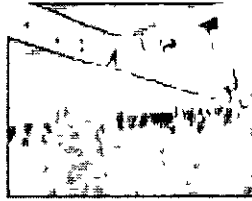


**AGENDA**

**Thursday, October 16, 2008**

The Austin City Council will convene at 10 00 AM on  
Thursday, October 16, 2008 at Austin City Hall  
301 W. Second Street, Austin, TX

AUSTIN CITY CLERK  
POSTING: DATE/TIME  
2008 OCT 10 PM 3 59



Mayor Will Wynn  
Mayor Pro Tem Brewster McCracken  
Council Member Lee Leffingwell, Place 1  
Council Member Mike Martinez, Place 2  
Council Member Randi Shade, Place 3  
Council Member Laura Morrison, Place 4  
Council Member Sheryl Cole, Place 6

For meeting information, contact City Clerk, 974-2210

*The City Council will go into a closed session under Chapter 551 of the Texas Government Code to receive advice from legal counsel, to discuss matters of land acquisition, to discuss personnel matters, to discuss or take action on a "competitive matter" of Austin Energy as provided for under Section 551 086, or for other reasons permitted by law as specifically listed on this agenda. If necessary, the City Council may go into a closed session as permitted by law regarding any item on this agenda*

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

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

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

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

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

Minister Patricia Cannon, New Hope Missionary Baptist Church

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

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

#### **Approval of Minutes**

- 1 Approval of the Austin City Council minutes from the August 25, and August 27, 2008 Special Called Meetings and the October 2, 2008 regularly scheduled meeting

#### **Austin Energy**

- 2 Authorize negotiation and execution of a 26-month Grant Agreement between the City of Austin, as coordinator for the Central Texas Clean Cities Program, and the Propane Education and Research Council, Inc. for grant funding in an amount not to exceed \$127,000 for the Texas Clean Cities Commercial Propane Mower Rebate Program. Funding in the amount of \$127,000 is available from the Propane Education and Research Council. Austin Energy will fund an in-kind match of \$15,000, available in the Fiscal Year 2008-2009 Austin Energy Operating Budget Special Revenue Fund Recommended by the Electric Utility Commission

- 3 Approve an ordinance authorizing acceptance of \$127,000 in grant funds from the Propane Education and Research Council, Washington, DC, and amending the Fiscal Year 2008-2009 Austin Energy Operating Budget Special Revenue Fund of Ordinance No 20080908-002 to appropriate \$127,000 for the Texas Clean Cities Commercial Propane Mower Rebate Program Funding in the amount of \$127,000 is available from the Propane Education and Research Council Austin Energy will fund an in-kind match of \$15,000, available in the Fiscal Year 2008-2009 Austin Energy Operating Budget Special Revenue Fund Recommended by the Electric Utility Commission

#### **Austin Water Utility**

- 4 Approve a resolution authorizing the issuance by Senna Hills Municipal Utility District ("District") of Unlimited Tax and Revenue Bonds, Series 2008, in an amount not to exceed \$5,200,000, and approving a substantial draft of the District's Bond Order and the Preliminary Official Statement No fiscal impact to the City The City has no responsibility for payment on District bonds unless the District is annexed by the City Recommended by the Water and Wastewater Commission

#### **City Clerk**

- 5 Approve an ordinance amending Ordinance No 20080821-004 calling the November 4, 2008 Special Municipal Election, to repeal and replace Exhibits A, B, C, D and E to adopt changes to election day polling locations, the list of election day precinct judges, early voting places, the list of central counting station judges, and the list of early voting ballot board judges

#### **Contract and Land Management**

- 6 Authorize the fee simple acquisition of Lot 26, Richland Estates Section one, a subdivision in Travis County, Texas, located at 1215 Harrison Lane, from Keith D and Elizabeth A Carey for the Richland Estates Voluntary Buyout, in the amount of \$106,000 for the land and improvements and \$33,500 in owner assisted relocation benefits, plus moving related expenses not to exceed \$10,000, for a total not to exceed \$149,500 Funding in the amount of \$149,500 is available in the Fiscal Year 2008-2009 Capital Budget of the Watershed Protection and Development Review Department
- 7 Authorize execution of a construction contract with SOUTHWEST CORPORATION, Austin, TX, for the retrofit of the automated doors at the John Henry Faulk Central Library in an amount of \$233,201 64 plus a contingency of \$26,798 46 for a total contract amount not to exceed \$260,000 10 Funding is available in the Fiscal Year 2008-2009 Capital Budget of the Library Department Lowest, responsive bid 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) No subcontracting opportunities were identified, therefore, no goals were established for this solicitation
- 8 Authorize execution of change order #8 to the construction contract with MUNIZ CONCRETE AND CONTRACTING INC , Austin, Texas (84 39% DBE) for portions of the Lance Armstrong Bikeway in the amount of \$152,017 89, for a total contract amount not to exceed \$1,457,426 58 Funding in the amount of \$152,017 89 is available in the Fiscal Year 2008-2009 Capital Budget of the Public Works Department This contract will be awarded in compliance with the requirements of 49 CFR Part 26 (Disadvantaged Business Enterprise Program) and Chapter 2-9A of the City Code (Minority Owned and Women Owned Business Enterprise Procurement Program) with 1 81% DBE subcontractor participation to date including this change order
- 9 Authorize negotiation and execution of an amendment to the professional services agreement with HDR ENGINEERING, INC , Austin, Texas, for design, bid/award, construction and post construction phase professional engineering services for the Fort

Branch Watershed Management Area Reach 6 & 7 – Truelight Area and Eleanor Drive project in the amount of \$450,000 for a total contract amount not to exceed \$1,107,854. Funding is available in the Fiscal Year 2008-2009 Capital Budget of the Watershed Protection and Development Review Department. 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 26.43% MBE and 27.68% WBE subconsultant participation to date.

### **Convention Center**

- 10 Approve an ordinance amending the Fiscal Year 2008-2009 Austin Convention Center Department Operating Budget of Ordinance No. 20080908-002 to decrease the Ending Balance by \$155,000 and increase the Transfers Out to the Capital Improvement Project Fund in the amount of \$155,000, amending the Fiscal Year 2008-2009 Palmer Events Center Operating Fund of Ordinance No. 20080908-002 to decrease the Ending Balance by \$60,000 and increase the Transfers Out to the Capital Improvement Project Fund in the amount of \$60,000, and amending the Fiscal Year 2008-2009 Austin Convention Center Department Capital Budget of Ordinance No. 20080908-003 to appropriate the \$155,000 transfer from the Austin Convention Center Department Operating Budget for the Convention Center Enterprise Security Assess System Project and to appropriate the \$60,000 transfer from the Palmer Events Center Operating Fund for the Palmer Enterprise Security Assess System Project. Funding of \$155,000 is available from the ending balance of the Austin Convention Center Department Operating Fund and funding of \$60,000 is available from the ending balance of the Austin Convention Center Department Palmer Events Center (PEC) Operating Fund.

### **Health and Human Services**

- 11 Approve an ordinance authorizing acceptance of \$745,386 in grant funds from the Texas Department of State Health Services, Women, Infants, and Children Program, amending the Fiscal Year 2008-2009 Health and Human Services Department Operating Budget Special Revenue Fund of Ordinance No. 20080908-002 to appropriate \$745,386 for providing the Supplemental Nutrition Program for Women, Infants, and Children services in the cities of Bastrop and Elgin and to add four full-time equivalent positions. Funding in the amount of \$745,386 is available from the Texas Department of State Health Services, WIC Program. The grant period is October 1, 2008 through September 30, 2009. No City match is required.

### **Human Resources**

- 12 Approve a resolution declaring the city's commitment to increase job opportunities for individuals with criminal records by removing criminal conviction questions from initial employment screening documents.

### **Neighborhood Housing and Community Development**

- 13 Approve a resolution adopting the City's preliminary tax increment reinvestment zone project and financing plans for the Homestead Preservation Reinvestment Zone project area, and authorizing the City Manager to distribute to all other taxing jurisdictions the project and financing plans and the City's notice of intent to designate the Homestead Preservation Reinvestment Zone Number One and to hold a public hearing on the creation of the zone, and authorizing the City Manager to take other steps as necessary to create the reinvestment zone. (Boundaries of the proposed TIF are IH-35 on the west, Lady Bird Lake on the south, Springdale Road to Lyons Road to Webberville Road to Oak Springs Drive to Airport Boulevard on the east, and 38th ½ Street to Cherrywood Road to Manor Road on the north. Under the proposed Plan, the Transit Oriented Development (TOD) Districts at Plaza Saltillo and East Martin Luther King, and a portion of land that is noncontiguous, are proposed to be excluded from the TIF.)

- 14 Approve an ordinance designating the Austin Housing Finance Corporation, the Travis County Housing Finance Corporation, and PeopleTrust to operate as Homestead Land Trusts as authorized by Texas Local Government Code Chapter 373A, Subchapter C, Homestead Land Trust Community Development Commission review scheduled October 14, 2008

#### **Office of Emergency Management**

- 15 Approve an ordinance authorizing the acceptance of \$80,000 in grant funds from the U S Department of Homeland Security, and amending the Fiscal Year 2008-2009 Management Services Department Operating Budget Special Revenue Fund of Ordinance No 20080908-002 to appropriate \$80,000 to build National Emergency Technology (NET) Guard teams of volunteers with information technology and communications expertise to assist our region in responding to and recovering from major incidents that cause significant damage or destruction to information technology and communication resources Funding in the amount of \$80,000 is available from the U S Department of Homeland Security

#### **Purchasing Office**

- 16 Authorize award and execution of Amendment No 6 to a requirements service contract with ADVANCE SECURITY INC , Austin, TX, for uniformed security guard services to increase the current term of the contract in an estimated amount not to exceed \$85,000, and increase the remaining extension option in an estimated amount not to exceed \$85,000, for a revised total estimated contract amount not to exceed \$6,098,527 80 Funding is available in the Fiscal Year 2008-2009 Operating Budget of Austin Energy Funding for the extension option is contingent upon available funding in future budgets Contract Amendment This contract will be awarded in compliance with Chapter 2-9C of the City Code (Minority Owned and Women Business Enterprise Procurement Program) No subcontracting opportunities were identified, therefore, no goals were established for this solicitation
- 17 Authorize award and execution of a contract with CRAWFORD ELECTRIC, Austin, TX for the purchase of theatrical electrical components for the Long Center exterior expansion in an amount not to exceed \$77,899 28 Funding is available in the Fiscal Year 2008-2009 Operating Budget of Austin Energy Lowest bid of two bids received This contract will be awarded in compliance with Chapter 2-9D of the City Code (Minority Owned and Women Owned Business Enterprise Procurement Program) No subcontracting opportunities were identified, therefore, no goals were established for this solicitation
- 18 Authorize award, negotiation, and execution of a 12-month requirements service contract with ROOSEVELT THOMAS CONSULTANT & TRAINING, Decatur, GA for a consultant to aid Austin Energy in the development of a Diversity & Inclusion Program in an estimated amount not to exceed \$440,580, with two 12-month extension options in estimated amounts not to exceed \$269,462 for the first extension option, and \$37,950 for the second extension option, for a total estimated contract amount not to exceed \$747,992 Funding in the amount of \$440,580 is available in the Fiscal Year 2008-2009 Operating Budget of Austin Energy Funding for the extension options is contingent upon available funding in future budgets Best evaluated proposal 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
- 19 Authorize award, negotiation, and execution of a 12-month requirements supply contract with TRANTER, INC , Wichita Falls, TX for the purchase of heat exchangers in an estimated amount not to exceed \$500,000, with three 12-month extension options in an estimated amount not to exceed \$500,000 per extension option, for a total

estimated contract amount not to exceed \$2,000,000. Funding in the amount of \$458,333 is available in the Fiscal Year 2008-2009 Capital Budget of Austin Energy. Funding for the remaining one month of the original contract period and extension options is contingent upon available funding in future budgets. Sole proposal received. This contract will be awarded in compliance with Chapter 2-9D of the City Code (Minority Owned and Women Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified, therefore, no goals were established for this solicitation.

- 20 Authorize award and execution of a contract with TRAVIS PAVING AND EXCAVATING INC, Bastrop, TX for the purchase of debris removal services at the Linda Vista Subdivision in an estimated amount not to exceed \$198,000. Funding in the amount of \$198,000 is available in the Fiscal Year 2008-2009 Operating Budget of Austin Energy. Lowest bid of seven 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.
- 21 Authorize award, negotiation, and execution of a 24-month requirements service agreement with TWENTY FIRST CENTURY COMMUNICATIONS INC, Columbus, OH, for the purchase of software upgrades, support, and technical maintenance services in an estimated amount not to exceed \$300,000, with three 12-month extension options in an estimated amount not to exceed \$150,000 per extension option, for a total estimated contract amount not to exceed \$750,000. Funding in the amount of \$150,000 is available in the fiscal Year 2008-2009 Operating Budget of Austin Energy. Funding for the remaining 12 months of the original contract period and extension options is contingent upon available funding in future budgets. Sole Source. This purchase 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.
- 22 Authorize award and execution of a 36-month requirements service contract with BIOGARDENER, LLC, Austin, TX, for landscape services in an estimated amount not to exceed \$180,522, with three 12-month extension options in an estimated amount not to exceed \$60,174 per extension option, for a total estimated contract amount not to exceed \$361,044. Funding in the amount of \$50,000 is available in the Fiscal Year 2008-2009 Operating Budget of the Building Services Department. Funding in the amount of \$10,174 is available in the Tax Increment Financing Fund for Tax Increment Financing Reinvestment Zone #15. Funding for the remaining twenty-four months of the original contract period and extension options is contingent upon available funding in future budgets. Best evaluated bid of seven 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.
- 23 Authorize award and execution of Amendment No. 5 to a requirements supply and services contract through the STATE OF TEXAS DEPARTMENT OF INFORMATION RESOURCES (DIR), Austin, TX, to increase the second extension option in an estimated amount not to exceed \$22,807,846 and to change the third extension option from three months to twelve months and increase the third extension option in an estimated amount not to exceed \$22,807,846, for a revised total estimated contract amount not to exceed \$76,253,507. Funding in the amount of \$11,857,130 is available in the Fiscal Year 2008-2009 Capital Budgets of various departments. Funding in the amount of \$10,945,716 is available in the Fiscal Year 2008-2009 Operating Budgets of various departments. Funding in the amount of \$5,000 is available in Fiscal Year 2008-2009 Grant Budgets. Funding for the remaining extension option is contingent upon available funding in future budgets. Contract Amendment. This contract will be awarded in compliance with Chapter 2-9D of the City Code (Minority Owned and Women Owned Business Enterprise Procurement Program). This contract is a Cooperative Purchase, therefore, it is exempted under Chapter 791 of the Texas Local Government Code and

no goals were established for this solicitation

- 24 Authorize award and execution of a 12-month requirements supply and service contract with the STATE OF TEXAS DEPARTMENT OF INFORMATION RESOURCES (DIR), Austin, TX, for the purchase of computer and network (CISCO) hardware in an estimated amount not to exceed \$15,110,409 and for computer hardware and CISCO network maintenance services (SMARTnet) in an estimated amount not to exceed \$7,017,446, for a total estimated contract amount not to exceed \$22,127,855. Funding in the amount of \$10,589,987 is available in Fiscal Year 2008-2009 Operating Budgets of various departments. Funding in the amount of \$11,532,368 is available in the Fiscal Year 2008-2009 Capital Budgets of various departments. Funding in the amount of \$5,500 is available from Grants 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 Local Government Code and no goals were established for this solicitation.
- 25 Authorize award, negotiation, and execution of a 60-month requirements service contract with TAC, Carrollton, TX, for an enterprise security access system in an estimated amount not to exceed \$5,746,468. Funding in the amount of \$400,000 is available in the Fiscal Year 2008-2009 Operating Budget of the Financial and Administrative Services Department, Communications and Technology Management. Funding in the amount of \$354,000 is available in the Fiscal Year 2008-2009 Operating Budget of the Austin Convention Center and \$215,000 is available in the Fiscal Year 2008-2009 Capital Budget of the Austin Convention Center. Funding in the amount of \$1,799,734 is available in the Fiscal Year 2008-2009 Capital Budget of the Austin Water Utility. Funding in the amount of \$300,000 is available in the Fiscal Year 2008-2009 Capital Budget of the Austin Public Library. Funding in the amount of \$71,381 is available in the Fiscal Year 2008-2009 Capital Budget of the Financial and Administrative Services Department, Communications and Technology Management. Funding for the remaining 48 months of the original contract period is contingent upon available funding in future budgets. Best evaluated proposal of two proposals received. This contract will be awarded in compliance with Chapter 2-9C of the City Code (Minority Owned and Women Owned Business Enterprise Procurement Program) through the achievements of good faith efforts with 3 40% MBE and 20 17% WBE subcontractor participation. Recommended by the Water and Wastewater Commission.
- 26 Authorize award and execution of a 36-month service contract with AUSTIN ELEVATOR CONSULTANTS, Kyle, TX for elevator repair and preventive maintenance services in an amount not to exceed \$805,863, with three 12-month extension options in an amount not to exceed \$272,761 per extension option, for a total contract amount not to exceed \$1,624,146. Funding in the amount of \$272,761 is available in the Fiscal Year 2008-2009 Operating Budgets from various City departments, as follows: Financial and Administrative Services Department (Building Services) \$47,383, Austin Water Utility - \$24,391, Parks & Recreation Department - \$16,544, Aviation - \$170,865, and Library Department - \$9,438. Funding for the remaining 24 months of the original contract period and extension options is contingent upon available funding in future budgets. Lowest bid of four 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. Review by the Water and Wastewater Commission on October 15, 2008.
- 27 Authorize award and execution of a 36-month requirements supply contract with LONGHORN INTERNATIONAL TRUCKS, Austin, TX for the purchase of captive repair parts for Navistar engines in an estimated amount not to exceed \$788,125, with three 12-month extension options in estimated amounts not to exceed \$289,406 for the first extension option, \$303,876 for the second extension option, and \$319,070 for the third extension option, for a total estimated contract amount not to exceed \$1,700,477. Funding in the amount of \$250,000 is available in the Fiscal Year 2008-2009 Operating

Budget of the Financial and Administrative Services Department, Fleet Fund Funding for the remaining 24 months of the original contract period and extension options is contingent upon available funding in future budgets Sole bid received This contract will be awarded in compliance with Chapter 2-9D of the City Code (Minority Owned and Women Owned Business Enterprise Procurement Program) No subcontracting opportunities were identified, therefore, no goals were established for this solicitation

- 28 Authorize award and execution of a contract with ALL SEASON TURF GRASS INC , Brookshire, Texas for the purchase and planting of sod at Zilker Park in an amount not to exceed \$420,789 60 Funding in the amount of \$420,789 60 is available in the Fiscal Year 2008-2009 Capital Budget of the Parks and Recreation Department Lowest 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
- 29 Authorize award and execution of a 36-month requirements supply contract with VULCAN CONSTRUCTION, San Antonio, TX for trap rock surface aggregates and milled sand in an estimated amount not to exceed \$2,854,533, with three 12-month extension options in an estimated amount not to exceed \$951,511 for each extension option, for a total estimated contract amount not to exceed \$5,709,066 Funding in the amount of \$951,511 is available in the Fiscal Year 2008-2009 Operating Budget of the Public Works Department Funding for the remaining 24 months of the original contract period and extension options is contingent upon available funding in future budgets Lowest bid of 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

#### **Solid Waste Services**

- 30 Authorize negotiation and execution of a one year agreement with annual renewals for Educational and Clean-up Services with Keep Austin Beautiful, Inc Funding of \$168,789 is available in the SWS Fiscal Year 2008-2009 Operating Fund Reviewed by the Solid Waste Advisory Commission

#### **Telecommunications & Regulatory Affairs**

- 31 Approve third reading of an ordinance granting a renewal of a franchise agreement to Pedernales Electric Cooperative ("PEC") to provide electric utility services within its certificated area Estimated annual franchise revenue in the amount of \$879,000 is anticipated under this franchise agreement

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

- 32 Approve appointments to citizen board and commissions, to Council subcommittees and other intergovernmental bodies and removal and replacement of members
- 33 Approve an ordinance amending Ordinance No 20080724-085 to extend the due date for reporting findings from the Downtown Street Event Closure Task Force (Council Member Lee Leffingwell, Council Member Mike Martinez and Mayor Will Wynn)
- 34 Approve an ordinance to extend the due date to report findings from the Waterfront Overlay Task Force (Council Member Mike Martinez, Council Member Lee Leffingwell and Council Member Laura Morrison)
- 35 Approve a resolution amending Resolution No 20080131-076 regarding the Live Music Task Force, to extend the deadline for presenting findings and recommendations from October 31, 2008 to December 31, 2008 (Mayor Will Wynn, Council Member Sheryl Cole and Council Member Mike Martinez)



- 36 Approve a resolution directing the City Manager to implement a free entry day to the Zilker Botanical Garden Dinoland Exhibit on Saturday, October 18, 2008, for AISD Title I Elementary Students, Grades 1-4 and their parents (This item has no staffing impact, but it does have a fiscal impact. The potential unrealized revenue for waiving entry fees for this event is estimated at \$7,000) (Mayor Pro Tem Brewster McCracken, Council Member Lee Leffingwell and Council Member Sheryl Cole)
- 37 Approve a resolution establishing the City Council's guiding vision for the Brackenridge Tract and directing the City Manager to investigate the feasibility of a land exchange with the University of Texas, by compiling an inventory of undeveloped City-owned land and considering the potential for a bond issuance to fund acquisition of the Lions Municipal Golf Course and property used by the West Austin Youth Association (Council Member Lee Leffingwell, Council Member Mike Martinez and Council Member Laura Morrison)
- 38 Approve a resolution directing the City Manager to evaluate the feasibility of establishing a citywide Land Bank Program in order to acquire, hold, and transfer unimproved real property and expand affordable housing opportunities by acquiring additional available properties throughout the City of Austin (Council Member Mike Martinez, Council Member Lee Leffingwell and Council Member Laura Morrison)
- 39 Approve a resolution supporting the creation of a "meet and confer" process for the City's non-Civil Service employees and directing the City Manager to begin meeting with stakeholders and legislators to agree on legislation to be pre-filed in the 81st Legislature. Related to Item #42 (Council Member Mike Martinez, Council Member Lee Leffingwell and Council Member Laura Morrison)
- 40 Approve a resolution directing the City Manager to initiate Land Development Code amendments to prohibit the demolition by neglect of historic properties, revise the vote requirements for Historic Landmark Commission historic zoning recommendation, revise Historic Landmark Commission review of requested demolition permits and zoning, clarify the Historic Preservation Officer's authority to administratively approve minor projects in National Register Historic Districts, provide that the Land Use Commission considers applications to designate or modify a historic district, and to clarify City Code Section 11-1-22 regarding property tax exemptions for historic landmarks, to further direct the City Manager to identify potential funding sources for an update of the city's historic preservation survey, and to further direct the City Manager to return with a contract for the survey for Council's consideration on or before April 16, 2009 (Council Member Laura Morrison and Council Member Lee Leffingwell )
- 41 Approve a resolution directing the City Manager to waive certain fees and pay certain costs associated with a temporary street name change of Montopolis Boulevard to S V Teague Street from October 26 to November 2, 2008 to honor Bishop S V Teague for 71 years in ministry (Council Member Sheryl Cole and Mayor Pro Tem Brewster McCracken )

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

Rae Nadler-Olenick – Water Fluoridation

Carmen Llanes – PODER 6th Annual Festival De Las Plantas October 25

Gus Pena – To Discuss City Issues

Richard Richards – Petition Council to bring forward a citizen's vote for water fluoridation

Jennifer Gale – Recreating Austin in our image

Paul Robbins – City Issues

Pat Johnson – City Issues

Colin Clark – Water Conservation and Water Treatment Plant #4

### **Executive Session**

- 42 Discuss legal issues relating to proposed legislation creating a “meet and confer” process for the City’s non-Civil Service employees (Private Consultation with Attorney - Section 551 071) Related to Item #39
- 43 Discuss legal issues relating to the approval of service extension requests for property in the extraterritorial jurisdiction (ETJ) and drinking water protection zone (Private Consultation with Attorney - Section 551 071)
- 44 Discuss legal issues related to the Stop Domain Subsidies proposed charter amendment and its effect on City projects and economic development agreements (Private Consultation with Attorney - Section 551 071)

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

- 45 Briefing on North Burnet/Gateway (NBG) Zoning District
- 46 Families and Children Task Force Staff Briefing
- 47 Update on state of the national economy and impact on local government

### **3:00 PM -- Tax Increment Financing Board**

- 48 The Mayor will recess the City Council meeting to conduct a Board of Directors' Meeting of the The Tax Increment Financing (TIF) Board #15 Following adjournment of the TIF Board meeting the City Council will re-convene (The agenda is located at <http://www.ci.austin.tx.us/agenda/council.htm>)

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

- 49 C14-2008-0060 - Zilker Neighborhood Planning Area Vertical Mixed Use Building (V) Zoning Opt-in/Opt-Out Process - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by applying Vertical Mixed Use Building (V) zoning regulations to certain tracts within the Zilker Neighborhood Planning Area, bounded by Lady Bird Lake on the north, the Union Pacific Railroad, West Oltorf Street and South Lamar Boulevard on the east, Barton Skyway on the south, and Robert E Lee Road, Rabb Road, and Rae Dell Avenue on the west (Bouldin Creek, Town Lake, Barton Creek-Barton Springs Zone Watersheds) Regulations governing Vertical Mixed Use Building dimensional standards, allowable uses for a Vertical Mixed Use Building in office base district zoning, relaxed parking standards for commercial uses in a Vertical Mixed Use Building, and affordability requirements for Vertical Mixed Use Building developments will be considered for adoption The Austin City Council may consider

adopting all or some of these regulations, or amending the Vertical Mixed Use (VMU) overlay district to exclude certain properties within the boundaries of the Zilker Neighborhood Planning Area from the overlay district First Reading approved on August 28, 2008 Vote 7-0 City Staff Melissa Laursen, Neighborhood Planning and Zoning Department, 974-7226

- 50 C14-2008-0076 - Tech Ridge - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as East Parmer Lane (Walnut Creek Watershed) from single-family residence-standard lot (SF-2) district zoning to limited industrial service-planned development area (LI-PDA) combining district zoning First reading approved on September 25, 2008 Vote 7-0 Applicant Centerstate 99, Ltd (Bob Liverman) Agent Armbrust & Brown, L L P (Amanda Morrow) City Staff Wendy Rhoades, 974-7719

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

- 51 NPA-2008-0016 02 – Govalle/Johnston Terrace Combined Vertical Mixed Use  
PH Neighborhood Plan Amendment, Tract 9B – Conduct a public hearing and approve an ordinance amending Ordinance No 030327-12, the Govalle/Johnston Terrace Combined Neighborhood Plan, an element of the Austin Comprehensive Plan, to change the land use designation on the Future Land Use Map from commercial to mixed use on Tract 9B (720 Airport Boulevard) within the Vertical Mixed Use Overlay district within the area bounded by the Austin and Northwestern Railroad on the north, U S 183 on the east, the Colorado River on the south, and Pleasant Valley Road and Webberville Road on the west (Colorado River watershed) Planning Commission Recommendation To be reviewed on October 28, 2008 Applicant and Agent Neighborhood Planning and Zoning Department City Staff Melissa Laursen, 974-7226
- 52 C14-2007-0259 001 – Govalle/Johnston Terrace Combined Vertical Mixed Use Building  
PH (V) Zoning Opt-in/Opt-Out Process, Tract 9B - 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 9B (720 Airport Boulevard) within the Govalle/Johnston Terrace Combined Neighborhood Planning Area (Colorado River 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 located at 720 Airport Boulevard from the overlay district Planning Commission Recommendation To be reviewed on October 28, 2008 Applicant and Agent Neighborhood Planning and Zoning Department City Staff Melissa Laursen, 974-7226
- 53 NPA-2007-0001 02 - Wilson Street - Approve second/third readings of an ordinance  
PH 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 multi-family on the future land use map (FLUM) for the property located at 2525 Durwood Street (East Bouldin Creek Watershed ) First reading approved on September 25, 2008 Vote 7-0 Applicant Cobalt Partners, Ltd (Mitch Ely) Agent Mike McHone Real Estate City Staff Dee Dee Quinnelly, 974-2976
- 54 C14-2008-0126 SH - Wilson Street - Approve second/third readings of an ordinance  
PH amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 2602, 2606 & 2610 Wilson Street (East Bouldin Creek Watershed) from family residence-neighborhood plan (SF-3-NP) combining district zoning and multi-family residence-medium density-neighborhood plan (MF-3-NP) combining district zoning to multi-family residence-low density-conditional overlay-neighborhood plan (MF-2-CO-NP) combining district zoning for Tract 1, family residence-conditional overlay-neighborhood

plan (SF-3-CO-NP) combining district zoning for Tract 2, and multi-family residence-moderate high density-conditional overlay-neighborhood plan (MF-4-CO-NP) combining district zoning for Tract 3 First reading approved on September 25, 2008 Vote 7-0 Applicant Cobalt Partners (Mitch Ely) Agent Mike McHone Real Estate (Mike McHone) City Staff Clark Patterson, 974-7691

- 55 PH C14-2008-0128 - 5005 Spicewood Springs Road - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 5005 Spicewood Springs Road (Bull Creek Watershed) from single-family residence-standard lot (SF-2) district zoning to townhouse and condominium residence (SF-6) district zoning First reading approved on September 25, 2008 Vote 7-0 Applicant Morin Scott Agent Wiler & Associates (Holland Wiler) City Staff Clark Patterson, 974-7691
- 56 PH C814-2008-0165 - 222 & 300 East Riverside Drive - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 222 and 300 East Riverside Drive from lake commercial-vertical mixed use building-neighborhood plan (L-V-NP) combining district zoning (Tract 1) and lake commercial-neighborhood plan (L-NP) combining district zoning (Tract 2) to planned unit development-neighborhood plan (PUD-NP) combining district zoning First reading approved on September 25, 2008 Vote 7-0 Applicant CWS Riverside Square, L P (Greg Miller) Agent Armbrust and Brown, L L P (Richard Suttle) City Staff Clark Patterson, 974-7691
- 57 PH C14-2008-0020 - Sundberg Tract - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by zoning 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 with conditions 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
- 58 PH C14-2008-0150 - 808 Nueces - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 808 Nueces Street (Shoal Creek Watershed) from general office (GO) district zoning to downtown mixed use (DMU) district zoning Staff Recommendation To grant downtown mixed use-conditional overlay (DMU-CO) combining district zoning Planning Commission Recommendation To grant downtown mixed use-conditional overlay (DMU-CO) combining district zoning Applicant Stephen Adler Agent Holford Group (Charles Dunn) City Staff Clark Patterson, 974-7691
- 59 PH NPA-2007-0012 02 - 1600 Block of East MLK (1600, 1602, 1604, and 1606 E Martin Luther King Jr Blvd ) - Conduct a public hearing and approve an ordinance amending Ordinance No 020801-91, the Upper Boggy Creek Neighborhood Plan, an element of the Austin Tomorrow Comprehensive Plan, to change the land use designation on the future land use map (FLUM) from single family to mixed use for the properties located at 1600, 1602, 1604, and 1606 E Martin Luther King, Jr Blvd (Boggy Creek Watershed) Staff Recommendation To grant neighborhood mixed use Planning Commission Recommendation To grant neighborhood mixed use Applicant E-MLK

Properties LLC Agent Ryan Diepenbrock, PSW Real Estate City Staff Kathleen Fox, 974-7877

- 60 PH C14-2008-0099 - 1600 Block of East MLK - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 1600, 1602, 1604 and 1606 E Martin Luther King Jr Boulevard (Upper Boggy Creek Watershed) from family residence-neighborhood plan (SF-3-NP) combining 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 neighborhood commercial-mixed use-vertical mixed use building-conditional overlay- neighborhood plan (LR-V-MU-CO-NP) combining district zoning Planning Commission Recommendation To grant neighborhood commercial-mixed use-vertical mixed use building-conditional overlay- neighborhood plan (LR-V-MU-CO-NP) combining district zoning Applicant E-MLK Properties, L L C Agent Ryan Diepenbrock, PSW Real Estate City Staff Robert Heil, 974-2330 A valid petition has been filed in opposition to this rezoning request
- 61 PH C20-2008-016 - North Burnet/Gateway - Conduct a public hearing and consider an ordinance amending Chapter 25-2 to create a North Burnet/Gateway (NBG) zoning district and establish associated use and site development regulations, repeal previous interim regulations, amend Subchapter E Design Standards & Mixed Use to exempt the NBG zoning district, and approve a collector street plan for the NBG Neighborhood Planning Area
- 62 PH C14-2008-0182 - North Burnet/Gateway Neighborhood Plan Rezoning - City Initiated - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning 41 tracts (1,463 38 acres) within the North Burnet/Gateway Neighborhood Planning Area, bounded by MoPac Expressway, Metric Boulevard, Highway 183/Research Boulevard, and Braker Lane (Shoal Creek, Walnut Creek, and Little Walnut Creek Watersheds) from various to NBG-NP or NBG-H-NP The proposed zoning change will implement the land use and urban design recommendations of the North Burnet/Gateway Master Plan Planning Commission Recommendation To approve the rezonings of tracts in the North Burnet/Gateway neighborhood planning area to NBG-NP or NBG-H-NP Applicant and Agent Neighborhood Planning and Zoning Department City Staff Molly Scarbrough, 974-3515, Sonya Lopez, 974-7694
- 63 PH C14-2008-0052- TJG - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 9609 Swanson's Ranch Road (Slaughter Creek Watershed) from single-family residence-standard lot (SF-2) district zoning to general commercial services (CS) district zoning Staff Recommendation To deny general commercial services (CS) district zoning Zoning and Platting Commission Recommendation To grant general office-conditional overlay (GO-CO) combining district zoning with conditions Applicant T J Greaney Agent Jim Bennett Consulting (Jim Bennett) City Staff Wendy Rhoades, 974-7719 A valid petition has been filed in opposition to this rezoning request
- 64 PH 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 South Lamar, 2315 South Lamar and 2421 Bluebonnet (West Bouldin Creek Watershed) from family residence (SF-3) district zoning (Tracts 1 and 2), and general commercial services)-vertical mixed use building (CS-V) combining district zoning (Tract 3) to community commercial (GR) district zoning for Tracts 1 and 2, and community commercial-vertical mixed use building (GR-V) combining district zoning for Tract 3 Staff Recommendation To grant limited office-conditional overlay (LO-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 To grant To grant limited office-conditional overlay (LO-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 Applicant Talisman Group, Inc (James T Ross) Agent Dubois, Bryant & Campbell (Henry Gilmore) City Staff Clark Patterson, 974-7691

- 65 PH 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-conditional overlay (LO-CO) combining district zoning Planning commission Recommendation To deny community commercial (GR) district zoning Applicant and Agent Robert W Anderson, Jr City Staff Clark Patterson, 974-7691 A valid petition has been filed in opposition to this rezoning request
- 66 PH 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 To grant multi-family residence-moderate-high density-historic landmark-neighborhood plan (MF-4-H-NP) combining district zoning Applicant Historic Landmark Commission City Staff Steve Sadowsky, 974-6454
- 67 PH C14H-2008-0023 - Bradford-Nohra House - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 4213 Avenue G (Waller Creek Watershed) from townhouse-condominium zoning – neighborhood conservation combining district (SF-6-NCCD) combining district zoning to townhouse and condominium residence-historic landmark-neighborhood conservation combining district (SF-6-H-NCCD) combining district zoning Historic Landmark Commission Recommendation To grant townhouse and condominium residence-historic landmark-neighborhood conservation combining district (SF-6-H-NCCD) combining district zoning Planning Commission Recommendation To grant townhouse and condominium residence-historic landmark-neighborhood conservation combining district (SF-6-H-NCCD) combining district zoning Applicant Historic Landmark Commission Agent Neighborhood Planning and Zoning Department City Staff Susan Villarreal, 974-3524 A valid petition has been filed in opposition to this rezoning request
- 68 PH C14H-2008-0161 – Louis F Southerland House - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 2801 Robbs Run (Taylor Slough Watershed) from family residence (SF-3) district zoning to family Residence-historic landmark (SF-3-H) combining district zoning Staff Recommendation To deny 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 Historic Landmark Commission Agent Neighborhood Planning and Zoning Department City Staff Susan Villarreal, 974-3524

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


Jon Burklund


#### **5:30 PM – Proclamations**

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

- 69 PH Conduct a public hearing to consider comments on issues related to the full purpose annexation of the ABIA Outparcel Annexation Area (Approximately 2.7 acres in southeastern Travis County west of General Aviation Avenue approximately 1,500 feet north of Burleson Road)
- 70 PH Conduct a public hearing to consider comments on issues related to the full purpose annexation of the Anderson Mill Road & U S 183 Annexation Area (Approximately 74 acres in Williamson County northwest of the intersection of Anderson Mill Road and US 183)
- 71 PH Conduct a public hearing to consider comments on issues related to the full purpose annexation of the Ashbrook Annexation Area (Approximately 39 acres in Travis County southwest of the intersection of FM 1626 and South First Street)
- 72 PH Conduct a public hearing to consider comments on issues related to the full purpose annexation of Bridges of Bear Creek Phase 1 Section 2 (Approximately 13 acres in Travis County at the southeast corner of the intersection of Frate Barker Road and Brodie Lane)
- 73 PH Conduct a public hearing to consider comments on issues related to the full purpose annexation of the Burleson Road ROW Area (Approximately 14 acres in southeastern Travis County west of the intersection of Burleson Road and FM 973)
- 74 PH Conduct a public hearing to consider comments on issues related to the full purpose annexation of the Hollow at Slaughter Creek Annexation Area (Approximately 42 acres in Travis County south of Slaughter Lane approximately 270 feet west of the intersection of Bilbrook Place and Genoa Drive)
- 75 PH Conduct a public hearing to consider comments on issues related to the full purpose annexation of the SBC Annexation Area (Approximately 1 acre in Travis County south of FM 1626 approximately 500 feet west of the intersection of FM 1626 and South First Street)
- 76 PH Conduct a public hearing to consider comments on issues related to the full purpose annexation of the Shady Hollow Gardens Area (Approximately 40 acres in Travis County south of Frate Barker Road approximately 160 feet east of the intersection of Frate Barker Road and Brodie Lane)
- 77 PH Conduct a public hearing to consider comments on issues related to the full purpose annexation of the Dalton Lane Commercial Annexation Area (Approximately 62 acres in Travis County east of the intersection of Dalton Lane and Sherman Road)

## Adjourn

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

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

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

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