

**AUSTIN CITY COUNCIL
MINUTES****REGULAR MEETING
THURSDAY, MARCH 20, 2008**

Invocation: Pastor Brandon Hollar, Capital Christian 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, March 20, 2008 in the Council Chambers of City Hall, 301 West Second Street, Austin, Texas.

Mayor Wynn called the Council Meeting to order at 10:14 a.m.

CONSENT AGENDA

The following items were acted on by one motion. No separate discussion or action occurred on any of the items. The consent items were approved on Council Member Martinez' motion, Council Member Cole's second on a 7-0 vote.

1. Approval of the minutes from the meeting of March 6, 2008 and amendment to the minutes from the meeting of February 28, 2008.
The minutes from the meeting of March 6, 2008 and amendment to the minutes from the meeting of February 28, 2008 were approved.
2. Authorize negotiation and execution of a Utilities Contribution Agreement with the Film Society of Austin, Inc., a Texas nonprofit corporation to reimburse costs for improvements and renovations to Austin Studios in an amount not to exceed \$1,012,156. Funding in the amount of \$330,000 is available in the Fiscal Year 2007-2008 Capital Budget of the Austin Water Utility. Funding in the amount of \$682,156 is available in the Fiscal Year 2007-2008 Capital Budget of Austin Energy. Recommended by the Electric Utility Commission. To be reviewed by the Water and Wastewater Commission on March 19, 2008.
The motion authorizing the negotiation and execution of a utilities contribution agreement with the Film Society of Austin, Inc. was approved.
3. Authorize negotiation and execution of a professional services agreement with Connie Arismendi and Laura Garanzuay for artwork, in an amount not to exceed \$75,000. Funding is available in the Fiscal Year 2007-2008 Holly Good Neighbor Fund. Recommended by the Austin Arts Commission.
The motion authorizing the negotiation and execution of a professional services agreement with Connie Arismendi and Laura Garanzuay for artwork was approved.

4. Approve an ordinance on second 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.
The second reading of the ordinance was approved.
5. Approve a resolution appointing Mayor Will Wynn as Chairman of the Board of Directors for Tax Increment Financing (TIF) Reinvestment Zone No. 17 (Waller Creek Tunnel Project).
Resolution No. 20080320-005 was approved.

Items 6 and 7 were pulled to be heard after the related Tax Increment Financing Reinvestment Zone #17 Board of Directors' meeting.

8. Approve an ordinance amending Ordinance No. 20070621-151, the Waller Creek Tunnel Tax Increment Financing Reinvestment Zone creation ordinance, to amend the termination provision; and provide for emergency passage.
Ordinance No. 20080320-008 was approved on emergency passage.
9. Authorize execution of 12-month extension contracts, to be effective March 1, 2008, for HIV-related services with AIDS SERVICES OF AUSTIN, INC., Austin, TX in an amount not to exceed \$225,705; AUSTIN TRAVIS COUNTY MHMR Austin, TX in an amount not to exceed \$51,858; THE WRIGHT HOUSE WELLNESS CENTER, INC., Austin, TX in an amount not to exceed \$118,611; PROJECT TRANSITIONS, INC., Austin, TX in an amount not to exceed \$84,878. Funding in the amount of \$280,614 is available in the Fiscal Year 2007-2008 Approved Operating Budget of the Health and Human Services Department. The term of each contract is for the period of March 1, 2008 to February 28, 2009. Funding for the final months of each contract, or for any extension options is contingent on available funding in future budgets.
The motion authorizing the execution of extension contracts to be effective March 1, 2008 with AIDS Services of Austin, Inc., Austin Travis County MHMR, The Wright House Wellness Center, Inc. and Project Transitions, Inc. was approved.
10. Approve execution of amendment No. 4 to the Interlocal Agreement among the CITY OF AUSTIN, AUSTIN TRAVIS COUNTY MENTAL HEALTH MENTAL RETARDATION CENTER, Austin, TX, and TRAVIS COUNTY for substance abuse treatment services, adding an additional \$294,315 to the existing Travis County portion for an annual amount not to exceed \$1,843,157 (\$937,043 City; \$906,114 County) from January 1, 2008 through December 31, 2008, with one remaining 12-month renewal option in an amount not to exceed \$1,843,157 (\$937,043 City; \$906,114 County). Funding in the amount of \$470,282 is available in the Fiscal Year 2007-2008 Operating Budget of the Health and Human Services Department; \$232,500 is available from the Fiscal Year 2007-2008 Operating Budget of Community Court. Travis County will provide a total of \$753,164.25 (\$458,849.25 General Fund and \$294,315 Grant Funds). Funding for the final months of the agreement and any renewal option is contingent on available funding in future budgets.
The motion approving the execution of amendment number 4 to the interlocal agreement among the City of Austin, Austin Travis County Mental Health Mental Retardation Center and Travis County was approved.

Item 11 was pulled for discussion.

12. Approve an ordinance amending Ordinance No. 20080214-081 to correct the name of the neighborhood plan for the property located at 1100 Linden Street and described in Zoning Case No. C14-2007-0146.SH.
Ordinance No. 20080320-012 was approved.

13. Approve a resolution authorizing the fee simple acquisition of Lot 45, Block E, Yarrabee Bend South Section 1, an addition in Travis County, Texas, according to the map or plat thereof recorded in Book 79, Pages 259-261, of the Plat Records of Travis County, Texas, located at 7208 Dixie Drive, Austin, Texas from Mary Rosalez for the Streambank Restoration and Erosion Management Program, in the amount of \$109,500 for the land and improvements plus \$5,250 in tenant assisted relocation benefits, and moving related expenses not to exceed \$10,000, for a total amount not to exceed \$124,750. Funding is available in the Fiscal Year 2007-2008 Capital Budget of the Watershed Protection and Development Review Department.
Resolution No. 20080320-013 was approved.
14. Approve a resolution authorizing the fee simple acquisition of Lot 22, Block K, Yarrabee Bend Section 3, an addition in Travis County, Texas, according to the map or plat thereof recorded in Volume 75, Page 358, of the Plat Records of Travis County, Texas, located at 7212 Firefly Drive, Austin, Texas from Teresa Sanchez for the Onion Creek Voluntary Flood Buyout-FEMA-1606-DR Project, in the amount of \$127,000 for the land and improvements and \$32,500 in owner assisted relocation benefits, plus moving related expenses not to exceed \$10,000, for a total amount not to exceed \$169,500. Funding is available in the Fiscal Year 2007-2008 Capital Budget of the Watershed Protection and Development Review Department.
Resolution No. 20080320-014 was approved.
15. Approve a resolution authorizing the fee simple acquisition of Lot 8, Block J, Onion Creek Forest, Section 2, amended plat, a subdivision in Travis County, Texas, according to the map or plat recorded in Volume 68, Page 54, of the Plat Records of Travis County, Texas, located at 5405 Thornwood Drive, Austin, Texas from Rosalva Torres for the Onion Creek Voluntary Flood Buyout-FEMA-1606-DR Project, in the amount of \$60,000 for the land and improvements and \$39,900 in owner assisted relocation benefits, plus moving related expenses not to exceed \$10,000, for a total not to exceed \$109,900. Funding is available in the Fiscal Year 2007-2008 Capital Budget of the Watershed Protection and Development Review Department.
Resolution No. 20080320-015 was approved.
16. Accept sealed bid offer of \$12,250 for the sale of a 12,176 square feet access easement over, upon, and across a portion of a 5.00 acre tract of City owned 9-1-1 antenna site land, being a part of the T.C. RR. Co. Survey No. 193 in Travis County, Texas, and located at 11941 Lime Creek Road.
The motion accepting the sealed bid was approved.
17. Approve a resolution authorizing the fee simple acquisition of Lot 14, Block D, Onion Creek Forest, Section 2, amended plat, a subdivision in Travis County, Texas, according to the map or plat thereof recorded in Volume 68, Page 54, of the Plat Records of Travis County, Texas, located at 6907 Shady Cedar Drive, Austin, Texas from Richard Young for the Onion Creek Voluntary Flood Buyout-FEMA-1606-DR Project, in the amount of \$55,000 for the land and improvements and \$34,000 in owner assisted relocation benefits, plus moving related expenses not to exceed \$10,000 for a total amount not to exceed \$99,000. Funding is available in the Fiscal Year 2007-2008 Capital Budget of the Watershed Protection and Development Review Department.
Resolution No. 20080320-017 was approved.
18. Approve a resolution authorizing the negotiation and execution of a contract for the fee simple acquisition of Lots 40, 41 and 42, Block B, COMANCHE CANYON RANCH AREA THREE, a subdivision in Travis County, Texas fronting on Bullick Hollow Road, from Comanche Canyon Development, Inc., a Texas corporation, by Robert H. Theriot, its President, in a total amount not to exceed \$7,200,000. Funding is available in the Fiscal Year 2007-2008 Capital Budget of the Austin Water Utility Department.

This item was withdrawn.

19. Approve the negotiation and execution of a 50-year lease with two 25-year renewal options for approximately 1 acre of land for the Austin Yellow Bike Project located at 1200 Webberville Rd, from the City of Austin, Austin TX, in return for the public services outlined in the attached terms sheet.
The motion approving the negotiation and execution of a lease was approved.
20. Authorize negotiation and execution of a design build agreement with HARVEY-CLEARY BUILDERS, INC., Austin, TX, for design-build services for the design and construction of the Public Safety Training Facility, in an amount not to exceed \$14,000,000. Funding is available in the 2007-2008 Capital Budget of the Financial and Administrative Services Department. Best qualification statement of five 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 23.93% MBE and 14.34% WBE subcontractor participation.
The motion authorizing the negotiation and execution of a design build agreement with Harvey-Cleary Builders, Inc. was approved.
21. Authorize ratification of a contract payment and associated Change Order # 1 to the construction contract with VIKING CONSTRUCTION, INC., Georgetown, TX for the 2007 Miscellaneous Streets Slurry Seal and Micro-Surfacing in the amount of \$105,105.70, for a total contract amount not to exceed \$1,715,174.05. Funding in the amount of \$105,105.70 is available in the Fiscal Year 2007-2008 Operating Budget of Public Works Department; \$44,105.70 from the Street and Bridge Preventive Maintenance Program and \$61,000 from the Bicycle and Pedestrian Program. The contract was awarded in compliance with Chapter 2-9A of the City Code (Minority-Owned and Women-Owned Business Enterprises Procurement Program) with 3.55% MBE and 20.56% WBE subcontractor participation to date including this change order.
The motion authorizing the ratification of a contract payment and associated change order #1 to the construction contract with Viking Construction, Inc. was approved.
22. Authorize the selection process to be used for Design Team for the New Central Library Project.
This item was postponed to March 27, 2008.
23. Authorize award and execution of a contract with POWER SUPPLY, INC., Austin, TX, for the purchase of a main breaker for the Sand Hill Energy Center, in an amount not to exceed \$56,327. Funding is available in the FY 2007-2008 Operating Budget of Austin Energy. 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 Power Supply, Inc. was approved.
24. Authorize award and execution of a contract with POWER SUPPLY INC., Austin, TX, for the purchase of power transformer bushings in an amount not to exceed \$68,958. Funding is available in the Fiscal Year 2007-2008 Operating Budget of Austin Energy. 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 contract with Power Supply Inc. was approved.

25. Authorize award and execution of three 24-month requirements supply contracts for luminaries, floodlights, and associated parts with TECHLINE INC., Austin, TX, in an estimated amount not to exceed \$798,876, with two 12-month extension options in an estimated amount not to exceed \$399,438 per extension option, for a total estimated contract amount not to exceed \$1,597,752; and with POWER SUPPLY, Austin, TX in an estimated amount not to exceed \$95,070, with two 12-month extension options in an estimated amount not to exceed \$47,535 per extension option, for a total estimated contract amount not to exceed \$190,140; and with PRIESTER-MELL & NICHOLSON, Austin, TX in an estimated amount not to exceed \$71,732, with two 12-month extension options in an estimated amount not to exceed \$35,866 per extension option, for a total estimated contract amount not to exceed \$143,464. Funding in the amount of \$241,420 is available in the Fiscal Year 2007-2008 Operating Budget of Austin Energy. Funding for the remaining 18 months of the original contract period and extension options is contingent upon available funding in future budgets. Lowest bids 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.
The motion authorizing the award and execution of three requirements supply contracts with Techline Inc., Power Supply and Priester-Mell and Nicholson was approved.
26. Authorize award and execution of Amendment No. 1 to the service contract with 3D/INTERNATIONAL INC., Austin, TX, for additional services to develop 3D modeling for additional areas within the City of Austin in an estimated amount not to exceed \$200,000 for a revised estimated total contract amount not to exceed \$249,000. Funding in the amount of \$200,000 is available in Fiscal Year 2007-2008 Operating Budget of the Financial Services Department, Communications and Technology Management. Contract Amendment. 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 professional services contract; therefore, it is exempted under Chapter 252 of the Texas Local Government Code and no goals were established for this solicitation. May 3, 2007 - Resolution approved directing the City Manager to analyze the potential benefits of making a 3D model of the City available for public use; recommended by the Design and Planning Commissions.
The motion authorizing the award and execution of amendment number 1 to the service contract with 3D/International Inc. was approved.
27. Authorize award and execution of a 36-month requirements service contract with UNIFIRST CORPORATION, Austin TX, for floor mat rental services for various city departments in an estimated amount not to exceed \$212,933, with three 12-month extension options in an estimated amount not to exceed \$70,978 per extension option, for an estimated contract amount not to exceed \$425,867. Funding in the amount of \$41,404 is included in the FY 2007-2008 Operating Budget of various City departments. 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 2-9C 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 Unifirst Corporation was approved.
28. Authorize award and execution of a four-month contract through the Texas Cooperative Purchasing Network (TCPN) with HERTZ EQUIPMENT RENTAL CORPORATION, Houston, TX, for the rental of heavy duty, commercial, industrial, and construction equipment and in an estimated amount not to exceed \$200,000, with four 12-month extension options in an estimated amount not to exceed \$600,000 per extension option, for a total estimated contract amount not to exceed \$2,600,000. Funding in the amount of \$300,000 is available in the Fiscal Year 2007-2008 Operating Budget of the Financial and

Administrative Services Department, Fleet Fund. Funding for the extension options is contingent upon available funding in future budgets. This contract will be awarded in compliance with Chapter 2-9D of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). This contract is a cooperative purchase; therefore, it is exempted under Chapter 791 of the Texas Government Code and no goals were established for this solicitation.

The motion authorizing the award and execution of a four-month contract through the Texas Cooperative Purchasing Network (TCPN) with Hertz Equipment Rental Corporation was approved.

29. Authorize award and execution of a 36-month requirements supply contract with EBSCO INFORMATION SERVICES, Westminster, CO for periodical subscriptions for the Austin Public Library in an estimated amount not to exceed \$436,509, with three 12-month extension options in an estimated amount not to exceed \$145,503 per extension option, for a total estimated contract amount not to exceed \$873,018. Funding in the amount of \$84,877 is available in the Fiscal Year 2007-2008 Operating Budget of the Library 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.

The motion authorizing the award and execution of a requirements supply contract with EBSCO Information Services was approved.

30. Authorize award and execution of a 24-month requirements service contract with MINOR MOVING, L.L.C., Austin, TX for moving, packing, and storage services for residential properties in an estimated amount not to exceed \$444,722, with two 12-month extension options in an estimated amount not to exceed \$233,479 for the first extension option and \$245,153 for the second extension option, for a total estimated contract amount not to exceed \$923,354. Funding in the amount of \$111,180 is available in the Fiscal Year 2007-2008 Special Revenue Fund of the Neighborhood Housing and Community Development Department. 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 2-9C 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 Minor Moving L.L.C. was approved.

31. Authorize award and execution of a 36-month requirements service contract with AUSTIN RECLAIMED MATERIALS, Austin, TX for aggregate screening services in an estimated amount not to exceed \$259,000, with three 12-month extension options in an estimated amount not to exceed \$86,400 per extension option, for a total estimated contract amount not to exceed \$518,200. Funding in the amount of \$50,361 is available in the Fiscal Year 2007-2008 Operating Budget of the Public Works 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 2-9C 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 Austin Reclaimed Materials was approved.

32. Authorize award and execution of a contract through the State of Texas, Comptroller of Public Accounts (CPA) with TOTER INCORPORATED, Statesville, NC, for the purchase of residential garbage carts,

single-stream recycling carts, multi color lid graphics, and assembly and distribution services in an amount not to exceed \$10,340,767.84. Funding in the amount of \$706,137.84 is available in the Fiscal Year 2007-2008 Operating Budget of the Solid Waste Services Department. Funding in the amount of \$9,634,630 is available in the Fiscal Year 2007-2008 Capital Budget of the Solid Waste Services Department. Cooperative Purchase. This contract will be awarded in compliance with Chapter 2-9D of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). This contract is a Cooperative Purchase; therefore, it is exempted under Chapter 791 of the Texas Government Code and no goals were established for this solicitation.

The motion authorizing the award and execution of a contract through the State of Texas, Comptroller of Public Accounts (CPA) with Toter Incorporated was approved.

33. Authorize negotiation and execution of an Interlocal Agreement with the University of Texas at Austin (UT) for the time and expertise of UT engineers and staff to conduct research, data analysis, testing, and model development for stormwater filtration systems in a cooperative project with City of Austin staff for an amount not to exceed \$249,770. The Interlocal Agreement will have a 12 month term, with annual renewals for up to 36 months. Funding is available in the Fiscal Year 2007-2008 Capital budget of the Watershed Protection and Development Review Department, Water Quality Protection projects. This contract will be awarded in compliance with Chapter 2-9C of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). This contract is an interlocal agreement; therefore, it is exempted under Chapter 252.022 of the Texas Local Government Code and no goals were established for this solicitation.

The motion authorizing the negotiation and execution of an interlocal agreement with the University of Texas was approved.

34. Authorize negotiation and execution of an Interlocal Agreement between the City of Austin and the Lower Colorado River Authority (LCRA) for the coordination of preconstruction engineering and design (PED) activities for the Onion Creek Watershed between the City and the US Army CORPS of Engineers (CORPS). The PED activities will be performed by the U.S. Army Corps of Engineers (CORPS) and the City of Austin will convey through the LCRA to the CORPS, in an amount not to exceed \$239,250, its 25% share of the preconstruction engineering and design costs. 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 2-9C of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). This contract is an interlocal agreement; therefore, it is exempted under Chapter 252.022 of the Texas Local Government Code and no goals were established for this solicitation.

The motion authorizing the negotiation and execution of an interlocal agreement between the City of Austin and the Lower Colorado River Authority (LCRA) was approved.

35. Approve appointments to citizen board and commissions, to Council subcommittees and other intergovernmental bodies and removal and replacement of members.

The following appointments were made:

Board

Nominated By:

Asian American Resource Center Advisory Board
Dulal Talukdar

Council Member Martinez

Building and Standards Commission
Decker Ayers

Council Member Cole

Commission on Immigrant Affairs

Rabiul Islam

Council Member Martinez

Housing Authority of the City of Austin

Rescind the appointment made on February 14, 2008.

36. Approve a resolution identifying projects for the Webberville tract, directing the City Manager to complete the Environmental Site Assessment for the Webberville tract, based on the identified projects, and stating the Council's intent to move forward with the identified projects. (Mayor Pro Tem Betty Dunkerley Mayor Will Wynn Council Member Lee Leffingwell)
This item was withdrawn.
37. Approve a resolution establishing criteria that must be met before Council considers a proposal to conduct a charter election on single member districts. (Council Member Sheryl Cole Council Member Brewster McCracken Mayor Pro Tem Betty Dunkerley)
This item was withdrawn.
38. Set a public hearing to consider floodplain variances requested by Mr. Mark Hill Dorsett to allow the enclosure and modification of an existing screened porch at his single-family residence at 5906 Cherry Creek Drive in the 100-year floodplain of Williamson Creek with proposed finished floor elevation being below the 100-year floodplain elevation and including a request to waive the requirement to dedicate a drainage easement to the full limit of the 100-year floodplain to exclude the footprint of the existing and modified structure. (Suggested date and time: March 27, 2008, 6:00 p.m. at Austin City Hall, 301 W. Second Street, Austin, TX.)
The public hearing was set for March 27, 2008 at 6:00 p.m., Austin City Hall at 301 W. Second Street, Austin, TX.
39. Set a public hearing to consider an ordinance amending: (1) provisions of the 2006 International Residential Code relating to inspector qualifications and requirements for exterior walls; and (2) provisions of the 2003 Plumbing Code relating to permitting, inspection, and registration. (Suggested date and time: March 27, 2008, 6:00 p.m. at Austin City Hall, 301 W. Second Street, Austin, TX.) Amendments to the 2006 International Residential Code were recommended by the Building and Fire Code Board of Appeals.
The public hearing was set for March 27, 2008 at 6:00 p.m., Austin City Hall at 301 W. Second Street, Austin, TX.

Item 40 was a briefing item set for 10:30 a.m.

Item 41 was a briefing item set for 2:00 p.m.

Item 42 was The Tax Increment Financing Reinvestment Zone #17 Board of Directors' meeting.

Items 43 through 75 were zoning items set for 4:00 p.m.

Item 76 was a public hearing item set for 6:00 p.m.

Item 77 was an addendum for an Executive Session item.

DISCUSSION ITEM

11. Approve an ordinance adopting a service plan for the Anderson Mill Municipal Utility District (MUD) full purpose annexation area and providing for the annexation of the area, in accordance with the terms of

the Strategic Partnership Agreement (SPA) between the City of Austin and the Anderson Mill MUD, as amended. Properties to be annexed include the limited purpose commercial property and the residential property (approximately 1,091 acres located in Williamson and Travis Counties, Texas generally bounded by RM 620 to the west, US 183 to the north, and Anderson Mill Road to the south). Funding necessary to provide general governmental services to this tract is available in the budgets of the departments which will be providing the services.

Ordinance No. 20080320-011 was approved on Mayor Pro Tem Dunkerley's motion, Council Member Leffingwell's second on a 7-0 vote. If the limited district is not ratified, the City Manager was directed to come back to Council for direction to have the funds set aside for either enhanced maintenance or capital projects within the area from which the funds were collected.

BRIEFING

40. Briefing on the New Central Library Project.
The presentation was made by Rudy Garza, Assistant City Manager, and Bert Lumbreras, Assistant City Manager.

Mayor Wynn recessed the Council Meeting to go into Executive Session at 11:25 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.

78. Evaluate the performance of and consider compensation and benefits for the Municipal Court Clerk (Personnel matters - Section 551.074) Related to item #77.

Executive Session ended and Mayor Wynn called the Council Meeting back to order at 12:07 p.m.

CITIZEN COMMUNICATION: GENERAL

Carmen Llanes - Annual Cesar E. Chavez Si Se Puede march led by PODER: March 29th 2008. Starting at City Hall 10:00 AM

Susana Almanza - Honor Cesar Chavez- Let's make Cesar Chavez Day a National Holiday!

Pat Johnson - City Issues

Paul Robbins - City Issues. He was not present when his name was called.

Gus Pena - 1.To Discuss City issues AND the Budget 2. City needs to correct the problem with parking meters increase funding 3. To seek more funding from the Department of Justice Governors Office for overtime to put more police OFFICERS on the streets patrolling. Crime is on the Increase 4. Allocate Funding to repair parking meters, tourists are upset at encountering faulty meters as well as US residents.

Clifton Ladd - Balcones Canyon lands Conservation Plan

Jennifer L. Gale - *Happy Easter* Environmental Austin should be held criminally negligent for not providing widespread single stream recycling using a separate dumpster at each business and home

Scott Johnson - Central Texas Electric lawnmower program. Sat April 5th 8:30 So. Austin Home Depot

DISCUSSION ITEM CONTINUED

77. Approve an ordinance relating to the compensation and benefits for the Municipal Court Clerk. Related to item #78 (Mayor Will Wynn Council Member Sheryl Cole Council Member Mike Martinez)
Ordinance No. 20080320-077 was approved on Council Member Martinez' motion, Council Member Leffingwell's second on a 7-0 vote.

Mayor Wynn recessed the Council Meeting at 12:34 p.m.

Mayor Wynn called the Council Meeting back to order at 3:33 p.m.

BRIEFING

41. Presentation on current services and future plans of the Solid Waste Services Department.
The presentation was made by Willie Rhodes, Director of Solid Waste Services Department.
42. The Mayor will recess the City Council meeting to conduct a Board of Directors' Meeting of the Tax Increment Financing Reinvestment Zone #17 (Waller Creek). Following adjournment of the Board meeting the City Council will re-convene (See attached agenda).

Mayor Wynn recessed the Council Meeting and called the Board of Directors' Meeting of the Tax Increment Financing Reinvestment Zone #17 to order at 3:54 p.m. See separate minutes.

Mayor Wynn called the Council Meeting back to order at 4:06 p.m.

DISCUSSION ITEMS CONTINUED

6. Approve the execution of an agreement with Travis County to fund and participate in the Tax Increment Financing (TIF) Reinvestment Zone No. 17 (Waller Creek Tunnel Project). To be reviewed by the Board of Directors of the TIF Reinvestment Zone No. 17 on March 20, 2008. Related to item #42
The motion approving the execution of an agreement with Travis County was approved on Council Member Cole's motion, Council Member Leffingwell's second on a 7-0 vote.
7. Approve an ordinance approving the project and financing plan for Tax Increment Financing (TIF) Reinvestment Zone No. 17 (Waller Creek Tunnel Project); and provide for emergency passage. Related to item #42
Ordinance No. 20080320-007 was approved on Council Member Cole's motion, Council Member Leffingwell's second on a 7-0 vote.

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.

43. C14-2007-0229 - South Edge II (Part 2) - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 6204 Crow Lane (Williamson Creek Watershed) from family residence-neighborhood plan (SF-3-NP) combining district zoning to multi-family residence-low density-neighborhood plan (MF-2-NP) combining district zoning with conditions. First reading approved on January 10, 2008. Vote: 7-0. Applicant: Ellen N. Smith (Sue Ellen Smith Crossfield). Agent: Alice Glasco Consulting (Alice Glasco). City Staff: Wendy Rhoades, 974-7719.
Ordinance No. 20080320-043 for multi-family residence-low density-neighborhood plan (MF-2-NP) combining district zoning with conditions was approved.
44. C14-2008-0003 - Windsor Road Neighborhood Planning Area Vertical Mixed Use Building (V) Zoning Opt-in/Opt-Out Process, Tracts 3-21 - 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 Windsor Road Neighborhood Planning Area, bounded by West 35th Street on the north, North Lamar Boulevard on the east, Enfield Road on the south and North MoPac Expressway Northbound on the west (Town Lake, Shoal Creek, Johnson Creek Watersheds). 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 Windsor Road Neighborhood Planning Area from the overlay district. First Reading approved on February 14, 2008. Vote: 6-0 (Kim-absent). Applicant and Agent: Neighborhood Planning and Zoning Department. City Staff: Wendy Rhoades, 974-7719. A valid petition has been filed in opposition to the rezoning request for a portion of Tract 3.
This item was postponed to April 24, 2008 at the staff's request.
45. C14-2007-0222 - 3116 SoCo - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 3116 South Congress (West Bouldin Creek Watershed) from general commercial services-neighborhood plan (CS-NP) combining district zoning and multi-family residence-moderate high density-neighborhood plan (MF-4-NP) combining district zoning to commercial-liquor sales-mixed use-conditional overlay-neighborhood plan (CS-1-MU-CO-NP) combining district zoning; and neighborhood commercial-mixed use-conditional overlay-neighborhood plan (LR-MU-CO-NP) combining district zoning. First reading approved on February 28, 2008. Vote: 7-0. Applicant and Agent: Rani Ilai. City Staff: Robert Heil, 974-2330.
Ordinance No. 20080320-045 for commercial-liquor sales-mixed use-conditional overlay-neighborhood plan (CS-1-MU-CO-NP) combining district zoning; and neighborhood commercial-mixed use-conditional overlay-neighborhood plan (LR-MU-CO-NP) combining district zoning was approved.

ZONING CONSENT ITEMS

The following zoning items were acted on by one motion. No separate discussion or action occurred on any of the items. The public hearings were closed and consent items were approved on Council Member McCracken's motion, Council Member Cole's second on a 7-0 vote.

50. C14-2008-0029 - Plaza Saltillo Station Area Plan - Conduct a public hearing and approve an ordinance adopting the Plaza Saltillo Station Area Plan and TOD base district zoning for all properties within the boundaries of the Plaza Saltillo Station Area, generally bounded by E. 7th Street and the E. 7th Street alley on the north; the east side of Chicon Street on the east; E. 3rd Street, the alley between E. 3rd and 4th Streets, and E. 4th Street on the south; and the northbound frontage road of IH-35 on the west.

Planning Commission Recommendation: To be reviewed on April 8, 2008. Applicant: City of Austin, Neighborhood Planning and Zoning Department. City Staff: Sonya Lopez, 974-7694.

This item was postponed to April 10, 2008 at staff's request.

51. NPA-2008-0002.01 - East Cesar Chavez Neighborhood Plan Amendment - Conduct a public hearing and approve an ordinance amending Ordinance No. 990513-70, the East Cesar Chavez Neighborhood Plan, an element of the Austin Tomorrow Comprehensive Plan, to include the Plaza Saltillo Station Area Plan and change the land use designation on the future land use map for all properties within the East Cesar Chavez Neighborhood Planning Area that overlap the Plaza Saltillo Station Area to transit Oriented development (TOD). Planning Commission Recommendation: To be reviewed on April 8, 2008. Applicant: city of Austin, Neighborhood Planning and Zoning Department. City Staff: Sonya Lopez, 974-7694.
This item was postponed to April 10, 2008 at staff's request.
52. NPA-2008-0009.01 - Central East Austin Neighborhood Plan 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 include the Plaza Saltillo Station Area Plan and change the land use designation on the future land use map for all properties within the Central East Austin Neighborhood Planning Area that overlap the Plaza Saltillo Station Area to transit oriented development. Planning Commission Recommendation: To be reviewed on April 8, 2008. Applicant: City of Austin, Neighborhood Planning and Zoning Department. City Staff: Sonya Lopez, 974-7694.
This item was postponed to April 10, 2008 at staff's request.
53. NPA-2008-0010.01 - Holly Neighborhood Plan Amendment - Conduct a public hearing and approve an ordinance amending Ordinance No. 011213-43, the Holly Neighborhood Plan, an element of the Austin Tomorrow Comprehensive Plan, to include the Plaza Saltillo Station Area Plan and change the land use designation on the future land use map for all properties within the Holly Neighborhood Planning Area that overlap the Plaza Saltillo Station Area to transit oriented development. Planning Commission Recommendation: To be reviewed on April 8, 2008. Applicant: City of Austin, Neighborhood Planning and Zoning Department. City Staff: City Staff: Sonya Lopez, 974-7694.
This item was postponed to April 10, 2008 at staff's request.
54. C14-2008-0031 - MLK Jr. Blvd. Station Area Plan - Conduct a public hearing and approve an ordinance adopting the MLK Jr. Blvd. Station Area Plan and transit oriented development (TOD) district zoning for all properties within the boundaries of the MLK Jr. Blvd. Station Area, generally bounded by Boggy Creek on the north and east; the Northwest and Austin Railroad on the east; East 12th Street on the south; and Ulit Avenue, Miriam Avenue, Alexander Avenue, and Randolph Road on the west, including select properties at the intersections of MLK Jr. Blvd. with Airport Blvd. and Manor Rd. with Airport Blvd. Planning Commission Recommendation: To be reviewed on April 8, 2008. Applicant: City of Austin, Neighborhood Planning and Zoning Department. City Staff: Sonya Lopez, 974-7694.
This item was postponed to April 10, 2008 at staff's request.
55. NPA-2008-0003.01 - Chestnut Neighborhood Plan Amendment - Conduct a public hearing and approve an ordinance amending Ordinance No. 990715-113, the Chestnut Neighborhood Plan, an element of the Austin Tomorrow Comprehensive Plan, to include the MLK Jr. Blvd. Station Area Plan and change the land use designation on the future land use map for all properties within the Chestnut Neighborhood Planning Area that overlap the MLK Jr. Blvd. Station Area to transit oriented development (TOD). Planning Commission Recommendation: To be reviewed on April 8, 2008. Applicant: City of Austin, Neighborhood Planning and Zoning Department. City Staff: Sonya Lopez, 974-7694.
This item was postponed to April 10, 2008 at staff's request.

56. NPA-2008-0008.01 - Rosewood Neighborhood Plan Amendment - Conduct a public hearing and approve an ordinance amending Ordinance No. 011129-67, the Rosewood Neighborhood Plan, an element of the Austin Tomorrow Comprehensive Plan, to include the MLK Jr. Blvd. Station Area Plan and change the land use designation on the future land use map for all properties within the Rosewood Neighborhood Planning Area that overlap the MLK Jr. Blvd. Station Area to transit oriented development (TOD). Planning Commission Recommendation: To be reviewed on April 8, 2008. Applicant: City of Austin, Neighborhood Planning and Zoning Department. City Staff: Sonya Lopez, 974-7694.
This item was postponed to April 10, 2008 at staff's request.
57. NPA-2008-0012.01 - Upper Boggy Creek Neighborhood Plan Amendment - Conduct a public hearing and approve an ordinance amending Ordinance No. 020801-91, the Upper Boggy Creek Neighborhood Plan, an element of the Austin Tomorrow Comprehensive Plan, to include the MLK Jr. Blvd. Station Area Plan and change the land use designation on the future land use map for all properties within the Upper Boggy Creek Neighborhood Planning Area that overlap the MLK Jr. Blvd. Station Area to transit oriented development (TOD). Planning Commission Recommendation: To be reviewed on April 8, 2008. Applicant: City of Austin, Planning and Zoning Department. City Staff: Sonya Lopez, 974-7694.
This item was postponed to April 10, 2008 at staff's request.
58. NPA-2008-0015.01 - East MLK Combined Neighborhood Plan Amendment - Conduct a public hearing and approve an ordinance amending Ordinance No. 021107-Z-11, the East MLK Combined Neighborhood Plan, an element of the Austin Tomorrow Comprehensive Plan, to include the MLK Jr. Blvd. Station Area Plan and change the land use designation on the future land use map for all properties within the MLK Neighborhood Planning Area that overlap the MLK Jr. Blvd. Station Area to transit oriented development (TOD). Planning Commission Recommendation: To be reviewed on April 8, 2008. Applicant: City of Austin, Neighborhood Planning and Zoning Department. City Staff: Sonya Lopez, 974-7694.
This item was postponed to April 10, 2008 at staff's request.
59. C14-2007-0207 - The Village Mixed Use Development - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 2700 West Anderson Lane (Shoal Creek Watershed) from community commercial (GR) district zoning to community commercial-vertical mixed use (GR-V) combining district zoning. Staff Recommendation: To grant community commercial-vertical mixed use (GR-V) combining district zoning. Planning Commission Recommendation: To be reviewed on March 25, 2008. Applicant: Lamy Anderson Lane, Ltd. (Joe Lamy). Agent: Drenner & Golden Stuart Wolff, LLP (Michele Rogerson). City Staff: Jorge Rousselin, 974-2975.
This item was withdrawn by the applicant.
60. C14-2007-0234 - South Urban Lofts - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 4367 South Congress (Williamson Creek Watershed) from general commercial services-mixed use-conditional overlay-neighborhood plan (CS-MU-CO-NP) combining district zoning and multi-family residence-highest density-conditional overlay-neighborhood plan (MF-6-CO-NP) combining district zoning to general commercial services-mixed use-conditional overlay-neighborhood plan (CS-MU-CO-NP) combining district zoning and multi-family residence-highest density-conditional overlay-neighborhood plan (MF-6-CO-NP) combining district zoning. Staff Recommendation; To grant general commercial services-mixed use-conditional overlay-neighborhood plan (CS-MU-CO-NP) combining district zoning and multi-family residence-highest density-conditional overlay-neighborhood plan (MF-6-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 and multi-family residence-highest density-conditional overlay-neighborhood plan (MF-6-CO-NP) combining district zoning.

zoning. Applicant: South Urban Lofts Ltd. (Mitch Ely). Agent: Mick McHone. City Staff: Robert Heil, 974-2330.

Ordinance No. 20080320-060 for general commercial services-mixed use-conditional overlay-neighborhood plan (CS-MU-CO-NP) combining district zoning and multi-family residence-highest density-conditional overlay-neighborhood plan (MF-6-CO-NP) combining district zoning was approved.

61. C14-2007-0210 and C14H-2007-0011 - Kocurek Building - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 511 West 41st Street (Waller Creek Watershed) from family residence-neighborhood conservation combining district (SF-3-NCCD) combining district zoning to neighborhood office-historic landmark-neighborhood conservation combining district (NO-H-NCCD) combining district zoning. Staff Recommendation: To grant neighborhood office-historic landmark-neighborhood conservation combining district (NO-H-NCCD) combining district zoning. Planning Commission Recommendation: To grant neighborhood office-historic landmark-neighborhood conservation combining district (NO-H-NCCD) combining district zoning. Applicant and Agent: Vanguard Design Build (Michael Rhoades). City Staff: Jorge E. Rousselin, 974-2975.

This item was postponed to March 27, 2008 at the applicant's request.

62. C14-2007-0239 - Chi Omega - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 2711 Rio Grande 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-conditional overlay-neighborhood plan (MF-4-CO-NP) combining district zoning. Staff Recommendation: To grant multi-family residence-moderate high density-conditional overlay-neighborhood plan (MF-4-CO-NP) combining district zoning. Planning Commission Recommendation: To grant multi-family residence-moderate high density-conditional overlay-neighborhood plan (MF-4-CO-NP) combining district zoning. Applicant: Chi Omega House Corporation. Agent: Chi Omega Fraternity (Marjorie Burciaga). City Staff: Jorge E. Rousselin, 974-2975.

Ordinance No. 20080320-062 for multi-family residence-moderate high density-conditional overlay-neighborhood plan (MF-4-CO-NP) combining district zoning was approved.

63. C14-2007-0240 - 10401 Anderson Mill Road - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 10401 Anderson Mill Road (Bull Creek Watershed) from rural residence (RR) district zoning and community commercial (GR) district zoning to community commercial (GR) district zoning. Staff Recommendation: To grant neighborhood commercial-conditional overlay (LR-CO) combining district zoning. Zoning and Platting Commission Recommendation: To grant community commercial-conditional overlay (GR-CO) combining district zoning. Applicant: Austin Crossing Ltd. (Edward Mr. Bloomberg). Agent: SDC Management & Leasing Services, Inc. (Rheta Williams). City Staff: Sherri Sirwaitis, 974-3057.

Ordinance No. 20080320-063 for community commercial-conditional overlay (GR-CO) combining district zoning was approved.

64. C14-2008-0005 - 3810 South 1st Street - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 3810 South 1st Street (West Bouldin Creek watershed) from family residence (SF-3) district zoning to neighborhood commercial-mixed use (LR-MU) combining district zoning. Staff Recommendation: To grant neighborhood commercial-mixed use (LR-MU) combining district zoning. Planning Commission Recommendation: To grant neighborhood commercial-mixed use (LR-MU) combining district zoning. Applicant and Agent: Rahul Singh. City Staff: Robert Levinski, 974-1384.

Ordinance No. 20080320-064 for neighborhood commercial-mixed use (LR-MU) combining district zoning was approved.

65. C14-2008-0027 - River Place Center - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 10815 F.M. 2222 (Lake Austin Watershed) from limited office (LO) district zoning and community commercial (GR) district zoning to community commercial (GR) district zoning for Tract 1, and limited office (LO) district zoning and community commercial (GR) district zoning for Tract 2. Staff Recommendation: To grant community commercial (GR) district zoning for Tract 1, and limited office (LO) district zoning and community commercial (GR) district zoning for Tract 2. Zoning and Platting Commission Recommendation: To grant community commercial (GR) district zoning for Tract 1, and limited office (LO) district zoning and community commercial (GR) district zoning for Tract 2. Applicant: River Place Pointe, LP (Jim Gallegos). Agent: Armbrust & Brown, LLP (Amanda Morrow). City Staff: Jorge E. Rousselin, 974-2975. **Ordinance No. 20080320-065 for community commercial (GR) district zoning for Tract 1, and limited office (LO) district zoning and community commercial (GR) district zoning for Tract 2 was approved.**
66. C14-85-288.135 (RCA) - ACC Pinnacle Campus - Conduct a public hearing to approve a restrictive covenant amendment for the property located at 7748 W. U.S. Hwy. 290 (Williamson Creek Watershed). Staff Recommendation: To approve the restrictive covenant amendment. Zoning and Platting Commission Recommendation: To approve the restrictive covenant amendment. Applicant: MWM Design Group (Amelia Lopez-Phelps). Agent: Austin Community College (Robert Ryland). City Staff: Robert Levinski, 974-1384.
The motion to approve the restrictive covenant amendment was approved.
67. C14-2007-0092 - 21C - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 300 San Jacinto Blvd. (Town Lake/Waller Creek Watersheds) from central business district (CBD) district zoning to central business district-central urban redevelopment (CBD-CURE) combining district zoning. Staff Recommendation: To grant central business district-central urban redevelopment-conditional overlay (CBD-CURE-CO) combining district zoning with conditions. Planning Commission Recommendation: To grant central business district-central urban redevelopment-conditional overlay (CBD-CURE-CO) combining district zoning with conditions. Applicant: Brazos REI POE (Matthew Hooks). Agent: Drenner & Golden Stuart Wolff, LLP (Michele Rogerson). City Staff: Jorge E. Rousselin, 974-2975.
This item was postponed to April 24, 2008 at the applicant's request.
72. C14-2008-0019-South Lamar 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 South Lamar Neighborhood Planning Area, bounded by West Oltorf Street to the north, the Union Pacific Railroad to the east; West Ben White Boulevard to the south and South Lamar Boulevard to the west (West Bouldin Creek, Williamson Creek, Barton Creek - Barton Springs Zone watersheds). 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 South Lamar 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: Melissa Laursen, 974-7226.

This item was postponed to April 24, 2008 at the staff's request.

73. C14-2008-0033 - Northwest Hills 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 Northwest Hills Neighborhood Planning Area, bounded by Spicewood Springs Road on the north, North MoPac Expressway Southbound on the east, Northland Drive / FM 2222 on the south and Mesa Drive on the west (Shoal Creek, Dry Creek North, Bull Creek Watersheds). 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 Northwest Hills Neighborhood Planning Area from the overlay district. Planning Commission Recommendation: To grant vertical mixed use building (V) combining district zoning and to exclude certain tracts from the vertical mixed use overlay district. Applicant and Agent: Neighborhood Planning and Zoning Department. City Staff: Andrew Holubeck, 974-2054.

Ordinance No. 20080320-073 for vertical mixed use building (V) combining district zoning and to exclude certain tracts from the vertical mixed use overlay district was approved.

74. C14-2008-0034 - University Hills 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 University Hills Neighborhood Planning Area, bounded by U.S. Highway 290 and U.S. Highway 183 on the north, U.S. Highway 183 on the east, Manor Road on the south and Northeast Drive on the west (Little Walnut 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 University Hills Neighborhood Planning Area from the overlay district. Planning Commission Recommendation: To be reviewed on May 13, 2008. Applicant and Agent: Neighborhood Planning and Zoning Department. City Staff: Minal Bhakta, 974-6453.

This item was postponed to June 5, 2008 at the staff's request.

75. C14-2008-0003 - Windsor Road Neighborhood Planning Area Vertical Mixed Use Building (V) Zoning Opt-in/Opt-Out Process, Tracts 1 and 2 - 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 Tracts 1 and 2 (1807 West 35th Street, 1809 West 35th Street, 1811 West 35th Street, 1815 West 35th Street and 1721 West 35th Street) within the Windsor Road Neighborhood Planning Area, bounded by West 35th Street on the north, North Lamar Boulevard on the east, Enfield Road on the south and North MoPac Expressway Northbound on the west (Town Lake, Shoal Creek, Johnson Creek Watersheds). 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 located at from the overlay district. Planning Commission Recommendation: To exclude Tracts 1 and 2 from the vertical mixed use overlay district. Applicant and Agent: Neighborhood Planning and

Zoning Department. City Staff: Wendy Rhoades, 974-7719. A valid petition has been filed in opposition to this rezoning request.

This item was postponed to April 24, 2008 at the staff's request.

ZONING DISCUSSION ITEMS

46. NPA-2008-0011.01 - North Loop Neighborhood Planning Area Vertical Mixed Use Building (V) Zoning Opt-in/Opt-Out Process - Approve second/third readings of an ordinance amending Ordinance No. 020523-30, the North Loop Neighborhood Plan, to change the land use designation on the future land use map (FLUM) from commercial to mixed use or office mixed use on certain tracts, bounded by IH-35 on the east; 45th Street, Red River Street and 51st Street on the south, Lamar Boulevard on the west, and Koenig Lane on the north (Waller Creek, East Boggy Creek watersheds). First Reading approved on February 14, 2008. Vote: 6-0 (Kim - absent). Applicant and Agent: Neighborhood Planning and Zoning Department. City Staff: Andrew Holubeck, 974-2054.
Ordinance No. 20080320-046 was approved changing the land use designation on the future land use map as follows on Council Member McCracken's motion, Mayor Pro Tem Dunkerley's second on a 7-0 vote: Tracts 10, 22, 23, 24B, 103, and 104A was changed to Mixed Use. Tracts 21, 24A, and 26 was changed to Office Mixed Use.
47. C14-2008-0002 - North Loop 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 North Loop Neighborhood Planning Area, bounded by IH-35 on the east, 45th Street, Red River Street and 51st Street on the south, Lamar Boulevard on the west and Koenig Lane on the north (Waller Creek, East Boggy Creek watersheds). 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 North Loop Neighborhood Planning Area from the overlay district. First Reading approved on February 14, 2008. Vote: 6-0 (Kim-absent). Applicant and Agent: Neighborhood Planning and Zoning Department. City Staff: Andrew Holubeck, 974-2054.
Ordinance No. 20080320-047 was approved as follows on Council Member McCracken's motion, Mayor Pro Tem Dunkerley's second on a 7-0 vote. Tracts 1-23, 24A, 24B, 25-32, 101-103, 104A, 104B, 105-106, and 121 were zoned vertical mixed use building (V) with dimensional standards, parking reduction and additional uses in the office districts. An affordability level of 80% was included.
48. C14-2007-0258 - East MLK Combined 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 East MLK Combined Neighborhood Planning Area, bounded by Loyola Lane, Ed Bluestein Boulevard and Little Walnut Creek on the north, the former Missouri-Kansas right-of-way on the east, the Austin and Northwestern Railroad on the south, and Airport Boulevard, Anchor and Manor Road on the west (East Boggy Creek, Tannehill Branch, Fort Branch, Little Walnut Creek watersheds). 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 East MLK Combined 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: Wendy Rhoades, 974-7719.

Ordinance No. 20080320-048 to apply Vertical Mixed Use Building (V) zoning regulations to all properties and adopting a 60% MFI was approved Council Member McCracken's motion, Council Member Cole's second on a 7-0 vote.

49. C14-2007-0235 - Judges' Hill Neighborhood Association (Portion of Downtown 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 Judges' Hill Neighborhood Association (Portion of Downtown Planning Area), bounded by Martin Luther King, Jr. Boulevard on the north, West Avenue on the east, 15th Street on the south, and Shoal Creek on the west (Shoal 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 and requirements for Vertical Mixed Use Building developments. First reading approved on January 31, 2008. Vote: 6-1 (Leffingwell voted Nay). Applicant and Agent: Neighborhood Planning and Zoning Department. City Staff: Jorge Rousselin, 974-2975. A valid petition has been filed in opposition to this rezoning request.

The motion to amend the boundaries of the Vertical Mixed Use Overlay District to exclude Tracts 1 and 2 failed on Council Member Kim's motion, Council Member Leffingwell's second on a 4-3 vote. Those voting aye were: Council Members Cole, Kim, Leffingwell and McCracken. Those voting nay were: Mayor Wynn, Mayor Pro Tem Dunkerley and Council Member Martinez. While this was a majority vote, there was a valid petition requiring an affirmative vote of 6.

Ordinance No. 20080320-049 for VMU zoning and associated development incentives and making them eligible for the affordable housing density bonus for Tracts 1-4 was approved on Council Member McCracken's motion, Council Member Cole's second on a 7-0 vote.

71. C14-2008-0004 - Rosedale 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 Rosedale Neighborhood Planning Area, bounded by Burnet Road and 45th Street on the east, West 35th Street and West 38th Street on the south, North MoPac Expressway Northbound on the west, and Hancock Drive and West North Loop Boulevard on the north (Taylor Slough North, Johnson Creek, Shoal Creek Watersheds). 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 Rosedale Neighborhood Planning Area from the overlay district. Planning Commission Recommendation: To grant vertical mixed use building (V) combining district zoning and to exclude certain tracts from the vertical mixed use overlay district. Applicant and Agent: Neighborhood Planning and Zoning Department. City Staff: Andrew Holubeck, 974-2054.

The public hearing was closed and the first reading of the ordinance was approved as follows on Council Member McCracken's motion, Mayor Pro Tem Dunkerley's second on a 6-0 vote. Council Member Leffingwell was off the dais.

Tracts 1-4, 8-10 and 23-25 were excluded amending the boundaries of the VMU Overlay District.

Tracts 5-7, 11-12 and 28 were zoned vertical mixed use building (V) zoning with dimensional standards, parking reduction, and additional uses in office districts.

Tracts 15-22 and 26-27 were zoned vertical mixed use building (V) zoning with dimensional standards and additional uses in office districts.

Tracts 13 and 14 were zoned vertical mixed use building (V) zoning with dimensional standards, additional uses in office districts, and a maximum density of MF-3 zoning (36 units per acre).

An affordability level of 60% of the median family income for 10% of rental units in a vertical mixed use building was approved.

Mayor Wynn recessed the Council Meeting at 5:35 p.m.

LIVE MUSIC

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PROCLAMATIONS

Proclamation -- Flood Safety Awareness Week -- to be presented by Mayor Will Wynn and to be accepted by Paul Yura and Victoria Li and Certificates of Appreciation -- Turn Around, Don't Drown Contest Winners -- to be accepted by the honorees

Proclamation -- Bring Your Own Shopping Bag Days -- to be presented by Council Member Lee Leffingwell

Mayor Wynn called the Council Meeting back to order at 6:08 p.m.

ZONING DISCUSSION CONTINUED

68. 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. The public hearing was closed and Ordinance No. 20080320-068 for multi-family residence-limited density-conditional overlay (MF-1-CO) combining district zoning was approved on Mayor Pro Tem Dunkerley's motion, Council Member Cole's second on a 5-1 vote. Council Member Kim voted nay. Council Member McCracken was off the dais. The conditional overlay was to limit the maximum number of residential units to 215, set a 2,000 vehicle trips per day limitation, adhere to the 2 star green energy building program, and require the current erosion control standards going forward.
69. NPA-2007-0012.01 - Canales 1 - Conduct a public hearing and approve an ordinance amending Ordinance No. 020801-91, the Upper Boggy Creek Neighborhood Plan, an element of the Austin Tomorrow Comprehensive Plan, to change the land use designation on the future land use map (FLUM) from single-family to office for the property located at 3717 Robinson Avenue (Boggy Creek watershed).

Staff Recommendation: To deny office land use designation. Planning Commission Recommendation: To deny office land use designation. Applicant: Ramon A. Canales. Agent: Jim Bennett. City Staff: Robert Heil, 974-2330.

The public hearing was closed and the motion to deny the ordinance was approved on Council Member Leffingwell's motion, Council Member Kim's second on a 7-0 vote.

70. C14-2007-0114 - Robinson Avenue - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 3717 Robinson Avenue (Boggy Creek Watershed) from family residence-neighborhood plan (SF-3-NP) combining district zoning to general office-neighborhood plan (GO-NP) combining district zoning. Staff Recommendation: To deny general office-neighborhood plan (GO-NP) combining district zoning. Planning Commission Recommendation: To deny general office-neighborhood plan (GO-NP) combining district zoning. Applicant: Ramon A. Canales. Agent: Jim Bennett. City Staff: Robert Heil, 974-2330.
- The public hearing was closed and the motion to deny the ordinance was approved on Council Member Leffingwell's motion, Council Member Kim's second on a 7-0 vote.

PUBLIC HEARING

76. Conduct a public hearing to receive 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.
- The public hearing was closed on Council Member Leffingwell's motion, Council Member McCracken's second on a 6-0 vote. Mayor Pro Tem Dunkerley was off the dais.

Mayor Wynn adjourned the meeting at 7:43 p.m. without objection.

The minutes for the Regular Meeting of March 20, 2008 were approved on this the 27th day of March 2008 on Council Member McCracken's motion, Mayor Pro Tem Dunkerley's second on a 7-0 vote.