

**AUSTIN CITY COUNCIL  
MINUTES****REGULAR MEETING  
THURSDAY, JULY 24, 2008**

**Invocation:** Rev. George Holcombe, Asbury United Methodist Church

The following represents the actions taken by the Austin City Council in the order they occurred during the meeting. While the minutes are not in sequential order, all agenda items were discussed. The City Council of Austin, Texas, convened in a regular meeting on Thursday, July 24, 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 Leffingwell's motion, Council Member Martinez' second on a 7-0 vote.

1. Authorize negotiation and execution of one or more lease amendments with T-C Barton Springs LLC for office space at 811 Barton Springs Road in an amount not to exceed \$1,169,753.88, and ratify execution of previous lease amendments with T-C Barton Springs LLC for office space at 811 Barton Springs Road and with HP Lester, Ltd. for office furnishings and equipment in an amount not to exceed \$2,093,189.76, for a total authorized amount not to exceed \$7,326,939.95. Funding in the amount of \$1,695,968 is available in the Fiscal Year 2007-2008 Operating Budget of Austin Energy. Funding for the remaining months of the contract period is contingent upon available funding in future budgets. Reviewed by Electric Utility Commission.  
**The motion authorizing negotiation and execution of lease amendments with T-C Barton Springs LLC was approved.**
2. Approve issuance of a rebate in the amount of \$200,000 to Advanced Micro Devices at 7171 Southwest Parkway, Austin, Texas, for the installation of energy-efficient equipment including lighting, reflective roof coatings, efficiency motors, variable frequency drives and an uninterruptible power supply (UPS). Funding in the amount of \$200,000 is available in the Fiscal Year 2007-2008 Conservation Rebates and Incentives Budget of Austin Energy. Recommended by the Electric Utility Commission and by the Resource Management Commission.  
**The motion for issuance of a rebate to Advanced Micro Devices was approved.**
3. Approve the issuance of a Letter of Intent for a rebate in the amount of \$100,000 the Employees Incentive Plans, Inc. for the installation of a solar photovoltaic system at the project located at 12466 Los Indios, Austin, Texas, 78729. Funding in the amount of \$100,000 is available in the Fiscal Year 2007-2008 Operating Budget of Austin Energy in the Conservation Rebates and Incentives Fund. Recommended by the Electric Utility Commission and the Resource Management Commission.

**The motion for the issuance of a Letter of Intent was approved.**

4. Authorize negotiation and execution of an 18-month Interlocal Agreement between Austin Energy and the State Energy Conservation Office (SECO) for grant funding in an amount not to exceed \$100,000 for the design, purchase and installation of solar photovoltaic systems in six schools within Austin Energy's service area. Funding in the amount of \$100,000 is available from the State Energy Conservation Office (SECO). Austin Energy will fund an in-kind match in the amount of \$50,000, available in the Fiscal Year 2007-2008 Operating Budget of Austin Energy in the Conservation Rebates and Incentives Fund. Recommended by the Resource Management Commission. Related to Item #5.

**This item was withdrawn.**

5. Approve an ordinance authorizing acceptance of \$100,000 grant funds from the State Energy Conservation Office (SECO) through an Interlocal Agreement and amending the Fiscal Year 2007-2008 Austin Energy Operating Budget of Ordinance No. 20070910-003 to appropriate \$100,000 for the design, purchase and installation of solar photovoltaic systems in six schools within Austin Energy's service area. Funding in the amount of \$100,000 is available from the State Energy Conservation Office (SECO). Austin Energy will fund an in-kind match in the amount of \$50,000, available in the Fiscal Year 2007-2008 Austin Energy Operating Budget in the Conservation Rebates and Incentives Fund. Recommended by the Resource Management Commission. Related to Item #4.

**This item was withdrawn.**

6. Authorize negotiation and execution of a two-year Interlocal Agreement between the University of Texas and the City of Austin, Texas for consulting services. Funding in the amount of \$119,000 is available in the Fiscal Year 2007-2008 Operating Budget of the Austin Water Utility. Recommended by the Water and Wastewater Commission.

**The motion authorizing the negotiation and execution of an Interlocal Agreement between the University of Texas and the City of Austin was approved.**

7. Approve an ordinance authorizing negotiation and execution of an amendment to the existing cost reimbursement agreement with Austin Goodnight Ranch L.P., to allow accelerated cost reimbursement and waiving the requirements of Section 25-9-67 of the City Code relating to cost reimbursement payment schedule. Funding is available in the Fiscal Year 2007-2008 Capital Budget of the Austin Water Utility. Recommended by the Water and Wastewater Commission.

**Ordinance No. 20080724-007 was approved.**

8. Authorize negotiation and execution of an agreement to acquire certain water and wastewater infrastructure from the Cherry Hill Homeowners Association, Inc. for the City's ownership, operation, and maintenance. No City funds are required for the purchase of these facilities. The Austin Water Utility's Operating Budget will fund future operations and maintenance expenses associated with these facilities, as needed. Recommended by the Water and Wastewater Commission.

**The motion authorizing the negotiation and execution of an agreement to acquire certain water and wastewater infrastructure from the Cherry Hill Homeowners Association, Inc. was approved.**

9. Approve an ordinance authorizing negotiation and execution of an amendment to the Cost Reimbursement Agreement with LOC 261 LLC, and waiving the requirements of Section 25-9-67 of the City Code relating to cost reimbursement payment schedule. Funding is available in the Fiscal Year 2007-2008 Capital Budget of the Austin Water Utility. Recommended by the Water and Wastewater Commission.

**Ordinance No. 20080724-009 was approved.**

10. Authorize negotiation and execution of an agreement with Shady Hollow Municipal Utility District ("Shady Hollow") for the provision of out-of-district water and wastewater service to approximately 4 and 3 acre tracts respectively located 250 feet north of Shady Hollow's northern boundary. Shady Hollow and the developer will be responsible for the necessary infrastructure improvements. No City funding is required for this agreement. Recommended by the Water and Wastewater Commission.  
**This item was withdrawn.**
11. Approve the appointment of Assistant City Manager Robert Goode to the Board of Directors of Austin-Bergstrom Landhost Enterprises, Inc., to replace Assistant City Manager Rudy Garza.  
**The motion for the appointment of Assistant City Manager Robert Goode to the Board of Directors of Austin-Bergstrom Landhost Enterprises, Inc. was approved.**
12. Authorize an amendment to the airport concession lease agreement with Lone Star Dreams Inc. d/b/a Auntie Anne's to extend the term, require the concessionaire to renovate and make improvements including improved signage to the facility, and to modify and update other lease terms including the authorized menu, percentage rent, and events of default. Revenue Generating Lease. Recommended by the Austin Airport Advisory Commission.  
**The motion authorizing an amendment to the airport concession lease agreement with Lone Star Dreams Inc. doing business as Auntie Anne's was approved.**
13. Authorize an amendment to the airport concession lease agreement with China Palace, Inc. d/b/a Wok N Roll to extend the term, require the concessionaire to renovate and make improvements including improved signage to the facility, and to modify and update other lease terms including the authorized menu, percentage rent, and events of default. Revenue Generating Lease. Recommended by the Austin Airport Advisory Commission.  
**The motion authorizing an amendment to the airport concession lease agreement with China Palace, Inc. doing business as Wok N Roll was approved.**
14. Authorize an amendment to the airport concession lease agreement with Harlon's Bar-B-Q Bergstrom IV L.T.D./Sierra Concessions Joint Venture to extend the term, require the concessionaire to renovate and make improvements including improved signage to the facility, and to modify and update other lease terms including the authorized menu, percentage rent, and events of default, and to authorize the assignment of the concession agreement, as amended, to NGSI-ACS, LLC a new company formed by News and Gift Shops International. Revenue Generating Lease. Recommended by the Austin Airport Advisory Commission.  
**The motion authorizing an amendment to the airport concession lease agreement with Harlon's Bar-B-Q Bergstrom IV L.T.D./Sierra Concessions Joint Venture was approved.**
15. Authorize an amendment to the airport concession lease agreement with Armadillo Café & Cantina Inc. d/b/a Waterloo Ice House to extend the term, require the concessionaire to renovate and make improvements, including improved signage to the facility, and to modify and update other lease terms including the authorized menu, percentage rent, and events of default. Revenue Generating Lease. Recommended by the Austin Airport Advisory Commission.  
**The motion authorizing an amendment to the airport concession lease agreement with Armadillo Café & Cantina Inc. doing business as Waterloo Ice House was approved.**
16. Authorize an airport food and beverage concession lease agreement with NGSI-NL LLC for a term of five years, with an option to extend for an additional period of two years. Revenue Generating Lease. Recommended by the Austin Airport Advisory Commission.  
**The motion authorizing an airport food and beverage concession lease agreement with NGSI-NL LLC was approved.**

17. Approve a resolution adopting the Fiscal Year 2008-2009 budget briefing schedule, and setting public hearings to receive public comment on the City of Austin Proposed Budget for Fiscal Year 2008-2009. Proposed dates and times: August 7, 2008, August 21, 2008 and August 28, 2008 at 6:00 p.m., Austin City Hall, 301 W. Second Street, Austin, Texas. There is no unanticipated fiscal impact. A fiscal note is not required.

**Resolution No. 20080724-017 was approved.**

18. Approve the negotiation and execution of a lease and facilities use agreement with Austin Community College for a five year initial term with one 5-year extension option for a firefighter-training program to be located on approximately 2 acres of land on the City-owned Bill Roberts Fire Training Center at 4800B Shaw Lane, Austin, TX.

**The motion for the negotiation and execution of a lease and facilities use agreement with Austin Community College was approved.**

**Item 19 was pulled for discussion.**

20. Approve a resolution authorizing the filing of eminent domain proceedings for the Little Walnut Upper Fort Branch Sanitary Sewer Overflow Wastewater Improvement Project, a portion of the Austin Clean Water Program, for a 4,742 square foot permanent wastewater line easement, a 4,644 square foot temporary working space easement, and a 15,633 square foot temporary staging area and material storage easement out of the Thomas Eldridge Survey Number 26, Abstract Number 258, containing 1.64 acres and being the remaining portion of the Bostic Subdivision, a 1.86 acre lot recorded in Book 8, Page 91, of the Travis County Plat Records, in the amount of \$16,448. The owner of the needed property interests is Willie James Hayes. The property is located at 2906 Rogge Lane, Austin, Travis County, Texas. Funding is included in the Fiscal Year 2007-2008 Capital Budget of the Budget of the Austin Water Utility.

**Resolution No. 20080724-020 was approved.**

21. Authorize execution of a construction contract with PEAK PURE AIR, Jonestown, Texas for the purchase and installation of Cooling Towers at the Rutherford Lane Campus in an amount not to exceed \$681,914. Funding is available in Fiscal Year 2007-2008 Capital Improvement Project Fund of the Finance and Administrative Services Department. Lower of two bids received. This contract will be awarded in compliance with Chapter 2-9A of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program through the achievements of Good Faith Efforts with 0.00% MBE, 3.18% WBE participation to date for this project.

**The motion authorizing the execution of a construction contract with Peak Pure Air was approved.**

22. Authorize execution of a construction contract with SOUTHWEST CORPORATION, Austin, Texas for Reicher Ranch Renovations for Offices Rebid in an amount not to exceed \$617,677. Funding in the amount of \$617,677 is available in the Fiscal Year 2007-2008 Capital Budget of the Austin Water Utility. One bid received. This contract will be awarded in compliance with Chapter 2-9A of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program) by meeting the goals with 6.96% MBE and 11.61% WBE subcontractor participation. Recommended by the Water and Wastewater Commission.

**The motion authorizing the execution of a construction contract with Southwest Corporation was approved.**

23. Authorize execution of change order #3 to the construction contract with FACILITIES REHABILITATION, INC., Taylor, TX, (MBE PRIME, 84.21 %) for the ACWP Cross-town Sanitary Sewage Overflow (SSO) - Harris Park in the amount of \$138,150, for a total contract amount not to exceed \$1,108,970. Funding in the amount of \$138,150 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 0.00% MBE and 12.81% WBE subcontractor participation to date including this change order. Recommended by the Water and Wastewater Commission.

**The motion authorizing the execution of change order number 3 to the construction contract with Facilities Rehabilitation, Inc. was approved.**

24. Authorize execution of a contract through THE LOCAL GOVERNMENT PURCHASING COOPERATIVE with L. D. TEBBEN COMPANY INC (Non M/WBE 70.89%), Austin, TX for the purchase of Roof Improvements and HVAC Upgrades at the Glen Bell Service Center in the amount of \$992,734 plus a \$49,600 contingency, for a total contract amount not to exceed \$1,042,334 and rescind the action taken on June 18, 2008 for Item No. 15. Funding in the amount of \$1,042,334 is available in the Fiscal Year 2007-2008 Capital Budget of the Austin Water Utility. Cooperative Purchase This contract will be awarded in compliance with Chapter 2-9D of the City Code (Minority Owned and Women Owned Business Enterprise Procurement Program). This contract is a Cooperative Purchase; therefore, it is exempted under Chapter 252.022 of the Texas Local Government Code and no goals were established for this solicitation. Recommended by the Water and Wastewater Commission.

**The motion authorizing the execution of a contract through the Local Government Purchasing Cooperative with L.D. Tebben Company Inc. was approved.**

25. Authorize execution of a contract through THE LOCAL GOVERNMENT PURCHASING COOPERATIVE with L. D. TEBBEN COMPANY INC, Austin, TX, for the purchase of roofing services at the Rosewood-Zaragosa Neighborhood facility in an amount not to exceed \$276,769. Funding is available in the Fiscal Year 2007-2008 Capital Improvement Fund of the Finance and Administrative 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 252.022 of the Texas Local Government Code and no goals were established for this solicitation.

**The motion authorizing the execution of a contract through the Local Government Purchasing Cooperative with L.D. Tebben Company Inc. was approved.**

26. Authorize negotiation and execution of professional service agreements with the following seven firms: CAMP, DRESSER & MCKEE, INC. (CDM), Austin, TX; CHIANG, PATEL & YERBY, INC., Austin, TX; KALLURI GROUP, INC., (MBE/MA) HOUSTON, TX; ALAN PLUMMER ASSOCIATES, INC., Austin, TX; CH2M HILL, INC., Austin, TX; KENNEDY/JENKS CONSULTANTS, INC., Austin, TX and MWH AMERICAS, INC., Austin, TX to provide engineering services for the Water and Wastewater System Facility Engineering Rotation List, for the years 2008 through 2011 or until available funding authorization is expended, with a total of the seven agreements in an amount not to exceed \$7,000,000. Funding is available in the Fiscal Year 2007-2008 Capital Budget and/or Operating and Maintenance Budgets of the Austin Water Utility. Best qualification statements of 28 statements received. This contract will be awarded in compliance with Chapter 2-9B of the City Code (Minority Owned and Women Owned Business Enterprise Procurement Program) by meeting the goals with 16.5% MBE and 14.2% WBE subcontractor participation. Reviewed by the Water and Wastewater Commission.

**The motion authorizing the negotiation and execution of professional service agreements with the following seven firms: Camp, Dresser & McKee, Inc. (CDM), Chiang, Patel & Yerby, Inc., Kalluri Group, Inc., (MBE/MA), Alan Plummer Associates, Inc., CH2M Hill, Inc., Kennedy/Jenks Consultants, Inc., and MWH Americas, Inc. was approved.**

27. Authorize negotiation and execution of an amendment to the professional services agreement with PARSONS WATER & INFRASTRUCTURE, INC., Austin, TX for additional engineering services for the Downtown Wastewater Tunnel in the amount of \$843,382, for a total contract amount not to exceed

\$5,366,656. Funding in the amount of \$843,382 is available in the Fiscal Year 2007-2008 Capital Budget of the Austin Water Utility. This contract will be awarded in compliance with Chapter 2-9B of the City Code (Minority Owned and Women Owned Business Enterprise Procurement Program) with 15.7% MBE and 16.9% WBE subconsultant participation to date. Reviewed by the Water and Wastewater Commission.

**The motion authorizing the negotiation and execution of an amendment to the professional services agreement with Parsons Water & Infrastructure, Inc. was approved.**

28. Authorize negotiation and execution of a professional services agreement with HDR ENGINEERING, INC., Austin, TX for design, preliminary engineering and construction phase services for the Mopac Bicycle Bridge project, in an amount not to exceed \$600,000. Funding is available in the Fiscal Year 2007-2008 Capital Budget of the Public Works 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 of 16.50% MBE and 14.20% WBE subcontractor participation.  
**This item was postponed to August 7, 2008.**

29. Authorize negotiation and execution of a professional services agreement with six firms THE ARIZPE GROUP, INC., (MBE/MH), Austin, TX; CARTER & BURGESS, INC, Austin, TX; ENCOTECH ENGINEERING CONSULTS, INC., (MBE/MA), Austin, TX; O'CONNELL ROBERTSON, Austin, TX; ACR ENGINEERING, INC., Austin, TX; GOODWIN ENGINEERING, INC., Austin TX, for providing professional mechanical, electrical and plumbing engineering consulting services for City of Austin projects for a period of approximately two years or until financial authorization is expended, with the total amount of the six agreements not to exceed \$1,200,000. Funding is available in the Fiscal Year 2007-2008 Capital and/or Operating Budget of the Public Works and various departments for which services are needed. MBE/WBE: This contract will be awarded in compliance with Chapter 2-9A of the City Code (Minority Owned and Women Owned Business Enterprise Procurement Program) by meeting the goals of 7.00% MBE and 2.40% WBE.

**The motion authorizing the negotiation and execution of a professional services agreement with the following six firms: The Arizpe Group, Inc., (MBE/MH), Carter & Burgess, Inc., Encotech Engineering Consults, Inc., (MBE/MA), O'Connell Robertson, ACR Engineering, Inc., and Goodwin Engineering, Inc. was approved.**

30. Approve an ordinance authorizing execution of the First Amendment to the Fee Reimbursements and Streetscape Construction Cost Reimbursements Agreement with Ballet Austin, Inc. to allow accelerated partial reimbursement in an amount not to exceed \$250,000; and provide for emergency passage.  
**Ordinance No. 20080724-030 was approved.**
31. Approve an ordinance amending the Fiscal Year 2007-2008 EMS Fee Schedule, Ordinance No. 20070910-008, to approve changes made by Travis County Commissioners Court to the Fiscal Year 2007-2008 STAR Flight patient transport and mileage fees.  
**Ordinance No. 20080724-031 was approved.**
32. Approve an ordinance authorizing acceptance of \$21,902 in grant funds from the TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS, COMMUNITY SERVICES BLOCK GRANT, Austin, TX; and amending the Fiscal Year 2007-2008 Health and Human Services Operating Budget Special Revenue Fund of Ordinance No. 20070910-003 to appropriate \$21,902 for the delivery of basic needs, case management and preventive health services to low-income residents. Funding in the amount of \$21,902 is available from the Texas Department of Housing and Community Affairs, Community Services Block Grant. The grant period is January 1, 2008 through December 31, 2008. No

City match is required. Community Development Commission approved the Community Services Block Grant 2008 Budget, March 11, 2008.

**Ordinance No. 20080724-032 was approved.**

33. Approve an ordinance authorizing acceptance of \$59,620 in grant funds from the TEXAS DEPARTMENT OF STATE HEALTH SERVICES, INFECTIOUS DISEASE AND CONTROL BRANCH, BUREAU OF HIV AND STD PREVENTION, Austin, TX; and amending the Fiscal Year 2007-2008 Health and Human Services Department Operating Budget Special Revenue Fund of Ordinance No. 20070910-003 to appropriate \$59,620 to conduct active surveillance and reporting of human immunodeficiency virus and acquired immune deficiency syndrome cases in Travis County and to add one full-time equivalent position. Funding is available from the Texas Department of State Health Services, Infectious Disease Intervention and Control Branch, Bureau of HIV and STD Prevention. The grant period is January 1, 2008 through December 31, 2008. No City match is required.

**Ordinance No. 20080724-033 was approved.**

34. Approve negotiation and execution of a 29-month contract with CARITAS OF AUSTIN, Austin, TX for a collaborative pilot project to rapidly re-house homeless/near homeless families and individuals in an amount not to exceed \$282,000. Funding in the amount of \$136,000 is available in the Fiscal Year 2007-2008 Operating Budget of the Health and Human Services Department. Funding for the remaining contract amount is contingent upon available funding in future budgets. The contract period is August 1, 2008 through December 31, 2010.

**The motion for the negotiation and execution of a contract with Caritas of Austin was approved.**

35. Approve payment of a judgment in the amount of \$165,000 in Kenneth Roberson v. City of Austin, No. 98-05750 in the 98th Judicial District Court of Travis County, Texas (concerns the City's acquisition of a waste water line easement).

**The motion for payment of a judgment in the amount of \$165,000 in Kenneth Roberson v. City of Austin was approved.**

36. Authorize the negotiation and execution of an amendment to the legal services agreement with Richards, Rodriguez & Skeith, Attorneys at Law, for legal services related to annexation of the Peninsula area in the amount of \$25,500, for a total contract amount not to exceed \$75,200. Funding is available in the Fiscal Year 2007-2008 Operating Budget of the Neighborhood Planning and Zoning Department.

**The motion authorizing the negotiation and execution of an amendment to the legal services agreement with Richards, Rodriguez & Skeith, Attorneys at Law was approved.**

37. Authorize the negotiation and execution of an agreement with the law firm of Thompson & Knight, LLP, for legal services relating to the redevelopment of the Green Water Treatment Plant property and the Austin Energy Control Center property in an amount not to exceed \$192,000. Funding of \$50,000 is available in Economic Growth and Redevelopment Services Office's Fiscal Year 2007-2008 Budget. The balance of \$142,000 is contingent on approval of the Fiscal Year 2008-2009 Budget.

**The motion authorizing the negotiation and execution of an agreement with the law firm of Thompson & Knight, LLP was approved.**

38. Approve an amendment to the outside counsel contract with Scott, Douglass & McConnico, LLP, Austin, TX, for legal counsel concerning issues relating to the design and construction issues of the airport parking garage, in the amount of \$30,000, for a total contract amount of \$385,000. Funding is available in the Fiscal Year 2007-2008 Budget of the Aviation Department.

**The motion for an amendment to the outside counsel contract with Scott, Douglass & McConnico, LLP was approved.**

39. Approve an ordinance authorizing the acceptance of \$12,889 in grant funds from the Texas State Library and Archives Commission for a total grant amount of \$12,889 for the TexTreasures Grant Program; and amending the Fiscal Year 2007-2008 Operating Budget Library Department Special Revenue Fund of Ordinance No. 20070910-003 to appropriate \$12,889. Funding is available from the Texas State Library and Archives Commission. The grant period is September 1, 2008 through August 31, 2009.  
**Ordinance No. 20080724-039 was approved.**

**Item 40 was pulled for discussion.**

41. Approve a resolution authorizing the city manager and other city officers to negotiate and execute all documents necessary to execute a Housing and Urban Development loan in an amount not to exceed \$3,000,000 under Section 108 of the Housing and Community Development Act of 1974 to finance the continuation and expansion of the Neighborhood Commercial Management Program. \$3,000,000 in loan funds guaranteed by HUD's Section 108 Loan Guarantee Assistance program. The first year approximate debt service in the amount of \$156,000 will be included in the proposed Fiscal Year 2008-2009 Neighborhood Housing and Community Development Department (NHCD) budget. Recommended by the Community Development Commission (CDC).  
**Resolution No. 20080724-041 was approved.**

**Item 42 was pulled for discussion.**

43. Approve a resolution appointing Randi Shade and Laura Morrison and reappointing Lee Leffingwell as Directors of the Austin Housing Finance Corporation for terms expiring on the earlier to occur of the date the officer is no longer a member of the Austin City Council, or June 24, 2011, and appointing Mayor Pro Tem Brewster McCracken as Vice President.  
**Resolution No. 20080724-043 was approved.**
44. Approve an ordinance correcting the 2008 Restricted Parking Area Map (Front and Side Yard Parking) by deleting two areas that were erroneously added to the map.  
**Ordinance No. 20080724-044 was approved.**
45. Approve second/third readings of an ordinance adopting an interim update to the Austin Tomorrow Comprehensive Plan. Recommended by the Planning Commission.  
**This item was postponed to August 21, 2008.**
46. Approve a resolution authorizing the application for \$93,000 in grant funds from the State of Texas, Governor's Office, Criminal Justice Division, Coverdell Forensic Sciences Improvement Program, for supplies, equipment, and overtime for existing laboratory personnel. Funding in the amount of \$93,000 is available from the State of Texas, Governor's Office, Criminal Justice Division, Coverdell Forensic Sciences Improvement Program for the grant period October 1, 2008 to June 30, 2009. There is no required match.  
**Resolution No. 20080724-046 was approved.**
47. Authorize the negotiation and execution of an Interlocal Agreement between the City of Austin and Travis County to allow the City to accept and administer the Justice Assistance Grant Program (JAG) on behalf of the City and the Travis County Sheriff's Office. Funding in the amount of \$140,005 is available from the Department of Justice, Bureau of Justice Assistance for the Justice Assistance Grant Program. Related to item #48.  
**The motion authorizing the negotiation and execution of an interlocal agreement between the City of Austin and Travis County was approved.**



48. Approve a resolution authorizing the application for \$140,005 in grant funding from the U.S. Department of Justice, Bureau of Justice Assistance, Justice Assistance Grant Program (JAG), to be equally shared by the City and Travis County. The City will use its JAG funds to pay for community policing operations by the Austin Police Department. Funding is available from the U.S. Department of Justice, Bureau of Justice Assistance, Justice Assistance Grant Program, for the grant period October 1, 2008 to September 30, 2010. A cash match is not required. Related to Item #47.  
**Resolution No. 20080724-048 was approved.**
49. Approve an ordinance amending Section 12-4-64(D) of the City Code to establish a maximum speed limit of 25 miles per hour on certain streets within the area bounded by East 51st Street, Manor Road and Springdale Road. Funding in the amount of \$5,900 is available in the Fiscal Year 2007-2008 Operating Budget of the Public Works Department for the installation of necessary signs.  
**Ordinance No. 20080724-049 was approved.**
50. Approve an ordinance amending Section 12-4-64(D) of the City Code to establish a maximum speed limit of 25 miles per hour on certain streets within the area bounded by E. Ben White Boulevard, E. Stassney Lane, S. Congress Avenue, and S. I.H. 35 West Service Road. Funding in the amount of \$3,750 is available in the Fiscal Year 2007-2008 Operating Budget of the Public Works Department for installation of necessary signs.  
**Ordinance No. 20080724-050 was approved.**
51. Approve an ordinance amending Section 12-4-64(D) of the City Code to establish a maximum speed limit of 25 miles per hour on certain streets within a neighborhood bounded by Elmont Drive and Country Club Creek, E. Riverside Drive, S. Pleasant Valley Road and Montopolis Drive. Funding in the amount of \$3,750 is available in the Fiscal Year 2007-2008 Operating Budget of the Public Works Department for installation of necessary signs.  
**Ordinance No. 20080724-051 was approved.**
52. Approve an ordinance amending Section 12-4-64(D) of the City Code to establish a maximum speed limit of 25 miles per hour on certain streets within the area bounded by Loyola Lane, Johnny Morris Road, Colony Loop Drive and the current Austin city boundary line. Funding in the amount of \$3,100 is available in the Fiscal Year 2007-2008 Operating Budget of the Public Works Department for the installation of necessary signs.  
**Ordinance No. 20080724-052 was approved.**
53. Approve a resolution authorizing the negotiation and execution of a Roadway Improvement Agreement with Endeavor, in the amount of \$1,475,536 to fund construction of Texas Department of Transportation roadway improvements along the I-35 southbound frontage road at Southpark Meadows Retail Center south of East Slaughter Lane. \$1,475,536 will be submitted to the City of Austin by Endeavor for deposit into escrow. Related to Item #54.  
**This item was withdrawn.**
54. Authorize negotiation and execution of an Advance Funding Agreement with the Texas Department of Transportation in the amount of \$1,360,975.22 to provide funds for construction of roadway improvements along the I-35 southbound frontage road at Southpark Meadows Retail Center south of East Slaughter Lane. \$1,360,975.22 and \$114,860.78 in fees and contingency will be submitted to the City of Austin by Endeavor for deposit into escrow pending future payment to Texas Department of Transportation for this project. Related to Item #53.  
**This item was withdrawn.**

55. Authorize award, negotiation, and execution of a 24-month requirements service contract with CREDIT SYSTEMS INTERNATIONAL, INC., Fort Worth, TX for the tertiary collection of delinquent utility accounts in an estimated amount not to exceed \$1,013,200, with three 12-month extension options in an estimated amount not to exceed \$506,600 per extension option, for a total estimated contract amount not to exceed \$2,533,000. Funding in the amount of \$84,433 is available in the Fiscal Year 2007-2008 Operating Budget of Austin Energy. Funding for the remaining 22 months of the original contract period and extension options is contingent upon available funding in future budgets. Best evaluated proposal of three proposals received. This contract will be awarded in compliance with Chapter 2-9C of the City Code (Minority -Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation. **The motion authorizing the award, negotiation and execution of a requirements service contract with Credit Systems International, Inc. was approved.**
56. Authorize award, negotiation, and execution of a 16-month service contract with ECOLOGIC ANALYTICS LLC, Bloomington, MN for the purchase and installation of a meter data management software system for Austin Energy in an amount not to exceed \$1,063,306, with four 12-month extension options for maintenance and support in amounts not to exceed \$131,031.45 for the first extension option, \$134,962.39 for the second extension option, \$139,011.26 for the third extension option, and \$143,181.59 for the fourth extension option, for a total contract amount not to exceed \$1,611,492.69. Funding in the amount of \$1,063,306 is available in the Fiscal Year 2007-2008 Capital Budget of Austin Energy. Funding for the extension options is contingent upon available funding in future budgets. Best evaluated proposal of five proposals received. This contract will be awarded in compliance with Chapter 2-9C of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation. **The motion authorizing the award, negotiation and execution of a service contract with Ecologic Analytics LLC was approved.**
57. Authorize award and execution of four 6-month requirements supply contracts for electrical supplies with Techline Inc, Austin, TX, in an estimated amount not to exceed \$79,836, with four 6-month extension options in an estimated amount not to exceed \$79,836, per extension option, for a total estimated contract amount not to exceed \$399,180; Stuart C. Irby Co., Austin, TX, in an estimated amount not to exceed \$18,207, with four 6-month extension options in an estimated amount not to exceed \$18,207, per extension option, for a total estimated contract amount not to exceed \$91,035; KBS Electrical Distributors, Inc., Austin, TX, in an estimated amount not to exceed \$16,153, with four 6-month extension options in an estimated amount not to exceed \$16,153, per extension option, for a total estimated contract amount not to exceed \$80,765; and with Texas Meter & Device, Waco, TX, in an estimated amount not to exceed \$6,716, with four 6-month extension options in an estimated amount not to exceed \$6,716 per extension option, for a total estimated amount not to exceed \$33,580. Funding in the amount of \$40,304 is available in the Fiscal Year 2007-2008 Operating Budget of Austin Energy. Funding for the remaining four months of the original contract period and extension options is contingent upon available funding in future budgets. Lowest evaluated bids and low bids meeting specification of nine 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 four requirements supply contracts with Techline Inc., Stuart C. Irby Company, KBS Electrical Distributors, Inc., and Texas Meter & Device was approved.**
58. Authorize award, negotiation, and execution of a 24-month requirements service contract with VERTEX OUTSOURCING, Corinth, TX and I.C. SYSTEM, INC., St. Paul, MN for the secondary collection of delinquent utility accounts in an estimated amount not to exceed \$467,326 each and combined, with three

12-month extension options in an estimated amount not to exceed \$233,663 per extension option each and combined, for a total estimated contract amount not to exceed \$1,168,315 each and combined. Funding in the amount of \$38,944 is available in the Fiscal Year 2007-2008 Operating Budget of Austin Energy. Funding for the remaining 22 months of the original contract period and extension options is contingent upon available funding in future budgets. Best two evaluated proposals of four proposals received. This contract will be awarded in compliance with Chapter 2-9C of the City Code (Minority -Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation.

**The motion authorizing the award, negotiation and execution of a requirements service contract with Vertex Outsourcing was approved.**

59. Authorize award and execution of a 12-month requirements service contract with ADS, LLC, Huntsville, AL to provide leak detection services for the Austin Water Utility in an estimated amount not to exceed \$210,000, with two 12-month extension options in an estimated amount not to exceed \$262,500 per extension option, for a total estimated contract amount not to exceed \$735,000. Funding in the amount of \$35,000 is available in the Fiscal Year 2007-2008 Operating Budget of the Austin Water Utility. Funding for the remaining 10 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. Recommended by the Water and Wastewater Commission.

**The motion authorizing the award and execution of a requirements service contract with ADS, LLC was approved.**

60. Authorize award and execution of a 24-month requirements supply contract with ALPHA READY MIX, LLC, Austin, TX, for ready mix concrete for the Austin Water Utility in an estimated amount not to exceed \$153,258, with three 12-month extension options in estimated amounts not to exceed \$95,786 for the first extension option, \$105,365 for the second extension option, and \$115, 900 for the third extension option, for a total estimated contract amount not to exceed \$470,309. Funding in the amount of \$12,772 is available in the Fiscal Year 2007-2008 Operating Budget of the Austin Water Utility. Funding for the remaining 22 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.

**The motion authorizing the award and execution of a requirements supply contract with Alpha Ready Mix, LLC was approved.**

61. Authorize award and execution of a contract with CARBONITE FILTER CORPORATION, Delano, PA for the purchase of anthracite mono-filter material for the Austin Water Utility in an amount not to exceed \$63,049.98. Funding is available in the Fiscal Year 2007-2008 Operating Budget 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.

**The motion authorizing the award and execution of a contract with Carbonite Filter Corporation was approved.**

62. Authorize award and execution of a contract through the TEXAS MULTIPLE AWARD SCHEDULE (TXMAS) with FIRETROL PROTECTION SYSTEMS, INC., Austin, TX for the purchase of a fire alarm system for the Austin Water Utility in an amount not to exceed \$52,235. Funding is available in the

Fiscal Year 2007- 2008 Operating Budget of the Austin Water Utility. 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 the Chapter 791 of the Texas Government Code and no goals were established for this procurement. Recommended by the Water and Wastewater Commission.

**The motion authorizing the award and execution of a contract through the Texas Multiple Award Schedule (TXMAS) with Firetrol Protection Systems, Inc. was approved.**

63. Authorize award, negotiation, and execution of a 12-month service contract with HANSEN INFORMATION TECHNOLOGIES, Rancho Cordova, CA, for the purchase of software maintenance and support in an amount not to exceed \$104,136.84, with two 12-month extension options in amounts not to exceed \$106,219.55 for the first extension option, and \$108,344 for the second extension option, for a total contract amount not to exceed \$318,700.39. Funding in the amount of \$104,136.84 is available in the Fiscal Year 2007-2008 Operating Budget of the Austin Water Utility. Funding for the extension options is contingent upon available funding in future budgets. Sole source. This contract will be awarded in compliance with Chapter 2-9C of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation. Recommended by the Water and Wastewater Commission.

**The motion authorizing award, negotiation and execution of a service contract with Hansen Information Technologies was approved.**

64. Authorize award and execution of a 36-month Interlocal Agreement with the TEXAS FOREST SERVICE to provide services for the propagation, cultivation, and delivery of trees and shrubs to be used for endangered species habitat restoration and enhancement of the Balcones Canyonlands Preserve in an estimated amount not to exceed \$99,000. Funding in the amount of \$5,500 is available in the Fiscal Year 2007-2008 Operating Budget of the Austin Water Utility. Funding for the remaining 32 months of the original contract period is contingent upon available funding in future budgets. Interlocal Agreement. This contract will be awarded in compliance with Chapter 2-9D of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). This contract is 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.

**The motion authorizing the award and execution of an interlocal agreement with the Texas Forest Service was approved.**

65. Authorize award and execution of a contract through the TEXAS MULTIPLE AWARD SCHEDULE (TXMAS) with TRIMBLE NAVIGATION LIMITED, Dayton, OH, for the purchase of Global Positioning System (GPS) equipment for the Austin Water Utility in an amount not to exceed \$54,010. Funding is available in the Fiscal Year 2007-2008 Operating Budget of the Austin Water Utility. 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.

**The motion authorizing the award and execution of a contract through the Texas Multiple Award Schedule (TXMAS) with Trimble Navigation Limited was approved.**

66. Authorize award and execution of a contract through the Texas Multiple Award Schedule (TXMAS) with INTERTECH FLOORING, Austin, TX, for the purchase and installation of carpet in an amount not to exceed \$125,190.18. Funding is available in the Fiscal Year 2007-2008 Operating Budget of the Aviation 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 Austin Airport Advisory Commission.

**The motion authorizing the award and execution of a contract through the Texas Multiple Award Schedule (TXMAS) with Intertech Flooring was approved.**

67. Authorize award, negotiation, and execution of an Interlocal Agreement with THE UNIVERSITY OF TEXAS COMMONS CONFERENCE CENTER, Austin, TX, to provide facility rental, equipment, wireless internet access, parking, and refreshments for the City of Austin IT Business Development Conference and Expo in an estimated amount not to exceed \$7000. Funding in the amount of \$7000 is included in the proposed Fiscal Year 2008-2009 Operating Budget of the Financial and Administrative Services Department, Communications and Technology Management. Interlocal. 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, negotiation and execution of an interlocal agreement with The University of Texas Commons Conference Center was approved.**

68. Authorize award, negotiation, and execution of a 12-month Interlocal Agreement with THE UNIVERSITY OF TEXAS PROFESSIONAL DEVELOPMENT CENTER, Austin, TX, for business analysis and project management related training in an estimated amount not to exceed \$37,500, with one 12-month extension option in an estimated amount not to exceed \$37,500, for a total estimated contract amount not to exceed \$75,000. Funding in the amount of \$37,500 is included in the Fiscal Year 2007-2008 Operating Budget of the Financial and Administrative Services Department, Communications and Technology Management. Funding for the extension option is contingent upon available funding in future budgets. Interlocal Agreement. This contract will be awarded in compliance with Chapter 2-9D of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). This contract is 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, negotiation and execution of an interlocal agreement with The University of Texas Professional Development Center was approved.**

69. Approve award and execution of a 36-month requirements service contract with AAA FIRE & SAFETY EQUIPMENT CO., INC., Austin, TX, for the maintenance, inspection, repair, and replacement of fire extinguishers in an estimated amount not to exceed \$357,924, with three 12-month extension options in an estimated amount not to exceed \$119,308 per extension option, for a total estimated contract amount not to exceed \$715,848. Funding in the amount of \$19,885 is available in the Fiscal Year 2007-2008 Operating Budget for various City Departments. Funding for the remaining 34 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. Recommended by the Water and Wastewater Commission and the Austin Airport Advisory Commission.

**The motion for the award and execution of a requirements service contract with AAA Fire & Safety Equipment Co., Inc. was approved.**

70. Authorize award and execution of four 36-month requirements service contracts with NORRIS CONFERENCE CENTERS, Houston, TX; SHERATON AUSTIN HOTEL, Austin, TX; HYATT REGENCY AUSTIN, Austin, TX; and the HILTON AUSTIN AIRPORT, Austin, TX, for conference services and facility rental in an estimated amount not to exceed \$795,000 each and combined, with three 12-month extension options in an estimated amount not to exceed \$265,000 per extension option, each

and combined, for a total estimated contract amount not to exceed \$1,590,000, each and combined. Funding in the amount of \$44,166 is available in the Fiscal Year 2007-2008 Operating Budgets of various City departments. Funding for the remaining 34 months of the original contract period and extension options is contingent upon available funding in future budgets. Four best-value bids of six 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 four requirements service contracts with Norris Conference Centers, Sheraton Austin Hotel, Hyatt Regency and the Hilton Austin Airport was approved.**

71. Authorize award and execution of a 20-month supply contract through the Texas Multiple Award Schedule (TXMAS) with VF IMAGEWEAR, INC., Nashville TN, for the purchase of uniforms in an estimated amount not to exceed \$385,000, with one 60-month extension option in an estimated amount not to exceed \$1,155,000, for a total contract amount not to exceed \$1,540,000. Funding in the amount of \$385,000 is available in the 2007-2008 Operating Budget of various City departments. Funding for the remaining 18 months of the original contract period and extension option is contingent upon available funding in future budgets. Cooperative Purchase. This contract will be awarded in compliance with Chapter 2-9D of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). This contract is a Cooperative Purchase; therefore, it is exempted under Chapter 791 of the Texas Government Code and no goals were established for this procurement.

**The motion authorizing the award and execution of a supply contract through the Texas Multiple Award Schedule (TXMAS) with VF Imagewear, Inc. was approved.**

72. Authorize award and execution of a 36-month requirements supply contract with RLS SERVICES, INC., Garland, TX for the purchase of non-captive repair parts for garbage truck bodies for Fleet Services in an estimated amount not to exceed \$1,103,375, with three 12-month extension options in estimated amounts not to exceed \$405,169 for the first extension option, \$425,428 for the second extension option, and \$446,700 for the third extension option, for a total estimated contract amount not to exceed \$2,380,672. Funding in the amount of \$61,299 is available in the Fiscal Year 2007-2008 Operating Budget of the Financial and Administrative Services Department, Fleet Fund. Funding for the remaining 34 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.

**The motion authorizing the award and execution of a requirements supply contract with RLS Services, Inc. was approved.**

73. Authorize award and execution of a 12-month requirements supply contract with CD LISTENING BAR d/b/a SUPER D, Irvine, CA, for the purchase of music compact discs for the Austin Public Library in an estimated amount not to exceed \$130,400, with two 12-month extension options in an estimated amount not to exceed \$130,400 per extension option, for a total estimated contract amount not to exceed \$391,200. Funding in the amount of \$21,733 is available in the Fiscal Year 2007-2008 Operating Budget of the Library Department. Funding for the remaining 10 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.

**The motion authorizing the award and execution of a requirements supply contract with CD Listening Bar doing business as Super D was approved.**

74. Authorize award and execution of a contract with EDUCATOR'S DEPOT, INC., Sugarland, TX, for the purchase of library shelving in an amount not to exceed \$75,495. Funding is available in the Fiscal Year 2007-2008 Capital Budget of the Library Department. 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 Educator's Depot, Inc. was approved.**
75. Authorize award and execution of a 36-month requirements supply contract with COMMERCIAL CHEMICAL d/b/a POOLSURE, Houston, TX for the purchase of sodium hypochlorite and muriatic acid in an estimated amount not to exceed \$270,000, with three 12-month extension options in an estimated amount not to exceed \$90,000 per extension option, for a total estimated contract amount not to exceed \$540,000. Funding in the amount of \$22,000 is available in the Fiscal Year 2007-2008 Operating Budget of the Parks and Recreation Department. Funding for the remaining 10 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 2-9C 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 supply contract with Commercial Chemical doing business as Poolsure was approved.**
76. Authorize award and execution of a contract through the TEXAS MULTIPLE AWARD SCHEDULE (TXMAS) with PRINT LOGICS, Austin, TX, for printing services in an amount not to exceed \$183,300. Funding in the amount of \$183,300 is available in the Fiscal Year 2007-2008 Operating Budget of the Solid Waste Services Department. Cooperative Purchase. This contract will be awarded in compliance with Chapter 2-9C of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). This contract is a Cooperative Purchase; therefore, it is exempted under Chapter 791 of the Texas Government Code and no goals were established for this solicitation.  
**The motion authorizing the award and execution of a contract through the Texas Multiple Award Schedule (TXMAS) with Print Logics was approved.**
77. Approve an ordinance authorizing acceptance of \$6,070 in grant funds from the Capital Area Council of Governments (CAPCOG), 2009 Regional Solid Waste Grant Program; and amending the Fiscal Year 2007-2008 Solid Waste Operating Budget Special Revenue Fund of Ordinance No. 20070910-003 to appropriate \$6,070 for the Solid Waste Services Code Enforcement Division for surveillance cameras. Funding is available from CAPCOG under the 2009 Regional Solid Waste Grant Program. Approved by the Solid Waste Advisory Commission.  
**Ordinance No. 20080724-077 was approved.**
78. Approve an ordinance denying the proposed change in rates of Oncor Electric Delivery Company and providing notice of this ordinance to Oncor Electric Delivery Company, LLC.  
**Ordinance No. 20080724-078 was approved.**

**Item 79 was pulled for discussion.**

80. Approve a resolution giving the City's consent as required by Internal Revenue Code Section 147(f) to Ogelsby Education Facilities Corporation's loan to the Texas Empowerment Academy, a Texas charter school and non-profit corporation, in an amount not to exceed \$1,400,000 to purchase a building at 3613 Bluestein Drive, Austin, Texas.  
**Resolution No. 20080724-080 was approved.**

81. Approve negotiation and execution of a twelve (12) month contract with AUSTIN INDEPENDENT SCHOOL DISTRICT (AISD) for the provision of transportation services for students participating in the Earth Camp program for Fiscal Year 2008-2009 in the estimated annual amount of \$18,000, and to include five (5) additional one-year extension options, for a total contract not to exceed \$108,000. \$1,500 (one month) is included in the Fiscal Year 2007-2008 Operating Budget of the Watershed Protection and Development Review Department. The balance of \$16,500 is contingent on approval of the Fiscal Year 2008-2009 budget and the availability of funding in future budgets for the extension options. The motion for negotiation and execution of a contract with Austin Independent School District (AISD) was approved.
82. Approve second/third readings of an ordinance amending Chapter 25-2 of the City Code relating to the use, site development, and permitting requirements applicable to a fly tower within a performing arts theater. Ordinance No. 20080724-082 with the following amendment was approved. The amendment was as follows: Add a new Subsection (G) to Part 1 to read, "(G) A fly tower that is constructed within a performing arts theater that seats 300 or more people may be up to 80 feet in height, regardless of the zoning district height limit, unless a lower height limit is required by City Code Chapter 25-2, Article 10 (Compatibility Standards). The fly tower must be: (1) located on land owned by the City of Austin; and (2) designed and used for moving set pieces, lights, microphones, and other equipment on and off stage." Add a new Part 2 and renumber the remaining sections accordingly. Part 2 should read: "The city council finds that public performing arts theaters of sufficient size to include a fly tower for moving set pieces, lights, microphones and other equipment on and off stage generally provide significant community benefits."
83. Authorize negotiation and execution of a Joint Funding Agreement with the United States Department of the Interior Geological survey (USGS) for water resources investigation projects for Fiscal Year 2008-2009, in the amount of \$417,770 with six (6) twelve (12) month extension options, with each option in an amount not to exceed the amount of the previous twelve (12) months authorized limit plus up to 11% for potential increases in the cost of service and additional stations added to the scope of work, for a total contract amount not to exceed \$4,087,158. Funding in the amount of \$248,770 is included in the Fiscal Year 2008-2009 Proposed Operating Budget of the Watershed Protection & Development Review Department. Funding in the amount of \$169,000 is included in the Fiscal Year 2007-2008 Capital Budget of the Watershed Protection & Development Review Department. Funding for future fiscal years is dependant on the approval of future budgets. The motion authorizing the negotiation and execution of a Joint Funding Agreement with the United States Department of the Interior Geological survey (USGS) was approved.
84. 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****African American Resource Advisory Commission**

Akwasi Evans  
Nelson Linder  
Mary Palmer

**Animal Advisory Commission**

Babette Ellis

**Nominated By:**

Council Member Morrison  
Council Member Leffingwell  
Council Member Shade

Council Member Leffingwell



Arts Commission

Brett Barnes  
Irene Roderick  
Bruce Willenzik

Council Member Shade  
Council Member Morrison  
Council Member Leffingwell

Asian American Resource Center Advisory Board

Ahsan Chowdhury

Council Member Morrison

Austin Airport Advisory Commission

Richard Hatfield  
Scott Madole  
Dale Murphy

Council Member Leffingwell  
Mayor Wynn  
Council Member Shade

Austin Community Technology and Telecommunications Commission

Randy Kolb  
Chip Rosenthal

Council Member Leffingwell  
Council Member Shade

Austin Mayor's Committee for People with Disabilities

Norman Kieke

Council Member Morrison

Austin Music Commission

Paul Oveisi

Council Member Leffingwell

Board of Adjustment

Frank Fuentes  
Leane Heldenfels  
Bryan King  
Greg Smith  
Michael vonOhlen

Council Member McCracken  
Council Member Shade  
Council Member Cole  
Mayor Wynn  
Council Member Leffingwell

Building and Fire Code Board of Appeals

Michael Cannatti  
Steven King

Council Member Morrison  
Council Member Leffingwell

Building and Standards Commission

Tim Hill  
Howard Lenett  
Susan Morrison

Mayor Wynn  
Council Member Leffingwell  
Council Member Morrison

Child Care Council

Albert Black  
Jill McRae

Council Member Morrison  
Council Member Leffingwell

Commission for Women

Amy Everhart  
Angela Howard

Council Member Shade  
Council Member Leffingwell

Commission on Immigrant Affairs

Thomas Esparza, Jr.  
Solomon Kassa  
Ramey Ko  
Linda Phan

Mayor Pro Tem McCracken  
Council Member Leffingwell  
Council Member Morrison  
Council Member Shade

Community Development Commission

Michael Kellerman  
John Limon  
Ruby Roa

Council Member Shade  
Council Member Leffingwell  
Council Member Morrison

Construction Advisory Commission

Ira Crofford

Council Member Leffingwell

Construction Advisory Commission

Martin Prisant

Council Member Shade

Design Commission

James Shieh  
Bart Whartley

Council Member Shade  
Council Member Morrison

Downtown Austin Community Court Advisory Committee

Dennis Barkway

Council Member Morrison

Downtown Commission

Stan Haas  
Richard Halpin  
Chris Schorre

Council Member Leffingwell  
Council Member Shade  
Council Member Morrison

Electric Board

David Adamson  
Peggy Simpson  
Randy Walden

Council Member Shade  
Council Member Morrison  
Council Member Leffingwell

Electric Utility Commission

Shudde Fath

Council Member Leffingwell

Environmental Board

Jon Beall  
Mary Gay Maxwell  
Mary Ann Neeley

Council Member Shade  
Council Member Morrison  
Council Member Leffingwell

Ethics Review Commission

Jody Hughes

Council Member Leffingwell

Federally Qualified Health Center Board

David Campos  
Alfredia Miller

Council Member Morrison  
Council Member Leffingwell

Historic Landmark Commission

Daniel Leary  
Terri Myers

Council Member Leffingwell  
Council Member Morrison

Human Rights Commission

Judy Cortez  
Sandra Serna

Council Member Morrison  
Council Member Leffingwell

Impact Fee Advisory Board

Lisa Harris  
Chien Lee

Council Member Morrison  
Council Member Shade

Library Commission

Wendy Price Todd

Council Member Morrison

MBE/WBE and Small Business Enterprise Procurement Program Advisory Committee

Barbra Boeta  
Adrian Neely  
Roel Zambrano

Council Member Morrison  
Council Member Shade  
Council Member Leffingwell

Mechanical, Plumbing and Solar Board

Jon Burress  
Michael Nail

Council Member Leffingwell  
Council Member Morrison

Mexican American Cultural Center Advisory Board

Raul Garza  
Isidoro Lopez

Council Member Shade  
Council Member Morrison

Parks and Recreation Board

Danette Chimenti  
Sara Hatfield Marler  
Jane Rivera

Council Member Leffingwell  
Council Member Shade  
Council Member Morrison

Planning Commission

Tracy Atkins  
Mandy Dealey  
Saundra Kirk  
Clint Small

Mayor Wynn  
Mayor Wynn  
Council Member Cole  
Mayor Wynn

Renaissance Market Commission

Delia Davila

Council Member Shade

Residential Design and Compatibility Commission

Heidi Goebel  
Chuck Mains  
Jean Stevens

Council Member Shade  
Council Member Leffingwell  
Council Member Morrison

Resource Management Commission

Christine Herbert  
Grace Hsieh

Council Member Shade  
Council Member Leffingwell

Robert Mueller Municipal Airport Plan Implementation Advisory Commission

Corky Hilliard

Council Member Shade

Jim Walker

Council Member Morrison

Sign Review Board

Frank Fuentes

Council Member McCracken

Cathy French

Mayor Wynn

Leane Heldenfels

Council Member Shade

Bryan King

Council Member Cole

Greg Smith

Mayor Wynn

Michael vonOhlen

Council Member Leffingwell

Solid Waste Advisory Commission

Rick Cofer

Council Member Leffingwell

Maydelle Fason

Council Member Morrison

J.D. Porter

Council Member Shade

Urban Forestry Board

Keith Babberney

Council Member Leffingwell

Nevic Donnelly

Mayor Pro Tem McCracken

Shannon Halley

Council Member Morrison

Eddie Heath

Council Member Shade

Urban Renewal Agency

Sharon Baxter

Mayor Wynn

Urban Transportation Commission

Allen Demling

Council Member Leffingwell

Richard MacKinnon

Council Member Shade

Water and Wastewater Commission

Sarah Baker

Council Member Morrison

Mario Espinoza

Council Member Shade

Mike Warner

Council Member Leffingwell

Gwendolyn Webb

Council Member Cole

Waterfront Overlay Task Force

Melissa Hawthorne

Council Member Leffingwell

Zoning and Platting Commission

Betty Baker

Council Member Shade

Clarke Hammond

Council Member Leffingwell

Donna Tiemann

Council Member Morrison

**Resolution No. 20080724-84 was approved.**

85. Approve an ordinance amending Ordinance No. 20080605-045 to increase the number of members of the Downtown Street Event Closure Task Force, and related items. (Council Member Lee Leffingwell Mayor Will Wynn Council Member Mike Martinez)

**Ordinance No. 20080724-085 and the motion to appoint Tomas Pantin to the Downtown Street Event Closure Task Force were approved.**

86. Approve a resolution directing the City Manager to cease negotiation and execution of a lease with Mobile Loaves and Fishes for its Habitat on Wheels program on land owned by the City adjacent to the East Service Center located on Harold Court for a period of twelve (12) months. (Council Member Mike Martinez Council Member Sheryl Cole)  
**Resolution No. 20080724-086 was approved.**
87. Approve a resolution directing the City Manager to review City Code provisions and operating policies related to large annual events in the downtown area to address public safety issues and to provide a report to Council on or before August 28, 2008. (Council Member Sheryl Cole Council Member Lee Leffingwell)  
**This item was withdrawn.**
88. Approve a resolution directing the City Manager to initiate amendments to the East 12th Street Neighborhood Conservation Combining District to ensure consistency with proposed revisions to the Urban Renewal Plan for the East 11th and 12th Streets Urban Renewal Area. (Council Member Sheryl Cole Council Member Lee Leffingwell and Mayor Pro Tem Brewster McCracken)  
**Resolution No. 20080724-088 was approved.**
89. Approve waiver of banner fees under Chapter 25-10 of the City Code for the 2008 Austin Gay and Lesbian International Film Festival taking place at the Alamo Ritz located on 320 E. 6th St, to be held September 3-7, 2008. (Mayor Will Wynn Mayor Pro Tem Brewster McCracken Council Member Randi Shade)  
**The motion for the waiver of banner fees for the 2008 Austin Gay and Lesbian International Film Festival was approved.**
90. Set a public hearing to consider an amendment to Chapter 25-2 of the City Code relating to the applicability of development incentives for affordable housing. (Suggested date and time: August 7, 2008, 6:00 p.m. at Austin City Hall, 301 W. Second Street, Austin, TX.)  
**The public hearing was set for August 7, 2008 at 6:00 p.m., Austin City Hall at 301 W. Second Street, Austin, TX.**
91. Set a public hearing to consider an ordinance amending the Austin Tomorrow Comprehensive Plan by adopting the Oak Hill Combined Neighborhood Plan, generally bounded by Southwest Parkway to the north, Barton Creek Greenbelt to the east, FM 1826, Davis Lane, Clairmont Drive, Abilene Trail, Convict Hill Rd, and Loop 1 to the south, and Thomas Springs Road, Circle Drive and West View Road to the west. The watersheds are Williamson Creek, Slaughter Creek, and Barton Creek - Barton Springs Zone Watershed. (Suggested date and time: August 7, 2008 at 4:00 p.m., City Hall Council Chambers, 301 West Second Street.)  
**The public hearing was set for August 7, 2008 at 4:00 p.m., Austin City Hall at 301 W. Second Street, Austin, TX.**
92. Set a public hearing to consider the use of approximately 46,100 square feet for Temporary Working Space use for the Green Water Treatment Plant Decommissioning and Deconstruction Project through dedicated parkland known as Sand Beach Reserve Park and Shoal Beach Park on Lady Bird Lake and portions of Shoal Creek Greenbelt, in accordance with Sec. 26.001 et seq. of the Texas Parks and Wildlife Code. (Suggested date and time: August 21, 2008, 6:00 p.m. at Austin City Hall, 301 W. Second Street, Austin, TX). All costs associated with construction, as well as any parkland restoration will be paid by requester. Recommended by the Parks and Recreation Board.  
**The public hearing was set for August 21, 2008 at 6:00 p.m., Austin City Hall at 301 W. Second Street, Austin, TX.**

93. Set a public hearing to consider an ordinance adopting new floodplain maps and amending City Code Section 25-12-3 (Local Amendments to the Building Code) and Section 25-12-243 (Local Amendments to the Residential Code) to update the old floodplain maps. (Suggested date and time: August 7, 2008, 6:00 p.m. at Austin City Hall, 301 W. Second Street, Austin, TX) Recommended by Building and Fire Code Board.

**The public hearing was set for August 7, 2008 at 6:00 p.m., Austin City Hall at 301 W. Second Street, Austin, TX.**

153. Approval of the Austin City Council minutes from the June 18, 2008 meeting.  
**The minutes from the meeting of June 18, 2008 were approved. Council Member Morrison abstained.**

Item 94 was a briefing item set for 10:30 a.m.

Items 95 and 96 were Executive Session items.

Items 97 and 98 were action on Executive Session items.

Items 99 through 101 were bond sale items set for 2:00 p.m.

Item 102 was a briefing item set for 2:00 p.m.

Items 103 through 147 were zoning items set for 4:00 p.m.

Items 148 through 152 were public hearing items set for 6:00 p.m.

Item 153 was an addendum item.

#### **BRIEFING**

94. Presentation of Downtown Austin Plan Rail Analysis  
**The presentation was made by Jim Robertson, Neighborhood Planning and Zoning Department, and Jim Adams, ROMA Design Group.**

#### **CITIZEN COMMUNICATION: GENERAL**

Marcel Elizondo -- Mileage reimbursement/city vehicles for City Health Inspectors. **He was not present when his name was called.**

Girard Kinney, AIA -- "Why I am bowing out"

Gus Pena -- 1. To discuss City, Budget issues 2. Work on equity for all of Austin Residents and taxpayers, and not just for some 3. Please continue to help military veterans with health care issues, jobs, job training, counseling 4. Please help the poor, needy, and have nots. The gap widened between the Haves and Have Nots. Austin is NOT an affordable city. Don't forget, hire the Vets.

Molly Greaves -- Painting Bridges

Jennifer Esterline -- Drop outs in Austin

Richard Halpin, American YouthWorks -- Social Investment Success

Pat Valls-Trelles -- Animal Issues

Carolannrose Kennedy -- VIOLENCE ON THE HOMEFRONT: HERSTORY

Rachel Hulley, Representing Roadway Productions -- Street Closures for Bat Fest

Paul Robbins -- City Issues

Mayor Wynn recessed the Council Meeting to go into Executive Session at 1:23 p.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.

95. Discuss legal issues relating to Nora Tijerina, as next friend of Joseph Cruz v. Gary Griffin, Cause No. A 07 CA 521 LY, In the United States District Court for the Western District of Texas - Austin Division. (Private Consultation with Attorney - Section 551.071). Related to Item #98.
96. Discuss legal issues related to In the Matter of the Application of Hays County Water Control and Improvement District No. 1 for Amendment to Texas Pollutant Discharge Elimination System (TPDES) Permit No. WQ0014293001, Before the State Office of Administrative Hearings, SOAH Docket No. 582-08-0202, TCEQ Docket No. 2007-1426-MWD (concerns permit for direct discharge of waste water into Bear Creek)(Private consultation with Attorney - Section 551.071). Related to Item #97.

The Mayor announced that Council would discuss item number 19 on the regular agenda during Executive Session.

Executive Session ended and Mayor Wynn called the Council Meeting back to order at 2:34 p.m.

### **ACTION ON EXECUTIVE SESSION**

97. Take possible action related to the Matter of the Application of Hays County Water Control and Improvement District No. 1 for Amendment to Texas Pollutant Discharge Elimination System (TPDES) Permit No. WQ0014293001, Before the State Office of Administrative Hearings, SOAH Docket No. 582-08-0202, TCEQ Docket No. 2007-1426-MWD (concerns permit for direct discharge of waste water into Bear Creek). Related to Item #96.  
**This item was withdrawn without objection.**
98. Approve a settlement in Nora Tijerina, as next friend of Joseph Cruz v. Gary Griffin, Cause No. A 07 CA 521 LY, In the United States District Court for the Western District of Texas - Austin Division. Related to Item #95.  
**The motion for a settlement in the amount of \$55,000 was approved on Mayor Pro Tem McCracken's motion, Council Member Cole's second on a 7-0 vote.**

**BONDS**

100. Approve an ordinance authorizing the issuance of City of Austin, Texas, Electric Utility System Revenue Refunding Bonds, Series 2008A, in an amount not to exceed \$175,000,000, and approving related documents. \$7,291,667 in the first year debt service requirement and \$150 estimated annual administration fee for the paying agent/registrant for the proposed bond sale will be included in the Fiscal Year 2008-2009 Proposed Budget of the Utility Revenue Bond Redemption Fund.  
**Ordinance No. 20080724-100 authorizing the issuance of City of Austin, Texas, Electric Utility System Revenue Refunding Bonds, Series 2008A, in an amount not to exceed \$175,000,000 was approved on Council Member Cole's motion, Council Member Leffingwell's second on a 6-0 vote. Council Member Martinez was off the dais.**
101. Approve an ordinance authorizing the issuance of City of Austin, Texas, Hotel Occupancy Tax Subordinate Lien Variable Rate Revenue Refunding Bonds, Series 2008, in an amount not to exceed \$135,000,000; providing for payments secured by the net revenues of the City's Hotel Tax Revenue Bond Redemption Fund; and delegating to City officials the authority to establish the interest rate and other key terms and provisions for the bonds and to negotiate and execute related documents. Costs of issuance totaling \$2,500,000 and the reserve fund totaling \$8,300,000 will be paid from the Fiscal Year 2007-2008 Budget of the Hotel Tax Revenue Bond Redemption Fund. The first year debt service requirement of approximately \$4,000,000 and all estimated annual administration fees are included in the Fiscal Year 2008-2009 Proposed Budget of the Hotel Tax Revenue Bond Redemption Fund. Recommended by Audit and Finance Committee.  
**Ordinance No. 20080724-101 authorizing the issuance of City of Austin, Texas, Hotel Occupancy Tax Subordinate Lien Variable Rate Revenue Refunding Bonds, Series 2008 in an amount not to exceed \$135,000,000 was approved on Council Member Cole's motion, Council Member Leffingwell's second on a 6-0 vote. Council Member Martinez was off the dais.**

**DISCUSSION ITEM**

79. Authorize and direct publication of an Official Notice of Intention to Issue \$10,700,000 City of Austin, Texas, Certificates of Obligation, Series 2008. There is no unanticipated fiscal impact. A fiscal note is not required.  
**Resolution 20080724-079 was approved on Council Member Leffingwell's motion, Mayor Pro Tem McCracken's second on a 6-0 vote. Council Member Martinez was off the dais.**

**BONDS CONTINUED**

99. Approve the 2008 General Obligation Bond Sale Schedule (\$76,045,000 in Public Improvement Bonds, \$10,700,000 in Certificates of Obligation, and \$26,715,000 in Contractual Obligations). \$76,045,000 in Public Improvement Bonds, \$10,700,000 in Certificates of Obligation, and \$26,715,000 in Contractual Obligations.  
**The motion for the 2008 General Obligation Bond Sale Schedule was approved on Council Member Leffingwell's motion, Mayor Pro Tem McCracken's second on a 6-0 vote. Council Member Martinez was off the dais.**

**BRIEFING**

102. Austin Energy's Future Energy Resources and CO2 Cap & Reduction Planning  
**The presentation was made by Roger Duncan, Acting Director of Austin Energy.**



**DISCUSSION ITEMS CONTINUED**

19. Approve the termination of a 10 year lease for approximately 215.426 acres out of the Lime Creek Quarry Site located in Cedar Park, Texas.  
The motion for the termination of a 10 year lease with the following amendment was approved on Council Member Cole's motion, Mayor Wynn's second on a 7-0 vote. The amendment was that if the property was not sold at the end of the 9 month termination notice, the lease be amended to include a 90 day notice provision.
40. Approve an ordinance amending Chapter 14-2 and Chapter 2-1 of the City Code relating to the People's Renaissance Market; repealing Section 14-2-42 relating to an appeal by an applicant or licensee to sell merchandise at the People's Renaissance Market and Section 2-1-166 of the City Code relating to the Renaissance Market Commission; and dissolving the Renaissance Market Commission.  
Ordinance No. 20080724-040 was approved with the following amendments on Council Member Leffingwell's motion, Mayor Wynn's second on a 7-0 vote. The amendments were to delete Parts 2, 10 and 11 and renumber accordingly and repeal subsections A, B and D of section 2-1-166 of the Code and renumber accordingly.

Mayor Wynn recessed the Council Meeting and called the Board of Directors' Meeting of the Austin Housing Finance Corporation to order at 3:56 p.m. See separate minutes.

Mayor Wynn called the Council Meeting back to order at 3:59 p.m.

**DISCUSSION ITEMS**

42. Approve a resolution adopting the City's (1) Action Plan for Fiscal Year 2008-2009, related to allocation of the U.S. Department of Housing and Urban Development (HUD) grant funds, and (2) Community Development Fiscal Year 2008-2009 Program required by Texas Local Government Code Chapter 373, including proposed funding allocations for Fiscal Year 2008-2009. No unanticipated fiscal impact. The Community Development Commission conducted a needs assessment public hearing was conducted on March 31, 2008, and a public hearing on the Draft Action Plan on June 26, 2008. The Community Development Commission recommended to approve the Draft Action Plan with amendments.  
Resolution No. 20080724-042 was approved on Council Member Martinez' motion, Council Member Shade'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 Shade's motion, Council Member Leffingwell's second on a 7-0 vote.

103. NPA-2007-0015.02 - Rogge Lane - Approve second/third readings of an ordinance amending Ordinance 20021107-Z-11, the East MLK Combined Neighborhood Plan, an element of the Comprehensive Plan, by changing the land use designation for 2906 Rogge Lane from single-family to neighborhood mixed use. First reading approved on November 8, 2007. Vote: 7-0. Applicant: Willie Hays, Virginia Conley & Jody Self. Agent: Reg. Inc. (Stephen Jensen). City Staff: Robert Heil, 974-2330.  
Ordinance No. 20080724-103 changing the land use designation to neighborhood mixed use was approved.
104. C14-2007-0130 - Rogge Lane - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 2906 Rogge Lane (Fort Branch Watershed)

from family residence-neighborhood plan (SF-3-NP) combining district zoning to community commercial-mixed use-conditional overlay-neighborhood plan (GR-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 November 8, 2007. Vote: 7-0. Applicant: Willie Hays, Virginia Conley & Jody Self. Agent: Reg Inc. (Stephen Jensen). City Staff: Robert Heil, 974-2330. **Ordinance No. 20080724-104 for community commercial-mixed use-conditional overlay-neighborhood plan (GR-MU-CO-NP) combining district zoning and neighborhood commercial-mixed use-conditional overlay-neighborhood plan (LR-MU-CO-NP) combining district zoning was approved.**

105. C14-2008-0049 - South Edge II (Part 3) - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 6224 Crow Lane (Williamson Creek Watershed) from family residence-neighborhood plan (SF-3-NP) combining district zoning to multi-family residence-low-density-conditional overlay-neighborhood plan (MF-2-CO-NP) combining district zoning. First reading approved on May 8, 2008. Vote: 7-0. Applicant: Captuity Investments Three, L.P (Darin Davis). Agent: Alice Glasco Consulting (Alice Glasco). City Staff: Wendy Rhoades, 974-7719.

**Ordinance No. 20080724-105 for multi-family residence-low-density-conditional overlay-neighborhood plan (MF-2-CO-NP) combining district zoning was approved.**

106. C14-2007-0144 - 800 West Avenue - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 800 West Avenue (Shoal Creek Watershed) from general office (GO) district zoning and limited office (LO) district zoning to downtown mixed use-conditional overlay (DMU-CO) combining district zoning. First reading approved on November 29, 2007. Vote: 7-0. Applicant: Joseph T. Wells. Agent: Armbrust and Brown (Lynn Ann Carley.) City Staff: Robert Heil, 974-2330.

**This item was postponed to August 21, 2008 at the applicant's request.**

### ZONING CONSENT ITEMS

The following zoning items were acted on by one motion. No separate discussion or action occurred on any of the items. The public hearings were closed and consent items were approved on Mayor Pro Tem McCracken's motion, Council Member Morrison's second on a 5-0 vote. Council Members Cole and Shade were off the dais.

107. C14-2008-0020 - Sundberg Tract - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 8219 Burleson Road (Onion Creek Watershed) from interim-rural residence (I-RR) district zoning to limited industrial service-conditional overlay (LI-CO) combining district zoning for Tract 1; and general commercial services-mixed use (CS-MU) combining district zoning with conditions for Tract 2. Staff Recommendation: To grant limited industrial service-conditional overlay (LI-CO) combining district zoning for Tract 1; and general commercial services-mixed use-conditional overlay (CS-MU-CO) combining district zoning for Tract 2. Zoning and Platting Commission Recommendation: To grant limited industrial service-conditional overlay (LI-CO) combining district zoning for Tract 1, and general commercial services-mixed use-conditional overlay (CS-MU-CO) combining district zoning for Tract 2 with conditions. Applicants: Joan Elaine Frensley Smith; Frances E and Robert W. Bauman; Sundberg Farm Limited Partnership (Jean and Marvin Chernosky); Sundberg C&C Partners, Ltd. (Camille C. Mealy); Ralph & Olga Schneider Family Partnership (Elaine Schnieder and John P. Schneider, M.D.); and Robert Carl Wolter. Agent: Bury & Partners (Melissa Matthiesen). City Staff: Wendy Rhoades, 974-7719.

**This item was postponed to August 7, 2008 at the staff's request.**

108. C14-2008-0077 - Spicewood Kingdom Hall - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 13405 Lyndhurst Street (Lake Creek Watershed) from interim-rural residence (IRR) district zoning to townhouse and condominium residence (SF-6) district zoning. Staff Recommendation: To grant multi-family residence-medium density-conditional overlay (MF-3-CO) combining district zoning. Zoning and Platting Commission Recommendation: To grant townhouse and condominium residence-conditional overlay (SF-6-CO) combining district zoning. Applicant: Spicewood Springs Congregation of Jehovahs Witness (Terry Polston). Agent: Kari Blachly. City Staff: Sherri Sirwaitis, 974-3057.  
**Ordinance No. 20080724-108 for townhouse and condominium residence-conditional overlay (SF-6-CO) combining district zoning was approved.**
109. C14-2008-0080 - Lakeline Hotel - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 11225 Pecan Park Boulevard (Buttercup Creek and Lake Creek Watersheds) from community commercial (GR) district zoning to commercial highway services(CH) district zoning. Staff Recommendation: To grant commercial highway services (CH) district zoning. Zoning and Platting Commission Recommendation: To grant commercial highway services (CH) district zoning. Applicant: M&I Industries (Terry Stevens). Agent: Alice Glasco Consulting (Alice Glasco). City Staff: Sherri Sirwaitis, 974-3057.  
**Ordinance No. 20080724-109 for commercial highway services (CH) district zoning was approved.**
110. C14-2008-0082 - 1403 Morgan Lane - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 1403 Morgan Lane (West Bouldin Creek Watershed) from family residence (SF-3) district zoning and limited office (LO) district zoning to neighborhood office-mixed use-conditional overlay (NO-MU-CO) combining district zoning on Tract 1 and general office-conditional overlay (GO-CO) combining district zoning for Tract 2 with conditions. Staff Recommendation: To grant neighborhood office-mixed use-conditional overlay (NO-MU-CO) combining district zoning on Tract 1 and general office-conditional overlay (GO-CO) combining district zoning for Tract 2. Planning Commission Recommendation: To grant neighborhood office-mixed use-conditional overlay (NO-MU-CO) combining district zoning on Tract 1 and general office-conditional overlay (GO-CO) combining district zoning for Tract 2. Applicant and Agent: Robb Buchanan. City Staff: Jerry Rusthoven, 974-3207.  
**The first reading of the ordinance for neighborhood office-mixed use-conditional overlay (NO-MU-CO) combining district zoning on Tract 1 and general office-conditional overlay (GO-CO) combining district zoning for Tract 2 was approved.**
111. C14-2008-0091 - 2W Homestead Zoning - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 14000 Block of U.S. Highway 183 North (Buttercup Creek Watershed) from community commercial-conditional overlay (GR-CO) combining district zoning and general commercial services (CS) district zoning to commercial highway services (CH) district zoning. Staff Recommendation: To grant commercial highway services (CH) district zoning. Zoning and Platting Commission Recommendation: To grant commercial highway services (CH) district zoning. Applicant: 2W Homestead, L.P., Hesten Family Partnership (Thomas J. Wolf, Jr.). Agent: Thrower Design (Ron Thrower). City Staff: Sherri Sirwaitis, 974-3057.  
**Ordinance No. 20080724-111 for commercial highway services (CH) district zoning was approved.**
112. C14-2008-0092 - Parmer Park - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 12123, 12127, 12133, 12139, and 12201 Dessau Road (Harris Banch and Walnut Creek Watersheds) from interim-community commercial (I-GR) district zoning to community commercial-mixed use (GR-MU) combining district zoning. Staff Recommendation: To grant community commercial-mixed use (GR-MU) combining district zoning with conditions. Zoning and Platting Commission Recommendation: To grant community commercial-mixed

use (GR-MU) combining district zoning with conditions. Applicant: Armbrust & Brown (Richard Suttle). Agent: Parmer Park, L.P. (Keith Stone). City Staff: Joi Harden, 974-2122.

**Ordinance No. 20080724-112 for community commercial-mixed use (GR-MU) combining district zoning with conditions was approved.**

113. C14-2008-0093 - Continental Club Rezoning - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 1313-1315 South Congress Avenue (East Bouldin Creek Watershed) from general commercial services-vertical mixed use building-neighborhood conservation combining district-neighborhood plan (CS-V-NCCD-NP) combining district zoning to commercial-liquor sales-vertical mixed use building-conditional overlay-neighborhood conservation combining district-neighborhood plan (CS-1-V-CO-NCCD-NP) combining district zoning for Tracts 1 and 2. Staff Recommendation: To grant commercial-liquor sales-vertical mixed use building-conditional overlay-neighborhood conservation combining district-neighborhood plan (CS-1-V-CO-NCCD-NP) combining district zoning for Tracts 1 and 2. Planning Commission Recommendation: To grant commercial-liquor sales-vertical mixed use building-conditional overlay-neighborhood conservation combining district-neighborhood plan (CS-1-V-CO-NCCD-NP) combining district zoning for Tracts 1 and 2. Applicant: Sonja Hunter. Agent: Thrower Design (Ron Thrower). City Staff: Jerry Rusthoven, 974-3207.

**Ordinance No. 20080724-113 for commercial-liquor sales-vertical mixed use building-conditional overlay-neighborhood conservation combining district-neighborhood plan (CS-1-V-CO-NCCD-NP) combining district zoning for Tracts 1 and 2 was approved.**

114. C14H-2008-0018 - Continental Club Historic Zoning - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning a property locally known as 1315 S. Congress Avenue (East Bouldin Creek Watershed) from general commercial services-vertical mixed use building-neighborhood conservation combining district-neighborhood plan (CS-V-NCCD-NP) combining district zoning to commercial-liquor sales-historic landmark-vertical mixed use building-conditional overlay-neighborhood conservation combining district-neighborhood plan (CS-1-H-V-CO-NCCD-NP) combining district zoning. Staff Recommendation: To grant commercial-liquor sales-historic landmark-vertical mixed use building-conditional overlay-neighborhood conservation combining district-neighborhood plan (CS-1-H-V-CO-NCCD-NP) combining district zoning. Planning Commission Recommendation: To be reviewed on August 12, 2008. Applicant: Stephen Wertheimer. Agent: Thrower Design (Ron Thrower). City Staff: Steve Sadowsky, 974-6454.

**This item was postponed to August 21, 2008 at the staff's request.**

115. C14-2008-0104 - Schiffgens Tract - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 9621 North IH-35 Service Road Northbound (Little Walnut Creek Watershed) from single-family residence-standard lot (SF-2) district zoning to general commercial services-conditional overlay (CS-CO) combining district zoning. Staff Recommendation: To grant general commercial services-conditional overlay (CS-CO) combining district zoning. Planning Commission Recommendation: To grant general commercial services-conditional overlay (CS-CO) combining district zoning. Applicant: McMinn Land Surveying Co. (Mike McMinn.) Agent: Mark E. Schiffgens. City Staff: Joi Harden, 974-2122.

**Ordinance No. 20080724-115 general commercial services-conditional overlay (CS-CO) combining district zoning was approved.**

116. C14-2008-0108 - 6805 Manchaca - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 6805 Manchaca (Williamson Creek Watershed) from neighborhood commercial (LR) district zoning to community commercial (GR) district zoning. Staff Recommendation: To grant community commercial-conditional overlay (GR-CO) combining district zoning. Zoning and Platting Commission Recommendation: To

grant community commercial-conditional overlay (GR-CO) combining district zoning. Applicant: Hyden Family Partnership, L.P. (William E. Hyden). Agent: Drenner & Golden Stuart Wolff, L.L.P. (Michele Rogerson). City Staff: Wendy Rhoades, 974-7719.

**Ordinance No. 20080724-116 for community commercial-conditional overlay (GR-CO) combining district zoning was approved.**

119. C14-2008-0096 - 2102 W. Ben White Blvd. - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 2102 W. Ben White Boulevard (Williamson Creek Watershed) from family residence (SF-3) district zoning and limited office (LO) district zoning to limited office-mixed use (LO-MU) combining district zoning. Staff Recommendation: To grant limited office-mixed use (LO-MU) combining district zoning. Planning Commission Recommendation: To grant limited office-mixed use (LO-MU) combining district zoning. Applicant and Agent: Annie Rice. City Staff: Jerry Rusthoven, 974-3207.  
**Ordinance No. 20080724-119 for limited office-mixed use (LO-MU) combining district zoning was approved.**
120. C14-2008-0013 - Cantarra Zoning - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as Gregg Lane (Lake Travis Watershed) from interim-single family residence-small lot (I-SF-4A) district zoning to single-family residence-small lot (SF-4A) district zoning for Tract 1 and community commercial (GR) district zoning for Tract 2. Staff Recommendation: To grant single-family residence-small lot (SF-4A) district zoning. Zoning and Platting Commission Recommendation: To grant single-family residence-small lot (SF-4A) district zoning. Applicant: Cantarra Ventures, Ltd. (Doyle Wilson). Agent: Carlson, Brigance & Doering, Inc. (Jennifer Rummel). City Staff: Sherri Sirwaitis, 974-3057.  
**Ordinance No. 20080724-120 for single-family residence-small lot (SF-4A) district zoning was approved.**
121. C14-81-113(RCA) - SAM - Conduct a public hearing to approve amendment of a restrictive covenant by terminating the restrictive covenant for the property locally known as 6700 Manchaca Road (Williamson Creek Watershed). Staff Recommendation: To approve termination of the restrictive covenant for the subject property. Zoning and Platting Commission Recommendation: To approve termination of the restrictive covenant for the subject property. Applicant and Agent: Janice Godwin and George W. Godwin. City Staff: Wendy Rhoades, 974-7719.  
**The motion terminating the restrictive covenant was approved.**
122. C14-2008-0036 - SAM - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 6700 Manchaca Road (Williamson Creek Watershed) from multi-family residence-low density (MF-2) district zoning to limited office-mixed use (LO-MU) combining district zoning. Staff Recommendation: To grant limited office-mixed use-conditional overlay (LO-MU-CO) combining district zoning. Zoning and Platting Commission Recommendation: To grant limited office-mixed use-conditional overlay (LO-MU-CO) combining district zoning. Applicant and Agent: Janice and George W. Godwin. City Staff: Wendy Rhoades, 974-7719.  
**Ordinance No. 20080724-122 for limited office-mixed use-conditional overlay (LO-MU-CO) combining district zoning was approved.**
123. C14-2008-0106 - Lundelius-McDaniel Water Quality Retrofit Project - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 3401 Paisano Trail (Williamson Creek Watershed - Barton Springs Zone) from single-family residence-standard lot (SF-2) district zoning to public (P) district zoning. Staff Recommendation: To grant public (P) district zoning. Zoning and Platting Commission Recommendation: To grant public (P)

district zoning. Applicant: City of Austin. Agent: Watershed Protection and Development Review Department (Tom Franke). City Staff: Wendy Rhoades, 974-7719.

**Ordinance No. 20080724-123 for public (P) district zoning was approved.**

124. C14-2008-0107 - Lundelius-McDaniel Water Quality Retrofit Project - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 7415 Brodie Lane (Williamson Creek Watershed - Barton Springs Zone) from single-family residence-standard lot (SF-2) district zoning to public (P) district zoning. Staff Recommendation: To grant public (P) district zoning. Zoning and Platting Commission Recommendation: To grant public (P) district zoning. Applicant: City of Austin. Agent: Watershed Protection and Development Review Department (Tom Franke). City Staff: Wendy Rhoades, 974-7719.  
**Ordinance No. 20080724-124 for public (P) district zoning was approved.**
125. C14H-2007-0017 - Dorothy Nichols Duplex - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 1206 Lorrain Street (Shoal Creek Watershed) from multi-family residence-medium density-neighborhood plan (MF-3-NP) combining district zoning to multi-family residence-medium density-historic landmark-neighborhood plan (MF-3-H-NP) combining district zoning. Staff recommendation: To grant multi-family residence-medium density-historic landmark-neighborhood plan (MF-3-H-NP) combining district zoning. Historic Landmark Commission recommendation: To grant multi-family residence-medium density-historic landmark-neighborhood plan (MF-3-H-NP) combining district zoning. Planning Commission recommendation: To grant multi-family residence-medium density-historic landmark-neighborhood plan (MF-3-H-NP) combining district zoning. Applicant: Historic Landmark Commission. City Staff: Steve Sadowsky, 974-6454.  
**This item was postponed to September 25, 2008 at the staff's request.**
126. C14H-2007-0244 – Keller Zoning and McKinney's Mill Historic Site – Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 2935 East SH 71 Westbound; 2901, 2903 and 2905 Ellon Road; and 2936 Terry Lane (Colorado River Watershed) from interim-rural residence (I-RR) district zoning and interim-single-family residence-standard lot (I-SF-2) district zoning to general commercial services (CS) district zoning. Staff Recommendation: To grant general commercial services-conditional overlay (CS-CO) combining district zoning for Tracts 1 and 2; and general commercial services-historic landmark (CS-H) combining district zoning for Tract 3 with conditions. Historic Landmark Recommendation: To grant general commercial services-historic landmark (CS-H) combining district zoning for Tract 3. Zoning and Platting Commission Recommendation: To grant general commercial services-conditional overlay (CS-CO) combining district zoning for Tracts 1 and 2, and general commercial services-historic landmark (CS-H) for Tract 3 with conditions. Applicant: Keller Family Investments, Ltd.; Paul Keller Investments, Ltd. (Kerry A. Keller). City Staff: Wendy Rhoades, 974-7719; Steve Sadowsky, 974-6454.  
**Ordinance No. 20080724-126 for general commercial services-conditional overlay (CS-CO) combining district zoning for Tracts 1 and 2, and general commercial services-historic landmark (CS-H) for Tract 3 with conditions was approved.**
127. C14H-2008-0012 – T.N. and Edythe Porter House. Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 3009 Washington Square (Waller Creek Watershed) from family residence-conditional overlay-neighborhood plan (SF-3-CO-NP) combining district zoning to family residence – historic landmark-conditional overlay-neighborhood plan (SF-3-H-CO-NP) combining district zoning. Staff recommendation: To grant family residence-historic Landmark-conditional overlay-neighborhood plan (SF-3-H-CO-NP) combining district zoning. Historic Landmark Commission recommendation: To grant family residence-historic landmark-conditional overlay-neighborhood plan (SF-3-H-CO-NP) combining district zoning. Planning

Commission recommendation: To grant family residence-historic landmark-conditional overlay-neighborhood plan (SF-3-H-CO-NP) combining district zoning. Applicants: Betsy Greenberg and Wade Odell. City Staff: Steve Sadowsky, 974-6454.

**Ordinance No. 20080724-127 for family residence-historic landmark-conditional overlay-neighborhood plan (SF-3-H-CO-NP) combining district zoning was approved.**

128. C14H-2008-0013 – Cuyler House – Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 1216 W. 22<sup>nd</sup> Street (Shoal Creek Watershed) from family residence-conditional overlay-neighborhood Plan (SF-3-NP) combining district zoning to family residence-historic landmark-conditional overlay-neighborhood Plan (SF-3-H-CO-NP) combining district zoning. Staff Recommendation: To grant family residence-historic landmark-conditional overlay-neighborhood plan (SF-3-H-CO-NP) combining district zoning. Historic Landmark Commission Recommendation: To grant family residence-historic landmark-conditional overlay-neighborhood plan (SF-3-H-CO-NP) combining district zoning. Planning Commission Recommendation: No action – pulled from agenda. Applicants: Bryan Balfour and Mary Beth Cishek. City Staff: Steve Sadowsky, 974-6454.  
**This item was withdrawn.**
129. NPA-2008-0001.02 - Fort Magruder - Conduct a public hearing and approve an ordinance amending Ordinance No. 980827-B, the Dawson Neighborhood Plan, an element of the Austin Tomorrow Comprehensive Plan, to change the land use designation from single-family to mixed use on the future land use map (FLUM) for the properties located at 3900 Wadford Street and 3907-B Reyna Street. Staff Recommendation: To grant mixed use designation for 3907-B Reyna Street only. Planning Commission Recommendation: To grant mixed use designation for 3900 Wadford Street and 3907-B Reyna Street. Applicant: Agent: City of Austin. City Staff: Andrew Holubeck, 974-2054.  
**This item was postponed to August 7, 2008 at the staff's request.**
130. C14-2007-0048 - Fort Magruder 1 - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 3811 Wadford Street (East Bouldin Creek Watershed) from family residence (SF-3) district zoning to general commercial services-mixed use-vertical mixed use building-conditional overlay-neighborhood plan (CS-MU-V-CO-NP) combining district zoning. Staff Recommendation: To grant community commercial-mixed use-vertical mixed use building-conditional overlay-neighborhood plan (GR-MU-V-CO-NP) combining district zoning. Planning Commission Recommendation: To grant community commercial-mixed use-vertical mixed use building-conditional overlay-neighborhood plan (GR-MU-V-CO-NP) combining district zoning. Applicant: Sonja Hunter. Agent: Thrower Design (Ron Thrower). City Staff: Jerry Rusthoven, 974-3207.  
**This item was postponed to August 7, 2008 at the applicant's request.**
131. C14-2008-0072 - Fort Magruder 3A - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 3902 & 3904 Wadford Street (East Bouldin Creek Watershed) from family residence (SF-3) district zoning to community commercial-mixed use-vertical mixed use building-conditional overlay-neighborhood plan (GR-MU-V-CO-NP) combining district zoning. Staff Recommendation: To grant community commercial-mixed use-vertical mixed use building-conditional overlay-neighborhood plan (GR-MU-V-CO-NP) combining district zoning. Planning Commission Recommendation: To grant community commercial-mixed use-vertical mixed use building-conditional overlay-neighborhood plan (GR-MU-V-CO-NP) combining district zoning. Applicant: KCGR 620 LLP (A Thrower). Agent: Thrower Design (Ron Thrower). City Staff: Jerry Rusthoven, 974-3207.  
**This item was postponed to August 7, 2008 at the applicant's request.**

132. C14-2008-0084 - Fort Magruder 3B - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 3906 Wadford Street (East Bouldin Creek Watershed) from family residence (SF-3) district zoning to general commercial services-mixed use-vertical mixed use building-conditional overlay-neighborhood plan (CS-MU-V-CO-NP) combining district zoning. Staff Recommendation: To grant community commercial-mixed use-vertical mixed use building-conditional overlay-neighborhood plan (GR-MU-V-CO-NP) combining district zoning. Planning Commission Recommendation: To grant community commercial-mixed use-vertical mixed use building-conditional overlay-neighborhood plan (GR-MU-V-CO-NP) combining district zoning. Applicant: Gladys Long. Agent: Thrower Design (Ron Thrower). City Staff: Jerry Rusthoven, 974-3207.  
**This item was postponed to August 7, 2008 at the applicant's request.**
133. C14-2008-0074 - Fort Magruder 3C - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 207 Dunlap Street (East Bouldin Creek Watershed) from family residence (SF-3) district zoning to community commercial-mixed use-vertical mixed use building-conditional overlay-neighborhood plan (GR-MU-V-CO-NP) combining district zoning. Staff Recommendation: To grant community commercial-mixed use-vertical mixed use building-conditional overlay-neighborhood plan (GR-MU-V-CO-NP) combining district zoning. Planning Commission Recommendation: To grant community commercial-mixed use-vertical mixed use building-conditional overlay-neighborhood plan (GR-MU-V-CO-NP) combining district zoning. Applicant: James Lacey. Agent: Thrower Design (Ron Thrower). City Staff: Jerry Rusthoven, 974-3207.  
**This item was postponed to August 7, 2008 at the applicant's request.**
134. C14-2008-0073 - Fort Magruder 3D - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 213 Dunlap St. and 3907 A and B Reyna Street (East Bouldin Creek Watershed) from family residence (SF-3) district zoning to community commercial-mixed use-vertical mixed use building-conditional overlay-neighborhood plan (GR-MU-V-CO-NP) combining district zoning. Staff Recommendation: To grant community commercial-mixed use-vertical mixed use building-conditional overlay-neighborhood plan (GR-MU-V-CO-NP) combining district zoning. Planning Commission Recommendation: To grant community commercial-mixed use-vertical mixed use building-conditional overlay-neighborhood plan (GR-MU-V-CO-NP) combining district zoning. Applicant: Colonna Family L.P. (Mike Colonna), Janie Ybarra and Al Reyna. Agent: Thrower Design (Ron Thrower). City Staff: Jerry Rusthoven, 974-3207.  
**This item was postponed to August 7, 2008 at the applicant's request.**
136. NPA-2008-0023.01 - Windsor Park Development - Conduct a public hearing and approve an ordinance amending Ordinance No. 20070809-055, the University Hills/Windsor Park Neighborhood Plan, an element of the Comprehensive Plan, to change the land use designation of 5908 Manor Road from high density single-family residential to mixed use. Staff Recommendation: To deny mixed use for Tract 1 and to grant mixed use for Tracts 2 and 3. Planning Commission Recommendation: To grant mixed use. Applicant: Community Partnership for the Homeless (Frank Fernandez). Agent: Arthur Sampson. City Staff: Paul DiGiuseppe, 974-2865.  
**This item was postponed to August 7, 2008 at the neighborhood's request.**
137. C14-2008-0057.SH - Windsor Park Development - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 5908 Manor Road (Boggy Creek Watershed) from townhouse and condominium residence-neighborhood plan (SF-6-NP) combining district zoning to multi-family residence-medium density-neighborhood plan (MF-3-NP) combining district zoning for Tracts 1 and 3, and neighborhood commercial-neighborhood plan (LR-NP) combining district zoning for Tract 2. Staff Recommendation: To grant townhouse and condominium residence-neighborhood plan (SF-6-NP) combining district zoning for Tract 1, and neighborhood



commercial-mixed use-conditional overlay-neighborhood plan (LR-MU-CO-NP) combining district zoning for Tracts 2 and 3. Planning Commission Recommendation: To grant multi-family residence-medium density-neighborhood plan (MF-3-NP) combining district zoning for Tracts 1 and 3, and neighborhood commercial-neighborhood plan (LR-NP) combining district zoning for Tract 2. Applicant: Community Partnership for the Homeless (Frank Fernandez). Agent: Arthur Sampson. City Staff: Joi Harden, 974-2122. A valid petition has been filed in opposition to this rezoning request.

**This item was postponed to August 7, 2008 at the neighborhood's request.**

138. C14-2008-0088 (PART)- Allandale 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 tract 5 (6318-6546 1/2 Burnet Road), tract 14 (2917-3025 West Anderson Lane; 7847-7849 Shoal Creek Blvd), and tract 15 (7800-7858 Shoal Creek Blvd) within the Allandale Neighborhood Planning Area, bounded by West Anderson Lane on the north; Burnet Road on the east; West North Loop Boulevard and Hancock Drive on the south; and North MoPac Expressway Northbound 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 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 tracts 5, 14, and 15 from the overlay district. Planning Commission Recommendation: To grant vertical mixed use building (V) district. Applicant and Agent: Neighborhood Planning and Zoning Department. City Staff: Andrew Holubeck, 974-2054.

**The public hearing was held open and the first reading of the ordinance was approved as follows. Tracts 14A, 14B and 15 were zoned vertical mixed used building (V) zoning with dimensional standards, parking reduction and additional uses in the office districts. Tracts 5A and 5B were zoned vertical mixed use building (V) zoning with no incentives.**

141. C14-2008-0112 - Minware - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 4209 Clawson Road (West Bouldin Creek Watershed) from family residence (SF-3) district zoning to community commercial (GR) district zoning. Staff Recommendation: To grant limited office (LO) district zoning. Planning Commission Recommendation: No action – pulled from agenda for renotification. Applicant and Agent: Robert W. Anderson, Jr. City Staff: Jerry Rusthoven, 974-3207.

**This item was withdrawn.**

142. C14H-2008-0014 - Webb-Simms-Aldridge House - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 108 W. 32nd Street (Waller Creek Watershed) from family residence-neighborhood conservation combining district-neighborhood Plan (SF-3-NCCD-NP) combining district zoning to family residence-historic landmark-neighborhood conservation combining district-neighborhood plan (SF-3-H-NCCD-NP) combining district zoning. Staff Recommendation: To grant family residence-historic landmark-neighborhood conservation combining district-neighborhood Plan (SF-3-H-NCCD-NP) combining district zoning. Historic Landmark Commission recommendation: To grant family residence-historic landmark-neighborhood conservation combining district-neighborhood plan (SF-3-H-NCCD-NP) combining district zoning. Planning Commission recommendation: To grant family residence-historic landmark-neighborhood conservation combining district-neighborhood plan (SF-3-H-NCCD-NP) combining district zoning. Applicants: Bruce Robison and Kelly Willis. City Staff: Steve Sadowsky, 974-6454.

**Ordinance No. 20080724-142 for family residence-historic landmark-neighborhood conservation combining district-neighborhood plan (SF-3-H-NCCD-NP) combining district zoning was approved.**

143. C14H-2008-0015. Crusemann-Marsh-Bell House - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 1509 Marshall Lane (Shoal Creek Watershed) from single-family residence-standard lot (SF-2) district zoning to single-family residence-standard lot-historic landmark (SF-2-H) combining district zoning. Staff Recommendation: To grant single family residence-standard lot-historic landmark (SF-2-H) combining district zoning. Historic Landmark Commission Recommendation: To grant single family Residence-standard lot-historic landmark-neighborhood plan (SF-2-H-NP) combining district zoning. Planning Commission Recommendation: To grant single-family residence-standard lot-historic landmark-neighborhood plan (SF-2-H-NP) combining district zoning. Applicants: Thomas and Melanie Tucker. City Staff: Steve Sadowsky, 974-6454.  
**Ordinance No. 20080724-143 for single-family residence-standard lot-historic landmark (SF-2-H) combining district zoning was approved.**
144. C14H-2008-0019 - Blondie Pharr House - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 801 Highland Avenue (Shoal Creek Watershed) from multi-family residence-moderate high density-neighborhood plan (MF-4-NP) combining district zoning to multi-family residence-moderate high density-historic landmark-neighborhood Plan (MF-4-H-NP) combining district zoning. Staff Recommendation: To grant multi-family residence-moderate high density-historic Landmark-neighborhood Plan (MF-4-H-NP) combining district zoning; or in the alternative, to require HABS Level II documentation of the structure prior to demolition. Historic Landmark Commission recommendation: To grant multi-family residence-moderate high density-historic landmark-neighborhood plan (MF-4-H-NP) combining district zoning. Planning Commission Recommendation: No action – pulled from agenda for renotification. Applicant: Historic Landmark Commission. City Staff: Steve Sadowsky, 974-6454.  
**This item was withdrawn.**
145. C14H-2008-0016 - Davis-Sibley House. - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 2210 Windsor Road (Shoal Creek Watershed) from family residence (SF-3) district zoning to family residence-historic landmark (SF-3-H) combining district zoning. Staff Recommendation: To grant family residence-historic landmark (SF-3-H) combining district zoning. Historic Landmark Commission Recommendation: To grant family residence-historic landmark (SF-3-H) combining district zoning. Planning Commission recommendation: To grant family residence-historic landmark (SF-3-H) combining district zoning. Applicant: Jane Dunn Sibley. City Staff: Steve Sadowsky, 974-6454.  
**Ordinance No. 20080724-145 for family residence-historic landmark (SF-3-H) combining district zoning was approved.**
146. C14-2008-0070 - South Lamar and Bluebonnet - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 2323 S. Lamar, 2315 S. Lamar and 2421 Bluebonnet (West Bouldin Creek Watershed) from family residence (SF-3) district zoning and general commercial services-vertical mixed use building (CS-V) combining district zoning to community commercial (GR) district zoning for Tracts 1 and 2; and community commercial-vertical mixed use building (GR-V) combining district zoning. Staff Recommendation: To grant limited office-mixed use-conditional overlay (LO-MU-CO) combining district zoning for Tract 1; community commercial-conditional overlay (GR-CO) combining district zoning for Tract 2; and community commercial-vertical mixed use building-conditional overlay (GR-V-CO) combining district zoning for Tract 3. Planning Commission Recommendation: No action – pulled from agenda for renotification. Applicant: Talisman Group, Inc. (James T. Ross). Agent: Dubois, Bryant and Campbell (Henry Gilmore). City Staff: Jerry Rusthoven, 974-3207.  
**This item was withdrawn.**

147. C14-2007-0262 - Central Austin Combined 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 Central Austin Combined Neighborhood Planning Area, bounded by 38th Street on the north, IH-35 on the east, Martin Luther King, Jr. Boulevard on the south, excluding the University of Texas at Austin campus, and Lamar Boulevard and 45th Street on the west (Shoal Creek, Waller 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 Central Austin Combined Neighborhood Planning Area from the overlay district. Planning Commission Recommendation: To be reviewed on August 26, 2008. Applicant and Agent: Neighborhood Planning and Zoning Department. City Staff: Andrew Holubeck, 974-2054.  
**This item was postponed to September 25, 2008 at the staff's request.**

### ZONING DISCUSSION ITEMS

117. C814-96-0003.07 - Pioneer Crossing PUD Amendment #7 - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as the northeast intersection of Samsung Boulevard and Sprinkle Cutoff Road (Harris Branch and Walnut Creek Watersheds) 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: Pioneer Austin East Development I, Ltd. (Ralph Reed). Agent: Longaro & Clarke L.P. (Alex G. Clarke/Walter Hoysa). City Staff: Sherri Sirwaitis, 974-3057.  
**The public hearing was closed and the first reading of the ordinance for planned unit development (PUD) district zoning to change a condition of zoning with a condition was approved on Mayor Pro Tem McCracken's motion, Council Member Morrison's second on a 7-0 vote. The condition was to require detached single family homes.**
135. 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 grant vertical mixed use building (V) district and to exclude certain tracts from the mixed use overlay district. Applicant and Agent: Neighborhood Planning and Zoning Department. City Staff: Minal Bhakta, 974-6453.  
**The public hearing was closed and the motion by Mayor Pro Tem McCracken to approve the first reading of the ordinance to opt in Tracts 1, 2 and 5 at 60% MFI and to opt out Tracts 3, 4 and 6 failed due to the lack of a second.**

The public hearing was closed and the first reading of the ordinance was approved as follows on Council Member Leffingwell's motion, Council Member Cole's second on a 7-0 vote. Tract 1 was zoned vertical mixed use building (V) with dimensional standards, parking reduction and additional ground floor uses in office districts. Tracts 2, 3, 4, 5 and 6 were excluded from the VMU overlay district. An affordability level of 60% of the median family income for 10% of rental units was included. Direction was given to staff to bring back information on what is being proposed for Tract 2.

Mayor Wynn recessed the Council Meeting at 5:41 p.m.

#### LIVE MUSIC

Ruby Jane

#### PROCLAMATIONS

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

Proclamation -- Road Rage Awareness Month -- to be presented by Mayor Will Wynn and to be accepted by Charles "Chick" Laws

Proclamation -- ADA Commemoration Month and Access Awards -- to be presented by Mayor Will Wynn and to be accepted by Tanya Winters

Certificate of Appreciation -- Department of Aviation for Energy Conservation -- to be presented by Mayor Will Wynn and to be accepted by Mike Robinson, Greg Frederick and Shane Harbinson

Proclamation -- National Parks and Recreation Month -- to be presented by Mayor Will Wynn and to be accepted by Stuart Strong

Certificate of Congratulations -- Leslye Conoley -- to be presented by Council Member Lee Leffingwell and to be accepted by the honoree

Mayor Wynn called the Council Meeting back to order at 6:56 p.m.

#### PUBLIC HEARINGS AND POSSIBLE ACTION

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

148. Conduct a public hearing and consider an ordinance amending Chapter 25 of the City Code relating to the application of the Central Urban Redevelopment (CURE) combining district to property designated Downtown Mixed Use (DMU) district. Not recommended by the Planning Commission.  
This item was postponed to September 25, 2008.
149. Approve second/third readings of an ordinance amending Chapter 25-2 of the City Code relating to University Neighborhood Overlay (UNO) District redevelopment requirements. Recommended by Planning Commission  
This item was postponed to August 7, 2008.

150. Conduct a public hearing and consider an ordinance regarding floodplain variances requested by Mr. Gabriel A. Bruehl, P.E. of Bury & Partners, Inc. on behalf of their client, Fortis Communities - Austin, L.P., to allow construction of a commercial office building and parking garage at 800 West 6th Street and 600-700 West Avenue in the 25-year and 100-year floodplains of Shoal Creek. The applicant proposes finished floor elevations two feet above the 100-year floodplain elevation and limiting the requirement to dedicate a drainage easement to the full limit of the 100-year floodplain by excluding the footprint of the proposed structures from the easement dedication requirement.  
**This item was postponed to August 21, 2008.**
151. Conduct a public hearing and consider an appeal by Helen and Charles Heard, Niyanta and Bill Spelman, and John Mayfield of an administrative site plan (SP-2007-0321C) for a proposed religious assembly/education building for the Hyde Park Baptist Church located at 3901 Speedway.  
**This item was postponed to September 25, 2008.**

#### **PUBLIC HEARINGS AND POSSIBLE ACTION DISCUSSION**

152. Conduct a public hearing and consider a resolution authorizing the use of approximately 118,740 square feet (2.7259 acres) for Drainage use, approximately 34,705 square feet (0.7967 acre) for Storm Water Subterranean Tunnel use, approximately 3,898 square feet (0.0895 acre) for Access use, approximately 76,947 square feet (1.7664 acres) for Temporary Working Space use and approximately 17,162 square feet (0.3940 acres) for Temporary Staging Area and Material Storage Site use for the construction of the Waller Creek Tunnel Project through dedicated parkland known as Waterloo Park, Waller Creek Greenbelt, Palm Park and Waller Beach Park near Lady Bird Lake, in accordance with Sec. 26.001 et seq. of the Texas Parks and Wildlife Code. All costs associated with construction, as well as any parkland restoration will be paid by requester. Recommended by the Parks and Recreation Board.  
**The public hearing was closed and Resolution No. 20080724-152 was approved on Council Member Cole's motion, Mayor Pro Tem McCracken's second on a 7-0 vote.**

#### **ZONING DISCUSSION ITEMS CONTINUED**

118. C14-2008-0069 - IABA Phase-1 - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by zoning property locally known as 12460 Los Indios Trail (Rattan Creek Watershed) from interim-rural residence (I-RR) district zoning to limited office-conditional overlay (LO-CO) combining district zoning. Staff Recommendation: To grant limited office-conditional overlay (LO-CO) combining district zoning. Planning Commission Recommendation: To grant townhouse and condominium residence-conditional overlay (SF-6-CO) combining district zoning. Applicant: Islamic Ahlul Bayt Association (Jabir Yusufali). Agent: Syed Riaz Jafri. City Staff: Sherri Sirwaitis, 974-3057.  
**The first reading of the ordinance for townhouse and condominium residence-conditional overlay (SF-6-CO) combining district zoning with restrictions was approved on Council Member Cole's motion, Council Member Martinez' second on a 7-0 vote. The restrictions were as follows: no attached single family dwellings and 35' height limitation with exceptions allowed under the Code up to 40'. The parking will be agreed upon by involved parties.**
139. NPA-2008-0001.01 - Oak Meadows - Conduct a public hearing and approve an ordinance amending Ordinance No. 980827-B, the Dawson Neighborhood Plan, an element of the Austin Tomorrow Comprehensive Plan, to change the land use designation of 3715 South 1st Street (East Bouldin Creek Watershed) from civic to mixed use and multi-family use. Staff Recommendation: To grant civic use. Planning Commission Recommendation: To grant mixed use and multi-family use. Applicant: South First Baptist Church (Susan Maipalni). Agent: Drenner & Golden Stuart Wolff, L.L.P. (Michele Rogerson). City Staff: Andrew Holubeck, 974-2054.

The public hearing was closed and the first reading of the ordinance to change the land use designation to mixed use for the first 150' East of South 1<sup>st</sup> Street and multi-family use for remainder designation was approved on Council Member Cole's motion, Council Member Morrison's second on a 7-0 vote.

140. C14-2008-0105 - Oak Meadows - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 3715 S. 1st Street (East Bouldin Creek Watershed) from family residence-neighborhood plan (SF-3-NP) combining district zoning to general office-vertical mixed use building-conditional overlay (GO-V-CO) combining district zoning. Staff Recommendation: To grant general office-vertical mixed use building-conditional overlay (GO-V-CO) combining district zoning and multi-family residence-medium density-neighborhood plan (MF-3-NP) combining district zoning with conditions. Planning Commission Recommendation: To grant general office-vertical mixed use building-conditional overlay (GO-V-CO) combining district zoning. Applicant: South First Baptist Church (Susan Maipalni). Agent: Drenner & Golden Stuart Wolff, L.L.P. (Michele Rogerson). City Staff: Jerry Rusthoven, 974-3207.

The public hearing was closed and the first reading of the ordinance for general office-vertical mixed use building-conditional overlay (GO-V-CO) combining district zoning with conditions was approved on Council Member Cole's motion, Council Member Morrison's second on a 7-0 vote. The conditions were: limiting multi-family 150' East of the west property line; limit overall impervious cover to 65% over the entire site; as part of the V component no discount or reduction in the parking requirement but could take advantage of the dimensional breaks that might deal with side area building coverage; reduce setbacks; take advantage of the retail uses and office districts which would include food sales, general retail sales, general convenience, restaurants, general limited, and consumer convenience services.

Mayor Wynn adjourned the meeting at 8:01 p.m. without objection.

The minutes for the Regular meeting of July 24, 2008 were approved on this the 7th day of August 2008 on Council Member Martinez' motion, Council Member Leffingwell's second on a 7-0 vote.