

**AUSTIN CITY COUNCIL
MINUTES****REGULAR MEETING
THURSDAY, OCTOBER 16, 2008**

Invocation: Minister Patricia Cannon, New Hope Missionary Baptist 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, October 16, 2008 in the Council Chambers of City Hall, 301 West Second Street, Austin, Texas.

Mayor Wynn called the Council Meeting to order at 10:17 a.m.

Mayor Wynn asked Council Members to report on upcoming agenda items; however, none were mentioned.

CONSENT AGENDA

The following items were acted on by one motion. No separate discussion or action occurred on any of the items. There was a motion by Council Member Martinez, seconded by Council Member Leffingwell to adopt the Consent Agenda with the following items 1-12, 14-21, 23-38 and 40-41.

There was a friendly amendment from Mayor Pro Tem McCracken for Item 40 that before an ordinance is sent to the Planning Commission, staff be directed to bring the draft to Council for review. This was accepted by the maker of the motion but not by Council Member Leffingwell, who seconded the motion.

There was a substitute motion by Mayor Pro Tem McCracken, seconded by Mayor Wynn to adopt the Consent Agenda Items with the following items 1-12, 14-21, 23-38 and 41. This was approved on a 6-1 vote with Council Member Leffingwell voting nay.

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.
The minutes from the August 25 and 27, 2008 Special Called meetings and October 2, 2008 regular meeting were approved
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.
The motion authorizing the negotiation and execution of a grant agreement between the City of Austin and the Propane Education and Research Council was approved.

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.
Ordinance No. 20081016-003 was approved.
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.
Resolution No. 20081016-004 was approved.
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.
Ordinance No. 20081016-005 was approved.
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.
The motion authorizing the fee simple acquisition was approved.
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 \$233,201.54 plus a contingency of \$26,798.46 for a total contract amount not to exceed \$260,000. 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.
The motion authorizing the execution of a construction contract with Southwest Corporation was approved.
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.
The motion authorizing the execution of change order number 8 to the construction contract with Muniz Concrete and Contracting Inc. was approved.

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. **The motion authorizing the negotiation and execution of an amendment to the professional services agreement with HDR Engineering, Inc. was approved.**
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. **Ordinance No. 20081016-010 was approved.**
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. **Ordinance No. 20081016-011 was approved.**
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. **Resolution No. 20081016-012 was approved.**

Item 13 was pulled for discussion.

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. **Ordinance No. 20081016-014 was approved.**
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.

Ordinance No. 20081016-015 was approved.

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.
The motion authorizing the award and execution of amendment number 6 to a requirements service contract with Advance Security Inc. was approved.
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.
The motion authorizing the award and execution of a contract with Crawford Electric was approved.
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.
The motion authorizing the award, negotiation and execution of a requirements service contract with Roosevelt Thomas Consultant & Training was approved.
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.

The motion authorizing the award, negotiation and execution of a requirements supply contract with Tranter, Inc. was approved.

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.

The motion authorizing the award and execution of a contract with Travis Paving and Excavating Inc. was approved.

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.

The motion authorizing the award, negotiation and execution of a requirements service agreement with Twenty First Century Communications Inc. was approved.

Item 22 was pulled for discussion.

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.

The motion authorizing the award and execution of amendment number 5 to a requirements supply and services contract through the State of Texas Department of Information Resources (DIR) was approved.

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.

The motion authorizing the award and execution of a requirements supply and service contract with the State of Texas Department of Information Resources (DIR) was approved.

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.

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

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. Recommended by the Water and Wastewater Commission

The motion authorizing the award and execution of a service contract with Austin Elevator Consultants was approved.

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.

The motion authorizing the award and execution of a requirements supply contract with Longhorn International Trucks was approved.

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.

The motion authorizing the award and execution of a contract with All Season Turf Grass Inc. was approved.

29. Authorize award and execution of a 36-month requirements supply contract with VULCAN CONSTRUCTION, San Antonio, TX for trap rock surface aggregates and millsand 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.

"The motion authorizing the award and execution of a requirements supply contract with Vulcan Construction was approved.

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.

The motion authorizing the negotiation and execution of an agreement was approved.

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.

Ordinance No. 20081016-031 was approved.

32. 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

Animal Advisory Commission

Sara Palmer Neuhaus

Nominated By:

Council Member Shade

Downtown Austin Community Court Advisory Committee
Celeste Villarreal

Mayor Pro Tem McCracken

Council Subcommittees and Other Intergovernmental Bodies

Austin's Employees' Retirement System

Approve a resolution appointing Mayor Wynn to Austin's Employees' Retirement System.
Resolution No. 20081016-032 was approved.

Capital Area Council of Governments - General Assembly
Melanie McAfee

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 Mayor Will Wynn)
Ordinance No. 20081016-033 was approved.
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 Council Member Laura Morrison)
Ordinance No. 20081016-034 was approved.
35. Approve a resolution amending Resolution No. 20080131-076 to extend the due date for reporting findings from the Live Music Task Force. (Mayor Will Wynn Council Member Sheryl Cole Council Member Mike Martinez)
Resolution No. 20081016-035 was approved.
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 Council Member Sheryl Cole)
Resolution No. 20081016-036 was approved.
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 Council Member Laura Morrison)
Resolution No. 20081016-037 was approved.
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 Council Member Laura Morrison)
Resolution No. 20081016-038 was approved.

Item 39 was pulled to be heard after the related Executive Session item.

Item 40 was pulled for discussion.

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 Mayor Pro Tem Brewster McCracken)
Resolution No. 20081016-041 was approved.

Items 42 through 44 were Executive Session items.

Items 45 through 47 were briefing items set for 2:00 p.m.

Item 48 was a Tax Increment Financing item set for 3:00 p.m.

Items 49 through 68 were zoning items set for 4:00 p.m.

Items 69 through 77 were public hearing items set for 6:00 p.m.

DISCUSSION ITEMS

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 1/2 Street to Cherry wood 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.)
Resolution No. 20081016-013, with the amendment that Transit Oriented Development (TOD) districts were to be included in the Tax Increment Financing (TIF) Reinvestment Zone, was approved on Council Member Martinez' motion, Council Member Morrison's second on a 7-0 vote.
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 Council Member Lee Leffingwell and Council Member Randi Shade)
Resolution No. 20081016-040 was approved on Council Member Leffingwell's motion, Council Member Shade's second on a 7-0 vote.

Mayor Wynn recessed the Council Meeting at 11:54 a.m.

Mayor Pro Tem McCracken called the Council Meeting back to order at 12:05 p.m.

CITIZEN COMMUNICATION: GENERAL

Rae Nadler-Olenick - Water Fluoridation

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

Gus Pena - To Discuss City Issues. **He was not present when his name was called.**

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

Mayor Pro Tem McCracken recessed the Council Meeting to go into Executive Session at 12:34 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.

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).
This item was withdrawn.

Executive Session ended and Mayor Wynn called the Council Meeting back to order at 2:52 p.m.

BRIEFINGS

46. Families and Children Task Force Staff Briefing
The presentation was made by Heather Way and Kathie Tovo from the Families and Children Task Force.
47. Update on state of the national economy and impact on local government

The presentation was made by Marc Ott, City Manager; Bill Newman, Managing Director, Public Financial Management; and Leslie Browder, Chief Financial Officer;

45. Briefing on North Burnet/Gateway (NBG) Zoning District
The presentation was made by Molly Scarbrough, Planner Senior for Neighborhood Planning and Zoning Department.

Mayor Wynn recessed the Council Meeting at 5:31 p.m.

LIVE MUSIC

Jon Burklund

PROCLAMATIONS

Mayor Wynn called the Board of Directors' Meeting of the Tax Increment Financing (TIF) Board #15 to order at 6:13 p.m. See separate minutes.

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>).

Mayor Wynn called the Council Meeting back to order at 6:14 p.m.

DISCUSSION ITEMS CONTINUED

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.
The motion authorizing the award and execution of a requirements service contract with Biogardener, LLC was approved on Council Member Leffingwell's motion, Council Member Shade's second on a 6-0 vote. Council Member Cole was off the dais.
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 Council Member Laura Morrison)
Resolution No. 20081016-039 was approved on Mayor Pro Tem McCracken's motion, Council Member Leffingwell's second on a 7-0 vote.

ZONING CONSENT ITEMS

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

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.
Ordinance No. 20081016-049 was approved as follows: Tracts 4, 9, 11-17, 19-20, 22-25, 28-29 and 49 were approved for vertical mixed use building (V) zoning with dimensional standards, parking reduction and additional uses in office districts. Tracts 31A, 37, 41, 43-44, 46, 48 and 50-51 were approved for vertical mixed use building (V) zoning with only dimensional standards and additional uses in office districts. Tracts 1-3, 5-8, 10, 18, 21, 26-27, 30, 31B, 32-36, 38-40, 42, 45, 47 and 52-57 were excluded from the vertical mixed use Overlay District. An affordability level of 60% of the median family income for 10% of rental units in a vertical mixed use building was included.
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.
Ordinance No. 20081016-050 for limited industrial service-planned development area (LI-PDA) combining district zoning was approved.

ZONING CONSENT ITEMS

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

51. NPA-2008-0016.02 - Govalle/Johnston Terrace Combined Vertical Mixed Use 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.

This item was postponed to November 6, 2008 at the staff's request.

52. C14-2007-0259.001 - Govalle/Johnston Terrace Combined Vertical Mixed Use Building (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.

This item was postponed to November 6, 2008 at the staff's request.

53. NPA-2007-0001.02 - Wilson Street - Approve second/third readings of 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 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.

Ordinance No. 20081016-053 for multi-family designation for 2525 Durwood Street was approved.

54. C14-2008-0126.SH - Wilson Street - Approve second/third readings of an ordinance 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.

Ordinance No. 20081016-054 for 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 was approved.

56. 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.

Ordinance No. 20081016-056 for planned unit development-neighborhood plan (PUD-NP) combining district zoning was approved.

57. 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.
The first reading of the ordinance for 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 was approved.
58. 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.
This item was postponed to October 23, 2008 at the applicant's request.
59. 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
This item was withdrawn.
60. 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.
This item was withdrawn.

63. 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.
This item was postponed to November 6, 2008 at the neighborhood's request.
64. 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 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.
This item was postponed to November 20, 2008 at the neighborhood's request.
65. 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.
This item was postponed to November 20, 2008 at the neighborhood's request.
66. 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.
This item was postponed to November 6, 2008 at the staff's request.

67. 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. Staff Recommendation: To deny 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. **This item was postponed to November 20, 2008 at the owner's request.**

ZONING DISCUSSION ITEMS

68. 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. **The motion to deny family residence-historic landmark (SF-3-H) combining district zoning was approved on Mayor Pro Tem McCracken's motion, Council Member Cole's second on a 7-0 vote.**
55. 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. **The public hearing was closed and the second reading of the ordinance for townhouse and condominium residence (SF-6) district zoning with a limitation of four units was approved on Council Member Leffingwell's motion, Mayor Wynn's second on a 7-0 vote.**
61. C2O-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. **The public hearing was held open and the first reading of the ordinance to create a North Burnet/Gateway (NBG) zoning district and establish associated use and site development regulations, repeal previous interim North Burnet/Gateway Overlay District regulations, amend Subchapter E: Design Standards and Mixed Used to exempt the NBG zoning district, and approve a collector street plan for the NBG Neighborhood Planning Area was approved on Mayor Pro Tem McCracken's motion, Council Member Cole's second on a 7-0 vote. The changes included adding staff recommended revisions to the September 3, 2008 NBG Regulating Plan and the following**

friendly amendments by Council Member Morrison. They included: have proposed expenditures of funds from the NBG Development Bonus Community Benefits Fund brought before the Planning Commission or the Community Development Commission and amend section 6.2.1(F) of the NBG Regulating Plan to make it clear that a fee cannot be paid in lieu of the collector street to receive the Construction of New Collector Streets development bonus. The friendly amendment was accepted by the maker of the motion and Council Member Cole who seconded the motion.

62. C14-2008-0182 - North Burnet/Gateway Neighborhood Plan Rezonings - 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

The public hearing was held open and the first reading of the ordinance, with the following changes, for rezoning of tracts in the North Burnet/Gateway neighborhood planning area to NBG-NP or NBG-H-NP was approved on Mayor Pro Tem McCracken's motion, Council Member Cole's second on a 7-0 vote. The changes included adding staff recommended revisions to the September 3, 2008 NBG Regulating Plan and the following friendly amendments by Council Member Morrison. They included: have proposed expenditures of funds from the NBG Development Bonus Community Benefits Fund brought before the Planning Commission or the Community Development Commission and amend section 6.2.1(F) of the NBG regulating plan to make it clear that a fee cannot be paid in lieu of the collector street to receive the Construction of New Collector Streets development bonus. The friendly amendment was accepted by the maker of the motion and Council Member Cole who seconded the motion.

PUBLIC HEARINGS AND POSSIBLE ACTION

69. 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).
The public hearing was closed on Council Member Shade's motion, Council Member Cole's second on a 6-0 vote. Council Member Leffingwell was off the dais.
70. 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).
The public hearing was closed on Mayor Pro Tem McCracken's motion, Council Member Morrison's second on a 7-0 vote.
71. 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)
The public hearing was closed on Council Member Shade's motion, Council Member Leffingwell's second on a 7-0 vote.

72. 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)
The public hearing was closed on Council Member Martinez' motion, Council Member Shade's second on a 7-0 vote.
73. 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).
The public hearing was closed on Council Member Martinez' motion, Mayor Pro Tem McCracken's second on a 7-0 vote.
74. 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)
The public hearing was closed on Council Member Leffingwell's motion, Council Member Shade's second on a 7-0 vote.
75. Conduct a public hearing to consider comments on issues related to the full purpose annexation of the SBC Annexation Area (Approximately 1 acres in Travis County south of FM 1626 approximately 500 feet west of the intersection of FM 1626 and South First Street);
The public hearing was closed on Council Member Morrison's motion, Mayor Pro Tem McCracken's second on a 7-0 vote.
76. 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);
The public hearing was closed on Council Member Shade's motion, Council Member Martinez' second on a 7-0 vote.
77. 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)
The public hearing was closed on Council Member Shade's motion, Council Member Morrison's second on a 7-0 vote.

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

The minutes for the Regular meeting of October 16, 2008 were approved on this the 23rd day of October 2008 on Council Member Shade's motion, Council Member Cole's second on a 7-0 vote.