

**AUSTIN CITY COUNCIL
MINUTES****REGULAR MEETING
THURSDAY, OCTOBER 11, 2007**

Invocation: Rev. Tiate Carson, Grant AME Worship Center

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, October 11, 2007 in the Council Chambers of City Hall, 301 West Second Street, Austin, Texas.

Mayor Wynn called the Council Meeting to order at 10:21 a.m.

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

Mayor announced on October 18, 2007 he will have an ordinance related to timing of deliveries on 5th Street to minimize impact on rush hour traffic. These restrictions would be in place during the time Caesar Chavez is being redone to prevent both major arterials to the downtown area from being blocked at the same time. If approved, it would be on an emergency passage so it would be effective immediately.

Council Member Leffingwell announced the ordinance for redevelopment retrofit in the Barton Springs zone may be ready for Council for consideration on November 8, 2007.

Council Member Leffingwell announced on October 18, 2007 he will have a resolution directing the City Manager to develop strategies for erosion control city-wide during construction to ensure long-term maintenance of water quality control devices.

Council Member Martinez announced he will bring forth on October 18, 2007 an item revising and amending the staffing policy in the Fire Department so there are four firefighters for each of the new fire trucks as the department replaces the older models.

Council Member Kim announced the solicitation public hearing is scheduled for November 29, 2007.

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 Mayor Pro Tem Dunkerley's motion, Council Member McCracken's second on a 7-0 vote.

1. Approval of the minutes of the Austin City Council from the regularly scheduled meeting of September 27, 2007.
The minutes from the meeting of September 27, 2007 were approved.
2. Approve a resolution authorizing the issuance by Northtown Municipal Utility District ("District") of Unlimited Tax and Revenue Bonds, Series 2007, in an amount not to exceed \$6,005,000; and approving the draft order authorizing the issuance of the bonds by the District and the Preliminary Official

Statement. The City is not responsible for payment of District bond debt service unless the District is dissolved under the terms of the Consent Agreement. Recommended by the Water and Wastewater Commission.

Resolution No. 20071011-002 was approved.

3. Approve an ordinance changing the name of Thrasher Lane to Richardson lane. The application fee of \$415 does not apply, since this street name change is being initiated by a City department. No fee will be required for street signs located at the corners of Felix Avenue and Thrasher Lane, since the sign already reads "Richardson Lane."

Ordinance No. 20071011-003 was approved.

4. Approve an ordinance authorizing acceptance of \$13,498 in additional grant funds from the TEXAS DEPARTMENT OF STATE HEALTH SERVICES (DSHS), NUTRITION SERVICES SECTION, Austin, TX; and amending the Fiscal Year 2007-2008 Health and Human Services Department Operating Special Revenue Fund of Ordinance No. 20070910-003 to appropriate \$13,498 for a total grant amount of \$289,498 for the Special Supplemental Nutrition Program for Women, Infants and Children (WIC) Program. Funding in the amount of \$13,498 is available from the Texas Department of State Health Services, Nutrition Services Section, Austin, TX. The grant period is October 1, 2007 through September 30, 2008. No City match is required.

Ordinance No. 20071011-004 was approved.

5. Authorize execution of an amendment to the legal services contract with Robert Icenhauer-Ramirez, Austin, Texas, for representation of Julie Schroeder in Daniel Rocha, Deceased, by Daniela Rocha, Mother and Representative of Estate and Gerardo Rocha, Father v. City of Austin, Julie Schroeder and Don Douglas Doyle, Cause No. D-1-GN-01-000452; in the U.S. District Court, Western District, Austin Division, for an increase of \$100,000, with a total contract amount not to exceed \$350,000. Funding is available in the Fiscal Year 2007-2008 Operating Budget of the Liability Reserve Fund.

The motion authorizing the execution of an amendment to the legal services contract with Robert Icenhauer-Ramirez was approved.

6. Approve a resolution establishing a policy for considering requests for adjustment of the City's extraterritorial jurisdiction boundary.

Resolution No. 20071011-006 was approved.

7. Approve a resolution authorizing the fee simple acquisition of Lot 14, Block J, Onion Creek Forest, Section 2, Amended Plat, a subdivision in Travis County, Texas, located at 5406 Vine Hill Drive, from Linda Gale Wilson for the Onion Creek Voluntary Flood Buyout-FEMA-1606-DR Project in the amount of \$33,000 for the land and improvements and \$53,925 in owner assisted relocation benefits, plus moving related expenses not to exceed \$10,000, for a total amount not to exceed \$96,925. Funding is available in the Fiscal Year 2007-2008 Capital Budget of the Watershed Protection and Development Review Department.

Resolution No. 20071011-007 was approved.

8. Approve a resolution authorizing the acquisition for the Austin Clean Water Program: Govalle 1 - East of Lamar Wastewater Improvement Project for a 5,211 square-foot permanent wastewater line easement, a 10,401 square-foot temporary working space easement, a 8,935 square-foot temporary ingress and egress easement, out of Tract I, Lots 1 and 2, Vanzure Subdivision, and Tract II, Lot 3, Carpenter and Hatfield Subdivision, (collectively called the "Property") located at 3204 Manchaca Road, Austin, Travis County, Texas, from 3204 Manchaca Road, L.L.C., a Texas limited liability company, in the amount not to exceed \$134,700. Funding is available in the Fiscal Year 2007-2008 Capital Budget of the Austin Water Utility. Recommended by the Water and Wastewater Commission.

Resolution No. 20071011-008 was approved.

9. Approve a resolution authorizing the acquisition for the Austin Clean Water Program: Govalle 1 - East of Lamar Wastewater Improvement Project for a 2,604 square-foot permanent wastewater line easement, a 7,876 square-foot temporary working space easement, a 16,465 square-foot temporary ingress and egress easement, out of Lot A, Woodmoor Addition, a subdivision in Travis County, Texas, (collectively called the "Property") located at 3505 South Lamar Boulevard, from CFS Woodmoor, L.P., a Delaware limited partnership, Austin, Travis County, Texas, in the amount not to exceed \$132,732. Funding is available in the Fiscal Year 2007-2008 Capital Budget of the Austin Water Utility. Recommended by the Water and Wastewater Commission.
Resolution No. 20071011-009 was approved.
10. Approve resolution authorizing the acquisition for the Austin Clean Water Program: Little Walnut/Upper Fort Branch Wastewater Improvement Project for an 877 square-foot permanent wastewater line easement and a 1,719 square-foot temporary working space easement, out of Lot 14, Manor Estates, a subdivision in Travis County, Texas, in the amount of \$65,000. The owner of the needed property is Foley Property Assets, LLC. The property is located at 5800 Sweeny Circle, Austin, Travis County, Texas. Funding is available in the Fiscal Year 2007-2008 Capital Budget of the Austin Water Utility. Recommended by the Water and Wastewater Commission.
Resolution No. 20071011-010 was approved.
11. Approve an ordinance vacating a portion of the alley between West 5th and West 6th Streets east of Pressler Street contingent upon the City's acceptance of a new storm sewer line to be constructed by the applicant, 507 Pressler, Ltd., to provide drainage. Recommended by the Planning Commission and the Urban Transportation Commission.
Ordinance No. 20071011-011 was approved.
12. Approve an ordinance vacating the remaining unimproved portion of East 101/2 Street at the 800 Block, to be used for the Robertson Hill multi-family development. Recommended by the Planning Commission and the Urban Transportation Commission.
Ordinance No. 20071011-012 was approved.
13. Approve a resolution authorizing the filing of eminent domain proceedings for the Blunn Creek Wastewater Improvement Project, a portion of the Austin Clean Water Program, to acquire a 554 square foot permanent wastewater line easement out of the Isaac Decker League, Abstract No. 8, in Travis County, Texas, in the amount of \$13,955. The owner of the needed property interest is CWS Riverside 300, L.P. The property is located at 300 East Riverside Drive, Austin, Travis County, Texas. Funding is available in the Fiscal Year 2007-2008 Capital Budget of the Austin Water Utility. Recommended by the Water and Wastewater Commission.
Resolution No. 20071011-013 was approved.
14. Approve a resolution authorizing the filing of eminent domain proceedings for the Govalle 1 - South 2nd Street Reroute: Phase I Wastewater Improvement Project, a portion of the Austin Clean Water Program, to acquire a 2,816 square foot permanent wastewater line easement out of Lot 11, Block A, South Heights, a subdivision Recorded in Volume 1, Page 121, Plat Record, of Travis County, Texas, in the amount of \$16,800. The owners of the needed property interest are Nassour Investments, L.P., The Estate of H. R. Nassour, Jr., M.D., Jimmy Nassour, and 1400 SF, L.L.C., a Texas limited liability company. The property is located at 1400 S. 1st Street, Austin, Travis County, Texas. Funding is available in the Fiscal Year 2007-2008 Capital Budget of the Austin Water Utility. Recommended by the Water and Wastewater Commission.
Resolution No. 20071011-014 was approved.

15. Approve a resolution authorizing the filing of eminent domain proceedings for the Govalle SSO - West 5th and 6th Street Wastewater Improvement Project, a portion of the Austin Clean Water Program, to acquire a 100 square foot temporary working space easement out of the Plat of Terrace Park, a Subdivision of Lots 6 and 7, Outlot No. 3, Division "Z", City of Austin, Travis County, Texas, in the amount of \$1,165. The owner of the needed property interest is E. Jeannie Navarro. The property is located at 1412 West 6th Street, Austin, Travis County, Texas. Funding is available in the Fiscal Year 2007-2008 Capital Budget of the Austin Water Utility. Recommended by the Water and Wastewater Commission.
This item was postponed to October 18, 2007.
16. Approve a resolution authorizing the filing of eminent domain proceedings for the Govalle 3-Parker Lane/Metcalf Road Wastewater Improvement Project, a portion of the Austin Clean Water Program, to acquire a two part 289 square foot permanent wastewater line easement and a two part 478 square foot temporary working space easement all out of the Santiago Del Valle Grant, Abstract No. 24, in the City of Austin, Travis County, Texas, in the amount of \$2,012. The owner of the needed property interests is Shire's Court, LTD., a Texas limited partnership. The property is located at 18100 Carlson Drive, Austin, Travis County, Texas. Funding is available in the Fiscal Year 2007-2008 Capital Budget of the Austin Water Utility. Recommended by the Water and Wastewater Commission.
This item was postponed to October 18, 2007.
17. Authorize execution of a construction contract with FACILITIES REHABILITATION, INC., Ft. Worth, TX, (MBE/MH 87.08%) for the Austin Clean Water Program: Little Walnut and Upper Ft. Branch Wastewater Improvements Project in the amount not to exceed \$433,505. Funding is available in the Fiscal Year 2007-2008 Capital Budget of the Austin Water Utility. Lowest of three bids received. This contract will be awarded in compliance with Chapter 2-9A of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program) by meeting the goals with 0.0% MBE and 12.92% WBE subcontractor participation. Recommended by the Water and Wastewater Commission.
The motion authorizing the execution of a construction contract with Facilities Rehabilitation, Inc. was approved.
18. Authorize execution of a construction contract with BRH GARVER CONSTRUCTION LP, Houston, TX, for the Austin Clean Water Program: Gaston/Bull Creek/West 25th Wastewater Improvements Project in the amount of \$4,364,537 plus a \$218,226.85 contingency, for a total contract amount not to exceed \$4,582,763.85. Funding is available in the Fiscal Year 2007-2008 Capital Budget of the Austin Water Utility. Lowest of three bids received. This contract will be awarded in compliance with Chapter 2-9A of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program) by meeting the goals with 13.34% MBE and 72.77% WBE subcontractor participation. Recommended by the Water and Wastewater Commission.
The motion authorizing the execution of a construction contract with BRH Garver Construction LP was approved.
19. Authorize execution of a construction contract with MATOUS CONSTRUCTION, LTD., Belton, TX, for the Davis Water Treatment Plant Process Improvements and Equipment Replacement/Rehabilitation - Phase B and Flocculator Improvements Project in the amount of \$16,650,000 plus an \$832,500 contingency, for a total contract amount not to exceed \$17,482,500. Funding is available in the Fiscal Year 2007-2008 Capital Budget of the Austin Water Utility. Lower of two bids received. This contract will be awarded in compliance with Chapter 2-9A of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program) through the achievements of Good Faith Efforts with 13.08% MBE and 0.57% WBE subcontractor participation. Recommended by the Water and Wastewater Commission.
The motion authorizing the execution of a construction contract with Matous Construction, Ltd. was approved.

20. Authorize execution of a construction contract with MATOUS CONSTRUCTION, LTD., Belton, TX, for the Hornsby Bend Sludge Thickening Building: Replacement of Corroded Systems and Components Project in the amount of \$794,000 plus an \$80,000 contingency, for a total contract amount not to exceed \$874,000. Funding is available in the Fiscal Year 2007-2008 Capital Budget of the Austin Water Utility. Lower of two bids received. This contract will be awarded in compliance with Chapter 2-9A of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program) through the achievements of Good Faith Efforts with 19.57% MBE and 0.49% WBE subcontractor participation. Recommended by the Water and Wastewater Commission.
The motion authorizing the execution of a construction contract with Matous Construction, Ltd. was approved.
21. Authorize execution of a construction contract with EXCEL CONSTRUCTION SERVICES, LLC., Austin, TX, for the Montopolis Site and Odor Control Improvements and Lift Station Demolition Project in the amount of \$1,233,765 plus a \$61,688.25 contingency, for a total contract amount not to exceed \$1,295,453.25. Funding is available in the Fiscal Year 2007-2008 Capital Budget of the Austin Water Utility. Lower of two bids received. This contract will be awarded in compliance with Chapter 2-9A of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program) through the achievements of Good Faith Efforts with 9.29% MBE and 0.38% WBE subcontractor participation. Recommended by the Water and Wastewater Commission.
The motion authorizing the execution of a construction contract with Excel Construction Services, LLC. was approved.
22. Authorize execution of a construction contract with F and L CONCRETE SERVICES, INC., Austin, TX, for the Montopolis Shafts and Lateral Repair Project in the amount of \$1,230,450 plus a \$61,522.50 contingency, for a total contract amount not to exceed of \$1,291,972.50. Funding is available in the Fiscal Year 2007-2008 Capital Budget of the Austin Water Utility. Lowest of three bids received. This contract will be awarded in compliance with Chapter 2-9A of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program) by meeting the goals with 13.3% MBE and 12.6% WBE subcontractor participation. Recommended by Water and Wastewater Commission.
The motion authorizing the execution of a construction contract with F and L Concrete Services, Inc. was approved.
23. Authorize negotiation and execution of a professional services agreement with the following seven firms: WISS, JANNEY, ELSTNER ASSOCIATES, INC., Austin, TX; AMETECH ROOFING CONSULTANTS, INC., Austin, TX; ASD CONSULTANTS, INC., (MBE/MB), Austin, TX; MENDOZA ARCHITECTURE, INC., (MBE/MH), Spicewood, TX; FUGRO CONSULTANTS, INC., Austin, TX; RABA KISTNER CONSULTANTS, INC., Austin, TX; BAER ENGINEERING and ENVIRONMENTAL CONSULTING, INC., (WBE/FR), Austin, TX for roofing and waterproofing consultant services for a period of approximately four years or until financial authorization is expended, in an amount not to exceed \$1,600,000 or with a total aggregate amount of the seven agreements not to exceed \$1,600,000. Funding is available in the Fiscal Year 2007-2008 Capital Budgets and/or Operating Budgets of the various departments for which the services are needed. Best qualification statement of 10 statements received. This contract will be awarded in compliance with Chapter 2-9B of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation.
The motion authorizing the negotiation and execution of a professional services agreement with Wiss, Janney, Elstner Associates, Inc.; Ametech Roofing Consultants, Inc.; ASD Consultants, Inc. (MBE/MB); Mendoza Architecture, Inc. (MBE/MH); Fugro Consultants, Inc.; Raba Kistner Consultants, Inc.; and Baer Engineering and Environmental Consulting, Inc. (WBE/FR) was approved.

24. Approve a resolution authorizing the negotiation and execution of an Interlocal Agreement with the TEXAS DEPARTMENT OF TRANSPORTATION (TxDOT) to participate in funding the City's 10% contribution of the cost of acquisition of right-of-way and relocation of utilities for the TxDOT RM 2222 Project: From 1,222 feet west of Loop 360 to 1,063 feet east of Lakewood Drive in the total amount of \$205,000, through a contribution of 20,272 square feet of City Fire Station property at RM 2222 for project right-of-way and, if necessary, additional funding above the appraised value of the City's property not to exceed the authorized total amount. Funding is available in the Fiscal Year 2007-2008 Capital Budget of the Public Works Department.
Resolution No. 20071011-024 was approved.
25. Approve a resolution authorizing the negotiation and execution of an amendment to the Advance Funding Agreement between the City of Austin and the Texas Department of Transportation (TxDOT) for the Lance Armstrong Bikeway (formerly the Crosstown Bikeway) to allow the City to construct the Bikeway in TxDOT right of way.
Resolution No. 20071011-025 was approved.
26. Approve a resolution authorizing the negotiation and execution a Multiple Use Agreement between the City of Austin and the Texas Department of Transportation (TxDOT) for bike paths to be constructed in TxDOT's Highway 183 right of way in the vicinity of the Montopolis Bridge.
Resolution No. 20071011-026 was approved.
27. Approve a resolution authorizing the negotiation and execution of an Interlocal agreement between the City of Austin and the Capital Metropolitan Transportation Authority (CMTA) for the City to construct and maintain a bike and pedestrian trail in CMTA's rail right-of-way from Daffan Lane to the City of Manor.
Resolution No. 20071011-027 was approved.
28. Authorize award, negotiation, and execution of a 36-month requirements service contract with BASIC INDUSTRIES OF SOUTH TEXAS, San Antonio, TX; and MANSFIELD INDUSTRIAL, Baton Rouge, LA, for surface preparation, coating, and painting of Austin Energy power plants in an estimated amount not to exceed \$750,000 each and combined, with two 12-month extension options in an estimated amount not to exceed \$250,000 each and combined per extension option, for a total estimated contract amount not to exceed \$1,250,000 each and combined. Funding in the amount of \$250,000 is available in the Fiscal Year 2007-2008 Operating Budget of Austin Energy. Funding for the remaining 24 months of the original contract period and extension options is contingent upon available funding in future budgets. Best two evaluated proposals of three proposals received. This contract will be awarded in compliance with Chapter 2-9C of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation.
The motion authorizing the award, negotiation and execution of a requirements service contract with Basic Industries of South Texas and Mansfield Industrial was approved.
29. Authorize award, negotiation, and execution of two contracts with CH2M HILL, Houston, TX and WORLEY PARSONS RESOURCES & ENERGY, Houston, TX for consulting services for the evaluation of electric power generation options for Austin Energy in an amount not to exceed \$75,810 and \$205,625 respectively. Funding is available in the Fiscal Year 2007-2008 Operating Budget of Austin Energy. Best two evaluated proposals 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). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation.
The motion authorizing the award, negotiation, and execution of two contracts with CH2M Hill and Worley Parsons Resources and Energy was approved.

30. Authorize award, negotiation, and execution of a 4-month requirements service contract with DAVEY RESOURCE GROUP, Kent, OH, for consulting services for tree re-growth rate study and implementation of various programs in an estimated amount not to exceed \$90,000, with three 4-month extension options in an estimated amount not to exceed \$55,000 per extension option, for a total estimated contract amount not to exceed \$255,000. Funding in the amount of \$200,000 is available in the Fiscal Year 2007-2008 Operating Budget of the Austin Energy Department. Funding for the final extension option is contingent upon available funding in future budgets. Best evaluated proposal of two proposals received. This contract will be awarded in compliance with Chapter 2-9C of the City Code (Minority Owned and Women Owned Business Enterprise Procurement Program) No subcontracting opportunities were identified; therefore, no goals were established for this solicitation. Recommended by Urban Tree Task Force.
The motion authorizing the award, negotiation and execution of a requirements service contract with Davey Resource Group was approved.
31. Authorize award and execution of a contract with GE ENERGY, INC., dba GE PACKAGED POWER, INC., Houston, TX, for the purchase of two turbine generators for the Sand Hill Energy Center in an amount not to exceed \$34,538,000. Funding is available in the Fiscal Year 2007-2008 Capital Budget of Austin Energy. Best evaluated proposal of three proposals received. This contract will be awarded in compliance with Chapter 2-9D of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation.
The motion authorizing the award and execution of a contract with GE Energy, Inc., doing business as GE Packaged Power, Inc. was approved.
32. Authorize award and execution of a 24-month requirements supply contract with PIONEER TRANSFORMERS LIMITED, Mississauga, Ontario, Canada, for the purchase of network transformers in an estimated amount not to exceed \$2,173,180, with two 12-month extension options in an estimated amount not to exceed \$1,086,590 per extension option, for a total estimated contract amount not to exceed \$4,346,360. Funding in the amount of \$1,086,590 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 Pioneer Transformers Limited was approved.
33. Authorize award and execution of a contract with POWER SUPPLY, INC., Austin, TX for 138kV bushings in an amount not to exceed \$197,006.88. Funding is available in the Fiscal Year 2007-2008 Operating Budget of Austin Energy. Sole Source This contract will be awarded in accordance 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 contract with Power Supply, Inc. was approved.
34. Approve ratification of a contract with TECHLINE INC., Austin, TX, for the purchase of 35kV, 500 MCM 3 conductor cable for Austin Energy in an amount not to exceed \$158,400. Funding is available in the Fiscal Year 2007-2008 Operating Budget of the Austin Energy Department. Critical Business Need. This contract was awarded in compliance with Chapter 2-9D of the City Code (Minority Owned and

Women Owned Business Enterprise Procurement Program) No subcontracting opportunities were identified; therefore, no goals were established for this solicitation.

The motion authorizing the ratification of a contract with Techline Inc. was approved.

35. Authorize award and execution of a contract with TEXAS METER & DEVICE COMPANY, Waco, TX, for electric meters with 2-way radio communication modules in an amount not to exceed \$1,184,090. Funding available in the Fiscal Year 2007-2008 Capital Budget of the Austin Energy Department. Sole Source. This contract will be awarded in accordance 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 contract with Texas Meter and Device Company was approved.

36. Authorize award and execution of a 24-month requirements supply contract with VOSS LIGHTING, San Antonio, TX for streetlight lamps in an estimated amount not to exceed \$224,818, with two 12-month extension options in an estimated amount not to exceed \$112,409 per extension option, for a total estimated contract amount not to exceed \$449,636. Funding in the amount of \$112,409 is available in the Fiscal Year 2007-2008 Operating 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 of eight 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 Voss Lighting was approved.

37. Authorize award and execution of a contract with WAUKESHA-PEARCE INDUSTRIES, INC., for the purchase of a diesel engine generator for the Sand Hill Energy Center in an amount not to exceed \$211,764. Funding is available in the Fiscal Year 2007-2008 Capital Budget of Austin Energy. Best evaluated proposal of two proposals received. This contract will be awarded in compliance with Chapter 2-9D of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation.

The motion authorizing the award and execution of a contract with Waukesha-Pearce Industries, Inc. was approved.

38. Authorize award and execution of four 24-month requirements supply contracts with ACT PIPE & SUPPLY, Pflugerville, TX, HYDROFLO, INC., Beaumont, TX, HD SUPPLY WATERWORKS, Round Rock, TX, and MUNICIPAL WATER WORKS SUPPLY, L.P., Royce City, TX, for the purchase of various hydrant repair parts for the Austin Water Utility in an estimated amounts not to exceed \$1,125,656, \$331,115, \$205,250, and \$101,974 with two 12-month extension options in amounts not to exceed \$562,828, \$165,558, \$102,625 and \$50,987 respectively per extension option, for total contract amounts not to exceed \$2,251,312, \$662,231, \$410,500 and \$203,948 respectively. Funding in the amount of \$881,998 is available in Fiscal Year 2007-2008 Operating Budget of the Austin Water Utility. Funding for the remaining 12-months of the original contract period and extension options is contingent upon available funding in future budgets. Lowest bids of five 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. Recommended by the Water and Wastewater Commission

The motion authorizing the award and execution of four requirements supply contracts with Act Pipe and Supply, Hydroflo, Inc., HD Supply Waterworks, and Municipal Water Works Supply was approved.

39. Authorize award and execution of a 24-month requirements supply contract with JAE CONSTRUCTION, INC., Austin, TX for flexible base material in an estimated amount not to exceed \$916,220 with three, 12-month extension options in an estimated amount not to exceed \$458,110 per option, for a total estimated contract amount not to exceed \$2,290,550. Funding in the amount \$458,110 is available in the Fiscal Year 2007-2008 Operating Budget of the Austin Water Utility. Funding for the remaining twelve months of the original contract period and extension options is contingent upon available funding in future budgets. Low bid of two bids received. This contract will be awarded in compliance with Chapter 2-9d 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. Recommended by the Water and Wastewater Commission
The motion authorizing the award and execution of a requirements supply contract with JAE Construction, Inc. was approved.
40. Approve ratification of a contract with KST ELECTRIC LTD, Manor, TX, for the emergency repairs to a wastewater lift station for the Austin Water Utility in an amount not to exceed \$149,483. Funding is available in the Fiscal Year 2006-2007 Capital Budget of the Austin Water Utility. Emergency Purchase This contract will be awarded in compliance with Chapter 2-9C of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). This was an emergency service contract; 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 ratification of a contract with KST Electric Ltd. was approved.
41. Authorize award and execution of a 24-month requirements supply contract with MUNICIPAL WATER WORKS SUPPLY, LP, Royce City, TX, for the purchase of inserts, coupling and related hardware in an estimated amount not to exceed \$236,246 with two 12-month extension options in an estimated amount not to exceed \$118,123 per extension option, for a total estimated contract amount not to exceed \$472,492. Funding in the amount of \$118,123 is available in the Fiscal Year 2007-2008 Operating Budget of the Austin Water Utility. Funding for the remaining twelve months of the original contract period and extension options is contingent on 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. Recommended by the Water and Wastewater Commission.
The motion authorizing the award and execution of a requirements supply contract with Municipal Water Works Supply, LP was approved.
42. Authorize award and execution of a 24-month requirements supply contract with SIEMENS WATER TECHNOLOGIES CORP., Cedar Park, TX, for the purchase of bioxide salt for the Austin Water Utility in an estimated amount not to exceed \$662,400, with three 12-month extension options in estimated amounts not to exceed \$380,880, \$438,012 and \$503,714 respectively, for a total estimated contract amount not to exceed \$1,985,006. Funding in the amount of \$331,200 is available in the 2007-2008 Operating Budget of the Austin Water Utility. Funding for the remaining 12 months of the original contract period and extension options is contingent upon available funding in future budgets. Sole Source. 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. Recommended by the Water and Wastewater Commission.
The motion authorizing the award and execution for a requirements supply contract with Siemens Water Technologies Corp. was approved.
43. Authorize award, negotiation and execution of a contract with RED OAK CONSULTING, White Plains, NY, to conduct a comprehensive cost of service rate study for the Austin Water Utility in an amount not

to exceed \$403,030. Funding is available in the Fiscal Year 2006-2007 Capital Budget of the Austin Water Utility. Best evaluated proposal of two proposals received. This contract will be awarded in compliance with Chapter 2-9C of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore no goals were established for this solicitation. Recommended by the Water and Wastewater Commission.

The motion authorizing the award, negotiation and execution of a contract with Red Oak Consulting was approved.

44. Authorize award, negotiation, and execution of a contract with WEST VIEW FINANCIAL CONSULTING, Austin, TX, to act as the residential customer rate advocate for the Austin Water Utility during the Cost of Service Rate Study in an amount not to exceed \$78,750. Funding in the amount of \$78,750 is available in the Fiscal Year 2007-2008 Capital Budget of the Austin Water Utility. Sole proposal received. This contract will be awarded in compliance with Chapter 2-9c of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore no goals were established for this solicitation.
The motion authorizing the award, negotiation and execution of a contract with West View Financial Consulting was approved.

45. Authorize award and execution of a 12-month requirements service contract with INTERNATIONAL BUILDING SERVICES, Austin, TX, for window cleaning services for the Aviation Department in an estimated amount not to exceed \$65,612, with two 12-month extension options in an estimated amount not to exceed \$65,612 per extension option, for a total estimated contract amount not to exceed \$196,836. Funding is available in the Fiscal Year 2007-2008 Operating Budget of the Aviation Department. Funding for the extension options is contingent upon available funding in future budgets. Lowest of two bids received. This contract will be awarded in compliance with Chapter 2-9C of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No Subcontracting opportunities were identified; therefore, no goals were established for this solicitation.
The motion authorizing the award and execution of a requirements service contract with International Building Services was approved.

46. Authorize award and execution of a 36-month requirements supply contract with DURAMED PHARMACEUTICALS, INC. (dba PARAGARD DIRECT), Addison, TX, for the purchase of T380A intrauterine copper contraceptive in an estimated amount not to exceed \$300,000, with three 12-month extension options in an estimated amount not to exceed \$100,000 per extension option, for a total estimated contract amount not to exceed \$600,000. Funding in the amount of \$100,000 is available in the Fiscal Year 2007-2008 Operating Budget of the Community Care Services Department. Funding for the remaining 24 months of the original contract period and extension options is contingent upon available funding in future budgets. Sole Source. 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 Duramed Pharmaceuticals, Inc. doing business as Paragard Direct was approved.

47. Authorize award and execution of a 36-month requirements supply contract with JOM PHARMACEUTICALS SERVICES, Somerset, NJ, for the purchase of Ortho-McNeil oral contraceptives in an estimated amount not to exceed \$180,000, with three 12-month extension options in an estimated amount not to exceed \$60,000 per extension option, for a total estimated contract amount not to exceed \$360,000. Funding in the amount of \$60,000 is available in the Fiscal Year 2007-2008 Operating Budget of the Community Care Services Department. Funding for the remaining 24 months of the original contract period and extension options is contingent upon available funding in future budgets. Sole Source. 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 JOM Pharmaceuticals Services was approved.

48. Authorize award and execution of three 24-month requirements supply contracts with MOORE MEDICAL, New Britain, CT, SOUTHERN SAFETY SALES, Austin, TX, and TRI-ANIM HEALTH SERVICES, INC., Sylmar, CA, for medical supplies and medications in estimated amounts not to exceed \$212,733, \$273,825 and \$239,652 respectively, with two 12-month extension options in estimated amounts not to exceed \$106,367, \$136,913 and \$119,826 respectively per extension option, for total estimated contract amounts not to exceed \$425,467, \$547,651 and \$479,304 respectively. In addition, four items were identical bids among two bidders (see Attachment). Per Chapter 271.901 of the Local Government Code, the municipality must select from the identical bids by the casting of lots. The casting of lots must be done in a manner proscribed by the Mayor of the municipality and must be conducted in the presence of the governing body of the municipality. Funding in the amount of \$242,070 is available in the Fiscal Year 2007-2008 Operating Budget of the Emergency Medical Services Department. Funding in the amount of \$121,036 is available in the Fiscal Year 2007-2008 Operating Budget of the Austin Fire Department. Funding for the remaining twelve months of the original contract period and extension options is contingent upon available funding in future budgets. Lowest bids of 10 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.

This item was withdrawn.

49. Authorize award and execution of a 36-month requirements supply contract with INDUSTRIAL DISPOSAL SUPPLY, San Antonio, TX, for the purchase of captive repair parts for TYMCO street sweepers in an estimated amount not to exceed \$375,000, with three 12-month extension options in an estimated amount not to exceed \$131,250 for the first extension option, \$137,813 for the second extension option and \$144,703 for the third extension option, for a total estimated contract amount not to exceed \$788,766. Funding in the amount of \$125,000 is available in the Fiscal Year 2007-2008 Operating Budget of the Finance and Administrative Services Department, Fleet Fund. Funding for the remaining 24 months of the original contract period and extension options is contingent upon available funding in future budgets. Sole bid 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 Industrial Disposal Supply was approved.

50. Authorize award and execution of a 36-month requirements supply contract with WEST COAST EQUIPMENT INC., Glendale, AZ, for non-captive replacement brooms for TYMCO street sweepers in an estimated amount not to exceed \$174,624, with three 12-month extension options in an estimated amount not to exceed \$61,118 for the first extension option, \$64,174 for the second extension option, and \$67,383 for the third extension option, for a total estimated contract amount not to exceed \$367,299. Funding in the amount of \$58,208 is available in the Fiscal Year 2007-2008 Operating Budget of the Financial and Administrative Services Department, Fleet Fund. Funding for the remaining 24 months of the original contract period and extension options is contingent upon available funding in future budgets. Sole bid 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 West Coast Equipment Inc. was approved.

51. Authorize award and execution of two contracts through the TEXAS LOCAL GOVERNMENT PURCHASING COOPERATIVE (BUYBOARD) with WHEELED COACH INDUSTRIES, Winter Park, FL, for the purchase of seven ambulances in an amount not to exceed \$1,319,565; and SIDDONS FIRE APPARATUS, INC., Houston, TX, for the purchase of seven pumper fire trucks and two combination pumper/ladder fire trucks in an amount not to exceed \$5,058,500. Funding in the amount of \$2,152,554 is available in the Fiscal Year 2007-2008 Vehicle Acquisition Fund. Funding in the amount of \$188,511 is available in the Fiscal Year 2007-2008 Critical One Time Funds for the Emergency Medical Services Department. Funding in the amount of \$4,037,000 is available in the Fiscal Year 2007-2008 Capital Budget of the Austin Fire 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 two contracts through the Texas Local Government Purchasing Cooperative (Buyboard) with Wheeled Coach Industries was approved.**
52. Authorize award and execution of a 36-month requirements service contract with EMANCIPET, INC., Austin TX, for mobile spay/neuter services for low-income residents of Austin in an estimated amount not to exceed \$744,750, with three 12-month extension options in an estimated amount not to exceed \$299,475 for the first extension option, \$329,423 for the second extension option, and \$362,365 for the third extension option, for a total estimated contract amount not to exceed \$1,736,013. Funding in the amount of \$225,000 is included in the Fiscal Year 2007-2008 Operating Budget of the Health and Human Services Department. Funding for the remaining twenty four months of the original contract period and extension options is contingent upon available funding in future budgets. Sole bid received. This contract will be awarded in compliance with Chapter 2-9C of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation. **The motion authorizing the award and execution of a requirements service contract with Emancipet, Inc. was approved.**
53. Authorize award and execution of a 36-month requirements supply contract with INDUSTRIAL ASPHALT, INC. (WBE), Austin, TX, for hot mix cold laid asphaltic concrete for storm drain maintenance and construction activities in an estimated amount not to exceed \$316,500, with three 12-month extension options in an estimated amount not to exceed \$105,500 per extension option, for a total estimated contract amount not to exceed \$633,000. Funding in the amount of \$105,500 is available in the Fiscal Year 2007-2008 Operating Budget of the Watershed Protection and Development Review Department. Funding for the remaining 24 months of the original contract period and extension options is contingent upon available funding in future budgets. Lowest bid of two 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 Industrial Asphalt, Inc. (WBE) was approved.**
54. Authorize award and execution of a contract with MIDWEST FOLDING PRODUCTS, Chicago, IL, for the purchase of rolling transport carts to carry folding tables for the Austin Convention Center in an amount not to exceed \$89,582.10. Funding is available in the 2007-2008 Operating Budget of the Austin Convention Center Department. Lowest bid of two 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 contract with Midwest Folding Products was approved.**

55. Approve the City of Austin Fiscal Year 2007-2008 Investment Policy. Recommended by the Audit and Finance Committee.

The motion authorizing the City of Austin Fiscal Year 2007-2008 Investment Policy was approved.

56. 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>Austin Community Technology and Telecommunications Commission</u> Arthur Sampson	Council Member Cole's	Reappointment
<u>Community Development Commission</u> Jerome Garvey	Council Member McCracken's	Reappointment
<u>Construction Advisory Committee</u> Calvin Williams	Council Member Cole's	Reappointment
<u>Environmental Board</u> Rodney Ahart	Council Member Cole's	Reappointment
<u>Planning Commission</u> Perla Cavazos Jay Reddy	Council Member Martinez' Mayor Pro Tem Dunkerley's	Reappointment Reappointment
<u>Residential Design and Compatibility Commission</u> Katrina Daniel	Council Member Martinez'	Reappointment
<u>Urban Forestry Board</u> Mary Lehmann	Council Member Cole's	Reappointment

57. Approve a resolution initiating an amendment to the City Code clarifying the measurement of impervious cover with respect to subsurface structures. (Council Member Lee Leffingwell Council Member Brewster McCracken)

Resolution No. 20071011-057 was approved.

58. Approve a resolution directing the City Manager to provide the City Council with more frequent budget reports for vacant full-time equivalent positions, budget stabilization reserve expenditures, and administrative expenditures exceeding \$5,000. (Council Member Mike Martinez Council Member Lee Leffingwell)

Resolution No. 20071011-058 was approved.

59. Approve a resolution directing the City Manager to prepare an ordinance ordering an election in May 2008 to submit to the voters a proposed amendment to Article V, Section 6 of the City Charter relating to the appointment of the city attorney. (Council Member Lee Leffingwell Council Member Mike Martinez)
- This item was postponed to November 8, 2007.

60. Approve a resolution directing the City Manager to prepare an ordinance ordering an election in May 2008 to submit to the voters a proposed amendment to Article VII, Section 17 of the City Charter relating to the office of the city auditor. (Council Member Lee Leffingwell Council Member Mike Martinez)
Resolution No. 20071011-060 was approved.
61. Approve a resolution directing the City Manager to report to City Council all available options regarding a new Animal Shelter and to refrain from taking any action regarding the animal shelter without direction by Council. (Council Member Mike Martinez Council Member Jennifer Kim)
This item was withdrawn.

Item 62 was pulled to be heard after 6:00 p.m.

63. Approve a resolution directing the City Manager to make available as a psychiatric service facility the property that is currently being used by the Travis County Medical Examiner in the event the Medical Examiner is relocated and the property is subsequently reclaimed by the City. (Council Member Lee Leffingwell Mayor Pro Tem Betty Dunkerley Council Member Sheryl Cole)
Resolution No. 20071011-063 was approved.
64. Approve waiver of fees and authorize payment of certain costs for a temporary street name change of Chestnut Avenue to Reverend Joseph Parker, Jr. Boulevard on October 13 and 14, 2007 in honor of his 15th pastoral anniversary at David Chapel Baptist Church. (Council Member Sheryl Cole Mayor Pro Tem Betty Dunkerley)
The motion authorizing the waiver of fees and authorizing payment of certain costs for a temporary street name change of Chestnut Avenue to Reverend Joseph Parker, Jr. Boulevard was approved.
65. Approve waiver of the signature requirement under Chapter 14 of the Code for the 3M Half Marathon, to be held on January 27, 2008. (Council Member Sheryl Cole Mayor Pro Tem Betty Dunkerley)
The motion authorizing the waiver of the signature requirement was approved.
66. Approve waiver of Park rental fees for the American Heart Association's Reception, to be held at the Mexican American Cultural Center on October 18, 2007. (Council Member Mike Martinez Council Member Jennifer Kim Council Member Brewster McCracken)
The motion authorizing waiver of park rental fees for the American Heart Association's reception was approved.
67. Set a public hearing to consider amendments to Sections 25-2-766.04, 25-2-766.12, 25-2-766.21, and 25-2-766.22 of the City Code to modify language in the Transit-Oriented Development (TOD) Ordinance. (Suggested date and time: November 8, 2007, 6:00 p.m., at Austin City Hall, 301 W. Second Street, Austin, TX.)
The public hearing was set for November 8, 2007 at 6:00 p.m., Austin City Hall, at 301 W. Second Street, Austin, Texas.
68. Set a public hearing to consider the use of approximately 0.568 acres for a wastewater line and a 10-foot temporary work space adjacent and parallel to the permanent easement to construct, use, maintain, repair, and replace a wastewater line for construction of a portion of the Manor/Comal/Rosewood Avenue Wastewater Improvement Project through dedicated parkland known as the Boggy Creek Greenbelt, in accordance with Sec. 26.001 et seq. of the Texas Parks and Wildlife Code. (Suggested date and time: November 8, 2007, 6:00 p.m., at Austin City Hall, 301 W. Second Street, Austin, TX.) All costs associated with construction as well as any parkland restoration will be paid by requester. Recommended by the Parks Board.
The public hearing was set for November 8, 2007 at 6:00 p.m., Austin City Hall, at 301 W. Second Street, Austin, Texas.

69. Set a public hearing to consider the use of approximately 0.008 acre (362 square feet) for a wastewater line, and 0.187 acre (8,148 square feet) for temporary work space to construct, use, maintain, repair, and replace a wastewater line for construction of a portion of the Govalle 2 Harper's Branch Wastewater Improvement Project through dedicated parkland known as Norwood Park on Town Lake, in accordance with Sec. 26.001 et seq. of the Texas Parks and Wildlife Code. (Suggested date and time: November 8, 2007, 6:00 p.m., at Austin City Hall, 301 W. Second Street, Austin, TX.) All costs associated with construction, as well as any parkland restoration will be paid by requester. Recommended by the Parks Board.

The public hearing was set for November 8, 2007 at 6:00 p.m., Austin City Hall, at 301 W. Second Street, Austin, Texas.

70. Set a public hearing to consider an ordinance adjusting the corporate boundary between the City of Austin and the City of Cedar Park in accordance with Texas Local Government Code Section 43.031 (The proposed boundary adjustment includes approximately 1 acre at the intersection of Lakeline Blvd and US 183). (Suggested date and time: November 1, 2007, 6:00 p.m., at Austin City Hall, 301 W. Second Street, Austin, TX.)

The public hearing was set for November 1, 2007 at 6:00 p.m., Austin City Hall, at 301 W. Second Street, Austin, Texas.

71. Set public hearings for the limited purpose annexation of the River Hills Road Area (Approximately 2 acres in Travis County located east of River Hills Road approximately 400 feet north of the intersection of River Hills Road and Taylor Road). (Suggested dates and times: November 1, 2007 and November 8, 2007, 6:00 p.m., at Austin City Hall, 301 W. Second Street, Austin, TX.)

The public hearings were set for November 1 and 8, 2007 at 6:00 p.m., Austin City Hall, at 301 W. Second Street, Austin, Texas.

72. Set public hearings for the full purpose annexation of the following annexation areas: (1) Ribelin Ranch Area (Approximately 201 acres in Travis County north of FM 2222 approximately 205 feet east of the intersection of FM 2222 and McNeil Drive); (2) Coopers Meadow Area (Approximately 81 acres in southeastern Travis County south of State Highway 71 East approximately 606 feet west of the intersection of State Highway 71 East and Ross Road); (3) Grand Avenue Parkway Area (Approximately 567 acres in Travis County at the intersection of IH 35 North and Grand Avenue Parkway); (4) Cantarra Section One Area (Approximately 66 acres in Travis County north of Gregg Lane approximately 4,356 feet west of the intersection of Harris Branch Parkway and Gregg Lane); (5) Venue at Lake Travis Area (Approximately 85 acres in Travis County at the southwest corner of the intersection of RM 620 and Bullick Hollow Road); and (6) Residences at Onion Creek SMART Housing Area (Approximately 23 acres in Travis County at the northeast corner of the intersection of Brandt Road and East Slaughter Lane). (Suggested dates and times: November 1, 2007, 6:00 p.m., at Austin City Hall, 301 W. Second Street, Austin, TX.)

The public hearing was set for November 1, 2007 at 6:00 p.m., Austin City Hall, at 301 W. Second Street, Austin, Texas.

Item 73 was a briefing item set for 10:30 a.m.

Items 74 through 80 were Executive Session items.

Items 81 and 82 were an action on Executive Session items.

Item 83 was a briefing item set for 2:00 p.m.

Items 84 through 111 were zoning items set for 4:00 p.m.

Items 112 through 118 were public hearings items set for 6:00 p.m.

BRIEFING

73. Presentation by the Downtown Commission on its report on Capitol View Corridors
The presentation was made by Jeb Boyt, Chair of the Downtown Commission.

Mayor Wynn recessed the Council Meeting to go into Executive Session at 11:32 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.

74. 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)
This item was withdrawn.
75. Discuss legal issues concerning Daniel Rocha, Deceased, by Daniela Rocha, Mother and Representative of Estate and Gerardo Rocha, Father v. City of Austin, Julie Schroeder and Don Douglas Doyle; Case No. A-06-CA-067-LY; U.S. District Court, Western District, Austin Division (Private Consultation with Attorney - Section 551.071).
This item was withdrawn.

Item 76 was discussed later in Executive Session.

77. Discuss personnel matters related to the search for a new City Manager (Personnel Matters - Section 551.074).
This item was withdrawn.
78. Discuss use of City property at 2500 Montopolis Drive. (Real Property - Section 551.072)
This item was withdrawn.
79. Discuss the sale of an easement over, upon and across City property located at 11941 Limecreek Road (Real Property - Section 551.072).
80. Discuss the acquisition of real property for the Municipal Court and Police Northeast Substation, to be funded by November 2006 bonds (Real Property - Section 551.072).

Executive Session ended and Mayor Wynn called the Council Meeting back to order at 12:01 p.m.

CITIZEN – COMMUNICATIONS: GENERAL

Julia Dworshack - Animal Issues

Stephanie Erickson - Bicycle Safety/Bike Lanes

Paul Robbins - City Issues

CarolAnneRose Kennedy – Little White Duck

William Clifford - Duplexes Single Family Zone Property on lot

John Bolton - Duplexes in Single Family Zone Property

Phillip A. Dick - About herself & getting her name cleared

Austin VanZant - Capital Metro

Susana Almanza - Capital Metro - No Unfare Bus Increases. **She was not present when her name was called.**

Ruth Epstein - Public Access

ACTION ON EXECUTIVE SESSION

81. Authorize the advertisement for sealed bid offers and authorize negotiation of final offers for the sale of a 12,176 square foot easement over, upon and across City property located at 11941 Lime Creek Road for not less than the fair market value.
The motion authorizing the advertisement for sealed bid offers and negotiation of final offers was approved on Council Member Leffingwell's motion, Council Member Cole's second on a 5-0 vote. Council Members Martinez and McCracken were off the dais.
82. Approve a resolution authorizing the City Manager to execute all documents necessary to purchase approximately 14 acres in North Austin east of IH-35, Travis County, for the Municipal Court and Police Northeast Substation. Funding is available in the 2006 Bond Funds.
Resolution No. 20071011-082 was approved on Mayor Pro Tem Dunkerley's motion, Council Member Leffingwell's second on a 5-0 vote. Council Members Martinez and McCracken were off the dais.

Mayor Wynn recessed the Council Meeting to go into Executive Session at 12:44 p.m.

EXECUTIVE SESSION CONTINUED

76. Discuss legal issues related to the search for a new City Manager. (Private Consultations with Attorney - Section 551.071).
119. Discuss legal issues concerning PODER, Govalle/Johnston Terrace Neighborhood Planning Team, Old West Austin Neighborhood Association, and Fix Austin v. City of Austin, Cause No. D-1-GN-07-003351; 353rd Judicial District Court, Travis County, Texas (Private Consultation with Attorney - Section 551.071).

Executive Session ended and Mayor Wynn recessed the Council Meeting at 1:30 p.m.

Mayor Wynn called the Council Meeting back to order at 3:14 p.m.

BRIEFING

83. Staff presentation of recommendations for the City's Boards and Commissions
The presentation was made by Bert Lumbreras, Assistant City Manager.

Mayor Wynn recessed the Council Meeting and called the Board of Director's Meeting of the Austin Housing Finance Corporation to order at 3:42 p.m. (See separate minutes.)

BOARD OF DIRECTORS MEETING OF AUSTIN HOUSING FINANCE CORPORATION.

Mayor Wynn called the Council Meeting back to order at 4:13 p.m.

ZONING DISCUSSION ITEM

85. C14-2007-0049 - Palm Square - 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 first reading of the ordinance for general commercial services-conditional overlay-neighborhood plan (CS-CO-NP) combining district zoning for Tract 1; and commercial services-liquor sales-conditional overlay-neighborhood plan (CS-1-CO-NP) combining district zoning for Tracts 2 and 3 was approved on Council Member Kim's motion, Council member Cole's second on a 6-0 vote. Council Member Martinez was 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, Mayor Pro Tem Dunkerley's second on a 7-0 vote.

84. C14-07-0005 - Thaxton Rezoning - Approve second/third readings of 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 from interim single-family residence-standard lot (I-SF-2) district zoning and family residence (SF-3) district zoning to community commercial-conditional overlay (GR-CO) combining district zoning with conditions. First reading approved on September 27, 2007. Vote: 5-0 (Dunkerley and Kim off the dais.) Applicant: RKS Texas Investments, L.P. (Rick Sheldon). Agent: Thrower Design (Ron Thrower). City Staff: Wendy Rhoades, 974-7719.

This item was postponed to October 18, 2007 at staff's request.

86. 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.

Ordinance No. 20071011-086 changing the land use designation to mixed use on the future land use map was approved.

87. 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.
- Ordinance No. 20071011-087 for neighborhood commercial-mixed use-conditional overlay-neighborhood plan (LR-MU-CO-NP) combining district zoning was approved prohibiting uses of service stations and drive-ins.**

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 Leffingwell's motion, Council Member McCracken's second on a 7-0 vote.

88. C14-2007-0111- Cameron Road Retail - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 7316 Cameron Road (Buttermilk Creek Watershed) from neighborhood commercial-conditional overlay (LR-CO) combining district zoning to community commercial-conditional overlay (GR-CO) combining district zoning. Staff Recommendation: To grant community commercial-conditional overlay (GR-CO) combining district zoning. Planning Commission Recommendation: To grant community commercial-mixed use-conditional overlay (GR-MU-CO) combining district zoning. Applicant: Dunco Properties Ltd. Agent: Jim Bennett Consulting (Jim Bennett). City Staff: Robert Heil, 974-2330.
- This item was withdrawn.**
89. NPA-2007-0009.01 - Central East Austin NPA McMansion Ordinance Amendment - Conduct a public hearing and approve an ordinance amending Ordinance No. 011213-41, the Central East Austin Neighborhood Plan, an element of the Austin Tomorrow Comprehensive Plan, to modify the maximum square footage and maximum floor-to-area-ratio (FAR) permitted in the plan area to 0.4 floor-to-area-ratio (FAR) for development subject to the City's Land Development Code, Chapter 25-2, Subchapter F: Residential Design and Compatibility Standards (the new "Residential Standards," also referred to as the "McMansion Ordinance"). Staff Recommendation: Pending. Planning Commission Recommendation: To be reviewed on October 9, 2007. Applicant & Agent: Neighborhood Planning and Zoning Department, on behalf of the Central East Austin Neighborhood Plan Contact Team. City Staff: Katie Halloran, 974-3509.
- This item was postponed to November 8, 2007 at the staff's request.**
90. C14-01-0148.005 - Central East Austin NPA McMansion Ordinance Amendment - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code to modify the maximum square footage and maximum floor-to-area-ratio (FAR) permitted in the plan area to 0.4 floor-to-area-ratio (FAR) for development subject to the City's Land Development Code, Chapter 25-2, Subchapter F: Residential Design and Compatibility Standards (the new "Residential Standards," also

referred to as the "McMansion Ordinance"). Staff Recommendation: Pending. Planning Commission Recommendation: To be reviewed on October 9, 2007. Applicant and Agent: Neighborhood Planning and Zoning Department. City Staff: Katie Halloran, 974-3509.

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

91. C14-95-0183(RCA) - Vina Plaza Restrictive Covenant Amendment - Conduct a public hearing and approve a restrictive covenant amendment for the property located at 12801 Harris Ridge Boulevard (Harris Branch Watershed). Staff Recommendation: Pending. Zoning and Platting Commission Recommendation: To be reviewed on October 16, 2007. Applicant: Ly & Nguyen, L.L.C. (Kevin Nguyen). Agent: MWM Design Group (Amelia Lopez-Phelps). City Staff: Sherri Sirwaitis, 974-3057.
This item was postponed to October 18, 2007 at the staff's request.
92. C14-2007-0087 - Vina Plaza - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 12801 Harris Ridge Boulevard (Harris Branch Watershed) from rural residence (RR) district zoning to community commercial (GR) district zoning. Staff Recommendation: Pending. Zoning and Platting Commission Recommendation: To be reviewed on October 16, 2007. Applicant: Ly & Nguyen, L.L. C. (Kevin Nguyen). Agent: MWM Design Group (Amelia Lopez-Phelps). City Staff: Sherri Sirwaitis, 974-3057.
This item was postponed to October 18, 2007 at the staff's request.
93. C14-2007-0100 - South Edge II - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 6210 and 6216 Crow Lane (Williamson Creek Watershed) from family residence-neighborhood plan (SF-3-NP) combining district zoning to multi-family residence-medium density-neighborhood plan (MF-3-NP) combining district zoning. Staff Recommendation: To grant multi-family residence-low density-neighborhood plan (MF-2-NP) combining district zoning with conditions. Planning Commission Recommendation: To grant multi-family residence-low density-neighborhood plan (MF-2-NP) combining district zoning with conditions. Applicant: Captuity Investments Three, Ltd. (Darin Davis). Agent: Alice Glasco Consulting (Alice Glasco). City Staff: Wendy Rhoades, 974-7719.
Ordinance No. 20071011-093 for multi-family residence-low density-neighborhood plan (MF-2-NP) combining district zoning with conditions was approved.
94. C14-2007-0122 - Airport Commerce 13 - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the City Code by rezoning property locally known as 7600-7812 East Ben White Boulevard; 1707, 1801 and 1901 Airport Commerce Drive (Carson Creek Watershed) from general commercial services-conditional overlay-neighborhood plan (CS-CO-NP) combining district zoning to general commercial services-conditional overlay-neighborhood plan (CS-CO-NP) combining district zoning to change a condition of zoning. Staff Recommendation: To grant general commercial services-conditional overlay-neighborhood plan (CS-CO-NP) combining district zoning to change a condition of zoning. Zoning and Platting Commission Recommendation: To grant general commercial services-conditional overlay-neighborhood plan (CS-CO-NP) combining district zoning to change a condition of zoning. Applicant: Riverside 71, L.P.; Southeast Austin Associates c/o Bennett Realty Group, Inc.; Airport Properties, L.P. (Zahir Walji). Agent: Jim Bennett Consulting (Jim Bennett). City Staff: Wendy Rhoades, 974-7719.
Ordinance No. 20071011-094 for general commercial services-conditional overlay-neighborhood plan (CS-CO-NP) combining district zoning to change a condition of zoning was approved.
95. C14-2007-0126 - Sky Inn - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 1609 Airport Commerce Drive (Carson Creek Watershed) from general commercial services-conditional overlay-neighborhood plan (CS-CO-NP) combining district zoning to general commercial services-conditional overlay-neighborhood plan (CS-CO-NP) combining district zoning to change a condition of zoning. Staff Recommendation: To grant

general commercial services-conditional overlay-neighborhood plan (CS-CO-NP) combining district zoning to change a condition of zoning. Planning Commission Recommendation: To grant general commercial services-conditional overlay-neighborhood plan (CS-CO-NP) combining district zoning to change a condition of zoning. Applicant: Sky Inn Hotels & Suites, Inc. (Armando Batarse). Agent: A.E.C., Inc. (Phil Moncada). City Staff: Wendy Rhoades, 974-7719.

Ordinance No. 20071011-095 for general commercial services-conditional overlay-neighborhood plan (CS-CO-NP) combining district zoning to change a condition of zoning was approved.

96. C14-2007-0127 - 1614 Ferguson Lane - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 1614 Ferguson 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 (LI) district zoning. Zoning and Platting Commission Recommendation: To grant limited industrial service-conditional overlay (LI-CO) combining district zoning. Applicant: M. James Moritz. Agent: Austin Civil Engineering (Brent Hammond). City Staff: Sherri Sirwaitis, 974-3057.

Ordinance No. 20071011-096 for limited industrial service-conditional overlay (LI-CO) combining district zoning was approved.

97. C14-2007-0139 Barton Creek Child Care Development Center - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 5805 Travis Cook Road (Williamson Creek Watershed - Barton Springs Zone) from rural residence (RR) district zoning to limited office-conditional overlay (LO-CO) combining district zoning. Staff Recommendation: To grant limited office-conditional overlay (LO-CO) combining district zoning. Planning Commission Recommendation: To grant limited office-conditional overlay (LO-CO) combining district zoning. Applicant: Elizabeth Wheatley. Agent: Vincent Gerard and Associates (Vincent Huebinger). City Staff: Robert Heil, 974-2330.

The first reading of the ordinance for limited office-conditional overlay (LO-CO) combining district zoning was approved.

98. C14-2007-0121 IH-35 Liquor Store - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 6031 N IH-35 SVRD NB (Williamson Creek Watershed) from general commercial services-mixed use-neighborhood plan (CS-MU-NP) combining district zoning to commercial liquor sales-mixed use-neighborhood plan (CS-1-MU-NP) combining district zoning. Staff Recommendation: To grant commercial liquor sales-mixed use-neighborhood plan (CS-1-MU-NP) combining district zoning. Planning Commission Recommendation: To grant commercial liquor sales-mixed use-neighborhood plan (CS-1-MU-NP) combining district zoning. Applicant: Z Commercial Properties (Allen Zinn). Agent: Magdy Salama. City Staff: Robert Heil, 974-2330.

Ordinance No. 20071011-098 for commercial liquor sales-mixed use-neighborhood plan (CS-1-MU-NP) combining district zoning was approved.

100. 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 November 8, 2007 at the staff's request.

101. 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.

The motion to deny this ordinance was approved.

102. 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 November 8, 2007 at the neighborhood's request.

103. 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 November 8, 2007 at the neighborhood's request.

104. C14-2007-0115 - Midbar - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 853 Airport Boulevard (Boggy Creek Watershed) from general commercial services-conditional overlay-neighborhood plan (CS-CO-NP) combining district zoning to general commercial services-conditional overlay-neighborhood plan (CS-CO-NP) combining district zoning to change a condition of zoning. Staff Recommendation: To grant general commercial services-conditional overlay-neighborhood plan (CS-CO-NP) combining district zoning to change a condition of zoning. Planning Commission Recommendation: To grant general commercial services-conditional overlay-neighborhood plan (CS-CO-NP) combining district zoning to change a condition of zoning. Applicant and Agent: Investment Co. LLC (Claire Brooks). City Staff: Robert Heil, 974-2330.

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

107. NPA-2007-0016.01 - 1109 Shady Lane - Conduct a public hearing and approve an ordinance amending Ordinance No. 030327-12, the Govalle/Johnston 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 Commercial to Mixed Use for the property located at 1109 Shady Lane (Boggy Creek Watershed). Staff Recommendation: To approve Mixed Use land use designation. Planning Commission Recommendation: To approve Mixed Use land use designation. Applicant: Anthony Daywood Investments. Agent: Maureen Morphew. City Staff: Gregory Montes, 974-2629.

Ordinance No. 20071011-107 for mixed use land use designation on the future land use map was approved.

108. C14-2007-0080 - 1109 Shady Lane - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 1109 Shady Lane (Boggy Creek Watershed) from community commercial-neighborhood plan (GR-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 general commercial services-mixed use-conditional overlay-neighborhood plan (CS-MU-CO-NP) combining district zoning. Applicant: Anthony Daywood Investments (Anthony Daywood). Agent: Permit Me (Maureen Morpew) and Harrison Pearson Assoc. Inc. (Sam Calliham). City Staff: Robert Heil, 974-2330.
Ordinance No. 20071011-108 for general commercial services-mixed use-conditional overlay-neighborhood plan (CS-MU-CO-NP) combining district zoning was approved.

ZONING DISCUSSION ITEMS

105. C14-2007-0065 Bassford 44 - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 8437 W US Hwy 71 (Williamson Creek Watershed) from rural residence (RR) district zoning to single-family residence-standard lot-conditional overlay (SF-2-CO) combining district zoning. Staff Recommendation: To grant single-family residence-standard lot-conditional overlay (SF-2-CO) combining district zoning. Planning Commission Recommendation: To grant single-family residence-standard lot-conditional overlay (SF-2-CO) combining district zoning. Applicant: Marvin Bassford Trust (Marvin Bassford). Agent: Jim Bennett Consulting (Jim Bennett). City Staff: Robert Heil, 974-2330.
The public hearing was closed and the first reading of the ordinance for single-family residence-standard lot-conditional overlay (SF-2-CO) combining district zoning with conditions was approved on Council Member McCracken's motion, Mayor Pro Tem Dunkerley's second on a 7-0 vote. The additional conditional overlay was to limit the maximum number of residential units to 90, set a 2,000 vehicle trips per day limitation, and to require traffic calming devices on Moquisin Pass.
106. C814-06-0218 - Lakeline Station Planned Unit Development - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by zoning property locally known as North FM 620 Road and 13713 Rutledge Spur (Lake Creek and South Brushy Creek Watersheds) from interim rural residence (I-RR) district zoning to planned unit development (PUD) district zoning. Staff Recommendation: To grant planned unit development (PUD) district zoning with conditions. Planning Commission Recommendation: To grant planned unit development (PUD) district zoning. Applicant: PCG Summit - Lakeline Station, L.P. (Steve Levenson). Agent: Armbrust & Brown, L.L.P. (David Armbrust). City Staff: Wendy Rhoades, 974-7719.
The public hearing was closed and Ordinance No. 20071011-106 for planned unit development (PUD) district zoning was approved with the following friendly amendment on Council Member McCracken's motion, Council Member Cole's second on a 7-0 vote. The friendly amendment from Council Member Leffingwell incorporated all the conditions outlined in the letter from David B. Armbrust dated October 11, 2007 re: Lakeline Station Area Plan/Planned Unit Development C814-06-0218 (the "Application").

Mayor Wynn recessed the Council Meeting at 5:45 p.m.

LIVE MUSIC

Matt Hensley -- Austin Classical Guitar Society

PROCLAMATIONS

Proclamation -- Archives Month -- to be presented by Mayor Will Wynn and to be accepted by Adam Knowles

Proclamation -- Community Planning Month -- to be presented by Mayor Will Wynn and to be accepted by Greg Guernsey

Proclamation -- Mental Health Week -- to be presented by Mayor Will Wynn and to be accepted by Janna Jacobson

Proclamation -- Save for Retirement Month -- to be presented by Mayor Will Wynn and to be accepted by Tony Ross

Proclamation -- Arts and Humanities Month -- to be presented by Mayor Will Wynn and to be accepted by Vincent Kitch

Proclamation -- Mobile Loaves and Fishes 1 Millionth Meal Served -- to be presented by Council Member Mike Martinez and to be accepted by Alan Graham

Proclamation -- Wildlife Austin! Day -- to be presented by Council Member Lee Leffingwell and to be accepted by Alice Nance

Mayor Wynn called the Council Meeting back to order at 6:44 p.m.

PUBLIC HEARING

118. Conduct a public hearing to receive public comment regarding a proposed long-term water supply agreement between the City of Austin and the Lower Colorado River Authority (LCRA) to increase the firm water supply available to Austin by an additional 250,000 acre-feet/year through the year 2100 pursuant to the Settlement Agreement executed on June 18, 2007 between the City and LCRA. No fiscal impact. Recommended by the Water and Wastewater Commission. To be reviewed by the Resource Management Commission on October 16, 2007.

This item was postponed to October 18, 2007 on Council Member Leffingwell's motion, Mayor Pro Tem Dunkerley's second on a 6-0 vote. Council Member Cole was off the dais.

The motion to waive the rules to allow 30 minutes of speaking time from each side was approved without objection on Council Member McCracken's motion and Council Member Leffingwell's second.

DISCUSSION ITEM

62. Approve a resolution designating the location for the new animal center and directing the City Manager to proceed with planning for the facility. (Mayor Will Wynn Mayor Pro Tem Betty Dunkerley) Resolution No. 20071011-062 was approved with the following friendly amendment on Mayor Pro Tem Dunkerley's motion, Mayor Wynn's second on a 6-1 vote. Council Member Martinez voted nay. Council Member Leffingwell's amendment was approval of the move of the Town Lake Center to Levander Loop is on the condition that an adoption center remain in the Davenport building at Town Lake. Mayor Wynn directed the City Manager to begin planning for use of the Town Lake site after the demolition by contacting the West Austin Youth Association to discuss their suggested youth uses for the dedicated parkland.

ZONING DISCUSSION CONTINUED

109. NPA-2007-023 - University Hills / Windsor Park Combined Neighborhood Plan (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 civic for 7506 & 7560 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.
This item was postponed to October 18, 2007 at the staff's request on Council Member McCracken's motion, Council Member Kim's second on a 6-0 vote. Council Member Cole was off the dais.
110. 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 18, 2007 at the staff's request on Council Member McCracken's motion, Council Member Kim's second on a 6-0 vote. Council Member Cole was off the dais.
111. 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 18, 2007 at the staff's request on Council Member McCracken's motion, Council Member Kim's second on a 6-0 vote. Council Member Cole was off the dais.
99. 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.

The public hearing was closed and the first reading of the ordinance for multi-family residence-low density-conditional overlay (MF-2-CO) with a 300 trip per day limitation was approved on Council Member Kim's motion, Council Member McCracken's second on a 6-0 vote. Council Member Cole was off the dais. The motion includes accepting the offer of green building, smart housing and water conservation made by the applicant.

PUBLIC HEARINGS AND POSSIBLE ACTIONS

112. Conduct a public hearing for the full purpose annexation of the Barton Creek Greenbelt Area (Approximately 35 acres in Travis County at the southeast corner of Loop 360 and Loop 1).
The public hearing was closed on Council Member Martinez' motion, Council Member McCracken's second on a 5-0 vote. Mayor Pro Tem Dunkerley and Council Member Cole were off the dais.
113. Conduct a public hearing for the full purpose annexation of the Michener Storage Facility Area (Approximately 24.5 acres in Travis County west of Harris Branch Parkway and north of Parmer Lane).
The public hearing was closed on Council Member McCracken's motion, Mayor Pro Tem Dunkerley's second on a 6-0 vote. Council Member Cole was off the dais.
114. Conduct a public hearing for the full purpose annexation of the Morningside Area (Approximately 23 acres in southern Travis County east of Manchaca Road at the intersection of Manchaca Road and Becca Road).
The public hearing was closed on Council Member McCracken's motion, Mayor Pro Tem Dunkerley's second on a 6-0 vote. Council Member Cole was off the dais.
115. Conduct a public hearing for the full purpose annexation of the Rancho Alto V Area (Approximately 11 acres in southern Travis County south of Frate Barker Road and west of Rancho Alto Road).
The public hearing was closed on Council Member Leffingwell's motion, Council Member McCracken's second on a 6-0 vote. Council Member Cole was off the dais.
116. Conduct a public hearing for the full purpose annexation of the Vaught Ranch Area (Approximately 99 acres in Travis County south of FM 2222 east of the intersection of FM 2222 and Vaught Ranch Road).
The public hearing was closed on Mayor Pro Tem Dunkerley's motion, Council Member Leffingwell's second on a 6-0 vote. Council Member Cole was off the dais.
117. Conduct a public hearing for the full purpose annexation of the Walnut Creek Parkland Area (Approximately 135 acres in Travis County south of Old Manor Road and west of Daffan Lane).
The public hearing was closed on Mayor Pro Tem Dunkerley's motion, Council Member Leffingwell's second on a 6-0 vote. Council Member Cole was off the dais.

Mayor Wynn adjourned the meeting at 9:55 p.m. without objection.

The minutes for the Regular Meeting of October 11, 2007 were approved on this the 18th day of October, 2007 on Council Member McCracken's motion, Mayor Pro Tem Dunkerley's second on a 7-0 vote.