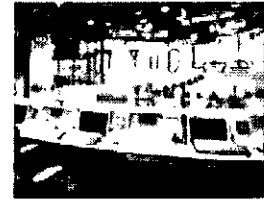
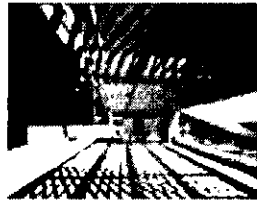


AGENDA



Thursday, May 21, 2009

The Austin City Council will convene at 10:00 AM on
Thursday, May 21, 2009 at Austin City Hall
301 W. Second Street, Austin, TX

AUSTIN CITY CLERK
POSTING: DATE/TIME
2009 MAY 15 PM 5 21



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

For meeting information, contact City Clerk, 974-2210

The City Council will go into a closed session under Chapter 551 of the Texas Government Code to receive advice from legal counsel, to discuss matters of land acquisition, to discuss personnel matters, to discuss or take action on a "competitive matter" of Austin Energy as provided for under Section 551.086, or for other reasons permitted by law as specifically listed on this agenda. If necessary, the City Council may go into a closed session as permitted by law regarding any item on this agenda.

Reading and Action on Consent Agenda

Action on the Following:

Ordinances / Resolutions / Motions -

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

9:55 AM -- Invocation

Fr. Jayme Mathias, Pastor, Cristo Rey Catholic Church

10:00 AM -- City Council Convenes

Approval of Minutes

1. Approve the Minutes of the Austin City Council May 14, 2009 Regular meeting.

Austin Water Utility

2. Approve an ordinance authorizing negotiation and execution of a cost reimbursement agreement, with QUALICO CR, L.P., for construction of 16 and 24-inch water mains and appurtenances to provide water service to the proposed Sun Chase Subdivision located on the north and south side of Pearce Lane, west of Wolf Lane, south of Dry Creek and east of Navarro Creek Road with City cost reimbursement for an overall total amount not to exceed \$5,434,410; waiving the requirements of Section 25-9-61, Section 25-9-62, Section 25-9-63, and Section 25-9-67 of the City Code relating to cost reimbursement. Funding in the amount of \$5,434,410 is available in the Fiscal Year 2008-2009 Capital Budget of the Austin Water Utility. Recommended by the Water and Wastewater Commission. Related to Item #3.
3. Approve an ordinance authorizing negotiation and execution of a cost reimbursement agreement, with QUALICO CR, L.P., for construction of 36-inch gravity wastewater main and appurtenances, and permanent wastewater treatment plant facilities to provide wastewater service to the proposed Sun Chase Subdivision located on the north and south side of Pearce Lane, west of Wolf Lane, south of Dry Creek and east of Navarro Creek Road with City cost reimbursement for an overall total amount not to exceed \$6,184,440; waiving the requirements of Section 25-9-61, Section 25-9-63, and Section 25-9-67 of the City Code relating to cost reimbursement. Funding in the amount of \$6,184,440 is available in the Fiscal Year 2008-2009 Capital Budget of the Austin Water Utility. Recommended by the Water and Wastewater Commission. Related to Item #2.

4. Approve an ordinance authorizing negotiation and execution of a cost reimbursement agreement, related to Service Extension Request No. 2814, with PEARSON PLACE AT AVERY RANCH, LTD., for construction of an appropriately sized wastewater lift station and force main, and 12 and 24-inch gravity wastewater mains and appurtenances to provide wastewater service to the Pearson Place Subdivision located between Avery Ranch Boulevard on the north, FM 620/State Highway 45 on the south and the Davis Springs Subdivision on the west with City cost reimbursement for an overall total amount not to exceed \$2,131,677.19; waiving the requirements of Section 25-9-61, Section 25-9-62, Section 25-9-63, and Section 25-9-67 of the City Code relating to cost reimbursement. Funding in the amount of \$2,131,677.19 is available in the Fiscal Year 2008-2009 Capital Budget of the Austin Water Utility. Recommended by the Water and Wastewater Commission.
5. Approve a resolution authorizing extension of the fee schedule for participation under the Balcones Canyonlands Conservation Plan – Shared Vision through September 30, 2009. This action does not require budget allocation or funding. Recommended by the Water and Wastewater Commission.
6. Authorize negotiation and execution of an Interlocal Cooperation Agreement with Texas AgriLife Extension Service - Wildlife Services for the control and management of Feral Hogs that threaten public safety and cause property damage in Austin neighborhoods for a term of one year, with an option to renew the agreement for up to one additional year, in an amount not to exceed \$170,000. Funding in the amount of \$95,000 is available in the Fiscal Year 2008-2009 Operating Budget of the Austin Water Utility. Funding for the remaining year is contingent upon available funding in future budgets. Recommended by the Water and Wastewater Commission. Related to Item #7.
7. Authorize negotiation and execution of a Cooperative Agreement with Texas Wildlife Damage Management Fund for the control and management of Feral Hogs that threaten public safety and cause property damage in Austin neighborhoods for an initial term ending September 30, 2009, in an amount not to exceed \$10,000. Funding is available in the Fiscal Year 2008-2009 Operating Budget of the Austin Water Utility. Recommended by the Water and Wastewater Commission. Related to Item #6.

Contract and Land Management

8. Authorize the fee simple acquisition of Lot 6, Block 2, of Bergstrom Downs No. 1, locally known as 813 Patton Ave, from Mario Jorge Ruiz and Otimia M. Ruiz for the Airport Noise Mitigation Program, in the amount of \$120,000 for the land and improvements and \$19,900 relocation benefits, plus closing costs and moving related expenses in the amount of \$10,000, for an amount not to exceed \$149,900. Funding is available in the Fiscal Year 2008-2009 Capital Budget of the Department of Aviation using airport funds and available Federal Aviation Administration (FAA) Grants.
9. Authorize the negotiation and execution of a 60-month lease with the right to exercise two 60-month extension options for 6,734 square feet of office space for the Child Protection Team of the Austin Police Department, located at 8509 FM 969 (formerly known as Vision Village) from MF AUSTIN RIDGE, LLC and PB AUSTIN RIDGE LLC, Austin, TX, in an amount not to exceed \$551,941.74 for the initial lease term; subordination of the outstanding City \$1,250,000 lien on the property to the landlord's financial institution providing financing for the leasehold improvements; release of the outstanding lien on the property; and modifying previously approved restrictive covenant and other conditions. Funding is included as a contractual cost increase as part of the Fiscal Year 2010 forecasted base budget of the Police Department.
10. Authorize execution of a construction contract with CAPITAL EXCAVATION COMPANY OF AUSTIN, TX, for the S I-35 Water/Wastewater Program Goodnight Ranch Phase 1 – 48-inch water main project in the amount not to exceed \$874,290 plus \$43,714

contingency, for a total contract amount not to exceed \$918,004. Funding is available in the Fiscal Year 2008-2009 Capital Budget of the Austin Water Utility. Lowest bid of fourteen (14) 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 achievements of Good Faith Efforts with 1.08% MBE and 0.14% WBE subcontractor participation. Recommended by the Water and Wastewater Commission.

11. Authorize execution of a construction contract with CAPITAL EXCAVATION, Austin, TX for the Group 6 Southwest Street Reconstruction, an ACCELERATE AUSTIN PROJECT, in the amount of \$747,523 plus a \$37,376.15 contingency, for a total contract amount not to exceed \$784,899.15. Funding in the amount of \$705,399.15 is available in the Fiscal Year 2008-2009 Capital Budget of the Public Works Department. Funding in the amount of \$79,500 is available in the Fiscal Year 2008-2009 Capital Budget of the Austin Water Utility. Lowest bid of seven (7) 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 achievements of Good Faith Efforts with 1.45 % MBE and 22.83% WBE subcontractor participation. Recommended by Water and Wastewater Commission.
12. Authorize negotiation and execution of a professional services agreement with HDR ENGINEERING, INC., Austin, TX, for planning services Integrated Solid Waste Management Master Plan in an amount not to exceed \$1,500,000. Funding is available in the Fiscal Year 2008-2009 Capital Budget of the Solid Waste Services Department. Best qualification statement of three (3) 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 15.80% MBE and 15.80% WBE subconsultant participation. Reviewed by the Solid Waste Advisory Commission.
13. Authorize negotiation and execution of an amendment to the professional services agreement with COPLEY WOLFF DESIGN GROUP, Boston, MA, for design of the Second Street District Streetscape Improvement Project, in an amount not to exceed \$485,420 for a total contract amount not to exceed \$1,640,801. Funding in the amount of \$485,420 is available in the Fiscal Year 2008-2009 Capital Budget of the Neighborhood Planning and Zoning Department. This contract was 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 5.38% MBE and 1.75% WBE subconsultant participation to date.
14. Authorize negotiation and execution of amendment #3 to the professional services agreement with URS CORPORATION, A NEVADA CORPORATION, Austin, TX, for engineering services for Austin-Bergstrom International Airport Airfield Lighting Improvements and Airfield Pavement Rehabilitation in the amount of \$100,000, for a total contract amount not to exceed \$869,000. Funding is available in the Fiscal Year 2008-2009 Capital Budget of the Aviation Department. This contract amendment will be awarded in compliance with the requirements of 49 CFR Part 26 (Disadvantaged Business Enterprise Program) and Chapter 2-9B of the City Code (Minority Owned and Women Owned Business Enterprise Procurement Program) with 52.12% DBE sub-consultant participation to date. Recommended by the Austin Airport Advisory Commission.

Economic Growth & Redevelopment Services

15. Authorize execution of a 12-month Interlocal Agreement with THE UNIVERSITY OF TEXAS, PROFESSIONAL DEVELOPMENT CENTER, Austin, TX, to develop and deliver training to small business owners in an amount not to exceed \$165,000 with two additional 12-month extension options in an amount not to exceed \$165,000 per extension, for a total agreement amount not to exceed \$495,000. Funding in the amount of \$55,000 for the first 4-months of the contract period is available in the

Fiscal Year 2008-2009 Operating Budget of the Economic Growth and Redevelopment Services Office. Funding for the remaining 8-months of the contract period and any extension option is contingent upon payment from current revenues available to the City.

Health and Human Services

16. Approve an ordinance accepting \$74,995 in grant funds from the TEXAS DEPARTMENT OF STATE HEALTH SERVICES, HIV/STD PREVENTION AND CARE BRANCH; and amending the Fiscal Year 2008-2009 Health and Human Services Department Operating Budget Special Revenue Fund of Ordinance No. 20080908-002 to appropriate \$74,995 to purchase a van for human immunodeficiency virus/acquired immune deficiency syndrome testing and education outreach services. Funding is available from the Texas Department of State Health Services, HIV/STD Prevention and Care Branch. The grant period is January 1, 2009 through December 31, 2009. No City match is required.

Law

17. Approve an ordinance amending Chapters 2-2, 15-6, 25-2 and 25-12 of the City Code to correct typographical errors.

Neighborhood Planning & Zoning

18. Authorize negotiation and execution of an agreement with 98 San Jacinto Holdings Limited Partnership, for the reimbursement of streetscape improvement costs for the Four Seasons Residence project located at 98 San Jacinto, Austin, TX under the Great Streets Development Program, in an amount not to exceed \$183,672. Funding is available in the Fiscal Year 2008-2009 Amended Capital Budget of the Neighborhood Planning and Zoning Department from Great Streets Parking Meter Revenue.

Parks and Recreation

19. Approve an ordinance accepting \$14,180 in grant funds from the Austin Community Foundation, Urban Forest Grant Program; and amending the Fiscal Year 2008-2009 Parks and Recreation Department Operating Budget Special Revenue Fund of Ordinance No. 20080908-002 to appropriate \$14,180 for the purchase of Global Positioning System equipment and software. Funding in the amount of \$14,180 is available from the Austin Community Foundation under the Urban Forest Grant Program. No City match is required.
20. Approve an ordinance to temporarily relocate the People's Renaissance Market vendors during the 23rd Streetscape Improvements project to the sidewalk on the south side of the 500 block of 24th Street, from June 1, 2009 to July 1, 2009. Recommended by the Renaissance Market Commission.
21. Approve a resolution authorizing the Parks and Recreation Department's application for up to \$500,000 in grant funding from the Texas Parks and Wildlife Department's (TPWD) Outdoor Urban Recreation grant to improve facilities and resources at Gustavo (Gus) L. Garcia Park. Funding in the amount of \$500,000 is available from the Texas Parks and Wildlife Department. The City will match 100 % of all granted funds. Funding is available in the Fiscal Year 2008-2009 Capital Budget of the Parks and Recreation Department to meet matching requirements.

Police

22. Authorize the negotiation and execution of an agreement with the Young Mens Christian Association of Austin and Greater Austin First Tee to provide an Austin Police Department sponsored Police Activities League of Austin Program (APD-PAL) golfing curriculum, including allowing the City public access through the property and the

right to re-construct a foot/cart path bridge for the Walnut Creek Hike & Bike Trail System, for a three-year term with extension options in an annual in-kind contribution amount not to exceed \$40,000 with a maximum in-kind contribution amount not to exceed \$120,000 for the three year term.

Purchasing Office

23. Authorize award and execution of a 36-month requirements service contract with J.G. ARCOIRIS PAINTING CONTRACTORS, LLC.(MBE), Austin, TX for painting services in an estimated amount not to exceed \$750,000, with three 12-month extension options in an estimated amount not to exceed \$250,000 per extension option, for a total estimated contract amount not to exceed \$1,500,000. Funding in the amount of \$83,333 is available in the Fiscal Year 2008–2009 Operating Budget of the Austin Convention Center Department. Funding for the remaining 32 months of the original contract period is contingent upon available funding in future budgets. Lowest bid of four bids received. This contract will be awarded in compliance with Chapter 2-9C of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation.
24. Authorize award and execution of a 24-month requirements service contract with MYERS CONCRETE CONSTRUCTION, LP. (WBE), Wimberley, TX for sidewalk paver maintenance services in an estimated amount not to exceed \$465,480, with two 12 month extension options in an estimated amount not to exceed \$100,000 per extension option, for a total estimated contract amount not to exceed \$665,480. Funding in the amount of \$77,580 is available in the Fiscal Year 2008–2009 Operating Budget of the Austin Convention Center Department. Funding for the remaining 20 months of the original contract period and extension options is contingent upon available funding in future budgets. Lowest bid of three bids received. This contract will be awarded in compliance with Chapter 2-9C of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation.
25. Authorize award and execution of a 36-month revenue contract with AUSTIN METAL & IRON CO., L.P., Austin, TX, for the sale of scrap metal with an estimated revenue of \$1,302,000, with three 12-month extension options with an estimated revenue of \$434,000 per extension option, for a total estimated revenue of \$2,604,000. Estimated revenue is included in the Fiscal Year 2008–2009 Operating Budgets of the following departments: Austin Energy - \$129,463; Austin Water Utility - \$9,202; Public Works - \$2,985; Financial & Administrative Services - \$1,908; and Aviation Department - \$1,109. Highest 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 Electric Utility Commission and Water and Wastewater Commission.
26. Authorize award and execution of a 24-month requirements supply contract with GC3 SPECIALTY CHEMICALS, INC., Houston, TX, for the purchase of aqueous ammonia for Austin Energy in an estimated amount not to exceed \$120,000, with three 12-month extension options in an estimated amount not to exceed \$60,000 per extension option, for a total estimated contract amount not to exceed \$300,000. Funding in the amount of \$25,000 is available in the Fiscal Year 2008-2009 Operating Budget of Austin Energy. Funding for the remaining 19 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 Electric Utility Commission.

27. Authorize award and execution of a 48-month service contract with TURBOMECA USA, Grand Prairie, TX for helicopter engine maintenance and overhaul services for the Austin Police Department in an amount not to exceed \$453,706. Funding in the amount of \$37,809 is available in the Fiscal Year 2008-2009 Operating Budget of the Austin Police Department. Funding for the remaining 44 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.
28. Authorize award and execution of a 24-month requirements service contract with SOUTHWASTE DISPOSAL LLC dba CAP-TEX INC., Austin, TX to provide emergency response for sludge and sewage pumping, hauling, and disposal services for the Austin Water Utility in an estimated amount not to exceed \$800,000, with two 12-month extension options in an estimated amount not to exceed \$400,000 per extension option, for a total estimated contract amount not to exceed \$1,600,000. Funding in the amount of \$133,333 is available in the Fiscal Year 2008-2009 Operating Budget of the Austin Water Utility. Funding for the remaining 20 months of the original contract period and extension options is contingent upon available funding in future budgets. Sole bid received. This contract will be awarded in compliance with Chapter 2-9C of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation. Recommended by the Water and Wastewater Commission.
29. Authorize award and execution of a contract with MACAULAY CONTROL COMPANY (WBE), Houston, TX, for the purchase of 15 American Sigma flow meters for the Austin Water Utility in an amount not to exceed \$126,709.70. Funding is available in the Fiscal Year 2008-2009 Operating Budget of the Austin Water Utility. Sole Source. This purchase 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.
30. Authorize award and execution of a 36-month requirements service contract with ALLIED FENCE COMPANY, Manor, TX for fencing repair, supplies, and services in an estimated amount not to exceed \$225,000, with three 12-month extension options in an estimated not to exceed amount of \$75,000 per extension option, for a total estimated contract amount not to exceed \$450,000. Funding in the amount of \$25,000 is available in the Fiscal Year 2008-2009 Operating Budget of the Financial and Administrative Services Department, Building Services Division. Funding for the remaining 32 months of the original contract period and extension options is contingent upon funding in future budgets. Lowest bid of four bids received. This contract will be awarded in compliance with Chapter 2-9C of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation.
31. Authorize award and execution of a 5-month requirements service contract through The Cooperative Purchasing Network (TCPN) with FLEETCARD, INC. dba IMPAC FLEET, Tomball, TX, for the purchase of fuel credit card services in an estimated amount not to exceed \$187,500, with four 12-month extension options in estimated amounts not to exceed \$472,500 for the first extension option, \$496,125 for the second extension option, \$520,931 for the third extension option, and \$546,977 for the fourth extension option, for a total estimated contract amount not to exceed \$2,224,033. Funding in the amount of \$187,500 is available in the Fiscal Year 2008-2009 Operating Budget of the Financial and Administrative Services Department, Fleet Fund. Funding for the extension options is contingent upon available funding in future budgets. This contract will be awarded in compliance with Chapter 2-9C 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.

32. Authorize award and execution of a contract through the TEXAS LOCAL GOVERNMENT PURCHASING COOPERATIVE (BUYBOARD) with COOPER EQUIPMENT COMPANY, San Antonio, TX for the purchase of a semi-trailer asphalt relay tanker in an amount not to exceed \$112,465. Funding is available in the Fiscal Year 2008-2009 Capital Budget of the Public Works Department. This contract will be awarded in compliance with Chapter 2-9D of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). This contract is a cooperative purchase; therefore, it is exempted under Chapter 791 of the Texas Government Code and no goals were established for this contract.
33. Authorize award and execution of a 44-month requirements supply contract through the TEXAS MULTIPLE AWARD SCHEDULE (TXMAS) with THE SHERWIN WILLIAMS COMPANY, Richardson, TX, to purchase paint and related supplies in an estimated amount not to exceed \$535,708, with three 12-month extension options in an estimated amount not exceed \$149,500 per extension option, for a total estimated contract amount not to exceed \$984,208. Funding in the amount of \$60,875 is available in the Fiscal Year 2008-2009 Operating Budget of various City departments. Funding for the remaining 39 months of the original contract period and extension options is contingent upon available funding in future budgets. This contract will be awarded in compliance with Chapter 2-9D of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). This contract is a Cooperative Purchase; therefore, it is exempted under Chapter 791 of the Texas Local Government Code and no goals were established for this solicitation. Recommended by the Water and Wastewater Commission.

Transportation

34. Approve issuance of a street event permit for the Republic of Texas (R.O.T.) Rally Parade and Concert, a fee paid event which is to be held in the 100 through 1000 blocks of Congress Avenue; the east and west 100 blocks of 2nd Street through 10th Street; the 100 block of East 11th Street; the 100 through 200 blocks of West 11th Street; the second and third lanes east of the west curb of the 900 through 1100 blocks of Brazos Street (leaving open the first lane east of the west curb); and the 1100 through 1200 blocks of Colorado Street. The event is scheduled on June 12, 2009 from 7:00 p.m. to June 13, 2009 at 3:00 a.m.

Item(s) from Council

35. Approve appointments to citizen board and commissions, to Council subcommittees and other intergovernmental bodies and removal and replacement of members.
36. Approve a resolution directing the City Manager to inform the City's congressional delegation that the City supports the regional trail known as "Walk for a Day." (Council Member Mike Martinez and Council Member Lee Leffingwell)
37. Approve a resolution directing the City Manager to create a City of Austin bicycle theft response program, incorporating a voluntary registry and educational components. (Council Member Randi Shade, Mayor Pro Tem Brewster McCracken and Council Member Mike Martinez)
38. Approve the waiver of certain fees and requirements for the fee-paid Pride Texas Festival event, to be held on June 6, 2009, at Republic Square Park. (Mayor Will Wynn Council Member Randi Shade Council Member Lee Leffingwell)
39. Approve waiver of certain fees and requirements, and authorize payment of certain costs for the City's annual co-sponsorship of the Greater East Austin Youth

Association's 2009 Juneteenth Parade and Celebration to be held on June 19, 2009, at Rosewood Park. (Council Member Sheryl Cole and Mayor Pro Tem Brewster McCracken)

Item(s) to Set Public Hearing(s)

40. Set a public hearing to consider an ordinance regarding a proposal from Texas Gas Service Company to increase customer gas rates. (Suggested date and time: June 11, 2009, 6:00 p.m., Austin City Hall, 301 W. Second Street, Austin, TX)
41. Set a public hearing to consider an appeal by the Highland/Skyview Neighborhood Plan Contact Team represented by Damon Howze, of the Planning Commission's decision to approve a Conditional Use Permit to allow operation of an Adult Lounge located at 6406 N. IH 35, Unit 1100. Planning Commission approved staff recommendation to approve the Conditional Use Permit with conditions. (Suggested date and time: June 11, 2009, 6:00 p.m., at Austin City Hall, 301 West Second Street, Austin, TX.)
42. Set a public hearing to consider an ordinance amending Chapters 11-1, 25-2, and 25-11 of the City Code relating to tax exemptions for historic landmarks, historic landmark procedures, and demolition by neglect. (Suggested date and time: June 18, 2009, 6:00 p.m. at Austin City Hall, 301 W. Second Street, Austin, TX)
43. Set a public hearing to consider an ordinance amending Chapter 25-8, Subchapter B, Article 1 of the City Code relating to protected and heritage trees. (Suggested date and time: June 18, 2009, 6:00 p.m. at Austin City Hall, 301 W. Second Street, Austin, TX.) Recommended by the Planning Commission, Environmental Board, Urban Forestry Board, and the now disbanded Tree Task Force.
44. Set a public hearing to consider an ordinance for floodplain variances requested by the Austin Independent School District. The variances will allow construction of the House Park Field House building at 1301 Shoal Creek Boulevard in the 25-year and 100-year floodplains of Shoal Creek. A variance will also waive the requirements for normal access from the building to an area that is one-foot above the 100-year floodplain (Suggested date and time: June 18, 2009, 6:00 p.m., at Austin City Hall, 301 W. Second Street, Austin, TX.)
45. Set a public hearing to consider an ordinance amending Chapter 25-2, Subchapter C , Article 9 of the City Code relating to landscaping for residential subdivisions. (Suggested date and time: June 18, 2009, 6:00 p.m. at Austin City Hall, 301 W. Second Street, Austin, TX.) Recommended by the Planning Commission, Environmental Board, Urban Forestry Board, and the now disbanded Tree Task Force.
46. Set a public hearing to consider an ordinance amending Section 25-2-1007 of the City Code relating to parking lot landscaping. (Suggested date and time: June 18, 2009, 6:00 p.m. at Austin City Hall, 301 W. Second Street, Austin, TX.) Recommended by the Planning Commission, Environmental Board, Urban Forestry Board, and the now disbanded Tree Task Force.

12:00 PM -- Citizen Communications: General

Rafaela Gentry - Fluoride

Dixie Barron - Fluoride deception

Gus Peña - 1.To discuss the budget 2.To discuss City issues 3. To increase funding for social service agencies 4.Crime is on the increase- do not cut police officer positions

5. Increase communication with the community

David Edrich - Billboard ordinance

Richard Viktorin - Library funding

Gavino Fernandez - No contact team for the "Holly neighborhood planning area," we have a VOICE thru our Neighborhood Association - El Concilio. We do not need City of Austin agents designated by the City to represent our interest as land owners

Marcelo Tafoya - No contact team for the "Holly neighborhood planning area". Have you not taken enough of our land thru gentrification? We are losing our land, not to the BANKS but the government via high property taxes!

Paul Hernandez - No contact team for "Holly neighborhood planning area", the people have spoken! We land owners do not need the City of Austin to represent our interest. Stop Gentrification!

Frances Martinez - No contact team. Please support sb1618 for single member districts

Jimmy Castro - Children's Miracle Network

Executive Session

47. Discuss legal issues relating to vacancies on City boards and commissions. (Private Consultation with Attorney - Section 551.071).

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

48. C14-2007-0232 - Rundberg Business Park - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 320 E. Rundberg Lane (Little Walnut Creek Watershed) from multi-family residence-medium density (MF-3) district zoning, limited office (LO) district zoning, and community commercial (GR) district zoning for Tract 1; and multi-family residence-medium density (MF-3) district zoning, limited office (LO) district zoning, and community commercial (GR) district zoning for Tract 2 to warehouse-limited office-conditional overlay (W/LO-CO) combining district zoning for Tract 1, and general commercial services-conditional overlay (CS-CO) combining district zoning for Tract 2. First reading approved on August 28, 2008. Vote: 7-0. Applicant: Rundberg Business Park (John Dimeblid). Agent: Thrower Design (Ron Thrower). City Staff: Wendy Rhoades, 974-7719.
49. C14H-2008-0023 - Bradford-Nohra House - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 4213 Avenue G (Waller Creek Watershed) from townhouse and condominium residence-neighborhood conservation combining district (SF-6-NCCD) combining district zoning to townhouse and condominium residence-historic landmark-neighborhood conservation combining district (SF-6-H-NCCD) combining district zoning. First reading approved on March 26, 2009. Vote: 6-0 (McCracken off the dais). Applicant: Historic Landmark Commission. Agent: Neighborhood Planning and Zoning Department. City Staff: Susan Villarreal, 974-3524. A valid petition has been filed in opposition to this rezoning request.

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

- 50 PH. C14-2009-0031 - The Moore Redbird Project - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 313 Red Bird Lane (Williamson Creek Watershed) from single-family residence-standard lot-neighborhood plan (SF-2-NP) combining district zoning to family residence-neighborhood plan (SF-3-NP) combining district zoning. Staff Recommendation: To grant family residence-neighborhood plan (SF-3-NP) combining district zoning with conditions. Planning Commission Recommendation: To grant family residence-neighborhood plan (SF-3-NP) combining district zoning with conditions. Applicant and Agent: Leslie M. Moore. City Staff: Wendy Rhoades, 974-7719. A valid petition has been filed in opposition to this rezoning request.
- 51 PH. C14-2008-0242 - Mueller Austin Energy Substation - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 2403 East 51st Street (Tannehill Branch Watershed) from community commercial-neighborhood plan (GR-NP) combining district zoning to public-neighborhood plan (P-NP) combining district zoning. Staff Recommendation: to grant public-neighborhood plan (P-NP) combining district zoning. Planning Commission Recommendation: To postpone indefinitely. Applicant: Austin Energy. Agent: Stanley Consultants (Charles Steinman). City Staff: Joi Harden, 974-2122.
- 52 PH. 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.
- 53 PH. 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.
- 54 PH. C14-2008-0183.SH - Lexington Parke - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as North of Pearce Lane and East of SH 130 (Onion Creek Watershed) from development reserve (DR) district zoning and single-family residence-small lot (SF-4A) district zoning to community commercial (GR) district zoning for Tract 1 and multi-family residence-medium density (MF-3) district zoning for Tract 2. Staff Recommendation: To grant community commercial-conditional overlay (GR-CO) combining district zoning for Tract 1 and multi-family residence-medium density (MF-3) district zoning for Tract 2 with conditions. Zoning and Platting Commission Recommendation: To be reviewed on May 19, 2009. Applicant: Lexington 281, L.P. (Mehrdad Moayedi. Agent: Kodiak Development (Brian Saathoff). City Staff: Wendy Rhoades, 974-7719.
- 55 PH. C14-2009-0040 - Coronado Hills Neighborhood Planning Area Vertical Mixed Use Building (V) Zoning Opt-in/Opt-Out Process - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by applying Vertical Mixed Use Building (V) zoning regulations to certain tracts within the Coronado Hills Neighborhood Planning Area, bounded by Anderson Lane (U.S. Highway 183) to the

north and to the east; U.S. Highway 290 to the south; and Cameron Road to the west (Buttermilk Branch, Fort Branch, Little Walnut Creek Watersheds). Regulations governing Vertical Mixed Use Building dimensional standards; allowable uses for a Vertical Mixed Use Building in office base district zoning; relaxed parking standards for commercial uses in a Vertical Mixed Use Building; and affordability requirements for Vertical Mixed Use Building developments will be considered for adoption. The Austin City Council may consider adopting all or some of these regulations, or amending the Vertical Mixed Use (VMU) overlay district to exclude properties from the overlay district. Planning Commission Recommendation: To grant vertical mixed use building (V) district and to exclude certain tracts from the vertical mixed use overlay district. Applicant and Agent: Neighborhood Planning and Zoning Department. City Staff: Greg Montes, 974-2629.

- 56 PH. C814-06-0175.02 - East Avenue PUD - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 3400 North IH-35 SVRD SB (Boggy Creek and Waller Creek Watersheds) from planned unit development-neighborhood plan (PUD-NP) combining district zoning to planned unit development-neighborhood plan (PUD-NP) combining district zoning to change a condition of zoning. Staff Recommendation: To grant planned unit development-neighborhood plan (PUD-NP) combining district zoning to change a condition of zoning. Planning Commission Recommendation: To grant planned unit development-neighborhood plan (PUD-NP) combining district zoning to change a condition of zoning. Applicant: East Avenue IG, L.P. (Andy Sarwal). Agent: Alice Glasco Consulting (Alice Glasco). City Staff: Clark Patterson, 974-7691.
- 57 PH. C14-83-003.25(DE) Six Two Story Condos - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as FM 2222 Road (Bull Creek Watershed) from townhouse and condominium residence (SF-6) district zoning to townhouse and condominium residence (SF-6) district zoning to change a condition of zoning. Staff Recommendation: To grant townhouse and condominium residence (SF-6) district zoning to change a condition of zoning. Zoning and Platting Commission Recommendation: To grant townhouse and condominium residence (SF-6) district zoning to change a condition of zoning. Applicant: Booth Family Trust (David Booth). Agent: Armbrust & Brown (David Armbrust). City Staff: Clark Patterson, 974-7691.

5:30 PM -- Live Music

Buzz Guerra


5:30 PM -- Proclamations


6:00 PM -- Public Hearings and Possible Actions

- 58 PH. Conduct a public hearing and approve the use of approximately 33,456 square feet (0.77 acre) of permanent drainage easement, approximately 4,452 square feet (0.102 acre) of temporary staging area, approximately 1,373 square feet (0.03 acre) of temporary access and approximately 3,070 square feet (0.07 acre) of temporary workspace easement – Junction Box, to construct, use, maintain, repair, and replace a stormdrain line and appurtenances for construction of a portion of the Lady Bird Lake/East 4th Street Drainage Improvements (CIP ID 5789.028) through dedicated parkland known as Metz 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 the Parks and Recreation Board.

- 59 Conduct a public hearing and consider an ordinance amending Ordinance No.
PH. 20080515-030 to amend the map indicating areas with additional regulations applying to mobile food establishments in accordance with Section 25-2-812 of the City Code.
- 60 Conduct a public hearing and consider an ordinance amending Ordinance No.
PH. 20020829-58 authorizing the addition of new neighborhoods to the Restricted Parking Area Map in accordance with Section 12-5-29 of the City Code.
- 61 Conduct a public hearing and consider an ordinance adopting the City of Austin 2009
PH. Bicycle Plan Update as an element of the Austin Tomorrow Comprehensive Plan. Reviewed by the Parks and Recreation Board, Planning Commission Comprehensive Plan Subcommittee, Environmental Board, Planning Commission and the Urban Transportation Commission.
- 62 Conduct a public hearing and consider an ordinance amending Chapter 25 and Chapter
PH. 30 of the City Code concerning requirements for notification of subdivision and site plan applications (item C2o-2009-002). Planning Commission approved staff recommendation.
- 63 Conduct a public hearing and approve second/third readings of an ordinance amending
PH. Title 25 of the City Code relating to the Waterfront Overlay Combining District; and Chapter 2-1 related to the Waterfront Planning Advisory Board. Recommended by Waterfront Overlay Task Force, Design Commission, Environmental Board, Parks Board and Planning Commission. Reviewed by Downtown Commission and Zoning and Platting Commission.

Adjourn

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

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

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

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

2009 Austin City Council Meeting Dates

MEETINGS	CANCELLED DATES
	January 1, 2009
	January 8, 2009
January 15, 2009	
	January 22, 2009
January 29, 2009	
	February 5, 2009
February 12, 2009	
	February 19, 2009
February 26, 2009	
March 5, 2009	
March 12, 2009	
	March 19, 2009
March 26, 2009	
April 2, 2009	
	April 9, 2009
	April 16, 2009
April 23, 2009	
April 30, 2009	
	May 7, 2009
May 14, 2009	
May 21, 2009	
	May 28, 2009
	June 4, 2009
June 11, 2009	
June 18, 2009	
	June 25, 2009
	July 2, 2009
	July 9, 2009
	July 16, 2009
July 23, 2009	
	July 30, 2009
August 6, 2009	
	August 13, 2009
August 20, 2009	
August 27, 2009	
	September 3, 2009
	September 10, 2009
September 14, 15 and 16, 2009 (Budget Readings)	
	September 17, 2009
September 24, 2009	
October 1, 2009	
	October 8, 2009
October 15, 2009	
October 22, 2009	
	October 29, 2009
November 5, 2009	
	November 12, 2009
November 19, 2009	
	November 26, 2009
	December 3, 2009
December 10, 2009	
December 17, 2009	
	December 24, 2009
	December 31, 2009