceed \$1,718,080, with two 12-month extension options in an estimated amount not to exceed \$859,040 per extension option for a total estimated contract amount not to exceed \$3,436,160, and with AREVA TRANSMISSION & DISTRIBUTION, Charleroi, PA to purchase 145kV- 40kA circuit breakers in an estimated amount not to exceed \$1,063,000, with two 12-month extension options in an estimated amount not to exceed \$531,500 per extension option, for a total estimated contract amount not to exceed \$2,126,000. Funding in the amount of \$1,390,540 is available in the Fiscal Year 2007-2008 Capital Budget of the Austin Energy Department. Funding for the remaining

12 months of the original contract period and extension options is contingent upon available funding in future budgets. Lowest bids meeting specifications of seven 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.

**The motion authorizing the award and execution of two requirements supply contracts with Siemens Power Transmission and Distribution in care of Fapco was approved.**

34. Authorize award and execution of a 24-month requirements supply contract with VALMONT INDUSTRIES, INC., c/o PREFERRED SALES AGENCY, Carthage, TX for the purchase of circular steel poles in an estimated amount not to exceed \$319,494, with three 12-month extension options in an estimated amount not to exceed \$159,747 per extension option, for a total estimated contract amount not to exceed \$798,735. Funding in the amount of \$159,747 is available in the Fiscal Year 2007-2008 Capital Budget of the Austin Energy Department. Funding for the remaining 12 months of the original contract period and extension options is contingent upon available funding in future budgets. Lowest bid of four bids received. This contract will be awarded in compliance with Chapter 2-9D 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.

**The motion authorizing the award and execution of a requirements supply contract with Valmont Industries, Inc, in care of Preferred Sales Agency was approved.**

35. Authorize award and execution of a contract with TELOG INSTRUMENTS INC., Victor, NY, for the purchase of data storing instruments for the Austin Water Utility in the amount of \$91,462.20 Funding is available in the Fiscal Year 2006-2007 Operating Budget of the Austin Water Utility. Sole Source. 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. Recommended by the Water and Wastewater Commission.

**The motion authorizing the award and execution of a contract with Telog Instruments Inc. was approved.**

36. Authorize award, negotiation, and execution of a 12-month requirements service contract with CGI TECHNOLOGIES AND SOLUTIONS, INC., Fairfax, VA, for maintenance and support of the AIMS financial management system in an estimated amount not to exceed \$915,389, with four 12-month extension options in estimated amounts not to exceed \$915,389 for the first extension option, \$1,287,811 for the second extension options, \$1,287,811 for the third extension option, and \$1,287,811 for the fourth extension option, for a total estimated contract amount not to exceed \$5,694,211. Funding in the amount of \$415,389 is available in the Fiscal Year 2007-2008 Operating Budget of the Finance and Administrative Services Department. Funding in the amount of \$500,000 is available in the Fiscal Year 2007-2008 for various Operating Budgets. Funding for the extension options is contingent upon available funding in future budgets. Sole Source. This contract will be awarded in compliance with Chapter 2-9C 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 award, negotiation, and execution of a requirements service contract with CGI Technologies and Solutions, Inc. was approved.**

37. Authorize award, negotiation, and execution of a 24-month requirements service contract with COMPLETE COMMUNICATIONS dba CO COM CABLING SYSTEM (WBE/FR 40%), Austin, TX, for the purchase of voice and data cabling services in an estimated amount not to exceed \$5,884,400, with three 12-month extension options in an estimated amount not to exceed \$3,000,000 for each extension option, for a total estimated contract amount not to exceed \$14,884,400. Funding in the amount of \$1,550,550 is available in the 2007-2008 Operating Budget of various Departments. Funding in the

amount of \$2,082,450 is available in the 2007-2008 Capital Budget of various Departments. Funding for the remaining 12 months of the original contract period and the extension options is contingent upon available funding in future budgets. Best evaluated proposal of six 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) by meeting the goals with 60.0% MBE and 0.0% WBE subcontractor participation.

**The motion authorizing the award, negotiation, and execution of a requirements service contract with Complete Communications doing business as Co Com Cabling System was approved.**

38. Authorize award and execution of a 12-month requirements contract with the STATE OF TEXAS DEPARTMENT OF INFORMATION RESOURCES (DIR) Austin, TX, for \$13,993,331 for the purchase of computer and network hardware and \$3,802,268 for computer and network maintenance for a total estimated amount not to exceed \$17,795,599. Funding in the amount of \$6,730,786 is available in the Fiscal Year 2007-2008 Operating Budgets of various departments. Funding in the amount of \$11,014,813 is available in the Fiscal Year 2007-2008 Capital Improvement Program (CIP) Budgets of various departments and \$50,000 is available from a Texas Department of Transportation (TX DOT) Grant for web based traffic video. 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 Government Code and no goals were established for this solicitation.

**The motion authorizing the award and execution of a requirements contract with the State of Texas Department of Information Resources was approved.**

39. Authorize award, negotiation, and execution of a 12-month requirements service contract with MAXIMUS, Wayne, PA, for the purchase and installation of an upgrade to the fleet maintenance and management system, in an estimated amount not to exceed \$1,016,853, with five 12-month extension options for maintenance and support and additional components in estimated amounts not to exceed \$175,740.65 for the first extension option, \$161,982.68 for the second extension option, \$166,474.37 for the third extension option, \$171,190.78 for the fourth extension option, and \$103,999.22 for the fifth extension option, for a total estimated contract amount not to exceed \$1,796,240.70. Funding in the amount of \$950,000 is available in the Fiscal Year 2007-2008 Capital Budget of the Finance and Administrative Services Department Fleet Fund. Funding in the amount of \$71,471 is available in the Fiscal Year 2005-2006 Capital Budget of the Finance and Administrative Services Department Fleet Fund. Funding for the extension options is contingent upon available funding in future budgets. Sole Source. This contract will be awarded in compliance with Chapter 2-9C 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 award, negotiation, and execution of a requirements service contract with Maximus was approved.**

40. Authorize award, negotiation and execution of a 12-month service contract with AUSTIN TENANTS COUNCIL, Austin, TX, to provide services to tenants for Rental Rights and Fair Housing in an amount not to exceed \$264,928, with one 12-month extension option in amount not to exceed \$264,928 for a total agreement amount not to exceed \$529,856. Funding in the amount of \$264,928 is available in the Fiscal Year 2007-2008 Operating Budget of Neighborhood Housing and Community Development Department through the Community Development Block Grant (B-07-MC-48-0500) provided by the U.S. Department of Housing and Urban Development (HUD), subject to applicable environmental review in accordance with HUD requirements for the release of funds. Funding for the extension option is contingent upon available funding in future budgets. This contract is not subject to competitive bid under Community Development Block Grant regulations 24 CFR 570. 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 award, negotiation and execution of a service contract with Austin Tenants Council was approved.**

41. Authorize award and execution of Amendment No. 1 to a contract with BUSINESS INVESTMENT IN GROWTH, Austin, TX, to add two 12-month extension options to the contract for the continuation of training and technical assistance services to Certified Micro Enterprises under the Micro-Enterprise and Technical Assistance Program in an estimated amount not to exceed \$200,000 per extension, for a revised total estimated contract amount not to exceed \$581,818. Funding in the amount of \$200,000 is available in the Fiscal Year 2007-2008 Operating Budget of Neighborhood Housing and Community Development Department through the Community Development Block Grant (B-07-MC-48-0500) provided by the U.S. Department of Housing and Urban Development (HUD), subject to applicable environmental review in accordance with HUD requirements for the release of funds. Funding for the extension option is contingent upon available funding in future budgets. 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 the award and execution of amendment number 1 to a contract with Business Investment In Growth was approved.**

42. Authorize award and execution of Amendment No. 1 to a contract with PEOPLEFUND, Austin, TX, to add two 12-month extension options to the contract for the continuation of loan administration and loan services for the Small Business Development Program that support job creation and/or expansion of small businesses in an estimated amount not to exceed \$150,000 per extension option, for a revised total estimated contract amount not to exceed \$450,000. Funding in the amount of \$150,000 is available in the Fiscal Year 2007-2008 Operating Budget of Neighborhood Housing and Community Development Department through the Community Development Block Grant (B-07-MC-48-0500) provided by the U.S. Department of Housing and Urban Development (HUD), subject to applicable environmental review in accordance with HUD requirements for the release of funds. Funding for the extension option is contingent upon available funding in future budgets. Contract Amendment. This contract was 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 award and executive of amendment number 1 to a contract with Peoplefund was approved.**

43. Authorize execution of a contract with E-Z GO/TEXTRON - SOUTHWEST, Hurst, TX, for the purchase of golf carts and maintenance services in an amount not to exceed \$457,636. Funding in the amount of \$436,900 is available in the Fiscal Year 2007-2008 Parks and Recreation Department Capital Budget. Funding in the amount of \$20,736 is available in the Fiscal Year 2007-2008 Parks and Recreation Department Operating Budget. Lowest bid of three 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.

**The motion authorizing the execution of a contract with E-Z Go/Textron – Southwest was approved.**

44. Authorize execution of a contract through the TEXAS LOCAL GOVERNMENT PURCHASING COOPERATIVE (BUYBOARD) with GAMETIME c/o TOTAL RECREATION PRODUCTS, Cypress, TX, for the purchase and installation of playground equipment and recycled rubber surfacing at Bartholomew Park in an amount not to exceed \$91,142.18. Funding is available in the Fiscal Year 2007-

2008 Capital Budget of 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). This contract is a Cooperative Purchase; therefore, it is exempted under Chapter 791 of the Texas Government Code and no goals were established for this solicitation.

**The motion authorizing the execution of a contract through the Texas Local Government Purchasing Cooperative (Buyboard) with Gametime in care of Total Recreation Products was approved.**

45. Authorize execution of a contract through the TEXAS LOCAL GOVERNMENT PURCHASING COOPERATIVE (BUYBOARD) with PLAYWELL GROUP INC (THE) DALLAS, TX, for the purchase and installation of playground equipment at North West Balcones Park in an amount not to exceed \$83,062.27. Funding is available in the Fiscal Year 2007-2008 Capital Budget of 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). This contract is a Cooperative Purchase; therefore, it is exempted under Chapter 791 of the Texas Government Code and no goals were established for this solicitation.

**The motion authorizing the execution of a contract through the Texas Local Government Purchasing Cooperative (Buyboard) with Playwell Group Inc. was approved.**

46. Authorize award and execution of a contract through the TEXAS LOCAL GOVERNMENT PURCHASING COOPERATIVE (BUYBOARD) with RECREATION CONSULTANTS OF TEXAS, Dallas, TX, for the purchase and installation of playground equipment and rubber surfacing at Mary Moore Searight Park in an amount not to exceed \$129,328. Funding is available in the Fiscal Year 2007-2008 Capital Budget of 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). This contract is a Cooperative Purchase; therefore, it is exempted under Chapter 791 of the Texas Government Code and no goals were established for this solicitation.

**The motion authorizing the award and execution of a contract through the Texas Local Government Purchasing Cooperative (Buyboard) with Recreation Consultants of Texas was approved.**

47. Authorize negotiation and execution of an Interlocal Agreement with CAPITAL AREA COUNCIL OF GOVERNMENTS to utilize the regional Emergency Notification System in an estimated annual amount of \$10,500. Funding is available from the Fiscal Year 2006-2007 Operating Budget Special Revenue Fund of the Public Safety and Emergency Management Department. Interlocal Agreement. 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 an Interlocal Agreement; therefore, it is exempted under Chapter 252.022 the Texas Government Code and no goals were established for this solicitation.

**The motion authorizing the negotiation and execution of an interlocal agreement with Capital Area Council of Governments was approved.**

48. Authorize award and execution of a contract through the TEXAS LOCAL GOVERNMENT PURCHASING COOPERATIVE (BUYBOARD) with FREIGHTLINER OF AUSTIN, Austin, TX, for the purchase of one volumetric concrete mixer truck in an amount not to exceed \$191,758. Funding is available in the Fiscal Year 2007-2008 Capital Budget of the Public Works 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). 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.

The motion authorizing the award and execution of a contract through the Texas Local Government Purchasing Cooperative (Buyboard) with Freightliner of Austin was approved.

- 49. Approve an ordinance on third reading granting a franchise agreement to ATMOS Energy Corporation to provide natural gas distribution services. Estimated annual franchise fee revenue in the amount of \$500,000 is anticipated under new franchise agreement. Second reading was recommended by the Council Committee for Emerging Technology and Telecommunications. Related to item #70.

This item was withdrawn.

- 50. Authorize the City Manager to apply for a \$200,000 Brownfields Assessment Community-Wide Petroleum grant offered by the U.S. Environmental Protection Agency. Funding is available from the U.S. Environmental Protection Agency over three years beginning Fiscal Year 2008 through 2010.

The motion authorizing the City Manager to apply for a \$200,000 Brownfields Assessment Community-Wide Petroleum grant was approved.

- 51. 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:

<u>Board/ Appointee</u>	<u>Consensus/ Council Nominee</u>	<u>Appointment/ Reappointment</u>
<u>Arts Commission</u> Sue Graze	Mayor Wynn's	Reappointment
<u>Design Commission</u> Richard Weiss	Mayor Wynn's	Reappointment
<u>Library Commission</u> Denise Brady	Council Member Leffingwell's	Appointment
<u>Families and Children Task Force</u> Robert Pilgrim	Consensus	Appointment
<u>Mental Health and Mental Retardation Board of Trustees</u> Dr. Exalton Delco	Mayor Wynn's	Reappointment
<u>Planning Commission</u> Chris Ewen	Council Member McCracken's	Appointment
<u>Urban Transportation Commission</u> Dustin Lanier	Council Member McCracken's	Appointment

- 52. Adopt a resolution amending the Holly Good Neighbor Program funding plan for Fiscal Year 2006-2007 to reallocate \$230,000 to the Holly Neighborhood Home Rehabilitation Program and to allocate the remaining \$20,000 to Baile Folklorico (\$15,000) and the Austin Public Library Foundation (\$5,000). (Council Member Mike Martinez Council Member Lee Leffingwell and Council Member Sheryl Cole) Resolution No. 20070927-052 was approved.

- 53. Adopt a resolution detailing the Holly Good Neighbor Program funding plan for Fiscal Year 2007-2008. (Council Member Mike Martinez Council Member Lee Leffingwell and Council Member Sheryl Cole) Resolution No. 20070927-053 was approved.

54. Approve a resolution directing the City Manager to develop a plan to require participation in the City's Minority Owned and Women Owned Business Enterprise Procurement Program in third party agreements, including but not limited to developer participation contracts, economic development agreements, and ground leases, and return with a plan for the City Council meeting on October 18, 2007. Reviewed by the Minority- and Women-Owned Business Enterprise and Small Business Council Subcommittee. (Council Member Jennifer Kim Council Member Sheryl Cole)  
**Resolution No. 20070927-054 was approved.**

**Item 55 was pulled for discussion.**

56. Approve waiver of certain Park rental fees under City Code Chapter 8 for the Silicon Labs Marathon Relay to be held on September 30, 2007. (Council Member Lee Leffingwell Council Member Sheryl Cole Council Member Jennifer Kim)  
**The motion authorizing the waiver of certain Park rental fees for the Silicone Labs Marathon Relay was approved.**
57. Approve waiver of fees and requirements under Chapter 14 of the City Code for the National Alliance on Mental Illness' 2nd Annual NAMIWALK to be held on October 6, 2007. (Mayor Will Wynn Council Member Brewster McCracken Council Member Lee Leffingwell)  
**The motion authorizing the waiver of fees and requirements for the National Alliance on Mental Illness' 2<sup>nd</sup> Annual Namiwalk was approved.**
58. Approve waiver of a park rental fee in an amount not to exceed \$60 for House the Homeless' Sunrise Service, to be held on November 11, 2007, at the Gazebo on Auditorium Shores. (Council Member Lee Leffingwell Mayor Pro Tem Betty Dunkerley Mayor Will Wynn)  
**The motion authorizing the waiver of a park rental fee in an amount not to exceed \$60 for House the Homeless' Sunrise Service was approved.**
59. Approve waiver of park rental fees for the American Diabetes Association's Step Out to Fight Diabetes Walk to be held on November 17, 2007 at Fiesta Gardens. (Mayor Will Wynn Council Member Jennifer Kim Council Member Lee Leffingwell)  
**The motion authorizing the waiver of park rental fees for the American Diabetes Association's Step Out to Fight Diabetes Walk was approved.**
60. Approve waiver of certain fees and requirements under City Code Chapter 14 for the KLRU 2007 Block Party to be held on October 12, 2007. (Mayor Will Wynn Mayor Pro Tem Betty Dunkerley and Council Member Brewster McCracken)  
**The motion authorizing the waiver of certain fees and requirements for the KLRU 2007 Block Party was approved.**
61. Set a public hearing to consider the reauthorization of the Austin Downtown Public Improvement District (PID). (Suggested date and time: October 18, 2007, 6:00 p.m., at Austin City Hall, 301 W. Second Street, Austin, TX).  
**The public hearing was set for October 18, 2007, at 6:00 p.m., Austin City Hall, at 301 W. Second Street, Austin, Texas.**
62. Set a public hearing to consider an ordinance amending Chapter 25-6 of the City Code, relating to sidewalks, to include a new variance process, new building permit requirements, and proposed fee-in-lieu process. (Suggested date and time: October 18, 2007, 6:00 p.m., at Austin City Hall, 301 W. Second Street, Austin, TX). Recommended by the Planning Commission.

The public hearing was set for October 18, 2007, at 6:00 p.m., Austin City Hall, at 301 W. Second Street, Austin, Texas.

Item 63 was pulled for discussion.

64. Set a public hearing to consider an ordinance repealing and replacing Article 12 of Chapter 25-12 of the City Code (Energy Code) to adopt the 2006 edition of the International Energy Conservation Code (IECC) and local amendments. (Suggested date and time: October 18, 2007, 6:00 p.m., at Austin City Hall, 301 W. Second Street, Austin, TX.) Recommended by the Mechanical, Plumbing and Solar Board; and the Building and Fire Code Board of Appeals.  
The public hearing was set for October 18, 2007, at 6:00 p.m., Austin City Hall, at 301 W. Second Street, Austin, Texas.
65. Set a public hearing to consider an ordinance amending Section 25-12-113 and Section 25-12-114 (Electrical Code) of the City Code regarding special inspections, homestead permits, and the installation of type Metal Clad (MC) Cable. (Suggested date and time: October 18 2007, 6:00 p.m., at Austin City Hall, 301 W. Second Street, Austin, TX.) Recommended by the Electric Board.  
The public hearing was set for October 18, 2007, at 6:00 p.m., Austin City Hall, at 301 W. Second Street, Austin, Texas.
66. Set a public hearing to consider an ordinance repealing and replacing Chapter 25-12, Article 11 of the City Code to adopt the International Residential Code, 2006 Edition, and local amendments. (Suggested date and time: October 18, 2007, 6:00 p.m., at Austin City Hall, 301 W. Second Street, Austin, TX.) Recommended by the Mechanical, Plumbing and Solar Board; and, the Building and Fire Code Board of Appeals.  
The public hearing was set for October 18, 2007, at 6:00 p.m., Austin City Hall, at 301 W. Second Street, Austin, Texas.
67. Set a public hearing to consider an ordinance amending Chapter 25-12, Article 6 of the City Code (Plumbing Code) to amend regulations relating to water conservation, permitting, reclaimed water systems and gas piping. (Suggested date and time: October 18, 2007, 6:00 p.m., at Austin City Hall, 301 W. Second Street, Austin, TX.) Recommended by the Mechanical, Plumbing and Solar Board.  
The public hearing was set for October 18, 2007, at 6:00 p.m., Austin City Hall, at 301 W. Second Street, Austin, Texas.
68. Set a public hearing to consider an ordinance repealing and replacing Article 8 of Chapter 25-12 of the City Code (Solar Energy Code) to adopt the Uniform Solar Energy Code, 2006 Edition, and certain local amendments to the 2006 Uniform Solar Energy Code. (Suggested date and time: October 18, 2007, 6:00 p.m., at Austin City Hall, 301 W. Second Street, Austin, TX.) Recommended by the Mechanical, Plumbing and Solar Board.  
The public hearing was set for October 18, 2007, at 6:00 p.m., Austin City Hall, at 301 W. Second Street, Austin, Texas.
118. Approve a letter to Texas Department of Transportation regarding environmental concerns related to the construction of U.S. 290 (Council Member Jennifer Kim and Mayor Will Wynn).  
The motion authorizing a letter to Texas Department of Transportation regarding environmental concerns related to the construction of U.S. 290 was approved.

Mayor Wynn recessed the Council Meeting to go into Executive Session at 11:12 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.

Item 69 was discussed later in Executive Session.

- 70. Discuss legal issues related to negotiation of a franchise for use of city right-of-way with Atmos Energy Corporation, Inc. (Private Consultation with Attorney - Section 551.071). Related to item 49.  
This item was withdrawn.

Item 71 was discussed later in Executive Session.

- 72. Discuss legal issues related to annexation under Texas Local Government Code Chapter 43, including arbitration of 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) Related to item #16.

Items 73 and 74 were discussed later in Executive Session.

- 75. Discuss real estate development options under the terms of the sale of Block 21. (Real Property - Section 551.072)  
This item was withdrawn.
- 76. Discuss legal issues relating to compliance with the terms of the sale of Block 21, generally located at 2nd Street, Lavaca Street, 3rd Street, and Guadalupe. (Private Consultation with Attorney - Section 551.071)  
This item was withdrawn.

Item 77 was discussed later in Executive Session.

- 78. Discuss lease of land at Austin-Bergstrom International Airport to GE Commercial Aviation Services LLC for a low cost airport terminal (Real Property - Section 551.072). Related to #8.
- 79. Discuss legal issues related to the search for a new City Manager. (Private Consultations with Attorney - Section 551.071).  
This item was withdrawn.
- 80. Discuss personnel matters related to the search for a new City Manager (Personnel Matters - Section 551.074).  
This item was withdrawn.
- 117. 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) Related to item 63.

Executive Session ended and Mayor Wynn called the Council Meeting back to order at 12:10 p.m.

CITIZEN COMMUNICATIONS: GENERAL

Julia Dworschack - Animal Issues

Anjanette Jones - Animal Issues. **She was not present when her name was called.**

Richard Troxell - Homelessness in Austin

CarolAnneRose Kennedy - THE PLEDGE OF ALLYGENTS

Mark Rogers - Homestead Preservation District

Paul Robbins - City Issues

Jimmy Castro - Top 10 Colleges and Universities

Bill Wigmore - Report to the Mayor on Progress for Capitol Campaign Recovery in the Community

Larry Shannon Hargrove - Idea to Make Austin Great

David Kobierowski - Public Access Community Television

DISCUSSION ITEMS CONTINUED

8. Authorize negotiation and execution of a lease and related documents and agreements with GE Commercial Aviation Services, LLC for up to 40 acres of land at Austin-Bergstrom International Airport to construct, operate and maintain a low cost "no-frills" airport terminal, and associated uses including, but not limited to, car parking, rental car facilities, and ground transportation staging for a term not to exceed thirty years from the date of beneficial occupancy of the new terminal at a rental of not less than \$0.22 per square foot plus a percentage of net revenue. Recommended by the Austin Airport Advisory Commission. Related to item # 78.

**The motion authorizing the negotiation and execution of a lease and related documents and agreements with GE Commercial Aviation Services, LLC was approved on Council Member Leffingwell's motion, Council Member Cole's second on a 4-0 vote. Mayor Pro Tem Dunkerley was absent. Council Members Martinez and McCracken were off the dais.**

16. Approve a resolution confirming the Summary Award in Arbitration of August 31, 2007 entered by the Arbitrator in the arbitration proceedings concerning the Lost Creek Municipal Utility District Strategic Partnership Agreement. Related to item #72.

**Resolution No. 20070927-016 was approved on Council Member Cole's motion, Council Member Leffingwell's second on a 4-0 vote. Mayor Pro Tem Dunkerley was absent. Council Members Martinez and McCracken were off the dais.**

Mayor Wynn recessed the Council Meeting to go into Executive Session at 12:58 p.m.

EXECUTIVE SESSION CONTINUED

69. Discuss legal issues related to various agreements with the Austin Revitalization Authority. (Private Consultation with Attorney - Section 551.071) Related to item #69.

- 71. Discuss legal issues concerning City of Austin v. Reichhold Inc.; Cause No. A-06-CA-0015SS; in the U.S. District Court, Western District, Austin Division (concerns the North Service Center) (Private Consultation with Attorney - Section 551.071).
- 73. Discuss legal issues regarding possible sites for Water Treatment Plant No. 4. (Private Consultation with Attorney - Section 551.071)
- 74. Discuss value, including non-monetary attributes, of property to be possibly used or purchased as sites for Water Treatment Plant No. 4. (Real Property - Section 551.072)
- 77. Discuss the proposed sale or lease of the Seaholm Power Plant building and property on West Cesar Chavez Street for redevelopment. (Real Property - Section 551.072)

Executive Session ended and Mayor Wynn called the Council Meeting back to order at 4:12 p.m.

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

Mayor Wynn called the Board of Director’s Meeting of the Austin Housing Finance Corporation to order at 4:13 p.m. See separate minutes.

Mayor Wynn called the Council Meeting back to order at 4:22 p.m.

**BRIEFING**

- 81. Staff presentation and update on the City's regulations relating to solicitation.  
The presentation was made by Chief Art Acevedo and Patti Robinson, Assistant Chief.

**DISCUSSION ITEMS CONTINUED**

- 55. Set a public hearing to consider an ordinance amending City Code Sections 9-4-13 and 12-1-27 related to solicitation. (Suggested dates and times: October 11, 2007, at 6:00 p.m. at Austin City Hall, 301 W. Second Street, Austin, TX). (Council Member Jennifer Kim Council Member Brewster McCracken )  
The public hearing was set for **October 18, 2007, at 6:00 p.m., Austin City Hall, at 301 W. Second Street, Austin, Texas on Council Member Kim’s motion, Council Member McCracken’s second on a 6-0 vote. Mayor Pro Tem Dunkerley was absent.**
- 22. Approve execution of Amendment One to the Acquisition, Development and Loan Agreement between the City, the Urban Renewal Agency of the City of Austin, and the Austin Revitalization Authority, dated effective October 1, 2004, extending the term of the agreement to a date not later than November 15, 2007. Related to item #69.  
The motion authorizing the execution of amendment one to the acquisition, development and loan agreement between the City, the Urban Renewal Agency of the City of Austin, and the Austin Revitalization Authority was approved on Council Member Cole’s motion, Council Member Kim’s second on a 6-0 vote. Mayor Pro Tem Dunkerley was absent.

Mayor Wynn recessed the Council Meeting at 5:36 p.m.

**LIVE MUSIC**

Jeff Gallagher

**PROCLAMATIONS**

Proclamation -- Austin Fire Department's 150th Anniversary -- to be presented by Mayor Will Wynn and to be accepted by Chief JJ Adame

Proclamation -- News 8's Eighth Anniversary -- to be presented by Mayor Will Wynn and to be accepted by Brian Benschoter

Proclamation -- Substance Abuse Month -- to be presented by Mayor Will Wynn and to be accepted by Beverly Scarborough

Proclamation -- NAMI Walks -- to be presented by Mayor Pro Tem Betty Dunkerley and to be accepted by Margie Gardner

Proclamation -- National Sickle Cell Awareness Month and recognition of National Poster Child from Austin -- to be presented by Council Member Sheryl Cole and to be accepted by Linda Thomas Wade, Gabriel George and Shelley George

Proclamation -- Seven Straight Nights for Equal Rights -- to be presented by Council Member Brewster McCracken and to be accepted by Anne Wynn

**Mayor Wynn called the Council Meeting back to order at 6:48 p.m.**

#### **DISCUSSION ITEM CONTINUED**

63. Set a public hearing to receive public comment regarding a proposed water supply agreement between the City of Austin and the Lower Colorado River Authority to increase the water supply available to the City (Suggested date and time: October 11, 2007 at 6:00 p.m., Austin City Hall, 301 W. Second Street, Austin, Texas). No fiscal impact. Recommended by the Water and Wastewater Commission. Related to item #117.

**The public hearing was set for October 11, 2007, at 6:00 p.m., Austin City Hall, at 301 W. Second Street, Austin, Texas on Council Member McCracken's motion, Council Member Cole's second on a 4-0 vote. Mayor Pro Tem Dunkerley was absent. Council Members Kim and Martinez were off the dais.**

#### **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 McCracken's motion, Council Member Cole's second on a 4-0 vote. Mayor Pro Tem Dunkerley was absent. Council Members Kim and Martinez were off the dais.**

82. C14-04-0030 - Time Insurance 1 - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 1405-1415 East Riverside Drive (Town Lake Watershed) from limited office (LO) district zoning and family residence (SF-3) district zoning to community commercial-mixed use-conditional overlay (GR-MU-CO) combining district zoning with conditions. First Reading approved on January 11, 2007. Vote: 7-0. Applicant: Schuler Family Trust 1998 (John Schuler). Agent: Thrower Design (Ron Thrower). City Staff: Robert Heil, 974-2330. A valid petition has been filed in opposition to this rezoning request.

**This item was postponed to November 8, 2007 at the applicant's request.**

83. C14-06-0117 - Time Insurance 2 - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 1317 East Riverside Drive and 1220 IH-35 South (Town Lake Watershed) from community commercial-mixed use (GR-MU) combining district

zoning to limited industrial service-planned development area (LI-PDA) combining district zoning with conditions. First reading approved on January 11, 2007. Vote: 7-0. Applicant: Schuler Family Trust 1988 (John Schuler). Agent: Thrower Design (Ron Thrower). City Staff: Robert Heil, 974-2330. A valid petition has been filed in opposition to this rezoning request.

**This item was postponed to November 8, 2007 at the applicant's request.**

84. C14-2007-0006 - University Hills Neighborhood Plan Combining District (Tract 210) - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning one tract locally known as 0 Manor Road (2.828 ac ABS 258 Sur 26 Tannehill JC and 4.798 ac ABS Sur 29 Tannehill JC, Tract 210). The proposed zoning change would create the University Hills Neighborhood Plan Combining District and implement the applicable land use recommendations of the University Hills/Windsor Park Combined Neighborhood Plan. First reading approved on August 9, 2007. Vote 7-0. 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: Adrienne Domas, 974-6355, Robert Heil, 974-2330.

**This item will be postponed to October 11, 2007 at the neighborhood's request.**

85. NPA-2007-023 - University Hills / Windsor Park Combined Neighborhood Plan (Tract 210) - Approve second/third readings of an ordinance amending the Austin Tomorrow Comprehensive Plan by establishing a land use designation of mixed use on the future land use map for 0 Manor Road (2.828 ac ABS 258 Sur 26 Tannehill JC and 4.798 ac ABS Sur 29 Tannehill JC, Tract 210). First reading approved on August 9, 2007. Vote 7-0. 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. Applicant and Agent: City of Austin, Neighborhood Planning and Zoning Department. City Staff: Adrienne Domas, 974-6355, Robert Heil, 974-2330.

**This item will be postponed to October 11, 2007 at the neighborhood's request.**

### ZONING CONSENT ITEMS

The following zoning items were acted on by one motion. No separate discussion or action occurred on any of the items. The public hearings were closed and consent items were approved on Council Member Martinez' motion, Council Member Leffingwell's second on a 5-0 vote. Mayor Pro Tem Dunkerley was absent. Council Member Kim was off the dais.

86. C14-2007-0101 - Northeast Corner of FM 969 and Decker Lane - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as the northeast corner of FM 969 and Decker Lane (Elm Creek Watershed) from development reserve (DR) and interim-rural residence (I-RR) district zoning to community commercial-conditional overlay (GR-CO) combining district zoning and industrial park (IP) district zoning. Staff Recommendation: To grant community commercial-conditional overlay (GR-CO) combining district zoning and industrial park-conditional overlay (IP-CO) combining district zoning. Planning Commission Recommendation: To grant community commercial-conditional overlay (GR-CO) combining district zoning and industrial park-conditional overlay (IP-CO) combining district zoning. Applicant: Arthur Gene Howard. Agent: The Paul Ott Company (Dan Reuter). City Staff: Robert Heil, 974-2330.

**Ordinance No. 20070927-086 for community commercial-conditional overlay (GR-CO) combining district zoning and industrial park-conditional overlay (IP-CO) combining district zoning was approved.**

87. C14-2007-0016 - Stoney Ridge Phase D - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as Elroy Road and Kellam Road (Dry Creek East Watershed) from public (P) district zoning and single-family residence-standard lot (SF-2) district zoning to single-family residence-small lot (SF-4A) district zoning. Staff Recommendation: To grant single-family residence-small lot (SF-4A) district zoning. Planning Commission Recommendation: To grant single-family residence-small lot (SF-4A) district zoning. Applicant: MC Joint Venture (William Gurasich). Agent: Doucet & Associates, Inc. (Ted McConaghy). City Staff: Wendy Rhoades, 974-7719.

**This item was postponed to November 8, 2007 at the applicant's request.**

88. C14-2007-0098 - Wasatch, LLC - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 9011 Brown Lane (Little Walnut Creek Watershed) from family residence (SF-3) district zoning to limited industrial service (LI) district zoning. Staff Recommendation: To grant limited industrial service-conditional overlay (LI-CO) combining district zoning with conditions. Zoning and Platting Commission Recommendation: To grant limited industrial service-conditional overlay (LI-CO) combining district zoning with conditions. Applicant: Wasatch, LLC (Morgan Mills). Agent: A.E.C. Inc. (Phil Moncada). City Staff: Sherri Sirwaitis, 974-3057.

**The first reading of the ordinance for limited industrial service-conditional overlay (LI-CO) combining district zoning with conditions was approved.**

89. C14-2007-0103 - Del Cerro - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 13700 Dessau Road (Harris Branch Watershed) from single-family residence-standard lot-conditional overlay (SF-2-CO) combining district zoning; and community commercial-mixed use (GR-MU) combining district zoning; and community commercial (GR) district zoning to multi-family residence-medium density (MF-3) district zoning. Staff Recommendation: To grant multi-family residence-medium density (MF-3) district zoning. Zoning and Platting Commission Recommendation: To grant multi-family residence-medium density (MF-3) district zoning. Applicant: John C. Fish. Agent: Land Strategies, Inc. (Paul W. Linehan). City Staff: Sherri Sirwaitis, 974-3057.

**Ordinance No. 20070927-089 for grant multi-family residence-medium density (MF-3) district zoning was approved.**

90. C14-2007-0107 - Rock City Icehouse - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 6406 North IH-35, Suite 1100 (Tannehill Branch Watershed) from general commercial services (CS) district zoning to commercial liquor sales (CS-1) district zoning. Staff Recommendation: To grant commercial liquor sales-conditional overlay (CS-1-CO) combining district zoning. Planning Commission Recommendation: To grant commercial liquor sales-conditional overlay (CS-1-CO) combining district zoning. Applicant: Lincoln Dunhill Holdings, Ltd. (Tim Denker). Agent: Armbrust and Brown (Amanda Morrow). City Staff: Jorge E. Rousselin, 974-2975.

**Ordinance No. 20070927-090 for commercial liquor sales-conditional overlay (CS-1-CO) combining district zoning was approved.**

91. C14-2007-0108 - Camden North Lamar - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 5300, 5304 and 5400 North Lamar Boulevard (Waller Creek Watershed) from general commercial services-mixed use-conditional overlay-neighborhood plan (CS-MU-CO-NP) combining district zoning to general commercial services-mixed use-conditional overlay-neighborhood plan (CS-MU-CO-NP) combining district zoning to permit vertical mixed use on the site. Staff Recommendation: To grant general commercial services-mixed use-conditional overlay-neighborhood plan (CS-MU-CO-NP) combining district zoning to permit vertical mixed use on the site. Planning Commission Recommendation: To be reviewed on September 25, 2007. Applicant: 5400 Lamar Ltd. (Abe Zimmerman). Agent: Drenner & Golden Stuart Wolff, LLP (Michele Rogerson). City Staff: Jorge E. Rousselin, 974-2975.  
**This item was postponed to November 8, 2007 at the applicant's request.**
92. C14-2007-0109 - Gardenia Drive - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 2600 Gardenia Drive (Walnut Creek Watershed) from general commercial services (CS) district zoning to general commercial services-mixed use (CS-MU) combining district zoning. Staff Recommendation: To grant general commercial services-mixed use-conditional overlay (CS-MU-CO) combining district zoning. Zoning and Platting Commission Recommendation: To grant general commercial services-mixed use-conditional overlay (CS-MU-CO) combining district zoning. Applicant: Guadalupe Villa Gonzales and Glafira M. Gonzales. Agent: Moreno Consultant Services (Paul C. Moreno). City Staff: Sherri Sirwaitis, 974-3057.  
**Ordinance No. 20070927-092 for general commercial services-mixed use-conditional overlay (CS-MU-CO) combining district zoning was approved.**
93. C14-2007-0120 - Saul Duran - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 105 East Rundberg Lane (Little Walnut Creek Watershed) from family residence (SF-3) district zoning to limited office-mixed use (LO-MU) combining district zoning. Staff Recommendation: To grant limited office-mixed use-conditional overlay (LO-MU-CO) combining district zoning. Planning Commission Recommendation: To grant limited office-mixed use-conditional overlay (LO-MU-CO) combining district zoning. Applicant: Saul & Antonieta Duran. Agent: Saul Duran. City Staff: Jorge E. Rousselin, 974-2975.  
**Ordinance No. 20070927-093 for limited office-mixed use-conditional overlay (LO-MU-CO) combining district zoning was approved.**
94. C14-2007-0150 - Broadstone Grand Avenue Apartments - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by zoning property locally known as 1710 Grand Avenue Parkway (Gilleland Creek Watershed) from unzoned to multi-family residence-moderate-high density (MF-4) district zoning. Staff Recommendation: To grant multi-family residence-moderate-high density-conditional overlay (MF-4-CO) combining district zoning. Zoning and Platting Commission Recommendation: To grant multi-family residence-moderate-high density-conditional overlay (MF-4-CO) combining district zoning. Applicant: Grand Avenue at I-35, Ltd. (Bert Pence). Agent: Alice Glasco Consulting (Alice Glasco). City Staff: Sherri Sirwaitis, 974-3057.  
**Ordinance No. 20070927-094 for multi-family residence-moderate-high density-conditional overlay (MF-4-CO) combining district zoning was approved.**
95. C14H-07-0012 - Cabaniss-Tate-Chunn House - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 1502 S. 1st Street (current location) and/or 612 W. Monroe Street (proposed location) (Bouldin Creek Watershed) from general commercial services-mixed use-conditional overlay-neighborhood plan (CS-MU-CO-NP) combining district zoning (the S. 1st Street location) and family residence-neighborhood plan (SF-3-NP) combining district zoning (the W. Monroe Street location) to family residence-historic-neighborhood plan (SF-3-H-NP) combining district zoning. Staff recommendation: To grant family residence-historic-neighborhood plan (SF-3-H-NP) combining district zoning. Historic Landmark Commission

recommendation: To grant family residence-historic-neighborhood plan (SF-3-H-NP) combining district zoning. Planning Commission Recommendation: To grant family residence-historic-neighborhood plan (SF-3-H-NP) combining district zoning. Applicant: Sue Long and Russ Becker. City Staff: Steve Sadowsky, 974-6454.

**This item was withdrawn.**

96. C14-2007-0089 - 11200 Zimmerman Lane - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 11200 Zimmerman Lane (Bull Creek Watershed) from development reserve (DR) district zoning to single-family residence-large lot (SF-1) district zoning. Staff Recommendation: To grant single-family residence-large lot (SF-1) district zoning. Zoning and Platting Commission Recommendation: To grant single-family residence-large lot (SF-1) district zoning. Applicant: Frances Dube. Agent: Prossner & Associates (Kurt M. Prossner, P.E. and Hector Avila). City Staff: Sherri Sirwaitis, 974-3057.  
**Ordinance No. 20070927-096 for single-family residence-large lot (SF-1) district zoning was approved.**
97. C14-05-0124 - Dessau Market - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by zoning property locally known as 12317 Dessau Road (Harris Branch Watershed) from interim-rural residence (I-RR) district zoning to community commercial (GR) district zoning. Staff Recommendation: To deny community commercial (GR) district zoning. Zoning and Platting Commission Recommendation: To grant community commercial-conditional overlay (GR-CO) combining district zoning. Applicant: Dessau 21, Ltd. (Mary Ann Joseph). Agent: Thrower Design (Ron Thrower). City Staff: Sherri Sirwaitis, 974-3057.  
**This item was postponed to October 11, 2007 at the applicant's request.**
98. C14-07-0005 - Thaxton Rezoning - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as the southwest corner of Thaxton Road and Panadero Drive (Onion Creek Watershed) from interim-single-family-standard lot (SF-2) district zoning and family residence (SF-3) district zoning to community commercial (GR) district zoning. Staff Recommendation: To grant neighborhood commercial (LR) district zoning with conditions. Zoning and Platting Commission Recommendation: To grant community commercial-conditional overlay (GR-CO) combining district zoning with conditions. Applicant: RKS Texas Investments, L.P. (Rick Sheldon). Agent: Thrower Design (Ron Thrower). City Staff: Wendy Rhoades, 974-7719.  
**The first reading of the ordinance for community commercial-conditional overlay (GR-CO) combining district zoning with conditions was approved.**
100. C14-2007-0067 - Clawson - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 3608 and 3706 Clawson Road (West Bouldin Creek Watershed) from family residence (SF-3) district zoning to multi-family residence-low density-conditional overlay (MF-2-CO) combining district zoning. Staff Recommendation: To grant townhouse and condominium residence (SF-6) district zoning. Planning Commission Recommendation: Forwarded to Council without a recommendation. Applicant: Claria Riccobono, Richard Roberts and James Barnett. Agent: Jay Dupont. City Staff: Robert Heil, 974-2330. A valid petition has been filed in opposition to this rezoning request.  
**This item was postponed to October 11, 2007 at the applicant's request.**
103. 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.

**This item was postponed to October 11, 2007 at the Council's request.**

106. NPA-07-0019.01 - Riverfield - Conduct a public hearing and approve an ordinance amending Ordinance No. 040826-56, the Central Austin Combined Neighborhood Plan, an element of the Austin Tomorrow Comprehensive Plan, to establish high density-mixed use designation on the future land use map (FLUM) for the property located at 924 and 926 East Dean Keeton Drive. Staff Recommendation: To grant mixed-Use future land use designation. Planning Commission Recommendation: To grant high density mixed use future land use designation. Applicant: Quest Tower View, LTD. C/O Jeff Blatt. Agent: Thrower Design (Ron Thrower). City Staff: Mark Walters, 974-7695.

**This item was postponed indefinitely at the applicant's request.**

107. C14-07-0025 - Riverfield 1 - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 924 East Dean Keaton Street (Waller Creek Watershed) from community commercial-mixed use-conditional overlay-neighborhood plan (GR-MU-CO-NP) combining district zoning, and multi-family residence-highest density-conditional overlay-neighborhood plan (MF-6-CO-NP) combining district zoning to limited industrial service-planned development area-neighborhood plan (LI-PDA-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-highest density-conditional overlay-neighborhood plan (MF-6-CO-NP) combining district zoning to change a condition of zoning. Planning Commission Recommendation: To grant community commercial-mixed use-conditional overlay-neighborhood plan (GR-MU-CO-NP) combining district zoning, and multi-family residence-highest density-conditional overlay-neighborhood plan (MF-6-CO-NP) combining district zoning to change a condition of zoning. Applicant: Quest Tower View, LTD (Jeff Blatt). Agent: Thrower Design (Ron Thrower). City Staff: Jorge E. Rousselin, 974-2975.

**This item was postponed indefinitely at the applicant's request.**

108. C14-07-0024 - Riverfield 2 - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 926 East Dean Keaton Street (Waller Creek Watershed) from community commercial-mixed use-conditional overlay-neighborhood plan (GR-MU-CO-NP) combining district zoning and multi-family residence-highest density-conditional overlay-neighborhood plan (MF-6-CO-NP) combining district zoning to limited industrial service-planned development area-neighborhood plan (LI-PDA-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-highest density-conditional overlay-neighborhood plan (MF-6-CO-NP) combining district zoning to change a condition of zoning. Planning Commission Recommendation: To grant community commercial-mixed use-conditional overlay-neighborhood plan (GR-MU-CO-NP) combining district zoning and multi-family residence-highest density-conditional overlay-neighborhood plan (MF-6-CO-NP) combining district zoning to change a condition of zoning. Applicant: Quest Tower view, LTD (Jeff Blatt). Agent: Thrower Design (Ron Thrower). City Staff: Jorge E. Rousselin, 974-2975.

**This item was postponed indefinitely at the applicant's request.**

109. NPA-07-0017.01 - Austin Energy & Crestview Station - Conduct a public hearing and approve an ordinance amending Ordinance No. 041401-Z-2, the Crestview/Wooten Combined Neighborhood Plan, an element of the Austin Tomorrow Comprehensive Plan, to change the land use designation on the future land use map (FLUM) from Major Planned Development to Utilities for 7520-7530 N. Lamar Boulevard;

and from Utilities to Mixed Use for 6909 Ryan Drive (Waller Creek Watershed). Staff Recommendation: To approve Utilities and Mixed Use designations. Planning Commission Recommendation: To grant Utilities and Mixed Use designations. Applicant: Austin Energy and Crestview Station LLR Land LP. Agents: Lena Lund (Austin Energy) and Alice Glasco (Crestview Station LLR Land LP). City Staff: Kathleen Fox, 974-7877.

**This item was postponed to October 18, 2007 at Austin Energy's request.**

110. C14-2007-0094 - Justin Lane - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 6909 Ryan Drive (Waller Creek Watershed) from public-neighborhood plan (P-NP) combining district zoning to community commercial-mixed use-neighborhood plan (GR-MU-NP) combining district zoning. Staff Recommendation: To grant community commercial-mixed use-conditional overlay-neighborhood plan (GR-MU-CO-NP) combining district zoning. Planning Commission Recommendation: To grant community commercial-mixed use-conditional overlay-neighborhood plan (GR-MU-CO-NP) combining district zoning. Applicant: City of Austin, Austin Energy (Lena Lund). Agent: Neighborhood Planning and Zoning Department. City Staff: Jorge Rousselin, 974-2975.

**This item was postponed to October 18, 2007 at Austin Energy's request.**

111. C14-2007-0095 - Justin Substation - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 7520-7530 North Lamar Boulevard (Waller Creek Watershed) from limited industrial service-planned development area-neighborhood plan (LI-PDA-NP) combining district zoning to public-neighborhood plan (P-NP) combining district zoning. Staff Recommendation: To grant public-neighborhood plan (P-NP) combining district zoning. Planning Commission Recommendation: To grant public-neighborhood plan (P-NP) combining district zoning. Applicant: City of Austin, Austin Energy. Agent: Neighborhood Planning and Zoning Department. City Staff: Jorge E. Rousselin, 974-2975.

**This item was postponed to October 18, 2007 at Austin Energy's request.**

112. NPA-2007-023 - University Hills / Windsor Park Combined Neighborhood Plan (portion of Tract 50; portion of Tract 54; Tract 72; Tract 77; portion of Tract 91; Tract 202, Tract 220, and Tract 220a). - Conduct a public hearing and approve an ordinance amending the Austin Tomorrow Comprehensive Plan by establishing a land use designation on the future land use map of mixed use for 2200 Wheless Lane (portion of Tract 50) and 5722 & 5730 Manor Road (portion of Tract 54); civic for 6401 North Hampton Drive (Tract 72); higher density single family residential for 5908 Manor Road & 0 Sweeney Lane (4.12 Acre tract of ABS 258 SUR 26 Eldredge T subdivision), Tract 77; and 5805 & 5809 - 5819 (odd numbers) Coventry Lane (portion of Tract 91); civic for 7506 & 7650 Ed Bluestein Blvd (Tract 202); single family residential for 5301 Loyola Lane (Tract 220); mixed use for a 976x367 portion of 5301 Loyola Lane (Tract 220a). 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. Applicant and Agent: City of Austin, Neighborhood Planning and Zoning Department. City Staff: Adrienne Domas, 974-6355, Robert Heil, 974-2330.

**Ordinance No. 20070927-112 was approved establishing the land use designation on the future land use map as follows.**

**Tract 50 (2200 Wheless Lane) and a portion of Tract 54 (5722 and 5730 Manor Road) will be designated as mixed use; Tract 72 (6401 North Hampton Drive) as civic; Tract 77 (5908 Manor Road and 0 Sweeney Lane) and a portion of Tract 91 (5805 and 5809-5819 Coventry Lane, odd numbers) as higher density single family use.**

**Tracts 202, 220, and 220a were postponed to October 11, 2007.**

113. C14-2007-0006 - University Hills Neighborhood Plan Combining District (Tract 202) - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning one tract locally known as 7506 & 7650 Ed Bluestein Blvd (Tract 202). The proposed zoning change would create the University Hills Neighborhood Plan Combining District and implement the applicable land use recommendations of the University Hills/Windsor Park Combined Neighborhood Plan. 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: Adrienne Domas, 974-6355, Robert Heil, 974-2330.  
**This item was postponed to October 11, 2007 at the neighborhood's request.**
114. C14-2007-0006.01 - University Hills Neighborhood Plan Combining District (Tracts 220 & 220A) - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning two tracts locally known as 5301 Loyola Lane (Tract 220); and a 976x367 portion of 5301 Loyola Lane (Tract 220a). The proposed zoning change would create the University Hills Neighborhood Plan Combining District and implement the applicable land use recommendations of the University Hills/Windsor Park Combined Neighborhood Plan. 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: Adrienne Domas, 974-6355, Robert Heil, 974-2330.  
**This item was postponed to October 11, 2007 at the Austin Independent School District's request.**
115. C14-2007-0007 - Windsor Park Neighborhood Plan Combining District (Tract 72, and portions of Tracts 50, 54, and 91) - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning four tracts locally known as 6401 North Hampton Drive (Tract 72) from single family residential-neighborhood plan (SF-3-NP) combining district zoning to Public neighborhood plan (P-NP) combining district zoning; 2200 Wheless Lane (portion of Tract 50) from community commercial-neighborhood plan (GR-NP) combining district zoning to community commercial-mixed use-conditional overlay-neighborhood plan (GR-MU-CO-NP) combining district zoning; 5722 & 5730 Manor Road (portion of tract 54) from neighborhood commercial-neighborhood plan (LR-NP) combining district zoning to neighborhood commercial-mixed use-conditional overlay-neighborhood plan (LR-MU-CO-NP) combining district zoning; and 5805 & 5809 - 5819 (odd numbers) Coventry Lane (portion of Tract 91) from single family residential-neighborhood plan (SF-3-NP) combining district zoning to townhouse and condominium residence- neighborhood plan (SF-6-NP) combining district. Staff recommendation: to grant public-neighborhood plan (P-NP) for Tract 72, community commercial-mixed use-conditional overlay-neighborhood plan (GR-MU-CO-NP) for the portion of Tract 50, neighborhood commercial-mixed use-conditional overlay-neighborhood plan (LR-MU-CO-NP) for the portion of Tract 54, townhouse and condominium residence-neighborhood plan (SF-6-NP) for the portion of Tract 91. Planning Commission recommendation: to grant public-neighborhood plan (P-NP) for Tract 72, community commercial-mixed use-conditional overlay-neighborhood plan (GR-MU-CO-NP) for the

portion of Tract 50, neighborhood commercial-mixed use-conditional overlay-neighborhood plan (LR-MU-CO-NP) for the portion of Tract 54, townhouse and condominium residence-neighborhood plan (SF-6-NP) for Tract 91. Applicant and Agent: City of Austin, Neighborhood Planning and Zoning Department. City Staff: Adrienne Domas, 974-6355, Robert Heil, 974-2330.

**Ordinance No. 20070927-115** was approved rezoning the tracts as follows.

**Tract 72 (6401 North Hampton Drive) was rezoned to public neighborhood plan (P-NP) combining district zoning; portion of Tract 50 (2200 Wheless Lane) was rezoned to community commercial-mixed use-conditional overlay-neighborhood plan (GR-MU-CO-NP) combining district zoning; portion of Tract 54 (5722 and 5730 Manor Road) was rezoned to neighborhood commercial-mixed use-conditional overlay-neighborhood plan (LR-MU-CO-NP) combining district zoning; and portion of Tract 91 (5805 and 5809-5819 (odd numbers) Coventry Lane) was rezoned to townhouse and condominium residence-neighborhood plan (SF-6-NP) combining district.**

116. C14-2007-0007.01 - Windsor Park Neighborhood Plan Combining District (Tract 77) - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning one tract locally known as 5908 Manor Road & 0 Sweeney Lane (4.12 Acre tract of ABS 258 SUR 26 Eldredge T subdivision), Tract 77. The proposed zoning change would create the Windsor Park Neighborhood Plan Combining District and implement the applicable land use recommendations of the University Hills/Windsor Park Combined Neighborhood Plan. 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: Adrienne Domas, 974-6355, Robert Heil, 974-2330.

**Ordinance No. 20070927-116 rezoning Tract 77 (5908 Manor Road and 0 Sweeney Lane to townhouse and condominium residence-neighborhood plan (SF-6-NP) combining district was approved.**

### ZONING DISCUSSION ITEMS

101. C14-2007-0084 - Elm Terrace - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by zoning property locally known as 3215 Exposition Boulevard (Taylor Slough North Watershed) from unzoned to multi-family residence-limited density (MF-1) district zoning. Staff Recommendation: To grant townhouse and condominium residence (SF-6) district zoning. Planning Commission Recommendation: To grant multi-family residence-limited density-conditional overlay (MF-1-CO) combining district zoning. Applicant: Austin Elm Terrace, L.P. (Steve D. Buerlein). Agent: Alice Glasco Consulting (Alice Glasco). City Staff: Jorge E. Rousselin, 974-2975.  
**This item was postponed to October 18, 2007 at the neighborhood's request on Council Member Cole's motion, Council Member McCracken's second on a 6-0 vote. Mayor Pro Tem Dunkerley was absent.**
99. C14-2007-0049 - Palm Square - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 6004 Webberville Road (Walnut Creek Watershed) from general commercial services-conditional overlay-neighborhood plan (CS-CO-NP) combining district zoning to commercial-liquor sales-conditional overlay-neighborhood plan (CS-1-CO-NP) combining district zoning. Staff Recommendation: To grant commercial-liquor sales-conditional overlay-neighborhood plan (CS-1-CO-NP) combining district zoning. Planning Commission

Recommendation: To grant general commercial services-mixed use-conditional overlay-neighborhood plan (CS-MU-CO-NP) combining district zoning for Tract 1; and commercial-liquor sales-mixed use-conditional overlay-neighborhood plan (CS-1-CO-NP) combining district zoning for Tracts 2 and 3. Applicant: New Century Properties (Jennifer Tran). Agent: AEC, Inc. (Phil Moncada). City Staff: Robert Heil, 974-2330.

**The public hearing was closed and this item was postponed to October 11, 2007 on Council Member Leffingwell's motion, Council Member Kim's second on a 5-0 vote. Mayor Wynn was off the dais. Mayor Pro Tem Dunkerley was absent.**

102. C14-2007-0099 - Asian Center 1800 - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 801 West Braker Lane (Walnut Creek Watershed) from general commercial services (CS) district zoning to commercial-liquor sales (CS-1) district zoning. Staff Recommendation: To grant commercial-liquor sales (CS-1) district zoning. Planning Commission Recommendation: To grant commercial-liquor sales (CS-1) district zoning. Applicant: Asian Center Grocery (Minh Duc Lu). Agent: Jim Bennett Consulting (Jim Bennett). City Staff: Jorge E. Rousselin, 974-2975.

**The public hearing was closed and Ordinance No. 20070927-102 for commercial-liquor sales (CS-1) district zoning was approved on Council Member Kim's motion, Council Member Cole's second on a 6-0 vote. Mayor Pro Tem Dunkerley was absent.**

104. C14-84-361(RCT) - Smart Mail - Conduct a public hearing and approve termination of the restrictive covenant for the property located at 2200 Tillery Street (Tannehill Branch Watershed). Staff Recommendation: To approve termination of the restrictive covenant. Planning Commission Recommendation: To approve termination of the restrictive covenant. Applicant and Agent: Smart Mail of Austin (Lawrence Mathis). City Staff: Robert Heil, 974-2330.

**This item was postponed to October 11, 2007 on Council Member McCracken's motion, Council Member Martinez' second on a 6-0 vote. Mayor Pro Tem Dunkerley was absent.**

105. C14-2007-0076 - Smart Mail - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 2200 Tillery Street (Tannehill Branch Watershed) from limited office-mixed use-conditional overlay-neighborhood plan (LO-MU-CO-NP) combining district zoning to general commercial services-mixed use-conditional overlay-neighborhood plan (CS-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. Planning Commission Recommendation: To grant community commercial-mixed use-conditional overlay-neighborhood plan (GR-MU-CO-NP) combining district zoning. Applicant and Agent: Smart Mail of Austin (Lawrence Mathis). City Staff: Robert Heil, 974-2330.

**This item was postponed to October 11, 2007 on Council Member McCracken's motion, Council Member Martinez' second on a 6-0 vote. Mayor Pro Tem Dunkerley was absent.**

Mayor Wynn adjourned the meeting at 8:31 p.m. without objection.

The minutes for the Regular Meeting of September 27, 2007 were approved on this the 11th day of October, 2007 on Mayor Pro Tem Dunkerley's motion, Council Member McCracken's second on a 7-0 vote.