

**AUSTIN CITY COUNCIL
MINUTES****REGULAR MEETING
THURSDAY, OCTOBER 23, 2008**

Invocation: Matt Bryant, Communications and Technology

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 23, 2008 in the Council Chambers of City Hall, 301 West Second Street, Austin, Texas.

Mayor Wynn called the Council Meeting to order at 10:21 a.m.

Announcement of future agenda items from Council:

Council Member Martinez announced he and Council Member Shade will bring a resolution to Council on November 6 putting limits of the amount of bond dollars spent on private developments and vertical mixed use projects to achieve the goals set out in the bond election by using City owned land not slated for development for single family, urban infill housing.

CONSENT AGENDA

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

1. Approve the minutes of the Austin City Council October 16, 2008 Regular meeting.
The minutes from the meeting of October 16, 2008 were approved.
2. Authorize the City Manager to negotiate and execute, with Travis County Water Control and Improvement District No. 17 ("WCID No. 17"), an amendment to agreement with WCID No. 17, for the provision of wholesale wastewater service to the Comanche Canyon Planned Unit Development area. WCID No. 17 will be responsible for the necessary infrastructure improvements. No City funding is required for this agreement. Recommended by the Water and Wastewater Commission.
The motion authorizing the City Manager to negotiate and execute, with Travis County Water Control and Improvement District No. 17 ("WCID No. 17"), an amendment to an agreement with WCID No. 17 was approved.
3. Authorize execution of a construction contract with LEWIS CONTRACTORS, INC., BERTRAM, TX for the Green WTP Decommissioning & Deconstruction - Water Valve Isolation Package, for a total contract amount not to exceed \$584,615. Funding is available in the Fiscal Year 2008-2009 Capital Budget of the Austin Water Utility. Lowest of 4 bids received. This contract will be awarded in compliance with Chapter 2-9A of the City Code (Minority Owned and Women Owned Business Enterprise Procurement Program) through the achievements of Good Faith Efforts with 2.90% MBE and 1.88% WBE subcontractor participation. Recommended by the Water & Wastewater Commission.

The motion authorizing the execution of a construction contract with Lewis Contractors, Inc. was approved.

4. Authorize negotiation and execution of Change Orders #3 and #4 to the construction contract with AUSTIN FILTER SYSTEMS, INC., AUSTIN, TX for the ACWP Govalle 3 - Parker Lane/Metcalf Road Wastewater Improvements Project Re-Bid in the amount of \$538,455.80 for a total contract amount not to exceed \$3,645,324.80. Funding in the amount of \$141,252.80 is available in the Fiscal Year 2008-2009 Capital Budget of the Austin Water Utility and \$397,203 is available in the 2008-2009 Capital Budget of the Public Works Department. This contract will be awarded in compliance with Chapter 2-9A of the City Code (Minority Owned and Women Owned Business Enterprise Procurement Program) by meeting the goals with 12.99% MBE and 10.53% WBE subcontractor participation to date including this change order. Recommended by the Water and Wastewater Commission.

The motion authorizing the negotiation and execution of change orders number 3 and 4 to the construction contract with Austin Filter Systems, Inc. was approved.

5. Authorize execution of a construction contract with MATOUS CONSTRUCTION, LTD., Belton, TX, for River Plantation Lift Station Replacement in the amount of \$862,000 plus a \$45,000 contingency, for a total contract amount not to exceed \$907,000. Funding is available in the Fiscal Year 2008-2009 Capital Budget of the Austin Water Utility. Lowest of four bids received. This contract will be awarded in compliance with Chapter 2-9A of the City Code (Minority Owned and Women Owned Business Enterprise Procurement Program) through the achievements of Good Faith Efforts with 24.98% MBE and 1.10% WBE subcontractor participation. Recommended by the Water and Wastewater Commission. Related to item #6.

The motion authorizing the execution of a construction contract with Matous Construction, Ltd. was approved.

6. Authorize negotiation and execution of a professional services agreement with LJA ENGINEERING & SURVEYING, INC., Austin, TX, for construction phase engineering services for the River Plantation Lift Station Replacement Project in an amount not to exceed \$70,000. Funding is available in the Fiscal Year 2008-2009 Capital Budget of the Austin Water Utility. This contract was originally approved as a cost reimbursement in 2003 and as such was in compliance with Chapter 2-9B of the City Code Minority Owned and Women Owned Business Enterprise Procurement Program. Recommended by the Water and Wastewater Commission. Related to item #5.

The motion authorizing the negotiation and execution of a professional services agreement with LJA Engineering & Surveying, Inc. was approved.

7. Authorize negotiation and execution of a professional services agreement with LOCKWOOD, ANDREWS & NEWMAN, INC., Austin, TX for preliminary engineering and environmental consideration investigations for the Forest Ridge/Northwest A project, in an amount not to exceed \$950,000. Amendments for additional phases related to design, construction and warranty services will be submitted for Council approval in the future. Funding in the amount of \$950,000 is available in the Fiscal Year 2008-2009 Capital Budget of the Austin Water Utility. Best qualification statement of 15 statements received. This contract will be awarded in compliance with Chapter 2-9B of the City Code (Minority Owned and Women Owned Business Enterprise Procurement Program) by meeting the goals with 16.50% MBE and 14.50% WBE subconsultant participation. Reviewed by the Water & Wastewater Commission.

The motion authorizing the negotiation and execution of a professional services agreement with Lockwood Andrews & Newman, Inc. was approved.

Item 8 was pulled for discussion.

9. Approve negotiation and execution of federal representation services contracts with Barbara McCall and Associates, Washington, D.C., in an amount not to exceed \$90,000, and Akin Gump Strauss Hauer & Feld LLP, in an amount not to exceed \$180,000. Funding is available in the Fiscal Year 2008-2009 Operating Budget of the Government Relations Office.
This item was postponed indefinitely and withdrawn from the agenda.
10. Approve a resolution confirming the reappointment of Janis Guerrero Thompson, Ph.D., to the Firefighters' and Police Officers' Civil Service Commission for a term expiring November 1, 2011.
Resolution No. 20081023-010 was approved.
11. Authorize negotiation and execution of an amendment to the legal services agreement with Denton, Navarro, Rocha & Bernal, L.L.P., as legal counsel to the Urban Renewal Agency of Austin (URA) related to the E. 11th and E. 12th Streets Revitalization Project in the amount of \$75,000 for a total contract amount not to exceed \$100,000. Funding is available in the Fiscal Year 2008-2009 Neighborhood Housing and Community Development Office, Community Development Block Grant, East 11th and 12th Streets Redevelopment Program. Funding is subject to Environmental Review and Fund Release; and future funds are based on funding availability.
The motion authorizing the negotiation and execution of an amendment to the legal services agreement with Denton Navarro, Rocha & Bernal, L.L.P. was approved.
12. Approve an ordinance authorizing the acceptance of \$1,200 in grant funds from Humanities Texas for a total grant amount of \$1,200 for the "Images of Valor: U.S. Latinos and Latinas in World War II" grant program; and amending the Fiscal Year 2008-2009 Library Department Operating Budget Special Revenue Fund of Ordinance No. 20080908-002 to appropriate \$1,200. Funding is available from Humanities Texas. The grant period is October 1, 2008 through September 30, 2009.
Ordinance No. 20081023-012 was approved.
13. Approve an ordinance to annex the Anderson Mill Road & RM 620 ROW Annexation Area for full purposes (Approximately 41 acres in Williamson and Travis Counties west of the intersection of Anderson Mill Road and US 183 and north of the intersection of Anderson Mill Road and RM 620). Funding necessary to provide general governmental services to this tract is available in the budgets of the departments which will be providing the services.
Ordinance No. 20081023-013 was approved.
14. Approve an ordinance to annex the Anderson Mill Road Municipal Annexation Plan Area for full purposes. (approximately 183 acres located on Anderson Mill Road approximately two thirds of a mile east of the intersection of FM 620 and Anderson Mill Road). Funding necessary to provide general governmental services to this tract is available in the budgets of the departments which will be providing the services.
Ordinance No. 20081023-014 was approved.
15. Approve an ordinance to annex the Bunny Run Annexation Area for full purposes (Approximately 6 acres in Travis County south of the intersection of Bunny Run Drive and Live Oak Drive). Funding necessary to provide general governmental services to this tract is available in the budgets of the departments which will be providing the services.
The first reading of the ordinance was approved.
16. Approve an ordinance to annex the Las Cimas Annexation Area for full purposes (Approximately 83 acres in Travis County southwest of the intersection of Loop 360 and FM 2244). Funding necessary to provide general governmental services to this tract is available in the budgets of the departments which will be providing the services.

The first reading of the ordinance was approved.

17. Approve an ordinance to annex the McCarty Tract annexation area for the limited purposes of planning and zoning (Approximately 14 acres in Williamson and Travis Counties east of FM 1325 approximately 960 feet north of the intersection of FM 1325 and Shoreline Drive).
Ordinance No. 20081023-017 was approved.
18. Approve an ordinance adopting a regulatory plan for the McCarty Tract annexation area, which is being annexed for limited purposes. No unanticipated fiscal impact.
Ordinance No. 20081023-018 was approved.
19. Approve an ordinance to annex the RM 620 Commercial Annexation Area for full purposes (Approximately 49 acres in Williamson and Travis Counties south of Anderson Mill Road on both east and west sides of RM 620). Funding necessary to provide general governmental services to this tract is available in the budgets of the departments which will be providing the services.
Ordinance No. 20081023-019 was approved.
20. Approve an ordinance to annex the Sandy Loam Trail Annexation Area for full purposes (approximately 2 acres in Travis County north of Anderson Mill Road along Sandy Loam Trail). Funding necessary to provide general governmental services to this tract is available in the budgets of the departments which will be providing the services.
Ordinance No. 20081023-020 was approved.
21. Approve an ordinance to annex the TSM Ventures Annexation Area for full purposes (approximately 22 acres in eastern Travis County southwest of the intersection of Parmer Lane and State Highway 130). Funding necessary to provide general governmental services to this tract is available in the budgets of the departments which will be providing the services.
Ordinance No. 20081023-021 was approved.
22. Approve an ordinance to annex the North Acres Municipal Annexation Plan Area for full purposes (approximately 381 acres in northeast Travis County and is located between North IH 35 and Dessau Road just south of East Braker Lane). Funding necessary to provide general governmental services to this tract is available in the budgets of the departments which will be providing the services.
Ordinance No. 20081023-022 was approved.
23. Approve a resolution authorizing the application for up to \$168,000 in grant funding from the Texas Parks and Wildlife Department State Boating Access grant to improve the boat ramp at Walter E. Long Park. The City will match 25% of all granted funds. Funding in the amount of \$42,000 for the grant match is available in the Fiscal Year 2008-2009 Special Revenue Trust in Agency Fund established for Walter E. Long improvements.
Resolution No. 20081023-023 was approved.
24. Approve an ordinance authorizing acceptance of \$22,002 in grant funding from the Capital Area Council of Governments; and amending the Fiscal Year 2008-2009 Parks and Recreation Department Operating Budget Special Revenue Fund of Ordinance No. 20080908-002 to appropriate \$22,002 for a total grant amount of \$220,002 for the Senior Nutrition Program at various City operated Senior Centers. Additional funding in the amount of \$22,002 is available from the Capitol Area Council of Governments, Austin, TX . The grant period is October 1, 2008 through September 30, 2009. City match of 10% is required.
Ordinance No. 20081023-024 was approved.

25. Approve an ordinance authorizing acceptance of \$5,000 in grant funds from the Women's Sports Foundation; and amending the Fiscal Year 2008-2009 Parks and Recreation Department Operating Budget Special Revenue Fund of Ordinance No. 20080908-002 to appropriate \$5,000 for the Go Girl Go after school program at Parque Zaragoza Recreation Center. Funding the amount of \$5,000 is available from the Women's Sports Foundation. The grant period is October 1, 2008 through September 30, 2009. No City match is required.
Ordinance No. 20081023-025 was approved.
26. Approve an ordinance authorizing the acceptance of \$1,110,000 in renewal grant funds from the U.S. Department of Justice, Office on Violence Against Women, Fiscal Year 2008 Grants to Encourage Arrest Policies and Enforcement of Protection Orders grant program; and amending the Fiscal Year 2008 - 2009 Police Department Operating Budget Special Revenue Fund of Ordinance No. 20080908-002 to appropriate \$1,110,000 for the Austin/Travis County Family Violence Protection Team. This is the second supplemental budget award for this grant. With the addition of the \$1,110,000, a total of \$2,549,466 is available from the U.S. Department of Justice, Office on Violence Against Women for the project period of October 1, 2004 to September 30, 2010 under the current grant award. No match is required.
Ordinance No. 20081023-026 was approved.
27. Authorize the negotiation and execution of an Interlocal Agreement between the City of Austin and the Texas Department of Transportation to allow Austin Police Department officers to work on an off duty contract at Commission meetings. Funding from the Texas Department of Transportation is available in an amount not to exceed \$10,000.
The motion authorizing the negotiation and execution of an interlocal agreement between the City of Austin and the Texas Department of Transportation was approved.
28. Approve an ordinance amending City Code Section 12-4-64(D) to establish a maximum speed limit of 25 miles per hour on certain streets within the area bounded by William Cannon Drive, Marble Creek Proper, Onion Creek Proper, and the current Austin city boundary line. Funding in the amount of \$10,950 is available in the Fiscal Year 2008-2009 Operating Budget of the Public Works Department for installation of necessary signs.
Ordinance No. 20081023-028 was approved.
29. Authorize award and execution of a 24-month requirements supply agreement with COMVERGE, INC., East Hanover, NJ, for the purchase of load control devices to be installed in single-family, multi-family and commercial facilities in an estimated amount not to exceed \$3,890,480, with three 12-month extension options in an estimated amount not to exceed \$1,945,240 per extension option, for a total estimated contract amount not to exceed \$9,726,200. Funding in the amount of \$1,945,240 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 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 agreement with Comverge, Inc. was approved.
30. Authorize award, negotiation, and execution of a 24-month requirements service contract with COMVERGE, INC., East Hanover, NJ for the installation of load-control devices in single-family and multi-family residential housing and commercial facilities, in an estimated amount not to exceed \$3,829,814, with three 12-month extension options in an estimated amount not to exceed \$1,914,907 for each extension option, for a total estimated contract amount not to exceed \$9,574,535. Funding in the

amount of \$1,454,907 is available in the Fiscal Year 2008-2009 Operating Budget of Austin Energy. Funding in the amount of \$460,000 is available in the Fiscal Year 2008-2009 Operating Budget Conservation Rebates and Incentives Fund 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. 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). 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 Comverge, Inc. was approved.**

31. Authorize award and execution of a contract with SOUTHWEST ELECTRIC COMPANY, Oklahoma City, OK for the transport, disassembly and inspection, and repair of a Delta Star Power Transformer in an amount not to exceed \$671,250. Funding is available in the Fiscal Year 2008-2009 Capital Budget of Austin Energy. 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 contract with Southwest Electric Company was approved.**
32. Authorize award, negotiation, and execution of a 12-month requirements service contract with ACCENTURE LLP, Austin, TX, to provide Lean training and consultation services to the Austin Water Utility in an estimated amount not to exceed \$199,950, with one 12-month extension option in an estimated amount not to exceed \$200,000, for a total estimated contract amount not to exceed \$399,950. Funding in the amount of \$199,950 is available in the Fiscal Year 2008-2009 Operating Budget of the Austin Water Utility. Funding for the extension option 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. Recommended by the Water and Wastewater Commission. **This item was postponed to November 6, 2008.**
33. Authorize award and execution of a 24-month requirements supply contract with AIRGAS SOUTHWEST INC., Austin, TX for the purchase of liquid carbon dioxide for the Austin Water Utility in an estimated amount not to exceed \$821,500, with three 12-month extension options in an estimated amount not to exceed \$513,438 per extension option, for a total estimated contract amount not to exceed \$2,361,814. Funding in the amount of \$376,520 is available in the Fiscal Year 2008-2009 Operating Budget of the Austin Water Utility. Funding for the remaining 13 months of the original contract period and extension options is contingent upon available funding in future budgets. Lowest bid of two bids received. This contract will be awarded in compliance with Chapter 2-9D of the City Code (Minority Owned and Women Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore no goals were established for this solicitation. Recommended by the Water and Wastewater Commission. **The motion authorizing the award and execution of a requirements supply contract with Airgas Southwest Inc. was approved.**
34. Authorize execution of a participation agreement with VIRGINIA MASON HOSPITAL, DBA AMERINET - HEALTH RESOURCE SERVICES, Seattle, WA, for the purchase of various types of goods and services offered on existing contracts. Procurements under this participation agreement will not be made unless funds are available in the Community Care Services Department Operating Budget. Cooperative Purchase. This contract will be awarded in compliance with Chapter 2-9D of the City Code (Minority Owned and Women Owned Business Enterprise Procurement Program). This contract is a

Cooperative Purchase; therefore, it is exempted under Chapter 252.022 of the Texas Local Government Code and no goals were established for this solicitation.

This item was withdrawn.

35. Authorize award and execution of a 36-month requirements service contract with HYPERCLEAN AIR PURIFICATION SYSTEMS, New Braunfels, TX for the purchase, installation, maintenance, and repair services of ultraviolet air disinfection systems for Community Care Services Department in an estimated amount not to exceed \$434,209, with three 12-month extension options in an estimated amount not to exceed \$72,283 per extension option, for a total estimated contract amount not to exceed \$651,058. Funding in the amount of \$217,360 is available in the Fiscal Year 2008-2009 Capital Budget of the Community Care Services Department. Funding in the amount of \$66,259 is available in the Fiscal Year 2008-2009 Operating Budget of the Community Care Services Department. Funding for the remaining 25 months of the original contract period and extension options is contingent upon available funding in future budgets. Sole bid received. This contract will be awarded in compliance with Chapter 2-9C of the City Code (Minority Owned and Women Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation. **The motion authorizing the award and execution of a requirements service contract with Hyperclean Air Purification Systems was approved.**
36. Authorize award and execution of a 45-month service contract through the TEXAS COOPERATIVE PURCHASING NETWORK (TCPN) with XEROX CORPORATION, Austin, TX, for the lease of multi-function document imaging equipment in an amount not to exceed \$602,074. Funding is available in the amount of \$66,897 in the Fiscal Year 2008-2009 Operating Budget of the Community Care Services Department. Funding for the remaining 34 months of the contract is contingent upon available funding in future budgets. Cooperative Purchase. This contract will be awarded in compliance with Chapter 2-9D of the City Code (Minority Owned and Women Owned Business Enterprise Procurement Program). This contract is a Cooperative Purchase; therefore, it is exempted under Chapter 252.022 of the Texas Local Government Code and no goals were established for this solicitation. **The motion authorizing the award and execution of a service contract through the Texas Cooperative Purchasing Network (TCPN) with Xerox Corporation was approved.**
37. Authorize award, negotiation, and execution of a 36-month requirements service contract with KACE NETWORKS, INC., Mountain View, CA, for maintenance and support for KBOX software and hardware in an estimated amount not to exceed \$195,000. Funding in the amount of \$65,000 is available in the Fiscal Year 2008-2009 Operating Budget of the Financial and Administrative Services Department, Communication and Technology Management. Funding for the remaining 24 months of the original contract period is contingent upon available funding in future budgets. Sole Source. This contract will be awarded in compliance with Chapter 2-9C of the City Code (Minority Owned and Women Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation. **The motion authorizing the award, negotiation and execution of a requirements service contract with Kace Networks, Inc. was approved.**
38. Approve ratification of an Interlocal Agreement with the University of Texas Office of Telecommunication Services for Internet services provided to the City of Austin in Fiscal Years 1998-2008 in the amount of \$587,121.43; and authorize the negotiation and execution of terms to purchase Internet services for Fiscal Year 2008-2009 in the amount of \$133,092 with four one-year renewal options in an amount not to exceed \$180,000 per renewal option for a total agreement amount not to exceed \$853,092. Funding is available in the Fiscal Year 2007-2008 Operating Budget of the Financial and Administrative Services Department, Communications and Technology Management in an amount not to exceed \$133,092. Funding for future fiscal years will be budgeted annually. 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 an Interlocal Agreement; therefore, it is exempted under Chapter 791 of the Texas Government Code and no goals were established.

The motion for ratification of an interlocal agreement with the University of Texas Office of Telecommunication Services was approved.

39. Approve a resolution authorizing the City Manager to negotiate and execute an Interlocal Agreement with the University of Texas to provide mutual aid for emergency sheltering for persons affected by Hurricane Ike. There is no unanticipated fiscal impact. A fiscal note is not required.
Resolution No. 20081023-039 was approved.
40. Authorize award and execution of two contracts through the HOUSTON-GALVESTON AREA COUNCIL OF GOVERNMENTS (H-GAC) with PHILPOTT MOTORS, LTD, Nederland, TX, for the purchase of 67 police patrol sedans in an amount not to exceed \$1,627,471.19; and with CALDWELL COUNTRY CHEVROLET, Caldwell, TX for the purchase of two police pursuit Chevrolet Tahoes and one unmarked police package Chevrolet Impala in an amount not to exceed \$81,884. Funding in the amount of \$1,413,140.35 is available in the Fiscal Year 2008-2009 Vehicle Acquisition Fund. Funding in the amount of \$296,214.84 (12 Crown Victoria vehicles) is available in the Fiscal Year 2008-2009 Operating Budget of the Austin Police Department. Cooperative Purchase This contract will be awarded in compliance with Chapter 2-9D of the City Code (Minority Owned and Woman 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 two contracts through the Houston-Galveston Area Council of Governments (H-GAC) with Philpott Motors, Ltd and Caldwell Country Chevrolet was approved.
41. Authorize award and execution of a 24-month requirements service contract with LOMA Media LLC, Austin, TX for marketing services to promote the Austin Safe Routes to School Program in an estimated amount not to exceed \$288,000. Funding in the amount of \$288,000 is available in the Fiscal Year 2008-2009 Special Revenue Fund of the Health and Human Services Department through the Safe Routes to School, Non-Infrastructure Plan Implementation Grant from the Texas Department of Transportation. Best evaluated bid of five 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 Loma Media LLC was approved.
42. Authorize award and execution of a 24-month requirements service contract with MORNINGSIDE RESEARCH AND CONSULTING, INC., Austin, TX for evaluation services for school safety in an estimated amount not to exceed \$98,000. Funding in the amount of \$98,000 is available in the Fiscal Year 2008-2009 Special Revenue Fund of the Health and Human Services Department through the Safe Routes to School, Non-Infrastructure Plan Implementation Grant from the Texas Department of Transportation. Best evaluated bid of two bids received. This contract will be awarded in compliance with Chapter 2-9C of the City Code (Minority Owned and Women Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation.
The motion authorizing the award and execution of a requirements service contract with Morningside Research and Consulting, Inc. was approved.
43. Authorize award, negotiation and execution of Amendment No. 1 to a contract with THE PAR GROUP PUBLIC MANAGEMENT CONSULTANTS, LLC, Lake Bluff, IL, to increase the contract amount for executive recruitment and assessment services in an amount not to exceed \$40,000, for a total revised

contract amount not to exceed \$75,442. Funding is available in the Fiscal Year 2008-2009 Operating Budget of the Human Resources Department. Contract Amendment. 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 amendment number 1 to a contract with The Par Group Public Management Consultants, LLC was approved.

44. Authorize award, negotiation, and execution of a 36-month revenue generating service contract with SOUTHSIDE WRECKER, INC., Austin, TX for towing and storage of City requested impounded vehicles and abandoned/junked vehicles with estimated revenue of \$2,250,000, with three 12-month extension options with estimated revenue of \$750,000 per extension option, for a total estimated revenue of \$4,500,000. Annual estimated revenue of \$750,000. 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 revenue generating service contract with Southside Wrecker, Inc. was approved.

45. Approve a resolution adopting the City of Austin Fiscal Year 2008-2009 Investment Policy. Approved by the Audit and Finance Committee.

Resolution No. 20081023-045 was approved.

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

The following appointments were made:

Board

Nominated By:

Robert Mueller Municipal Plan Implementation Advisory Commission

Kevin Ludlow

Council Member Martinez

47. Approve an ordinance waiving Health Department temporary vending permit fees for the Green Corn Project Autumn Celebration to be held on October 26, 2008 at Boggy Creek Farm. (Council Member Sheryl Cole Council Member Lee Leffingwell Council Member Laura Morrison)

Ordinance No. 20081023-047 was approved.

48. Approve a resolution directing the City Manager to participate in the Responsible Hospitality Institute (RHI) stakeholder process and allocate appropriate city staff to work with the Sixth Street Austin effort to implement the resulting action plan. (Council Member Sheryl Cole Mayor Pro Tem Brewster McCracken Council Member Randi Shade)

Resolution No. 20081023-048 was approved.

49. Approve a resolution directing the City Manager to work with the YMCA of Austin and other stakeholders including the West Austin Youth Association in creating a master park plan for the entire park area that includes the property that currently houses the Town Lake Animal Shelter and make a recommendation to the council for further enhancement of the park. (Council Member Sheryl Cole Mayor Will Wynn Council Member Randi Shade)

Resolution No. 20081023-049 was approved.

50. Approve waiver of a park rental fee in an amount not to exceed \$60 for House the Homeless' Sunrise Service, to be held on November 16, 2008, at the Fanny Gazebo on Auditorium Shores. (Council Member Lee Leffingwell Council Member Randi Shade)
The motion for the waiver of a park rental fee for House the Homeless' Sunrise Service was approved.
51. Approve waiver of certain park rental fees for the EmanciPET Retreat to be held on November 10, 2008 at Zilker Botanical Gardens. (Council Member Lee Leffingwell Council Member Sheryl Cole Council Member Randi Shade)
The motion for the waiver of certain park rental fees for the EmanciPET Retreat was approved.

Item 52 was pulled for discussion.

53. Approve waiver of certain park rental fees for the Foundation for Sarcoidosis Research fundraiser to be held at the Carver Museum on November 7, 2008. (Council Member Sheryl Cole Council Member Laura Morrison)
The motion for the waiver of certain park rental fees for the Foundation for Sarcoidosis Research fundraiser was approved.
54. Set a public hearing to consider a resolution regarding the use of approximately 0.156 acre for a permanent wastewater easement and temporary working space use for the Pickfair Wastewater Lift Station Abandonment Project through dedicated parkland known as the Pickfair Park in accordance with Sec. 26.001 et seq. of the Texas Parks and Wildlife Code. (Suggested date and time: November 20, 2008 at 6:00 p.m., Austin City Hall, 301 West Second Street, Austin, TX). All costs associated with construction, as well as any parkland restoration will be paid by requester. Recommended by Parks and Recreation Board.
The public hearing was set for November 20, 2008 at 6:00 p.m., Austin City Hall at 301 West Second Street, Austin, Texas.
55. Set a public hearing on the creation of the Tax Increment Financing Zone for the Seaholm Redevelopment Project located within the area bounded on the west by the planned Seaholm Drive from Third Street south to Cesar Chavez Street; on the south by Cesar Chavez Street from the planned West Avenue east to Seaholm Drive; on the east by West Avenue from Cesar Chavez Street north to Third Street; and on the north by Third Street between Seaholm Drive and West Avenue. (Suggested date and time: November 20, 2008, 6:00 p.m. at Austin City Hall, 301 W. Second Street, Austin, TX)
The public hearing was set for November 20, 2008 at 6:00 p.m., Austin City Hall at 301 West Second Street, Austin, Texas.

Items 56 through 59 were Executive Session items.

Items 60 and 61 were briefing items set for 2:00 p.m.

Items 62 through 93 were zoning items set for 4:00 p.m.

Items 94 through 105 were public hearing items set for 6:00 p.m.

Mayor Wynn recessed the Council Meeting to go into Executive Session at 10:54 a.m.

EXECUTIVE SESSION

The City Council went into Executive Session, pursuant to Chapter 551 of the Texas Government Code, to receive advice from Legal Counsel, to discuss matters of land acquisition, litigation, and personnel matters as specifically listed on this agenda and to receive advice from Legal Counsel regarding any other item on this agenda.

Items 56 through 59 were discussed later in Executive Session.

Executive Session ended and Mayor Wynn called the Council Meeting back to order at 12:03 p.m.

CITIZEN COMMUNICATION: GENERAL

Pat Johnson - City Issues

Gus Pena - To discuss City issues and concerns from parts of the community regarding the economy and its adverse impact on the poor, the needy and the have nots. He was not present when his name was called.

T.J. Greaney - The ultimate Kids Fishing event was held September 27th and we want to commend City Council and the Parks department for their support on this event

Marcelo Tafoya - Elderly Conference

Gavino Fernandez - LULAC Senior Citizen conference El Concilio, A coalition of Mexican American Neighborhood Association strongly support City Manager Mark Ott

Paul Robbins - City Issues

Richard Viktorin - Bright leaf park and Nature Preserve. He was not present when his name was called.

Francoise Luca - TCHD Proposed Clinic

Linda Messier - Travis County Healthcare district proposed location

Dr. Tina Balderrama Kubicek - Travis County Healthcare district proposed location

52. Approve waiver of fees and requirements under Chapter 14 of the Code for the Susan B. Komen Race for the Cure to be held on November 2, 2008. (Council Member Laura Morrison, Council Member Sheryl Cole and Council Member Lee Leffingwell)

The motion for waiver of fees and requirements for the Susan B. Komen Race for the Cure was approved on Council Member Morrison's motion, Council Member Cole's second on a 7-0 vote.

Mayor Wynn recessed the Council Meeting to go into Executive Session at 12:41 p.m.

EXECUTIVE SESSION CONTINUED

The Mayor announced that Council would discuss item number 8 on the regular agenda during Executive Session.

56. Discuss legal issues related to the city council's authority and responsibilities regarding the position of Deputy City Clerk. (Private Consultation with Attorney - Section 551.071).
57. Discuss legal issues related to annexation of the Peninsula Annexation area (approximately 432 acres located west of Lake Austin, north of Bee Creek, and south of the intersection of Westlake Drive and Trailview Mesa). (Private Consultation with Attorney - Section 551.071).
58. Discuss legal issues concerning Cause No. A-07-CA-944LY; Ethel Washington, Individually and as heir to the Estate of Kevin Brown, and as Next Friend of A.P.B., and Freddie Brown, Individually and as heir to the Estate of Kevin Brown v. Michael Olsen in his individual capacity and The City of Austin; U.S. District Court; Western District; Austin Division. (Private Consultation with Attorney - Section 551.071).
59. Discuss legal issues regarding City of Austin v. Harry M. Whittington, et al, Cause No. D-1-GV-07-00942, In the 33rd Judicial District, Travis County, Texas. (eminent domain litigation)(Private Consultation with Attorney - Section 551.071).

Executive Session ended at 3:14 p.m.

Mayor Wynn called the Council Meeting back to order at 3:23 p.m.

DISCUSSION ITEM

8. Authorize the execution of an Interlocal Agreement for Automatic Aid Assistance between the City of Austin and Travis County Emergency Service District Number 9 (TCESD# 9), under which TCESD# 9 will provide First Responder fire protection and emergency service response to certain areas of the City of Austin beginning January 1, 2009, for an annual amount not-to-exceed \$812,500 with nine one-year renewal options in an annual amount not to exceed \$1,421,865. Funding for the initial one-year term (calendar year 2009) and renewal terms is contingent upon available funding in future budgets.
This item was postponed to November 6, 2008 on Council Member Martinez' motion, Council Member Leffingwell's second on a 7-0 vote.

BRIEFINGS

60. New Central Library Project Design Finalists Presentations: Lake/Flato Architects and Shepley Bulfinch Richardson & Abbott - JV; Barnes Gromatzky Kosarek Architects and Taniguchi with Holzman Moss - JV; Page Southerland Page / Patkau Architects - JV
The presentation was made by Bert Lumbreras, Assistant City Manager; Mike Trimble, Office of Contract and Land Management; Lake/Flato Architects and Shepley Bulfinch Richardson & Abbott: David Lake, Carole Wedge, Greg Papay, and Sid Bowen; Barnes Gromatzky Kosarek Architects and Taniguchi with Holzman Moss: Jay Barnes, Cloteal Davis Haynes, Malcolm Holzman, and Evan Taniguchi; Page Southerland Page/Patkau Architects: Matthew F. Kreisle, III, Lawrence W. Speck and John Patkau; Brenda Branch, Director of Libraries; and John Gillum, Facilities Planning Manager for the Library.
61. Briefing on public improvement districts (PIDs) and proposed policy for responding to requests to the City to create PIDs to finance public infrastructure.
The presentation was made by Pat Murphy, Watershed Protection and Development Review; Tom Nuckols, Law Department; and Leslie Browder, Chief Financial Officer.

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

65. C14-2008-0031 - MLK Jr. Blvd. Station Area Plan - Approve second/third readings of an ordinance adopting the MLK Jr. Blvd. Station Area Plan and transit oriented development (TOD) district zoning for all properties within the boundaries of the MLK Jr. Blvd. Station Area, generally bounded by Boggy Creek on the north and east; the Northwest and Austin Railroad on the east; East 12th Street on the south; and Ulit Avenue, Miriam Avenue, Alexander Avenue, and Randolph Road on the west, including select properties at the intersections of MLK Jr. Blvd. with Airport Blvd. and Manor Rd. with Airport Blvd. First reading approved on April 10, 2008. Vote: 7-0. A valid petition has been filed in opposition to 2900 Manor Road. Applicant: City of Austin, Neighborhood Planning and Zoning Department. City Staff: Sonya Lopez, 974-7694.
This item was postponed to November 6, 2008 at the owner's request.
66. NPA-2008-0003.01 - Chestnut Neighborhood Plan Amendment - Approve second/third readings of an ordinance amending Ordinance No. 990715-113, the Chestnut Neighborhood Plan, an element of the Austin Tomorrow Comprehensive Plan, to include the MLK Jr. Blvd. Station Area Plan and change the land use designation on the future land use map for all properties within the Chestnut Neighborhood Planning Area that overlap the MLK Jr. Blvd. Station Area to transit oriented development (TOD). First reading approved on April 10, 2008. Vote: 7-0. Applicant: City of Austin, Neighborhood Planning and Zoning Department. City Staff: Sonya Lopez, 974-7694.
This item was postponed to November 6, 2008 at the owner's request.
67. NPA-2008-0008.01 - Rosewood Neighborhood Plan Amendment - Approve second/third readings of an ordinance amending Ordinance No. 011129-67, the Rosewood Neighborhood Plan, an element of the Austin Tomorrow Comprehensive Plan, to include the MLK Jr. Blvd. Station Area Plan and change the land use designation on the future land use map for all properties within the Rosewood Neighborhood Planning Area that overlap the MLK Jr. Blvd. Station Area to transit oriented development (TOD). First reading approved on April 10, 2008. Vote: 7-0. Applicant: City of Austin, Neighborhood Planning and Zoning Department. City Staff: Sonya Lopez, 974-7694.
This item was postponed to November 6, 2008 at the owner's request.
68. NPA-2008-0012.01 - Upper Boggy Creek Neighborhood Plan Amendment - Approve second/third readings of an ordinance amending Ordinance No. 020801-91, the Upper Boggy Creek Neighborhood Plan, an element of the Austin Tomorrow Comprehensive Plan, to include the MLK Jr. Blvd. Station Area Plan and change the land use designation on the future land use map for all properties within the Upper Boggy Creek Neighborhood Planning Area that overlap the MLK Jr. Blvd. Station Area to transit oriented development (TOD). First reading approved on April 10, 2008. Vote: 7-0. Applicant: City of Austin, Planning and Zoning Department. City Staff: Sonya Lopez, 974-7694.
This item was postponed to November 6, 2008 at the owner's request.
69. NPA-2008-0015.01 - East MLK Combined Neighborhood Plan Amendment - Approve second/third readings of an ordinance amending Ordinance No. 021107-Z-11, the East MLK Combined Neighborhood Plan, an element of the Austin Tomorrow Comprehensive Plan, to include the MLK Jr. Blvd. Station Area Plan and change the land use designation on the future land use map for all properties within the MLK Neighborhood Planning Area that overlap the MLK Jr. Blvd. Station Area to transit oriented

development (TOD). First reading approved on April 10, 2008, Vote: 7-0. Applicant: City of Austin, Neighborhood Planning and Zoning Department. City Staff: Sonya Lopez, 974-7694.

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

74. C14-2008-0116 - Radam Lane - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 608 and 610 Radam Lane (West Bouldin Creek Watershed) from family residence (SF-3) district zoning to general office-conditional overlay (GO-CO) combining district zoning. First reading approved on September 25, 2008. Vote: 7-0. Applicant: Susan Bushong and Tim O'Leary. Agent: Jim Bennett Consulting (Jim Bennett). City Staff: Wendy Rhoades, 974-7719.

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

ZONING CONSENT ITEMS

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

78. 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 November 6, 2008 at the staff's request.

79. C14-2008-0089 - Euers Office/Retail Building - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 135 West Slaughter Lane (Onion Creek Watershed) from rural residence (RR) district zoning and single-family residence-standard lot (SF-2) district zoning to community commercial (GR) district zoning. Staff Recommendation: To grant community commercial-conditional overlay (GR-CO) combining district zoning with conditions. Zoning and Platting Commission Recommendation: To grant community commercial-conditional overlay (GR-CO) combining district zoning with conditions. Applicant: Lester Euers. Agent: The Brown Group (Marty Brown). City Staff: Wendy Rhoades, 974-7719.

The first reading of the ordinance for community commercial-conditional overlay (GR-CO) combining district zoning with conditions was approved.

80. C14-2008-0148 - 1410 West Ben White - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 1410 West Ben White Blvd. (West Bouldin Creek Watershed) from community commercial (GR) district zoning to general commercial services (CS) district zoning. Staff Recommendation: To grant general commercial services-conditional overlay (CS-CO) combining district zoning. Planning Commission Recommendation: To grant general commercial services (CS) district zoning. Applicant: Cothron Partnership No. 2 LTD. (Olen Cothron). Agent: The Austin Company (Peter Von Wupperfeld). City Staff: Stephen Rye, 974-7605.

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

81. C14-2008-0196 - Onion Creek Plaza Nursing and Rehabilitation - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 11411 Old San Antonio Road (Onion Creek Watershed) from general commercial services-mixed use-conditional overlay (CS-MU-CO) combining district zoning to general office (GO) district zoning. Staff

Recommendation: To grant general office-conditional overlay (GO-CO) combining district zoning. Zoning and Platting Commission Recommendation: To grant general office-conditional overlay (GO-CO) combining district zoning. Applicant: Haviland Lake Partnership, L.P. (William S. Walters, III and Jeffrey N. Drinkard). Agent: Alice Glasco Consulting (Alice Glasco). City Staff: Wendy Rhoades, 974-7719.

Ordinance No. 20081023-081 for general office-conditional overlay (GO-CO) combining district zoning was approved.

82. C14-2008-0133 - TSM Ventures Zoning - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by zoning property locally known as 11810 N. SH 130 SB (Gilleland Creek Watershed) from unzoned to commercial highway services-conditional overlay (CH-CO) combining district zoning. Staff Recommendation: To grant commercial highway services-conditional overlay (CH-CO) combining district zoning. Zoning and Platting Commission Recommendation: To grant commercial highway services-conditional overlay (CH-CO) combining district zoning. Applicant: TSM Ventures, LLC (John McCullough). Agent: Clark, Thomas & Winters (John Joseph). City Staff: Joi Harden, 974-2122.

Ordinance No. 20081023-082 for commercial highway services-conditional overlay (CH-CO) combining district zoning was approved.

83. C14-2008-0134 - TSM Ventures Zoning - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by zoning property locally known as 11900 N. SH 130 SB (Gilleland Creek Watershed) from unzoned to commercial highway services-conditional overlay (CH-CO) combining district zoning. Staff Recommendation: To grant commercial highway services-conditional overlay (CH-CO) combining district zoning. Zoning and Platting Commission Recommendation: To grant commercial highway services-conditional overlay (CH-CO) combining district zoning. Applicant: TSM Ventures, L.L.C. (John McCullough). Agent: Clark, Thomas and Winters (John Joseph). City Staff: Joi Harden, 974-2122.

Ordinance No. 20081023-083 for commercial highway services-conditional overlay (CH-CO) combining district zoning was approved.

84. C14T-03-0001.01 - Pioneer Hill TND Amendment #1 - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as Dessau Road (Walnut Creek Watershed) from traditional neighborhood district (TND) district zoning to traditional neighborhood district (TND) district zoning to change a condition of zoning. Staff Recommendation: To grant traditional neighborhood district (TND) district zoning to change a condition of zoning. Zoning and Platting Commission Recommendation: To grant traditional neighborhood district (TND) district zoning to change a condition of zoning. Applicant: Estate of Fred Morse (Scott Morse); Continental Homes of Texas (Richard N. Maier). Agent: D.R. Horton (Kate Forbes). City Staff: Robert Heil, 974-2330.

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

85. C14-2008-0177 - 6007 Fairway - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 6007 Fairway (Country Club East Watershed) from family residence-neighborhood plan (SF-3-NP) combining district zoning to multi-family residence-limited density-neighborhood plan (MF-1-NP) combining district zoning. Staff Recommendation: To grant multi-family residence-limited density-neighborhood plan (MF-1-NP) combining district zoning. Planning Commission Recommendation: To grant multi-family residence-limited density-neighborhood plan (MF-1-NP) combining district zoning. Applicant: Clark, Thomas and Winters, P.C. (John M. Joseph). Agent: Meade Bauer. City Staff: Joi Harden, 974-2122.

Ordinance No. 20081023-085 for multi-family residence-limited density-neighborhood plan (MF-1-NP) combining district zoning was approved.

86. NPA-2008-0015.03 - Precinct 1 New Office Building - Conduct a public hearing and approve an ordinance amending Ordinance No.021107-Z11, the East MLK Combined Neighborhood Plan, an element of the Austin Tomorrow Comprehensive Plan, to change the land use designation on the Future Land Use Map (FLUM) from mixed use designation to civic use designation for the property located at 1811 Springdale Road and 4705 Heflin Lane (Fort Branch Watershed). Staff Recommendation: To approve civic use designation. Planning Commission Recommendation: To approve civic use designation. Applicant and Agent: Travis County Facilities Management Department. City Staff: Paul DiGiuseppe, 974-2865.
This item was postponed to December 11, 2008 at the staff's request.
87. C14-2008-0174 - Precinct 1 New Office Building - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 1811 Springdale Road and 4705 Heflin Lane (Fort Branch Watershed) from community commercial-neighborhood plan (GR-NP) combining district zoning and limited office-neighborhood plan (LO-NP) combining district zoning to public-neighborhood plan (P-NP) combining district zoning. Staff Recommendation: To grant public-conditional overlay-neighborhood plan (P-CO-NP) combining district zoning. Planning Commission Recommendation: To grant public-conditional overlay-neighborhood plan (P-CO-NP) combining district zoning. Applicant and Agent: Travis County Facilities Management Department. City Staff: Joi Harden, 974-2122.
This item was postponed to December 11, 2008 at the staff's request.
88. NPA-2008-0009.02 - 1801 Salina - Conduct a public hearing and approve an ordinance amending Ordinance No. 011213-041, the Central East Austin 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 neighborhood mixed use for the property located at 1801 Salina (Boggy Creek Watershed). Staff Recommendation: To approve neighborhood mixed use designation. Planning Commission Recommendation: To approve neighborhood mixed use designation. Applicant and Agent: Brooks Calavan. City Staff: Melissa Laursen, 974-7226.
Ordinance No. 20081023-088 to change the land use designation to neighborhood mixed use designation on the future land use map was approved.
89. C14-2008-0173 - 1801 Salina Street - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 1801 Salina Street (Boggy Creek Watershed) from family residence-neighborhood plan (SF-3-NP) combining district zoning to neighborhood office-mixed use-neighborhood plan (NO-MU-NP) combining district zoning. Staff Recommendation: To grant neighborhood office-mixed use-neighborhood plan (NO-MU-NP) combining district zoning. Planning Commission Recommendation: To grant neighborhood office-mixed use-neighborhood plan (NO-MU-NP) combining district zoning. Applicant and Agent: Brooks Calavan. City Staff: Joi Harden, 974-2122.
Ordinance No. 20081023-089 for office-mixed use-neighborhood plan (NO-MU-NP) combining district zoning was approved.

Mayor Wynn recessed the Council Meeting at 5:29 p.m.

LIVE MUSIC

HeyBale

PROCLAMATIONS

Mayor Wynn called the Council Meeting back to order at 6:31 p.m.

ZONING DISCUSSION ITEMS

62. C14-2008-0030 - Lamar Blvd./Justin Lane Station Area Plan - Approve second/third readings of an ordinance adopting the Lamar Blvd./Justin Lane Station Area Plan and TOD base district zoning for all properties within the boundaries of the Lamar Blvd./Justin Lane Station Area, generally bounded by Morrow Street on the north; Guadalupe Street, Burns Street and the back property line of properties along Lamar Blvd. on the east; Denson Drive and just north of Romeria Drive on the south; and Wild Street, the Northwest and Austin Railroad, and Ryan Drive on the west. First reading approved on April 24, 2008. Vote: 7-0. Applicant: City of Austin, Neighborhood Planning and Zoning Department. City Staff: Sonya Lopez, 974-7694.

The motion on second reading to amend the TOD Ordinance to add back compatibility with the following friendly amendments was approved on Council Member Cole's motion, Mayor Pro Tem McCracken's second on a 7-0 vote. Council Member Morrison's amendment was that in the Station Area Plan, compatibility should not be waived for the first one hundred feet. Council Member Martinez' amendment was that compatibility should only be triggered by properties zoned SF-1 through SF-5 and used for either a single-family detached structure or duplex. In addition, language should be crafted to allow for a full waiver of compatibility within the 100-foot area if neighbors are in agreement. These were accepted by the maker of the motion and Mayor Pro Tem McCracken who made the second.

Action on the main motion was postponed to November 6, 2008 on Mayor Pro Tem McCracken's motion, Council Member Shade's second on a 7-0 vote.

70. C14-2008-0029 - Plaza Saltillo Station Area Plan - Approve second/third readings of an ordinance adopting the Plaza Saltillo Station Area Plan and TOD base district zoning for all properties within the boundaries of the Plaza Saltillo Station Area, generally bounded by E. 7th Street and the E. 7th Street alley on the north; the east side of Chicon Street on the east; E. 3rd Street, the alley between E. 3rd and 4th Streets, and E. 4th Street on the south; and the northbound frontage road of IH-35 on the west. First reading approved on April 10, 2008. Vote: 7-0. Applicant: City of Austin, Neighborhood Planning and Zoning Department. City Staff: Sonya Lopez, 974-7694.

The motion on second reading to amend the TOD Ordinance to add back compatibility with the following friendly amendments was approved on Council Member Cole's motion, Mayor Pro Tem McCracken's second on a 7-0 vote. Council Member Morrison's amendment was that in the Station Area Plan, compatibility should not be waived for the first one hundred feet. Council Member Martinez' amendment was that compatibility should only be triggered by properties zoned SF-1 through SF-5 and used for either a single-family detached structure or duplex. In addition, language should be crafted to allow for a full waiver of compatibility within the 100-foot area if neighbors are in agreement. These were accepted by the maker of the motion and Mayor Pro Tem McCracken who made the second.

Action on the main motion was postponed to November 6, 2008 on Mayor Pro Tem McCracken's motion, Council Member Shade's second on a 7-0 vote.

63. NPA-2008-0017.01 - Crestview/Wooten Neighborhood Plan Amendment - Approve second/third readings of an ordinance amending Ordinance No. 040401-Z-2, the Crestview/Wooten Combined Neighborhood Plan, an element of the Austin Tomorrow Comprehensive Plan, to include the Lamar Blvd./Justin Lane Station Area Plan and change the land use designation on the future land use map for all properties within the Crestview/Wooten Combined Neighborhood Planning Area that overlap the Lamar Blvd./Justin Lane Station Area to Transit Oriented Development (TOD). First reading approved on

April 24, 2008. Vote: 6-0 (McCracken off the dais). Applicant: City of Austin, Neighborhood Planning and Zoning Department. City Staff: Sonya Lopez, 974-7694.

This item was postponed to November 6, 2008 on Mayor Pro Tem McCracken's motion, Council Member Shade's second on a 7-0 vote.

64. NPA-2008-0018.01 - Brentwood/Highland Neighborhood Plan Amendment - Approve second/third readings of an ordinance amending Ordinance No. 040513-30, the Brentwood/Highland Combined Neighborhood Plan, an element of the Austin Tomorrow Comprehensive Plan, to include the Lamar Blvd./Justin Lane Station Area Plan and change the land use designation on the future land use map for all properties within the Brentwood/Highland Combined Neighborhood Planning Area that overlap the Lamar Blvd./Justin Lane Station Area to Transit Oriented Development (TOD). First reading approved on April 24, 2008. Vote: 6-0 (McCracken off the dais.) Applicant: City of Austin, Neighborhood Planning and Zoning Department. City Staff: Sonya Lopez, 974-7694.

This item was postponed to November 6, 2008 on Mayor Pro Tem McCracken's motion, Council Member Shade's second on a 7-0 vote.

71. NPA-2008-0002.01 - East Cesar Chavez Neighborhood Plan Amendment - Approve second/third readings of an ordinance amending Ordinance No. 990513-70, the East Cesar Chavez Neighborhood Plan, an element of the Austin Tomorrow Comprehensive Plan, to include the Plaza Saltillo Station Area Plan and change the land use designation on the future land use map for all properties within the East Cesar Chavez Neighborhood Planning Area that overlap the Plaza Saltillo Station Area to transit Oriented development (TOD). First reading approved on April 10, 2008. Vote: 7-0. Applicant: city of Austin, Neighborhood Planning and Zoning Department. City Staff: Sonya Lopez, 974-7694.

This item was postponed to November 6, 2008 on Mayor Pro Tem McCracken's motion, Council Member Shade's second on a 7-0 vote.

72. NPA-2008-0009.01 - Central East Austin Neighborhood Plan Amendment - Approve second/third readings of an ordinance amending Ordinance No. 011213-41, the Central East Austin Neighborhood Plan, an element of the Austin Tomorrow Comprehensive Plan, to include the Plaza Saltillo Station Area Plan and change the land use designation on the future land use map for all properties within the Central East Austin Neighborhood Planning Area that overlap the Plaza Saltillo Station Area to transit oriented development (TOD). First reading approved on April 10, 2008. Vote: 7-0. Applicant: City of Austin, Neighborhood Planning and Zoning Department. City Staff: Sonya Lopez, 974-7694.

This item was postponed to November 6, 2008 on Mayor Pro Tem McCracken's motion, Council Member Shade's second on a 7-0 vote.

73. NPA-2008-0010.01 - Holly Neighborhood Plan Amendment - Approve second/third readings of an ordinance amending Ordinance No. 011213-43, the Holly Neighborhood Plan, an element of the Austin Tomorrow Comprehensive Plan, to include the Plaza Saltillo Station Area Plan and change the land use designation on the future land use map for all properties within the Holly Neighborhood Planning Area that overlap the Plaza Saltillo Station Area to transit oriented development (TOD). First reading approved on April 10, 2008. Vote: 7-0. Applicant: City of Austin, Neighborhood Planning and Zoning Department. City Staff: City Staff: Sonya Lopez, 974-7694.

This item was postponed to November 6, 2008 on Mayor Pro Tem McCracken's motion, Council Member Shade's second on a 7-0 vote.

75. NP-2008-0025 - Oak Hill Combined Neighborhood Plan - Approve second/third readings of an ordinance amending the Austin Tomorrow Comprehensive Plan by adopting the Oak Hill Combined Neighborhood Plan, generally bounded by Southwest Parkway to the north, Barton Creek Greenbelt to the east, FM 1826, Davis Lane, Clairmont Drive, Abilene Trail, Convict Hill Rd, and Loop 1 to the south, and Thomas Springs Road, Circle Drive and West View Road to the west. The watersheds are Williamson Creek,

Slaughter Creek, and Barton Creek - Barton Springs Zone Watershed, excluding tracts A-Z; AA-AH; AK; AL; AM-AP; AR; AS; AT; AU; Tract Z, which is part of lot 17A of the resubdivision of lots 16-19 Westoaks Section 2; tract AI, which is described as ABS 538 SUR 619 MASTON P, ABS 454 SUR 648 JOHANNESSEN J P 7 VAR SURS ACR 93.096 (1-D-1) located along U.S. Highway 290 W and South View Road; tract AJ, which is the rear west portion beginning at 700 feet from Highway 290 of ABS 538 SUR 619 MASTON P ACR 30.98; tract AQ, which is the rear east portion beginning at 500 feet of ABS 538 SUR 619 MASTON P ACR 30.98 on the future land use Map. First reading approved on August 28, 2008. Vote: 7-0. Staff: Maureen Meredith, 974-2695; Minal Bhakta, 974-6453 and Gregory Montes, 974-2629.

The second reading of the ordinance with the following amendments was approved on Council Member Morrison's motion, Council Member Cole's second on a 7-0 vote. The ordinance will include approval of the Oak Hill combined neighborhood plan and the future land use map with the exception of tracts A-Z and tracts AA-AU.

The amendments to Appendix C were as follows:

1) To remove any zoning references that are more intensive MF-3: In the Mixed Residential land use category, remove MF-4, MF-5, & MF-6; in the Multifamily land use category, remove MF-4, MF-5, and MF-6; and in the Mixed Use Office land use category, remove MF-4 and MF-5

2) To removed references to the CH – Commercial Highway zoning district in the Commercial and the Mixed Use land use categories;

Other amendments:

3) Add the following language to Goal 9B1: "Council should consider approving Hill Country Roadway Ordinance for U.S. Highway 290, State Highway 71, and other major roadways in the Oak Hill Neighborhood Planning Area".

76. C14-2008-0125 - West Oak Hill Combined Neighborhood Planning Area Rezoning - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by zoning and rezoning property (excluding Tracts 4, 5, 6, 7, 12, and 12a) bounded by Southwest Parkway to the north, West William Cannon Drive to the east, F.M. 1826, Davis Lane, Clairmont Drive, Abilene Trail, and Convict Hill Road to the south, and Thomas Springs Road, Circle Drive and West View Road to the west (6,155.03 acres). The proposed zoning change will create the West Oak Hill Neighborhood Plan Combining District (NPCD) and implement the land use recommendations of the Oak Hill Combined Neighborhood Plan for a total of 15 tracts (approximately 466.74 acres). The City Council may approve a zoning change to any of the following districts: Rural Residence (RR); Single-Family Residence - Large Lot (SF-1); Single-Family Residence-Standard Lot (SF-2); Family Residence (SF-3); Single-Family - Small Lot & Condominium Site (SF-4A/B); Urban Family Residence (SF-5); Townhouse & Condominium Residence (SF-6); Multi-Family Residence - Limited Density (MF-1); Multi-Family Residence - Low Density (MF-2); Multi-Family Residence - Medium Density (MF-3); Multi-Family Residence - Moderate-High Density (MF-4); Multi-Family Residence - High Density (MF-5); Multi-Family Residence - Highest Density (MF-6); Mobile Home Residence (MH); Neighborhood Office (NO); Limited Office (LO); General Office (GO); Commercial Recreation (CR); Neighborhood Commercial (LR); Community Commercial (GR); Warehouse / Limited Office (W/LO); General Commercial Services (CS); Commercial-Liquor Sales (CS-1); Commercial Highway (CH); Industrial Park (IP); Major Industrial (MI); Limited Industrial Services (LI); Research and Development (R&D); Development Reserve (DR); Agricultural (AG); Planned Unit Development (PUD); Historic (H); and Public (P). A Conditional Overlay (CO), Planned Development Area Overlay (PDA), Vertical Mixed Use Building (V); Mixed Use Combining District Overlay (MU); Neighborhood Conservation Combining District (NCCD); or Neighborhood Plan Combining District (NP) may also be added to these zoning base districts. First reading approved on August 28, 2008. Vote: 7-0. City Staff: Maureen Meredith, 974-2695; Minal Bhakta, 974-6453 and Gregory Montes, 974-2629.

The second reading of the ordinance was approved on Council Member Morrison's motion, Council Member Cole's second on a 7-0 vote. The zonings and rezonings of the tracts are as

recommended by staff and neighborhood planning contact team for West Oak Hill planning area with the exception of tracts 3, 4, 5, 6, 7, 12, and 12a.

77. C14-2008-0129 - East Oak Hill Combined Neighborhood Planning Area Rezoning - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by zoning and rezoning property (excluding Tracts 208a, 209a, 216 and 220) bounded by Southwest Parkway to the north, the Barton Creek Greenbelt to the northeast, Convict Hill Road and Loop 1 to the south, and West William Cannon Drive and Beckett Road to the west (4,968.06 acres). The proposed zoning change will create the East Oak Hill Neighborhood Plan Combining District (NPCD) and implement the land use recommendations of the Oak Hill Combined Neighborhood Plan for a total of 45 tracts (approximately 516.77 acres). The City Council may approve a zoning change to any of the following districts: Rural Residence (RR); Single-Family Residence - Large Lot (SF-1); Single-Family Residence-Standard Lot (SF-2); Family Residence (SF-3); Single-Family - Small Lot & Condominium Site (SF-4A/B); Urban Family Residence (SF-5); Townhouse & Condominium Residence (SF-6); Multi-Family Residence - Limited Density (MF-1); Multi-Family Residence - Low Density (MF-2); Multi-Family Residence - Medium Density (MF-3); Multi-Family Residence - Moderate-High Density (MF-4); Multi-Family Residence - High Density (MF-5); Multi-Family Residence - Highest Density (MF-6); Mobile Home Residence (MH); Neighborhood Office (NO); Limited Office (LO); General Office (GO); Commercial Recreation (CR); Neighborhood Commercial (LR); Community Commercial (GR); Warehouse / Limited Office (W/LO); General Commercial Services (CS); Commercial-Liquor Sales (CS-1); Commercial Highway (CH); Industrial Park (IP); Major Industrial (MI); Limited Industrial Services (LI); Research and Development (R&D); Development Reserve (DR); Agricultural (AG); Planned Unit Development (PUD); Historic (H); and Public (P). A Conditional Overlay (CO), Planned Development Area Overlay (PDA), Vertical Mixed Use Building (V); Mixed Use Combining District Overlay (MU); Neighborhood Conservation Combining District (NCCD); or Neighborhood Plan Combining District (NP) may also be added to these zoning base districts. First reading approved on August 28, 2008. Vote: 7-0. City Staff: Maureen Meredith, 974-2695; Minal Bhakta, 974-6453; and Gregory Montes, 974-2629.
- The second reading of the ordinance was approved on Council Member Morrison's motion, Council Member Cole's second on a 7-0 vote. The zonings and rezonings of the tracts are as recommended by staff and neighborhood planning contact team for East Oak Hill planning area with the exception of Tracts 208a, 209a, 216 and 220.**

The motion to waive the rules and allow Council to meet after 10 p.m. was approved on Council Member Shade's motion, Council Member Morrison's second on a 7-0 vote.

90. NP-2008-0025 - Oak Hill Combined Neighborhood Plan - Conduct a public hearing and consider an ordinance amending the Austin Tomorrow Comprehensive Plan by adopting the Oak Hill Combined Neighborhood Plan, generally bounded by Southwest Parkway to the north, Barton Creek Greenbelt to the east, FM 1826, Davis Lane, Clairmont Drive, Abilene Trail, Convict Hill Rd, and Loop 1 to the south, and Thomas Springs Road, Circle Drive and West View Road to the west. The watersheds are Williamson Creek, Slaughter Creek, and Barton Creek - Barton Springs Zone Watershed, for Tracts A-Z; AA-AH; AK; AL; AM-AP; AR; AS; AT; AU; Tract Z which is part of lot 17A of the resubdivision of lots 16-19 Westoaks Section 2; Tract AI, which is described as ABS 538 SUR 619 MASTON P, ABS 454 SUR 648 JOHANNESSEN J P 7 VAR SURS ACR 93.096 (1-D-1) located along U.S. Highway 290 W and South View Road; Tract AJ, which is the rear west portion beginning at 700 feet from Highway 290 of ABS 538 SUR 619 MASTON P ACR 30.98; Tract AQ, which is the rear east portion beginning at 500 feet of ABS 538 SUR 619 MASTON P ACR 30.98 on the future land use Map. Staff: Maureen Meredith, Neighborhood Planning & Zoning Department, 974-2695; Minal Bhakta, Neighborhood Planning & Zoning Department; 974-6453 and Gregory Montes, Neighborhood Planning & Zoning Department, 974-2629.

The motion to postpone Tracts AU, AQ and AI to November 6, 2008 at the owner's request was approved on Council Member Leffingwell's motion, Mayor Wynn's second on a 7-0 vote.

The motion to postpone Tract AE to November 6, 2008 at the owner's request was approved on Mayor Pro Tem McCracken's motion, Council Member Leffingwell's second on a 7-0 vote.

The motion to postpone Tract V to December 11, 2008 at the owner's request was approved on Mayor Pro Tem McCracken's motion, Council Member Leffingwell's second on a 6-1 vote. Council Member Morrison voted nay.

The motion to close the public hearing and approve on first reading changes to the future land use map for the following tracts was approved on Council Member Leffingwell's motion, Mayor Wynn's second on a 7-0 vote:

Tract E (9100, 9116, 9120, 9200, 9220, 9300 W State Highway 71; State Highway 71 W (Lot 1 block A Old Bee Cave subdivision (1-D-1)); Lot 8, block A Old Bee Cave subdivision (1-D-1)) to Office Mixed Use Land Use was approved on Council Member Leffingwell's motion, Mayor Wynn's second on a 7-0 vote

Tract F (8776, 8956 State Highway 71 W; Old Bee Caves Road (ABS 2292 Sur 36 * (1-D-1) Ward J ABS 2264 Sur 63 * VAR Surs McClure H) to Large Lot Rural Single Family Land Use.

Tract G (8776, 8956, 9002 State Highway 71 W; Old Bee Caves Road (ABS 2292 Sur 36 (1-D-1) Ward J ABS 2264 Sur 63 Var Surs McClure H) to Large Lot Rural Single Family Land Use.

The motion to close the public hearing and amend on first reading changes to the future land use map for Tract D (8956 W Highway 71; ABS 2292 Sur 36 * (1-D-1) Ward J ABS 2264 Sur 63 * VAR Surs McClure H; ABS 2292 Sur 36 Ward J ABS 2264 Sur 63 * and VAR Surs McClure H (1-D-1)) to Large Lot Rural Single Family Land Use was approved on Council Member Morrison's motion, Council Member Cole's second on a 7-0 vote.

The motion to close the public hearing and amend on first reading the future land use map for the following tracts was approved on Council Member Morrison's motion, Mayor Wynn's second on a 7-0 vote:

Tract A (8818 Travis Hills Drive) to Neighborhood Mixed Use Land Use.

Tract B (5504, 5507, 5604, 5702 Travis Cook Road; 5601, 5601 B Sunset Ridge; 8724 Travis Hills Drive; ABS 86 Sur 75 Bell A F ABS 448 Sur 74 Johnson R M Acr 2.0; ABS 448 Sur 74 Johnson R M Acr .97; ABS 448 Sur 74 Johnson R M Acr .62; Lot C Travis Hills) to Large Lot Rural Residential Land Use.

Tract C (5500, 5510 Sunset Ridge Road; 5611, 5701, 5707, 5801, 5811 Travis Cook Road; Lot 5 Oak Valley) to Single Family Land Use.

The motion to close the public hearing and amend on first reading the future land use map for the following tracts was approved on Council Member Cole's motion, Mayor Pro Tem McCracken's second on a 7-0 vote:

Tracts AK (6000 Mountain Shadows; 8720, 8721, 8723, 8724 Mountain Crest Drive) to Single Family Land Use.

AL (8703 Mountain Crest Drive; 8701, 8705, 8709, 8800 Sky Mountain Drive; Block P Mountain Shadows) to Mixed Residential Land Use.

The motion to close the public hearing and amend on first reading the future land use map for the following tracts was approved on Council Member Morrison's motion, Mayor Wynn's second on a 7-0 vote:

Tract H (Front portion of properties fronting State Highway 71 8901, 8955 State Highway 71 W) to Large Lot Rural Single Family Land Use.

Tract I (Rear portion of properties 8901, 8955 W State Highway 71) to Large Lot Rural Single Family Land Use.

Tract J (8801, 8835 State Highway 71 W; State Highway 71 W (ABS 569 Sur 94 McClure H ACR 32.476(1-D-1) to Large Lot Rural Single Family Land Use.

Tract K (6600, 6704, 6720, 6800 Covered Bridge Drive; 8707, 8719, 8733 W State Highway 71) to Mixed Use Land Use.

The motion to close the public hearing and amend on first reading the future land use map for the following tracts was approved on Council Member Leffingwell's motion, Mayor Wynn's second on a 7-0 vote:

Tract M (8305 State Highway 71 W; State Highway 71 W (.929 Acre of Lot 1 Block A Valley View Acres Revised); State Highway 71 W (.929 Acr of Lot 1 Block A Valley View Acres Revised)) to Neighborhood Commercial Land Use.

Tract AH (7919 W State Highway 71; ABS 114 Sur 91 Bond A J Acr 7.873; ABS 114 Sur 91 Bond A J Acr 8.17(1-D-1); ABS 114 Sur 91 Bond A J Acr 23.56 (1-D-1)) to Office Mixed Use on 1,000 feet from SH Highway 71 and Single Family on the remainder of the tract.

The substitute motion made by Council Member Morrison to amend Tract AH to Office Mixed Use on 700 feet from SH Highway 71 and Single Family on the remainder of the tract died for lack of a second.

Tract N (7700 State Highway 71 W) to Neighborhood Commercial Land Use,

Tract AN (7715 Old Bee Caves Road; Lot A Sailors Subdiviaion 1; ABS 114 Sur 91 Bond A J Acr 10.17) to Mixed Residential Land Use.

The motion to close the public hearing and amend on first reading the future land use map for the following tracts was approved on Mayor Pro Tem McCracken's motion, Council Member Leffingwell's second on a 7-0 vote

Tract AP (7101, 7105, 7201 Old Bee Caves Road) to Mixed Residential Land Use.

Tract O (6901 Old Bee Caves Road) to Mixed Use Land Use.

Tract AO (6902, 6904, 6912, 7100, 7102 Old Bee Caves Road; ABS 28 Sur 93 Anderson T Acr 13.885; Lot 1B resub of Lot 1 Magness-Robinson Subdivision) to Mixed Residential Land Use.

Tract P (6804 Old Bee Caves Road) to Mixed Use Land Use.

There was a motion to close the public hearing and amend on first reading the future land use map for the following tracts that was made by Council Member Cole and seconded by Mayor Wynn:

Tract Q (7010, 7012 State Highway 71W, 7101 State Highway 71 W, 7748 US Highway 290 W; Abs 788 Sur 62 Williams J Acr 9.014, 7225 State Highway 71 W; 7100 US Highway 290 W; 7001, 7103 Oak Meadow Drive) to Mixed Use Land Use.

Tract AM - Western (ABS 788 Sur 62 Williams J Acr 54.753; Abs 788 sur 62 Williams J Acr 59.722, Abs 788 Sur 62 Williams J Acr 5.37) to Major Planned Development.

Tract AM – Eastern (7230, 7338, 7800, 7924, 7936, 8016 US Highway 290; Abs 788 Sur 62 Williams J Acr 8.299, W 3.41 Ac of Tract A Schmidt Dora Subdivision) to Mixed Use Land Use.

Tract S (6858, 6864, 6912 US Highway 290) to Mixed Use Land Use.

The substitute motion to amend on first reading the future land use map for the following tracts was approved on Council Member Leffingwell's motion, Council Member Martinez' second on a 6-0 vote. Council Member Cole voted nay.

Tract Q (7010, 7012 State Highway 71W, 7101 State Highway 71 W, 7748 US Highway 290 W; Abs 788 Sur 62 Williams J Acr 9.014, 7225 State Highway 71 W; 7100 US Highway 290 W; 7001, 7103 Oak Meadow Drive) to Major Planned Development.

Tract AM - (ABS 788 Sur 62 Williams J Acr 54.753; Abs 788 sur 62 Williams J Acr 59.722, Abs 788 Sur 62 Williams J Acr 5.37; 7230, 7338, 7800, 7924, 7936, 8016 US Highway 290; Abs 788 Sur 62 Williams J Acr 8.299, W 3.41 Ac of Trt A Schmidt Dora Subdivision) to Major Planned Development was approved on Council Member Leffingwell's motion, Council Member Martinez' second on a 6-0 vote. Council Member Cole voted nay.

Tract S (6858, 6864, 6912 US Highway 290) to Major Planned Development.

The motion to close the public hearing and amend on first reading the future land use map for the following tracts was approved on Mayor Pro Tem McCracken's motion, Council Member Morrison's second on a 7-0 vote:

Tract AA (7813, 7815 US Highway 290 W. (18 acres)) to Commercial and Multifamily Land Uses.

Tract T (8186 US Highway 290 W; Abs 454 Sur 648 Johannesen J P Acr 3.170) to Single Family Land Use.

Tract Z (8600 Thunderbird Road; Part of Lot 17a of the resubdivision of lots 16-19, Westoaks, section 2, said part being more particularly described by meets and bounds Exhibit B. (as described in the deed records provided by the property owners agent)) to Single Family Land Use.

The motion to close the public hearing and amend on first reading the future land use map for Tract U (5914, 6000, 6114, 6200, 6210 William Cannon Dr. W) to Neighborhood Mixed Use Land Use was approved on Council Member Leffingwell's motion, Council Member Martinez' second on a 7-0 vote.

The motion to close the public hearing and amend on first reading the future land use map for the following tracts was approved on Council Member Morrison's motion, Mayor Wynn's second on a 7-0 vote:

Tract AD (6102 Hill Forest Drive; 6110 Hill Forest Drive) to Single Family Land Use.

Tract AF (4600, 4701 Monterey Oaks Boulevard; S 6100 Mopac Expressway) to Multi Family Land Use.

The motion to close the public hearing and amend on first reading the future land use map for the following tracts was approved on Council Member Cole's motion, Council Member Morrison's second on a 6-0 vote. Council Member Shade was off the dais.

Tract X (5440, 5500, 5508, 5510, 5524 U S Highway 290 W) to Neighborhood Commercial Land Use.

Tract AC (6008 Morning Dew Drive; 5906, 6016, 6020, 6028, 6032 Old Fredericksburg Road; 5801 US Highway 290) to Neighborhood Mixed Use Land Use.

The motion to close the public hearing and amend on first reading the future land use map for the following tracts was made by Council Member Morrison and died for lack of a second.

Tract AB (5613 Patton Ranch Road) to Single Family Land Use.

Tract AR (5113, 5301, 5513, 5707 Southwest Parkway) to Office Land Use.

The motion to close the public hearing and amend on first reading the future land use map for the following tracts was made by Council Member Cole, seconded by Council Member Leffingwell and approved on a 6-0 vote. Council Member Shade was off the dais.

Tract AB (5613 Patton Ranch Road) to Multi Family Land Use.

Tract AR (5113, 5301, 5513, 5707 Southwest Parkway) to Mixed Use Land Use.

91. C14-2008-0125 - West Oak Hill Combined Neighborhood Planning Area Rezoning - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by zoning and rezoning property on Tracts 4, 5, 6, 7, 12, and 12a located within an area bounded by Southwest Parkway to the north, West William Cannon Drive to the east, F.M. 1826, Davis Lane, Clairmont Drive, Abilene Trail, and Convict Hill Road to the south, and Thomas Springs Road, Circle Drive and West View Road to the west (6,155.03 acres). The proposed zoning change will create the West Oak Hill Neighborhood Plan Combining District (NPCD) and implement the land use recommendations of the Oak Hill Combined Neighborhood Plan for a total of 6 tracts (approximately 88.95 acres). The City Council may approve a zoning change to any of the following districts: Rural Residence (RR); Single-Family Residence - Large Lot (SF-1); Single-Family Residence-Standard Lot (SF-2); Family Residence (SF-3); Single-Family - Small Lot & Condominium Site (SF-4A/B); Urban Family Residence (SF-5); Townhouse & Condominium Residence (SF-6); Multi-Family Residence - Limited Density (MF-1); Multi-Family Residence - Low Density (MF-2); Multi-Family Residence - Medium Density (MF-3); Multi-Family Residence - Moderate-High Density (MF-4); Multi-Family Residence - High Density (MF-5); Multi-Family Residence - Highest Density (MF-6); Mobile Home Residence (MH); Neighborhood Office (NO); Limited Office (LO); General Office (GO); Commercial Recreation (CR); Neighborhood Commercial

(LR); Community Commercial (GR); Warehouse / Limited Office (W/LO); General Commercial Services (CS); Commercial-Liquor Sales (CS-1); Commercial Highway (CH); Industrial Park (IP); Major Industrial (MI); Limited Industrial Services (LI); Research and Development (R&D); Development Reserve (DR); Agricultural (AG); Planned Unit Development (PUD); Historic (H); and Public (P). A Conditional Overlay (CO), Planned Development Area Overlay (PDA), Vertical Mixed Use Building (V); Mixed Use Combining District Overlay (MU); Neighborhood Conservation Combining District (NCCD); or Neighborhood Plan Combining District (NP) may also be added to these zoning base districts. First reading approved on August 28, 2008. Vote: 7-0. City Staff: Maureen Meredith, 974-2695; Minal Bhakta, 974-6453 and Gregory Montes, 974-2629.

The motion to postpone action on Tracts 4 and AJ, 3 and AS, and 6 and AT to November 6, 2008 at the owner's request was approved on Council Member Leffingwell's motion, Mayor Wynn's second on 7-0 vote.

The motion to close the public hearing and approve on first reading the rezoning of Tract 5 and Y (8060 W US Highway 290 (2.27 acres) to CS-NP and change the future land use map to Mixed Use Land Use was approved on Council Member Shade's motion, Mayor Wynn's second on a 7-0 vote.

The amended motion to close the public hearing and amend on first reading the rezoning of Tract 5 and Y (8060 W US Highway 290 (2.27 acres) to LO-NP and change the future land use map to Neighborhood Mixed Use was approved on Council Member Martinez' motion, Council Member Morrison's second on a 7-0 vote.

The motion to close the public hearing and amend on first reading the rezoning of Tract 7 and R (W US Highway 290 ABS 788 Sur 62 Williams J) (6.75 acres)) to GO-NP and change the future land use map to Office Land Use was approved on Council Member Shade's motion, Mayor Wynn's second on a 7-0 vote.

The motion to close the public hearing and amend on first reading the rezoning of Tract 220 and W (Patton Ranch Road; ABS 2 Sur 17 Anderson T (1-D-1) (90.64 acres)) to LR-MU-NP and change the future land use map to Mixed Use Land Use was approved on Council Member Leffingwell's motion, Mayor Wynn's second on 7.-0 vote.

The substitute motion to approve on first reading the rezoning of Tract 220 and W (Patton Ranch Road; ABS 2 Sur 17 Anderson T (1-D-1) (90.64 acres)) to LR-MU-NP and change the future land use map to Neighborhood Mixed Use Land Use was approved on Council Member Morrison's motion, Council Member Martinez' second on a 7-0 vote.

There was a motion to close the public hearing and approve on first reading the rezoning of Tracts 12a and L (6800 Waters Way (11.32 acres)) to SF-1 limit of 20 units with CO easement to Hot Springs emergency access only once the site is developed with more than one unit, no vehicular access and change the future land use map to Single Family Land Use was made on Council Member Cole's motion, Mayor Pro Tem McCracken's second.

The substitute motion to close the public hearing and approve on first reading the rezoning of Tracts 12a and L (6800 Waters Way (11.32 Acrs)) to SF-1-CO with a minimum of half acre lots with CO that restricts vehicular access on Hot Springs to emergency access only, main connection from Twilight Mesa; no access to Waters Way was approved on Council Member Martinez' motion, Council Member Morrison's second on a 4-3 vote. Those voting aye were: Mayor Wynn and Council Members Leffingwell, Martinez, and Morrison. Those voting nay were: Mayor Pro Tem McCracken and Council Members Cole and Shade.

The motion to close the public hearing and approve on first reading the rezoning of Tract 12 (1808 Treadwell Street; 8411, 8511 FM 1826; 8015 Dark Valley Cove; ABS 788 Sur 62 Williams J Acr 8.0 (1-D-1W); Abs 788 Sur 62 Williams J Acre 10.0 (1-D-1W) to SF-1-NP-CO with ½ acre lots restriction and change the future land use map to Single Family Land Use was approved on Council Member Morrison's motion, Council Member Martinez' second on a 7-0 vote.

92. C14-2008-0129 - East Oak Hill Combined Neighborhood Planning Area Rezoning - To conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by zoning and rezoning on Tracts 208a, 209a, 216 and 220 generally located within an area bounded by Southwest Parkway to the north, the Barton Creek Greenbelt to the northeast, Convict Hill Road and Loop 1 to the south, and West William Cannon Drive and Beckett Road to the west (4,968.06 acres). The proposed zoning change will create the East Oak Hill Neighborhood Plan Combining District (NPCD) and implement the land use recommendations of the Oak Hill Combined Neighborhood Plan for a total of 45 tracts (approximately 516.77 acres). The City Council may approve a zoning change to any of the following districts: Rural Residence (RR); Single-Family Residence - Large Lot (SF-1); Single-Family Residence-Standard Lot (SF-2); Family Residence (SF-3); Single-Family - Small Lot & Condominium Site (SF-4A/B); Urban Family Residence (SF-5); Townhouse & Condominium Residence (SF-6); Multi-Family Residence - Limited Density (MF-1); Multi-Family Residence - Low Density (MF-2); Multi-Family Residence - Medium Density (MF-3); Multi-Family Residence - Moderate-High Density (MF-4); Multi-Family Residence - High Density (MF-5); Multi-Family Residence - Highest Density (MF-6); Mobile Home Residence (MH); Neighborhood Office (NO); Limited Office (LO); General Office (GO); Commercial Recreation (CR); Neighborhood Commercial (LR); Community Commercial (GR); Warehouse / Limited Office (W/LO); General Commercial Services (CS); Commercial-Liquor Sales (CS-1); Commercial Highway (CH); Industrial Park (IP); Major Industrial (MI); Limited Industrial Services (LI); Research and Development (R&D); Development Reserve (DR); Agricultural (AG); Planned Unit Development (PUD); Historic (H); and Public (P). A Conditional Overlay (CO), Planned Development Area Overlay (PDA), Vertical Mixed Use Building (V); Mixed Use Combining District Overlay (MU); Neighborhood Conservation Combining District (NCCD); or Neighborhood Plan Combining District (NP) may also be added to these zoning base districts. Staff: Maureen Meredith, 974-2695; Minal Bhakta, 974-6453 and Gregory Montes, 974-2629.

The motion to close the public hearing and approve on first reading the rezoning of Tract 208a (5258 W U S Highway 290, (.54 acres)) to CS-CO-NP and change the future land use map to Commercial Land Use was approved Council Member Shade's motion, Mayor Wynn's second on a 7-0 vote.

The motion to close the public hearing and approve on first reading the rezoning of Tract 209a (5350 W U S Highway 290, (1.11 acres)) to GR-NP and change the future land use map to Commercial Land Use was approved Council Member Shade's motion, Mayor Wynn's second on a 7-0 vote.

The motion to close the public hearing and approve on first reading the rezoning of Tract 216 (6154 W U S Highway 290, 1.7 acres)) to GR-CO-NP and change the future land use map to Neighborhood Commercial Land Use was approved Council Member Shade's motion, Mayor Wynn's second on a 7-0 vote.

93. C14-2008-0115 - William Cannon - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 4808 West William Cannon Drive (Williamson Creek Watershed - Barton Springs Zone) from single-family residence-standard lot (SF-2) district zoning to neighborhood commercial-mixed use (LR-MU) combining district zoning. Staff Recommendation: To deny neighborhood commercial-mixed use (LR-MU) combining district zoning. Planning Commission Recommendation: To deny neighborhood commercial-mixed use (LR-MU)

combining district zoning. Applicant: Marcus Whitfield & Eskew Place, Ltd. (Gail and Marcus Whitfield). Agent: McClean & Howard, L.L.P. (Jeffrey Howard). City Staff: Wendy Rhoades, 974-7719. A valid petition has been filed in opposition to this rezoning request.

The first reading of the ordinance rezoning Tract A6 (4808 William Cannon Drive) to LO-MU-CO with the CO limiting the impervious cover to the existing cover, including the requirement for dedication of land for the trail, and with the Neighborhood Mixed Use designation on the future land use map was approved on Council Member Leffingwell's motion, Mayor Pro Tem McCracken's second on a 5-1 vote. Council Member Martinez was off the dais and Council Member Morrison voted nay.

PUBLIC HEARINGS AND POSSIBLE ACTION

95. Conduct a public hearing and consider a resolution authorizing the use of approximately 52,146 square feet (1.197 acres) for Permanent Wastewater use and approximately 126,435 square feet (2.902 acres) for Temporary Working Space and Temporary Staging and Material Site use for the construction of the Southeast Wastewater Improvements, SER #2282 (CIP ID 5028.007) through dedicated parkland known as Morris Williams Golf Course, in accordance with Sec. 26.001 et seq. of the Texas Parks and Wildlife Code. (Suggested date and time: October 23, 2008, 6:00 p.m. at Austin City Hall, 301 W. Second Street, Austin, TX). All costs associated with construction, as well as any parkland restoration will be paid by requester. Recommended by Parks and Recreation Board.

The public hearing was closed and Resolution No. 20081023-095 was approved accepting the \$500,000 from Austin Water Utility as recommended by the Parks Board on Council Member Cole's motion, Council Member Morrison's second on a 6-0 vote. Council Member Leffingwell was off the dais.

94. Conduct a public hearing and consider a resolution authorizing the use of approximately 7,603 square feet (0.1745-acre) for a permanent drainage easement to construct, use, maintain, repair, and replace a stormdrain line and appurtenances for construction of a portion of the Blunn Creek - Storm Drain Improvements Project (CIP ID 5789.019) through dedicated parkland known as the Blunn Creek Preserve Park in accordance with Sec. 26.001 et seq. of the Texas Parks and Wildlife Code. All costs associated with construction, as well as any parkland restoration will be paid by requester. Recommended by Parks and Recreation Board.

The public hearing was closed and Resolution No. 20081023-094 was approved on Council Member Leffingwell's motion, Mayor Wynn's second on a 5-0 vote. Mayor Pro Tem McCracken and Council Member Cole were off the dais.

96. 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 Council Member Shade's motion, Council Member Martinez' second on a 5-0 vote. Mayor Pro Tem McCracken and Council Member Cole were off the dais.

97. 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 Shade's motion, Council Member Martinez' second on a 6-0 vote. Mayor Pro Tem McCracken was off the dais.

98. 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 Martinez' motion, Council Member Shade's motion second on a 6-0 vote. Mayor Pro Tem McCracken was off the dais.

99. 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, Council Member Shade's second on a 6-0 vote. Mayor Pro Tem McCracken was off the dais.
100. 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 Martinez' motion, Council Member Shade's second on a 6-0 vote. Mayor Pro Tem McCracken was off the dais.
101. 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 Martinez' motion, Council Member Shade's second on a 6-0 vote. Mayor Pro Tem McCracken was off the dais.
102. 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 Martinez' motion, Council Member Shade's second on a 6-0 vote. Mayor Pro Tem McCracken was off the dais.
103. 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 Martinez' motion, Council Member Shade's second on a 6-0 vote. Mayor Pro Tem McCracken was off the dais.
104. Conduct a public hearing to consider comments on issues related to the full purpose annexation of the Springwoods Non-MUD annexation area (approximately 359 acres located in Williamson County between Pond Springs Road and Parmer Lane on the north and south sides of Anderson Mill Road). Full purpose annexation is anticipated in December 2010 in accordance with the City's Municipal Annexation Plan.
The public hearing was closed on Council Member Martinez' motion, Council Member Shade's second on a 6-0 vote. Mayor Pro Tem McCracken was off the dais.
105. Conduct a public hearing for the full purpose annexation of the ABIA Outparcel Annexation Area (Approximately 3 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 Martinez' motion, Council Member Shade's second on a 6-0 vote. Mayor Pro Tem McCracken was off the dais.

Mayor Wynn adjourned the meeting at 4:06 a.m. without objection.

The minutes for the Regular meeting of October 23, 2008 were approved on this the 6th day of November 2008 on Council Member Martinez' motion, Council Member Shade's second on a 7-0 vote.