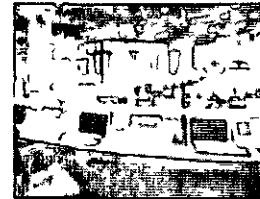
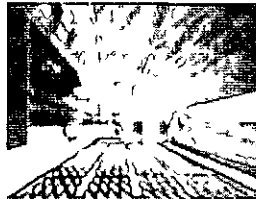


**AGENDA**

**Thursday, March 6, 2008**

The Austin City Council will convene at 10 00 AM on  
Thursday, March 6, 2008 at Austin City Hall  
301 W Second Street, Austin, TX



AUSTIN CITY CLERK  
POSTING: DATE/TIME  
2008 FEB 29 PM 6 05

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

For meeting information, contact City Clerk, 974-2210

*The City Council will go into a closed session under Chapter 551 of the Texas Government Code to receive advice from legal counsel, to discuss matters of land acquisition, to discuss personnel matters, to discuss or take action on a "competitive matter" of Austin Energy as provided for under Section 551.086, or for other reasons permitted by law as specifically listed on this agenda. If necessary, the City Council may go into a closed session as permitted by law regarding any item on this agenda.*

### **Reading and Action on Consent Agenda**

#### **Action on the Following:**

#### **Ordinances / Resolutions / Motions -**

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

### **9: 55 AM -- Invocation**

Dr. Davidson Loehr, First Unitarian Universalist Church

### **10: 00 AM -- City Council Convenes**

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

#### **Approval of Minutes**

- 1 Approval of the Austin City Council minutes from the February 28, 2008 meeting

#### **Austin Energy**

- 2 Approve an ordinance authorizing acceptance of \$12,500 in grant funds from the U S Department of Energy through Energy Research and Development Solutions, LLC, and amend the Fiscal Year 2007-2008 Austin Energy Operating Budget Special Revenue Fund of Ordinance No. 20070910-003 to appropriate \$12,500 for a total grant amount of \$22,500 for the City's continued involvement in the Central Texas Clean Cities Program. Funding is available from the U S Department of Energy through Energy Research and Development Solutions, LLC. No match is required. Recommended by the Electric Utility Commission.

#### **Economic Growth & Redevelopment Services**

- 3 Authorize negotiation and execution of a professional services agreement with LARS STANLEY doing business as Stanley Architects and Artisans, Inc., 1901 EM Franklin Avenue, Austin, TX for artwork, in an amount not to exceed \$120,000. Funding is available in the Art in Public Places allocation within the Ullrich Water Treatment Plant. Recommended by the Austin Arts Commission.

#### **Health and Human Services**

- 4 Approve negotiation and execution of a one-time \$108,000 contract amendment with THE SALVATION ARMY, Austin, TX to provide emergency shelter and social services to men at the downtown shelter. Funding is available, as one-time only support, in the Fiscal Year 2007-2008 Operating Budget of the Health and Human Services.

### **Municipal Court**

- 5 Approve a resolution authorizing execution of an Interlocal Agreement between the City of Austin and the Texas Department of Transportation to deny registration of a motor vehicle if the vehicle owner, but not dual owners, has an outstanding arrest warrant out of the Austin Municipal Court due to a failure to appear or a failure to satisfy a fine on cases involving traffic law violations No unanticipated financial impact Recommended by the Council Judicial Committee

### **Neighborhood Planning & Zoning**

- 6 Consider the release of approximately 1900 acres of land, known as the Villa Muse area, from the eastern extraterritorial jurisdiction ("ETJ") of the City and possible action on the preservation or release of the ETJ

### **Public Works**

- 7 Approve a resolution authorizing the fee simple acquisition of Lot 1, Block H, Onion Creek Forest Section 2, Amended Plat a subdivision in Travis County, Texas, located at 6901 South Pleasant Valley Road, Austin, Texas from Philip Eckart and Rosa Marquez Davila for the Onion Creek Voluntary Flood Buyout-FEMA-1606-DR Project, in the amount of \$15,000 for the land and \$20,000 for the improvements and \$79,900 in owner assisted relocation benefits, plus moving related expenses not to exceed \$10,000, for a total amount not to exceed \$124,900 Funding is available in the Fiscal Year 2007-2008 Capital Budget of the Watershed Protection and Development Review Department
- 8 Approve an ordinance vacating the 12800 block of Delcour Drive to be used as a private drive for the Riata Vista Office Complex unified office development adjacent to Delcour Drive Recommended by the Zoning and Platting Commission and the Urban Transportation Commission
- 9 Approve an ordinance vacating a portion of the right-of-way in the 1000 Block of West 17th Street, adjacent to 1700 San Gabriel, to be used for the construction of a new garage Recommended by the Urban Transportation Commission and the Planning Commission
- 10 Approve a resolution authorizing the City Manager to negotiate and execute a contract to purchase in fee simple Lots 40, 41 and 42, Block B, COMANCHE CANYON RANCH AREA THREE, a subdivision in Travis County, Texas fronting on Bullock Hollow Road, from Comanche Canyon Development, Inc , a Texas corporation, by Robert H Theriot, its President, in an amount not to exceed \$7,200,000 Funding is available in the Fiscal Year 2007-2008 Capital Budget of the Austin Water Utility Department
- 11 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 4,827 square foot permanent wastewater line easement, a 1,322 square foot temporary working space easement, and a 5,096 square foot temporary ingress and egress easement, out of Lot 2, Block A, The Crescent on Bouldin Creek, a subdivision in Travis County, Texas, in the amount of \$229,798 The owner of the needed property interests is Michael G Martin The property is located at 0 Barton Springs Road, 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
- 12 Approve a resolution authorizing the filing of eminent domain proceedings for the West 24th Street and Vista Wastewater Improvement Project, a portion of the Austin Clean Water Program, to acquire a 2,237 square foot permanent wastewater line easement

and a 597 square foot temporary working space easement out of Lot 2, Pemberton Heights, Section Twelve, a subdivision in Travis County, Texas, in the amount of \$7,938 The owners of the needed property interests are Carol Suzanne Bryant and Sarah J Goodfriend The property is located at 1500 West 24th 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

- 13 Approve a resolution authorizing the filing of eminent domain proceedings for the Govalle 2 – Harper’s Branch Wastewater Improvement Project, a portion of the Austin Clean Water Program, to acquire a 2,556 square foot permanent wastewater line easement, a 2,826 square foot permanent access easement, a 0 511 of one acre land for a temporary working space easement, and a 0 511 of one acre land for a temporary staging area and material storage site easement out of Tract A, Teague-Buda Subdivision No One, a subdivision in Travis County, Texas, in the amount of \$127,046 The owner of the needed property interests is Aberfeldy II Limited Partnership, a Texas limited partnership The property is located at 1524 South IH 35, Austin, Travis County, Texas Funding is included in the Fiscal Year 2007-2008 Capital Budget of the Austin Water Utility Recommended by the Water and Wastewater Commission
- 14 Authorize execution of a construction contract with LAUGHLIN-THYSSEN, INC , AUSTIN, TX for the ACWP Govalle 1, South 2nd Street Wastewater Re-Route and Area Improvements, North Phase (Barton Springs Road to West Monroe Street) in the amount of \$9,244,084 plus a \$462,204 20 contingency, for a total contract amount not to exceed \$9,706,288 20 Funding is available in the Fiscal Year 2007-2008 Capital Budget of the Austin Water Utility 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 14 76% MBE and 3 86% WBE subcontractor participation Recommended by the Water and Wastewater Commission
- 15 Authorize the use of the Construction Manager at Risk method of contracting for facility construction for the new Central Library Project as permitted by Subchapter H of Chapter 271 of the Texas Local Government Code There is no unanticipated fiscal impact A fiscal note is not required Recommended by the MBE/WBE and Small Business Advisory Committee
- 16 Authorize execution of a construction contract with SMITH CONTRACTING CO , INC , Austin, TX for Canyon Creek residential Water Quality Pond #164 in an amount not to exceed \$138,024 Funding is available in the Fiscal Year 2007-2008 Capital Budget of the Watershed Protection and Development Review Department This contract will be awarded in compliance with Chapter 2-9 A of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program) by meeting the goals with 9 10% MBE and 1 71% WBE subcontractor participation
- 17 Authorize execution of proposed Change Order #8 to the construction contract with BLAND/SCHROEDER/ARCHER, L P , Austin, TX, for East St Elmo Road from Todd Lane to Nuckols Crossing in an estimated amount of \$29,805 30, for a total contract amount not to exceed \$989,977 93 Funding is available in the Fiscal Year 2007-2008 Capital Budget of the Austin Water Utility This contract will be awarded in compliance with Chapter 2-9A of the City Code (Minority Owned and Women Owned Business Enterprise Procurement Program)with 14 76% MBE and 12 06% WBE subcontractor participation to date Recommended by the Water and Wastewater Commission
- 18 Authorize negotiation and execution of a professional services agreement with CAS CONSULTING AND SERVICES INC (MBE/MA), Austin, TX, for engineering services for Airport at Chesterfield Wastewater Improvements in an amount not to exceed \$930,000 Funding is available in the Fiscal Year 2007-2008 Capital Budget of the Austin Water Utility Best qualification statement of 24 statements received This contract will be awarded in compliance with Chapter 2-9B of the City Code (Minority Owned and Women Owned Business Enterprise Procurement Program) by meeting the goals with 19 3% MBE and 14 2% WBE subcontractor participation Recommended by the Water and Wastewater Commission

## Purchasing Office

- 19 Authorize award and execution of a 24-month requirements supply contract with KBS ELECTRICAL DISTRIBUTORS, INC , Austin, TX for fault indicators and fiber optic leads in an estimated amount not to exceed \$696,500, with two 12-month extension options in an estimated amount not to exceed \$348,250 per extension option, for a total estimated contract amount not to exceed \$1,393,000 Funding in the amount of \$203,146 is available in the Fiscal Year 2007-2008 Operating Budget of Austin Energy Funding for the remaining 17 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
- 20 Authorize award and execution of a 24-month requirements supply contract with ENVIRONMENTAL IMPROVEMENTS INC , Buda, TX, for Wallace & Tiernan replacement and repair parts for the Austin Water Utility in an estimated amount not to exceed \$158,000, with three 12-month extension options in an estimated amount not to exceed \$79,000 per extension option, for a total estimated contract amount not to exceed \$395,000 Funding in the amount of \$39,500 is available in the Fiscal Year 2007-2008 Operating Budget of the Austin Water Utility Funding for the remaining 18 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 Recommended by the Water and Wastewater Commission
- 21 Authorize award and execution of a 24-month requirements supply contract with FOX SCIENTIFIC, INC , Alvarado, TX, for laboratory chemicals for the Austin Water Utility in an estimated amount not to exceed \$150,000, with three 12-month extension options in an estimated amount not to exceed \$75,000 per extension option, for a total estimated contract amount not to exceed \$375,000 Funding in the amount \$43,750 is available in the Fiscal Year 2007-2008 Operating Budget of the Austin Water Utility Funding for the remaining 17 months of the original contract period and extension options is contingent upon available funding in future budgets Lowest bid of three bids received This contract will be awarded in compliance with Chapter 2-9D of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program) No subcontracting opportunities were identified, therefore, no goals were established for this solicitation Recommended by the Water and Wastewater Commission
- 22 Authorize execution of Amendment No 2 to a requirements supply contract for industrial supplies and equipment through the TEXAS MULTIPLE AWARD SCHEDULE (TXMAS) with GRAINGER, INC , Austin, TX, to increase the current contract in an estimated amount not to exceed \$308,000, and increase each of the two remaining 12-month extension options in an estimated amount not to exceed \$170,000 per extension option, for a revised total estimated contract amount not to exceed \$2,602,901 Funding in the amount of \$162,000 is available in the 2007-2008 Operating Budget for the Austin Water Utility Department Funding in the amount of \$77,778 is available in the 2007-2008 Operating Budget of the Financial and Administrative Services Department, Building Services Division Funding for the remaining two months of the original contract period and extension options is contingent upon available funding in future budgets Cooperative Purchase This contract will be awarded in compliance with Chapter 2-9D of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program) No subcontracting opportunities were identified, therefore, no goals were established for this solicitation Recommended by the Water and Wastewater Commission
- 23 Authorize award and execution of a 24-month requirements supply contract with LUCIER CHEMICAL INDUSTRIES LTD , dba, LCI, LTD, Jacksonville Beach, FL, for fluorosilicic acid for the Austin Water Utility in an estimated amount not to exceed

\$1,175,000, with three 12-month extension options in an estimated amount not to exceed \$587,500 per extension option, for a total estimated contract amount not to exceed \$2,937,500. Funding of \$293,750 is available in the Fiscal Year 2007-2008 Operating Budget of the Austin Water Utility. Funding for the remaining 18-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. Recommended by the Water and Wastewater Commission.

- 24 Authorize award and execution of a 24-month requirements supply contract with MINUTEMAN INTERNATIONAL, Fitchburg, MA, for rain-water barrels for the Austin Water Utility in an estimated amount not to exceed \$480,000, with two 12-month extension options in an estimated amount not to exceed \$240,000 per extension option, for a total estimated contract amount not to exceed \$960,000. Funding in the amount of \$140,000 is available in the Fiscal Year 2007- 2008 Water Conservation Budget of the Austin Water Utility. Funding for the remaining 17 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. Recommended by the Water and Wastewater Commission.
- 25 Authorize award and execution of a 12-month requirements contract with NORIT AMERICAS INC , Marshall, TX, for the purchase of powdered activated carbon for the Austin Water Utility in an estimated amount not to exceed \$488,400, with two 12-month extension options in an estimated amount not to exceed \$488,400 per extension option, for a total estimated contract amount not to exceed \$1,465,200. Funding in the amount of \$284,900 is available in the Fiscal Year 2007-2008 Operating Budget of the Austin Water Utility. Funding for the remaining seven months of the original contract period and extension options is contingent upon the available funding in future budgets. Lowest bid meeting specifications of three bids received. This contract will be awarded in compliance with Chapter 2-9D of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified, therefore, no goals were established for this solicitation. Recommended by the Water and Wastewater Commission.
- 26 Authorize award and execution of a contract with SMITH PUMP COMPANY, INC , Austin, TX, for the purchase of a package wastewater treatment plant clarifier and personnel bridge for the Austin Water Utility in an amount not to exceed \$112,700. Funding is available in the Fiscal Year 2007-2008 Operating Budget of the Austin Water Utility. 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. Recommended by the Water and Wastewater Commission.
- 27 Authorize award and execution of a contract with THE ANCHOR GROUP, INC , New Braunfels, TX for the purchase and installation of fencing for six sites within the Balcones Canyonlands Preserve for the Austin Water Utility in an amount not to exceed \$132,765.75. Funding is available in the FY 2007-2008 Wildland Conservation Fund of the Austin Water Utility. 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.
- 28 Authorize award and execution of Amendment No. 5 with MEDTRONICS EMERGENCY RESPONSE SYSTEMS, INC , Redmond, WA to increase the amount of the original

contract period for the purchase of capnography supplies in an estimated amount not to exceed \$1,100,298, for a revised total estimated contract amount not to exceed \$2,365,176. Funding in the amount of \$550,149 is available in the Fiscal Year 2007-2008 Operating Budget of the Emergency Medical Services Department. Funding for the remaining twelve months of the original contract period is contingent upon available funding in future budgets. Contract Amendment. This contract was awarded in compliance with Chapter 2-9D of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified, therefore, no goals were established for this solicitation.

- 29 Authorize award and execution of two contracts through the TEXAS LOCAL GOVERNMENT PURCHASING COOPERATIVE (BUYBOARD) with PLANET DODGE, Humble, TX, for the purchase of 28 bio-diesel equipped service body trucks in an amount not to exceed \$1,527,269, and PHILPOTT MOTORS, LTD, Nederland, TX, for the purchase of 4 bio-diesel equipped service body trucks in an amount not to exceed \$168,211. 32 Funding in the amount of \$420,563. 32 is available in the Fiscal Year 2007-2008 Vehicle Acquisition Fund. Funding in the amount of \$38,305 is available in the Fiscal Year 2007-2008 Operating Budget of the Austin Convention Center. Funding in the amount of \$42,063 is available in the Fiscal Year 2007-2008 Operating Budget of the Aviation Department. Funding in the amount of \$80,206 is available in the Fiscal Year 2007-2008 Operating Budget of the Parks & Recreation Department. Funding in the amount of \$744,065 is available in the Fiscal Year 2007-2008 Capital Budget of the Austin Water Utility. Funding in the amount of \$195,366 is available in the Fiscal Year 2007-2008 Capital Budget of the Austin Energy Department. Funding in the amount of \$174,912 is available in the Fiscal Year 2007-2008 Capital Budget of the Street & Bridge Division of the Public Works Department. Cooperative Purchase. This contract will be awarded in compliance with Chapter 2-9D of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). This contract is a cooperative purchase, therefore, it is exempted under Chapter 791 of the Texas Government Code and no goals were established for this solicitation. Recommended by the Water and Wastewater Commission.
- 30 Authorize award and execution of a 36-month requirements service contract with ST DAVID'S OCCUPATIONAL HEALTH SERVICES, Austin, TX for alcohol and drug testing for the Austin Police Department, Austin Fire Department, and Public Safety and Emergency Management Department in an estimated amount not to exceed \$165,135, with three 12-month extension options in an estimated amount not to exceed \$55,045 per extension option, for a total estimated contract amount not to exceed \$330,270. Funding in the amount of \$32,110 is available in the Fiscal Year 2007-2008 Operating Budgets of the Austin Police Department, Austin Fire Department, and Public Safety and Emergency Management Department. Funding for the remaining 29 months of the original contract period and extension options is contingent upon available funding in future budgets. Best evaluated bid of three 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.
- 31 Authorize award, negotiation, and execution of three 12-month requirements service contracts with CONCEPT DEVELOPMENT & PLANNING, LLC (MBE/FB), Austin, TX to provide public involvement services for road reconstruction projects, intersection improvement projects, and new roads in an estimated amount not to exceed \$125,000, with four 12-month extension options in an estimated amount not to exceed \$125,000 for each extension option, for a total estimated contract amount not to exceed \$625,000, RJW OPERATIONS, INC dba GROUP SOLUTIONS RJW (MBE/FB), Austin, TX to provide public involvement services for utility (water, wastewater, and drainage) projects in an estimated amount not to exceed \$260,000, with four 12-month extension options in an estimated amount not to exceed \$260,000 for each extension option, for a total estimated contract amount not to exceed \$1,300,000, and ESTILO COMMUNICATIONS, INC (MBE/FH), Austin, TX to provide public involvement services for architectural projects and projects of less than \$1,000,000 in an estimated amount not to exceed \$50,000, with four 12-month extension options in an estimated amount

not to exceed \$50,000 for each extension option, for a total estimated contract amount not to exceed \$250,000. Funding in the amount of \$253,750 is available in the Capital and/or Operating Budgets of the Public Works Department and various other City departments. Funding for the remaining five months of the original contract period and extension options is contingent upon available funding in future budgets. Best evaluated proposals of eight proposals received. These contracts 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.

- 32 Authorize award and execution of a 12-month requirements supply agreement with GENERAL TRAFFIC EQUIPMENT CORPORATION, Newburgh, NY, for the purchase of traffic signal mounting hardware in an estimated amount not to exceed \$95,008, with two 12-month extension options in an estimated amount not to exceed \$95,008 per extension option, for a total contract amount not to exceed \$285,024. Funding in the amount of \$55,421 is available in the Fiscal Year 2007-2008 Operating Budget of the Public Works Department. Funding for the remaining five months of the original contract period and extension options is contingent upon available funding in future budgets. Lowest bid meeting specifications 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.
- 33 Authorize award and execution of a 36-month requirements supply contract with HANSON PIPE & PRECAST, Austin, TX for the purchase of reinforced concrete pipe in an estimated amount not to exceed \$442,087, with three 12-month extension options in an estimated amount not to exceed \$147,363 per extension option, for a total estimated contract amount not to exceed \$884,176. Funding in the amount of \$85,962 is available in the Fiscal Year 2007-2008 Operating Budget of the Watershed Protection & Development Review Department. Funding for the remaining 29 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.

#### **Watershed Protection and Development Review**

- 34 Approve issuance of a Street Event Permit for a fee paid event to be held on March 17, 2008, in the 200 block of East 6th Street for a Celtic Cultural Center of Texas fundraising event.
- 35 Approve issuance of a Street Event Permit for a fee paid event in the 200 block of West 4th Street for a Fado Irish Pub fundraising event. The event is scheduled for March 17, 2008 from 10:00 a.m. through 2:00 a.m. March 18, 2008.
- 36 Approve a resolution adopting a revised map of the Southern Edwards Aquifer Boundary. Recommended by the Environmental Board.

#### **Item(s) from Council**

- 37 Approve appointments to citizen board and commissions, to Council subcommittees and other intergovernmental bodies and removal and replacement of members.
- 38 Approve an ordinance encouraging filming of movies, television programming, commercials, music videos and video games in the greater Austin area and waiving facility use and rental fees for qualifying projects. (Mayor Will Wynn, Mayor Pro Tem Betty Dunkerley and Council Member Brewster McCracken)



- 39 Approve a resolution initiating code amendments to Subchapter F of Chapter 25-2 to implement recommendations of the Residential Development Regulation Task Force and other stakeholders, and to bring the amendments to Council no later than May 22, 2008 (Council Member Brewster McCracken, Mayor Pro Tem Betty Dunkerley and Council Member Lee Leffingwell)
- 40 Approve a resolution directing the City Manager to initiate a review and discussion with University of Texas Board of Regents and other stakeholders regarding redevelopment of the Brackenridge Tract and to identify the city staff that will coordinate the City's efforts regarding the Brackenridge Tract (Council Member Lee Leffingwell, Mayor Pro Tem Betty Dunkerley and Council Member Mike Martinez)
- 41 Approve a resolution directing the City Manager to provide a report to the Council within six months on the adequacy of the City's development codes, technical criteria, and other policies regarding underground structures and groundwater (Council Member Lee Leffingwell, Council Member Mike Martinez and Council Member Brewster McCracken)
- 42 Approve a resolution directing the City Manager to determine the feasibility of providing the use of the building located at 403 East 15th Street, formerly used as the Ronald McDonald House, for a transitional housing facility with a crisis stabilization center, and negotiate and execute a lease with the Austin Travis County Mental Health and Mental Retardation Center for the operation of the center (Council Member Lee Leffingwell, Mayor Pro Tem Betty Dunkerley and Council Member Sheryl Cole)
- 43 Approve a resolution directing the City Manager to allocate \$5,000 from the Holly Good Neighbor "Cultural Arts" projects to fund the Border Sessions showcase at the Mexican American Cultural Center on March 14 and 15, 2008 (Council Member Mike Martinez and Council Member Lee Leffingwell )
- 44 Approve a resolution directing the City Manager to allocate \$35,000 from Holly Good Neighbor "Cultural Arts" projects to fund Holly Good Neighbor youth programming through the Pachanga Latino Music Festival during the Latino music month of May (Council Member Mike Martinez and Council Member Lee Leffingwell )
- 45 Approve waiver of park rental fees for the Metz Elementary School's Metz Fest to be held at Fiesta Gardens on May 30, 2008 (Council Member Mike Martinez, Council Member Sheryl Cole and Council Member Lee Leffingwell)
- 46 Approve waiver of certain fees, and waiver of City Code Chapter 14-8 requirements for signatures of affected persons and for a security deposit, and waiver of the restriction against street events on Sixth Street continuing past 8 p m , for the Celtic Cultural Center of Texas St Patrick's Day Festival The event is scheduled to be held in the 200 block of East Sixth Street on March 17, 2008 (Mayor Will Wynn and Council Member Mike Martinez )
- 47 Approve payment of certain costs and waiver of certain requirements under Chapter 14 of the Code for SXSW, Inc 's annual South by Southwest Festival, a co-sponsored event, to be held March 7-16, 2008 (Mayor Will Wynn, Council Member Lee Leffingwell and Council Member Jennifer Kim)

**Item(s) to Set Public Hearing(s)**

- 48 Set a public hearing to consider the use of approximately 0.151 acre for a water line to construct, use, maintain, repair, and replace the existing water line for the construction of the William Cannon Over Onion Creek Water Line Improvement Project through dedicated parkland known as the Onion Creek Greenbelt, in accordance with Sec 26.001 et seq of the Texas Parks and Wildlife Code (Suggested date and time April 10, 2008 at 6:00 p m , 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 and Recreation Board

- 49 Set a public hearing to receive citizen comments on (1) the annual Action Plan Fiscal Year 2008-2009, required by the U S Department of Housing and Urban Development, and (2) the Texas Local Government Code Chapter 373 Community Development 2008-2009 Program (Suggested date and time March 20, 2008, 6 00 p m , at Austin City Hall, 301 W Second St, Austin, TX)

**10: 30 AM -- Morning Briefings**

- 50 Presentation and update on process and procedures regarding the citywide solicitation survey

**12: 00 PM -- Citizen Communications: General**

Joni Gilton -- Clean Energy

Elizabeth Greenwood -- Clean Energy

Jennifer L Gale -- Why are Austin workers subsidizing the Domain when simon properties doesn't even pay an Austin living wage for a cheap one bedroom

Gus Pena -- 1 City issues, 2 City budget to Increase funding for summer job programs for the youth Increase funding for Senior Citizen Programs, 3 Improve relations Between APD and the Community, 4 Close the gap between the Haves and Have Nots More people are becoming homeless NEED Affordable HOUSING

Veronica Hernandez -- Downtown races

David Merhar -- Business Interruptions from downtown races

Reverend Bud Roland -- Religious Freedom

Pat Johnston -- TBA

Mary Krenek -- Side walk and or other issues

Paul Robbins -- City Issues

**Executive Session**

- 51 Discuss legal issues related to terms of the settlement agreement on natural gas rate implementation between Atmos Energy Corporation, Mid-Tex Division, and the Atmos Texas Municipalities (Private Consultation with Attorney - Section 551 071)

**2: 00 PM -- Discussion and Possible Action on Bond Sales**

- 52 Approve an ordinance authorizing an interest rate management agreement with Goldman Sachs, New York, New York, related to the issuance of City of Austin, Texas, Water and Wastewater System Variable Rate Revenue Refunding Bonds, Series 2008, in an amount not to exceed \$175,000,000, providing for payments secured by a lien on and pledge of the net revenues of the City's Water & Wastewater System, establishing parameters with respect to the provisions of the interest rate management agreement,

delegating to the designated City officials the authority to effect said interest rate management agreement, establishing funds and accounts related to payments under the agreement, approving and authorizing other provisions relating to the subject, and providing for an effective date. No fiscal impact during fiscal year 2007-2008. Any debt service requirement and any annual administrative fees will be included in the 2008-2009 proposed budget of the Utility Revenue Bond Redemption Fund.

- 53 Approve an ordinance authorizing the issuance of City of Austin, Texas, Water and Wastewater System Variable Rate Revenue Refunding Bonds, Series 2008 in an amount not to exceed \$175,000,000, providing for payments secured by a lien on and pledge of the net revenues of the City's Water & Wastewater System, establishing parameters with respect to the sale of the Bonds, delegating to the designated City officials the authority to effect the sale of the Bonds, authorizing and approving other provisions relating to the subject, and providing for an effective date. No fiscal impact during fiscal year 2007-2008. Any debt service requirement and any annual administrative fees will be included in the fiscal year 2008-2009 proposed budget of the Utility Revenue Bond Redemption Fund.

## **2: 00 PM -- Briefings**

- 54 Briefing from City staff and Villa Muse representatives regarding the feasibility of a possible agreement that may be ratified between the City and Villa Muse.

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

- 55 C14-2007-0212 - 907 Rio Grande - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 907 Rio Grande Street (Waller Creek Watershed) from multi-family residence-moderate-high density (MF-4) district zoning to limited office-mixed use (LO-MU) combining district zoning. First reading approved on January 31, 2008. Vote 7-0. Applicant Robert L. Gage Revocable Trust (Robert L. Gage). Agent Thomas C. Fagerberg Attorney at Law (Thomas C. Fagerberg). City Staff Jorge E. Rousselin, 974-2975.
- 56 C14-2007-0237 - Old West Austin Neighborhood Planning Area Vertical Mixed Use Building (V) Zoning Opt-in/Opt-Out Process - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by applying Vertical Mixed Use Building (V) zoning regulations to certain tracts within the Old West Austin Neighborhood Planning Area, bounded by Enfield Road on the north, North Lamar Boulevard on the east, Lady Bird Lake on the south, and North MoPac Expressway on the west (Town Lake Watershed, Shoal Creek Watershed, Johnson Creek Watershed). Regulations governing Vertical Mixed Use Building dimensional standards, allowable uses for a Vertical Mixed Use Building in office base district zoning, relaxed parking standards for commercial uses in a Vertical Mixed Use Building, and affordability requirements for Vertical Mixed Use Building developments will be considered for adoption. The Austin City Council may consider adopting all or some of these regulations, or amending the Vertical Mixed Use (VMU) overlay district to exclude properties within the Old West Austin Neighborhood Planning Area from the overlay district. First Reading approved on February 28, 2008. Vote 7-0. Applicant and Agent Neighborhood Planning and Zoning Department. City Staff Melissa Laursen, 974-7226.
- 57 C14-2007-0202 - 501 E. Oltorf - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 501 East Oltorf (Blunn Creek Watershed) from multi-family residence-moderate high density-neighborhood conservation combining district-neighborhood plan (MF-4-CO-NP) combining district zoning to multi-family residence-highest density-neighborhood conservation combining district-neighborhood plan (MF-6-CO-NP) combining district zoning. First reading approved on February 28, 2008. Vote 7-0. Applicant Sunnymead Properties, Ltd. (George Yonge). Agent Drenner & Golden Stuart Wolff, L.L.P. (Michelle Rogerson). City Staff Robert Levinski, 974-1384.

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

- 58 PH C14-2007-0270 - 1606 Nelms Drive - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 1606 Nelms Drive (Williamson Creek Watershed) from community commercial-conditional overlay (GR-CO) combining district zoning to community commercial-conditional overlay (GR-CO) combining district zoning to change a condition of zoning Staff Recommendation, To grant community commercial-conditional overlay (GR-CO) combining district zoning to change a condition of zoning Zoning and Platting Commission Recommendation To grant community commercial-conditional overlay (GR-CO) combining district zoning to change a condition of zoning Applicant Albert L Ebaugh and Irvin A Ebaugh, Jr Agent Holford Group (Charles Dunn) City Staff Wendy Rhoades, 974-7719
- 59 PH C14-2007-0267 - 1904 W 35th Street - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 1904 West 35th Street (Johnson Creek Watershed) from family residence (SF-3) district zoning to limited office (LO) district zoning Staff Recommendation To grant limited office-conditional overlay (LO-CO) combining district zoning Zoning and Platting Commission Recommendation To grant limited office-conditional overlay (LO-CO) combining district zoning Applicant Elizabeth Prosser Agent Denison Development (Steve White) City Staff Jorge E Rousselin, 974-2975
- 60 PH C814-97-0001 05 - Leander Rehabilitation PUD Amendment #6 - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as North F M 620 Road (Lake Creek Watershed) from planned unit development (PUD) district zoning to planned unit development (PUD) district zoning to change a condition of zoning Staff Recommendation To grant planned unit development (PUD) district zoning to change a condition of zoning Zoning and Platting Commission Recommendation To grant planned unit development (PUD) district zoning to change a condition of zoning Applicant Pacific Summit Partners Agent Armbrust & Brown, L L P (David Armbrust) City Staff Sherri Sirwaitis, 974-3057
- 61 PH C14-2007-0271 - Deerwood Manufactured Home Park - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by zoning property locally known as 12400 Pearce Lane (Dry Creek East Watershed) from interim-rural residence (I-RR) district zoning to mobile home residence (MH) district zoning Staff Recommendation To grant mobile home residence-conditional overlay (MH-CO) combining district zoning with conditions Zoning and Platting Commission Recommendation To grant mobile home residence-conditional overlay (MH-CO) combining district zoning with conditions Applicant LB Deerwood Property, L P (Paseo Capital - Eric Amend) Agent Jacobs Carter Burgess (Sandy Harwood) City Staff Wendy Rhoades, 974-7719
- 62 PH C14-2008-0001 - Reno - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 1000 and 1002 Reno Drive (South Boggy Creek Watershed) from mobile home residence (MH) district zoning to family residence (SF-3) district zoning Staff Recommendation To grant family residence (SF-3) district zoning Zoning and Platting Commission Recommendation To grant family residence (SF-3) district zoning Applicant Santiago Arana Agent Carlos Arana City Staff Wendy Rhoades, 974-7719
- 63 PH C14-2007-0265 - Thaxton Place - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by zoning property locally known as 7840 Thaxton Road (Onion Creek Watershed) from interim-rural residence (I-RR) district zoning to single-family residence-small lot (SF-4A) district zoning Staff Recommendation To grant single-family residence-small lot-conditional overlay (SF-4A-CO) combining district zoning Zoning and Platting Commission Recommendation To grant single-family residence-small lot-conditional overlay (SF-4A-CO) combining district zoning Applicant Senate Hills, Ltd (Stephen D Bartholomew) Agent Pape-

neighborhood plan (MF-4-HD-NP) combining district zoning, multi-family residence-moderate high density-historic-historic district-neighborhood plan (MF-4-H-HD-NP) combining district zoning, and general commercial services-mixed use-conditional overlay-historic district-neighborhood plan (CS-MU-CO-HD-NP) combining district zoning Applicant and Agent Terry Myers, Preservation Central City Staff Susan Villareal, 974-3524 A valid petition in opposition to this rezoning request has been submitted for a portion of this request

- 68 PH C14-2007-0250 - Amarra Drive, Lot 1, Block A - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 8718-8734 Southwest Parkway, 5105-5301 Barton Creek Boulevard, 5305-5325 Barton Creek Boulevard (Barton Creek Watershed - Barton Springs Zone) from development reserve (DR) district zoning to multi-family residence-limited density (MF-1) district zoning Staff Recommendation To grant multi-family residence-limited density-conditional overlay (MF-1-CO) combining district zoning Zoning and Platting Commission Recommendation To grant multi-family residence-limited density-conditional overlay (MF-1-CO) combining district zoning Applicant Stratus Properties Operating Co , L P (John Baker) Agent Drenner & Golden Stuart Wolff, L L P (Michele Rogerson) City Staff Wendy Rhoades, 974-7719
- 69 PH C14-2007-0263 - Hyde Park Neighborhood Planning Area Vertical Mixed Use Building (V) Zoning Opt-in/Opt-Out Process - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by applying Vertical Mixed Use Building (V) zoning regulations to certain tracts within the Hyde Park Neighborhood Planning Area, bounded by 51st Street to the north, Red River to 45th Street to Duval Street to the east, 38th Street to the south and Guadalupe Street to 47th Street and along Waller Creek to the south (Waller Creek watershed) Regulations governing Vertical Mixed Use Building dimensional standards, allowable uses for a Vertical Mixed Use Building in office base district zoning, relaxed parking standards for commercial uses in a Vertical Mixed Use Building, and affordability requirements for Vertical Mixed Use Building developments will be considered for adoption The Austin City Council may consider adopting all or some of these regulations, or amending the Vertical Mixed Use (VMU) overlay district to exclude properties within the Hyde Park Neighborhood Planning Area from the overlay district Planning Commission Recommendation To grant vertical mixed use building (V) district and to exclude certain tracts from the vertical mixed use overlay district Applicant and Agent Neighborhood Planning and Zoning Department City Staff Jorge Rousselin, 974-2975
- 70 PH C14-2007-0173 - 6414 Manchaca - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 6414 Manchaca Road (Williamson Creek Watershed) from community commercial (GR) district zoning, and multi-family residence-medium density density (MF-3) district zoning to community commercial-mixed use-vertical mixed use (GR-MU-V) combining district zoning Staff Recommendation To grant community commercial-mixed use-vertical mixed use-conditional overlay (GR-MU-V-CO) combining district zoning Planning Commission Recommendation To grant community commercial-mixed use-vertical mixed use-conditional overlay (GR-MU-V-CO) combining district zoning for Tract 1, and community commercial-mixed use-conditional overlay (GR-MU-CO) combining district zoning for Tract 2 Applicant and Agent Peter Kehle City Staff Wendy Rhoades, 974-7719

#### **5: 30 PM -- Live Music**

Kissinger

#### **5: 30 PM -- Proclamations**

Proclamation -- Arbor Day -- to be presented by Mayor Will Wynn and to be accepted by Walter Passmore

Proclamation -- Social Work Month -- to be presented by Mayor Will Wynn and to be

accepted by Barbara Anderson

Proclamation -- BarCampAustin III -- to be presented by Council Member Lee Leffingwell and to be accepted by William Hurley


Certificate of Congratulations -- Byron Marshall -- to be presented by Council Member Sheryl Cole and to be accepted by the honoree


Distinguished Service Award -- Paul Hilgers -- to be presented by Mayor Will Wynn and City Manager Marc Ott and to be accepted by the honoree

## **6: 00 PM -- Public Hearings and Possible Actions**

- 71 PH Conduct a public hearing for the full purpose annexation of the Kitchell Tract (Approximately 3 acres in eastern Travis County at the southwest corner of the intersection of US Highway 290 East and Decker Lane)
- 72 PH Conduct a public hearing and consider an ordinance amending Section 25-1-23(B) of the City Code to exclude a portion of the area above a subsurface structure from land use impervious cover calculations Recommended by the Planning Commission
- 73 PH Conduct a public hearing and consider an ordinance amending Chapter 25-2 of the City Code to add Article 16 relating to neighborhood plan amendments, and repealing Ordinance Nos 20030320-23 and 20030605-53
- 74 PH Conduct a public hearing and consider an ordinance on first reading regarding the application submitted by American Medical Response of Texas, Inc to renew a non-emergency medical transfer franchise under Chapter 10-2 of the City Code Recommended by the Austin-Travis County EMS Advisory Board
- 75 PH Conduct a Public Hearing and consider the propriety and reasonableness of natural gas rates pursuant to the settlement agreement between Atmos Energy Corporation, Mid-Tex Division, and the Atmos Texas Municipalities and consider a resolution approving the settlement agreement between Atmos Energy Corporation, Mid-Tex Division, and the Atmos Texas Municipalities, relating to implementation of natural gas rates

## **Adjourn**

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

 *For assistance please call 974-2210 OR 974-2445 TDD*

A person may request a Spanish language interpreter be made available by contacting the Office of the City Clerk not later than twenty-four hours before the scheduled time of the item on which the person wishes to speak Please call 974-2210 in advance or inform the City Clerk's staff present at the council meeting

Cualquier persona puede solicitar servicios de intérprete en español comunicandose con la oficina del Secretario/a Municipal a no mas tardar de veinte y cuatro horas antes de la hora determinada para el asunto sobre el cual la persona desea comentar Por favor llame al 974-2210 con anticipo o informe al personal del Secretario/a Municipal presente en la sesión del Consejo

## **CITY COUNCIL AGENDA**

### Council Meetings

January 10, 2008  
January 17, 2008  
January 31, 2008

February 14, 2008  
February 28, 2008

March 6, 2008  
March 20, 2008  
March 27, 2008

April 10, 2008  
April 24, 2008

May 8, 2008  
May 15, 2008  
May 22, 2008

June 5, 2008  
June 19, 2008

July 24, 2008

August 7, 2008  
August 21, 2008  
August 28, 2008

September 8, 9, 10  
(Budget Readings)  
September 25, 2008

October 2, 2008  
October 9, 2008

November 6, 2008  
November 20, 2008

December 11, 2008  
December 18, 2008

### Canceled Meetings

January 3, 2008  
January 24, 2008

February 7, 2008  
February 21, 2008

March 13, 2008

April 3, 2008  
April 17, 2008

May 1, 2008  
May 29, 2008

June 12, 2008  
June 26, 2008

July 3, 2008  
July 10, 2008  
July 17, 2008

August 14, 2008

September 4, 2008  
September 18, 2008

October 16, 2008  
October 30, 2008

November 13, 2008  
November 27, 2008

December 25, 2008