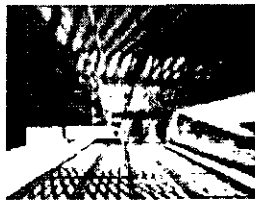


AGENDA

Thursday, August 6, 2009

The Austin City Council will convene at 10:00 AM on
Thursday, August 6, 2009 at Austin City Hall
301 W. Second Street, Austin, TX

AUSTIN CITY CLERK
POSTING: DATE/TIME
2009 JUL 31 PM 5 47



Mayor Lee Leffingwell
Mayor Pro Tem Mike Martinez
Council Member Chris Riley, Place 1
Council Member Randi Shade, Place 3
Council Member Laura Morrison, Place 4
Council Member William Spelman, Place 5
Council Member Sheryl Cole, Place 6

For meeting information, contact the 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

Sister Patricia Bachman, DC, Mission Integration with the Seton Family of Hospitals

10:00 AM -- City Council Convenes

Approval of Minutes

1. Approve the Minutes of the Austin City Council July 23, 2009 Regular meeting.

Austin Energy

2. Approve the issuance of a Letter of Intent for a rebate to Criterion Onion Creek Apts., L.L.C. for the installation of a solar photovoltaic system at the project located at 8515 S. IH-35, Austin, Texas, 78744, in the amount of \$100,000. Funding is available in the Fiscal Year 2008-2009 Operating Budget of Austin Energy Conservation Rebates and Incentives Fund. Recommended by the Resource Management Commission.
3. Approve the issuance of a rebate to CH Realty IV/Pecan Park L.P. for the installation of energy efficient equipment including high efficiency transformers, self-contained A/C units, cooling towers and variable frequency drives, in an amount not to exceed \$117,166. Funding is available in the Fiscal Year 2008-2009 Operating Budget of Austin Energy Conservation Rebates and Incentives Fund. Recommended by the Resource Management Commission.
4. Approve negotiation and execution of an agreement with The University of Texas at Austin for the granting of a 0.814 acre electric utility easement across the undeveloped portion of its property located on Montopolis Drive in Austin, Texas, in an amount not to exceed \$53,300. Funding is available in the Fiscal Year 2008-2009 Capital Budget of Austin Energy. Recommended by the Electric Utility Commission.

Contract and Land Management

5. Authorize negotiation and execution of a Construction Manager at Risk (CM@R) contract with MWH CONSTRUCTORS, INC., Broomfield, CO, for preconstruction phase services including reimbursable expenses for an amount not-to-exceed \$5,385,000, which equals 1.5% of the Construction Cost Limitation for construction of a new water treatment plant facility (Water Treatment Plant 4). Funding is available in the Fiscal Year 2008-2009 Capital Budget of the Austin Water Utility. Best value of six (6) offers received. This contract will be awarded in compliance with Chapter 2-9A of the City Code (Minority and Women Owned Business Enterprise Procurement Program) by meeting the goals with 21.39% MBE and 5.17% WBE subcontractor participation (Pre-construction and general conditions phase). Recommended by the Water and Wastewater Commission. Related to Item #6.
6. Authorize execution of a construction contract with CENTRAL ROAD AND UTILITY, LTD., (MBE 67.60%), Austin, TX, for Bullick Hollow Roadway Improvements related to Water Treatment Plant 4 (WTP 4) in the amount of \$855,041.37 plus a \$42,752.07 contingency, for a total contract amount not to exceed \$897,793.44. Funding in the amount of \$897,793.44 is available in the Fiscal Year 2008-2009 Capital Budget of the Austin Water Utility. Lowest bid of six (6) 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) by meeting the goals with 10.18% MBE and 5.27% WBE subcontractor participation. Recommended by the Water and Wastewater Commission. Related to Item #5.
7. Authorize execution of a construction contract with YANTIS COMPANY, San Antonio, TX, for Remain Over Night (RON) Apron, Phase 1 in the amount of \$5,939,273.25 plus a \$593,927.33 contingency, for a total contract amount not to exceed \$6,533,200.58. Funding is available in the Fiscal Year 2008-2009 Capital Budget of the Aviation Department. Lowest compliant bid of eight (8) bids received. This contract will be awarded in compliance with the requirements of 49 CFR Part 26 (Disadvantaged Business Enterprise Program) and Chapter 2-9A of the City Code (Minority Owned and Women Owned Business Enterprise Procurement Program) by meeting the goal with 28.87% DBE subcontractor participation. Recommended by the Austin Airport Advisory Commission.
8. Authorize negotiation and execution of a professional services agreement with FACILITY ENGINEERING ASSOCIATES, P.C., Dallas, TX, for Leadership in Energy and Environmental Design in Existing Buildings (LEED EB) consulting services for the Austin Convention Center in an amount not to exceed \$900,000. Funding is available in the Fiscal Year 2008-2009 Operating Budget of the Austin Convention Center. Best qualification statement of fourteen (14) 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 subcontractor participation.
9. Authorize negotiation and execution of an Interlocal Agreement with the Texas Department of Public Safety (Texas DPS) for the improvement and leasing of an existing Texas DPS building to house the Austin Regional Intelligence Center, in an amount not to exceed \$200,000, including an annual lease with ten one-year automatic extensions. Funding is available in the Management Services, Office of Emergency Management Urban Area Security Initiative Grant Fund. Recommended by the Urban Area Working Group.

Economic Growth & Redevelopment Services

10. Authorize execution of an Interlocal Agreement by and between the City of Austin, Tax Increment Financing Reinvestment Zone Number Sixteen, and the Mueller Local Government Corporation regarding tax increment financing of the Mueller Redevelopment Project.
11. Approve an ordinance adopting the final project plan and financing plan for the Mueller

Fleet Services

12. Authorize an Interlocal Agreement with Travis County to allow the County to reimburse the City in an amount not to exceed \$28,605, to purchase three hybrid vehicles, as part of the Texas Commission on Environmental Quality – Travis County Local Initiatives Project Fund Funding in the amount of \$28,605 is available in the Fiscal Year 2008-2009 Fleet Vehicle Acquisition Fund.

Health and Human Services

13. Approve an ordinance accepting \$50,000 in grant funds from the TEXAS DEPARTMENT OF STATE HEALTH SERVICES, CARDIOVASCULAR HEALTH AND WELLNESS PROGRAM and amending the Fiscal Year 2008-2009 Health and Human Services Operating Budget Special Revenue Fund of Ordinance No. 20080908-002 to appropriate \$50,000 for the Heart Disease and Stroke Prevention in Employees Through Value-Based Benefit Design Demonstration Project. Funding is available from the Texas Department of State Health Services, Cardiovascular Health and Wellness Program. The grant period is June 30, 2009 through June 29, 2010.

Municipal Court

14. Approve an ordinance amending Chapter 12-5 of the City Code relating to civil fines, costs and fees for parking violations and declaring an emergency.

Parks and Recreation

15. Authorize the City Manager to negotiate and execute a Multiple Use Agreement between the City of Austin and the Texas Department of Transportation (TxDoT) to allow construction of the Northern Walnut Creek hike and bike trail in the MoPac/Loop 1 right-of-way. There is no unanticipated fiscal impact. A fiscal note is not required.

Public Works

16. Approve an ordinance, negotiation, and execution of an agreement with AUSTIN BC, LP, for cost participation in the construction of street improvements to a portion of 44th Street between Mopac Boulevard (Loop One) and Bull Creek Road in an amount not to exceed \$50,595.50. Funding is available in the Fiscal Year 2008-2009 Operating Budget of the Public Works Department.

Purchasing Office

17. Authorize award and execution of a contract with TEXAS SOLAR POWER CO., INC., Austin, TX, to provide solar photovoltaic system installation services, in an amount not to exceed \$180,535. Funding in the amount of \$31,035 is available in the Fiscal Year 2008-2009 Austin Energy Operating Budget. Additional funding sources include \$87,500 from a grant from the State Energy Conservation Office (SECO) including matching funds, and \$62,000 in matching funds from a U.S. Department of Energy (DOE) grant. Lowest bid of two bids received. This contract will be awarded in compliance with Chapter 2-9C of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation. Recommended by the Electric Utility Commission.
18. Authorize award and execution of a contract with AMERICAN EUROCOPTER, LLC, Grand Prairie, TX for the purchase of a main rotor hub for an EC120 helicopter for the Austin Police Department in an amount not to exceed \$56,439. Funding is available in the Fiscal Year 2008-2009 Operating Budget of the Austin Police Department. 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.

19. Authorize award, negotiation, and execution of a contract through the State of Texas Department of Information Resources (DIR) with EXECUTIVE INFORMATION SYSTEMS, LLC, Bethesda, MD, for a technology assessment for the Communications and Technology Management Division in an amount not to exceed \$69,983. Funding is available in the Fiscal Year 2008-2009 Operating Budget of the Financial and Administrative Services Department, Communications and Technology Management. This contract will be awarded in compliance with Chapter 2-9C of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). This contract is a Cooperative Purchase; therefore, it is exempted under Chapter 791 of the Texas Local Government Code and no goals were established for this contract. However, the contractor intends to subcontract, after review by DSMBR, the contractor has provided good faith effort.
20. Authorize award, negotiation, and execution of a 36-month contract through the State of Texas Department of Information Resources (DIR) with DYNAMIC IMAGING SYSTEMS, INC., Marlton, NJ, for PictureLink mug-shot software, hardware, conversion, interface programming, implementation, and maintenance in an amount not to exceed \$64,326.60. Funding is available from the Special Revenue Fund, Department of Treasury Police Forfeiture Fund. 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.
21. Authorize award and execution of a 36-month requirements service and supply contract with CAMPBELL-PARNELL, INC., Phoenix, AZ to provide installation services and parts for Timed Sequential Injection (TSi) Liquefied Petroleum Gas (LPG) systems in an estimated amount not to exceed \$839,300, with three 12-month extension options in amounts not to exceed \$273,997 for the first extension option, \$311,065 for the second extension option, and \$353,492 for the third extension option, for a total estimated contract amount not to exceed \$1,777,854. Funding in the amount of \$64,073 is available in the Fiscal Year 2008-2009 Operating Budget of the Financial and Administrative Services Department, Fleet Fund. Funding for the remaining 34 months of the original contract period and extension options is contingent upon available funding in future budgets. 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.
22. Authorize award and execution of a 36-month requirements service contract with CAPITOL HYDRAULICS, Austin, TX to provide hydraulic repair services and parts in an estimated amount not to exceed \$1,092,000, with three 12-month extension options in estimated amounts not to exceed \$518,400 for the first extension option, \$622,080 for the second extension option, and \$746,496 for the third extension option, for a total estimated contract amount not to exceed \$2,978,976. Funding in the amount of \$50,000 is available in the Fiscal Year 2008-2009 Operating Budget of the Financial and Administrative Services Department, Fleet Fund. Funding for the remaining 34 months of the original contract period and extension options is contingent upon available funding in future budgets. Best-value 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.
23. Authorize award and execution of an Interlocal Agreement with the Texas Department of State Health Services for anti-viral medication for the Health and Human Services Department in an estimated amount not to exceed \$11,693. Funding is available in the approved Fiscal Year 2008-2009 Operating Budget of the Health and Human Services

Department (HHSD) Special Revenue Fund, Public Health and Emergency Preparedness grant. The grant period is August 1, 2009 through July 31, 2010.

24. Authorize award and execution of a contract with ENVIROMEDIA SOCIAL MARKETING, Austin, TX for media services associated with tobacco prevention and control campaign in an estimated amount not to exceed \$109,129, with two 12-month extension options in an estimated amount not to exceed \$150,000 per extension option, for a total estimated contract amount not to exceed \$409,129. Funding in the amount of \$109,129 is available in the Fiscal Year 2008-2009 Health & Human Services Department Tobacco Prevention and Control grant. Funding for the remaining extension options is contingent upon available funding in future budgets. Professional Services. This contract will be awarded in compliance with Chapter 2-9B 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 requirements supply contract with AUSTIN SCREEN PRINTING, Austin, TX for t-shirts, caps, jackets, and other apparel, in an estimated amount not to exceed \$609,000, with three 12-month extension options in an estimated amount not to exceed \$203,000 per extension option, for a total estimated contract amount not to exceed \$1,218,000. Funding in the amount of \$33,834 is available in the Fiscal Year 2008-2009 Operating Budget of the Parks and Recreation Department. Funding for the remaining 34 months of the original contract period and extension options is contingent upon available funding in future budgets. Lowest bid of three bids received. This contract will be awarded in compliance with Chapter 2-9D of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation.
26. Authorize award and execution of a 36-month requirements supply contract with AARON CONCRETE CONTRACTORS LP, (MBE/MH) Austin, TX for Type I hydraulic cement in an estimated amount not to exceed \$287,100, with three 12-month extension options in an estimated amount not to exceed \$95,700 per extension option, for a total estimated contract amount not to exceed \$574,200. Funding in the amount of \$15,950 is available in the Fiscal Year 2008-2009 Operating Budget of the Public Works Department. Funding for the remaining 34 months of the original contract period and extension options is contingent upon available funding in future budgets. Sole bid received. This contract will be awarded in compliance with Chapter 2-9D of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation.
27. Authorize award and execution of a 36-month requirements service contract with VEOLIA ES TECHNICAL SOLUTIONS, LLC, Baytown, TX to package, transport, and dispose of household hazardous waste collected at the Household Hazardous Waste Collection Facility in an estimated amount not to exceed \$911,337, with three 12-month extension options in an estimated amount not to exceed \$303,779 per extension option, for a total estimated contract amount not to exceed \$1,822,674. Funding in the amount of \$50,630 is available in the Fiscal Year 2008-2009 Operating Budget of the Solid Waste Services Department. Funding for the remaining 34 months of the original contract period and extension options is contingent upon available funding in future budgets. Lowest bid of six bids received. This contract will be awarded in compliance with Chapter 2-9C of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation. Recommended by Solid Waste Advisory Commission.

Transportation

28. Approve an ordinance amending Section 12-4-64(D) of the City Code to add a portion of Indina Hills Drive and Lisi Anne Drive to a table of speed limits as having a maximum speed limit of 20 miles per hour at certain times for students attending Patsy Sommer

Elementary School. Funding in the amount of \$880 for the installation of signs is available in the Fiscal Year 2008-2009 Child Safety Fund of the Department of Public Works.

29. Authorize negotiation and execution of an Advance Funding Agreement with the Texas Department of Transportation to activate an American Recovery and Reinvestment Act (ARRA) project for the construction of traffic signals at various locations throughout the City of Austin; and approve an ordinance authorizing acceptance of grant funds and amending the Fiscal Year 2008-2009 Public Works Department Operating Budget of Ordinance No. 20080908-002 and Capital Budget of Ordinance No. 20080908-003 to transfer and appropriate grant funds. The total grant amount of \$2,400,000 will be provided by the Texas Department of Transportation. Funding is available in the Fiscal Year 2008-2009 Capital Budget of the Public Works Department to cover the \$33,000 administrative costs as required by the Texas Department of Transportation.

Item(s) from Council

30. Approve appointments and certain related waivers to citizen boards and commissions, to Council subcommittees and other intergovernmental bodies and removal and replacement of members.
31. Approve a resolution amending Resolution No. 20090723-096 related to appointments to Council committees, boards and other intergovernmental bodies. (Mayor Lee Leffingwell and Council Member Laura Morrison)
32. Approve an ordinance amending City Code Section 2-3-9 Relating to the Council Audit and Finance Committee and Section 2-10-5 relating to the Judicial Committee. (Mayor Lee Leffingwell and Mayor Pro Tem Mike Martinez)
33. Approve an ordinance authorizing the incorporation of the Pecan Street Project. (Council Member Randi Shade, Mayor Lee Leffingwell and Council Member Laura Morrison)
34. Approve a resolution directing the city manager to allocate city resources, including staff, to centralize city programs and activities related to supporting Austin music. (Mayor Pro Tem Mike Martinez, Council Member Laura Morrison and Council Member Randi Shade)
35. Approve a resolution directing the City Manager to evaluate measures to use landscaped parking lot medians for water conservation and water quality treatment and report to the Environmental Board and Council in 90 days. (Mayor Pro Tem Mike Martinez, Mayor Lee Leffingwell and Council Member Chris Riley)
36. Approve a resolution directing the Citizen's Water Conservation Implementation Task Force to consider additional water conservation measures and present recommendations to City Council by January 1, 2010. (Council Member Chris Riley, Mayor Lee Leffingwell and Council Member Laura Morrison)
37. Approve a resolution directing the city manager to review and amend contracting policies, economic development programs, and review personnel policies related to non-discrimination for lesbian, gay, bisexual or transgender individuals. (Council Member Laura Morrison and Council Member William Spelman)

Item(s) to Set Public Hearing(s)

38. Set a Public Hearing to receive public comment on the City of Austin Fiscal Year 2009-2010 Proposed Budget. (Suggested date and time: August 27, 2009, 6:00 p.m. at Austin City Hall, 301 W. Second Street, Austin, TX).
39. Set a Public Hearing to receive public comment on the City of Austin Fiscal Year 2009-

2010 Proposed Budget. (Suggested date and time: August 20, 2009, 6:00 p.m. at Austin City Hall, 301 W. Second Street, Austin, TX).

40. Set a Public Hearing to consider an ordinance regarding a proposal from Atmos Energy Corporation to increase customer gas rates. (Suggested date and time: August 20, 2009, 6:00 p.m. at Austin City Hall, 301 W. Second Street, Austin, TX).
41. Set a Public Hearing to receive public comment on an amendment to the Electric Rate Schedule in Exhibit A of Ordinance No. 20080908-006 amending the Batch-6 Green Power Charge to the GreenChoice® Energy Rider. (Suggested date and time: August 20, 2009, 6:00 p.m. at Austin City Hall, 301 W. Second Street, Austin, TX).
42. Set a Public Hearing to receive public comment on the addition of a Transmission Service Adjustment Rider to the Electric Rate Schedule of Austin Energy as part of the Fiscal Year 2009–2010 Proposed Budget. (Suggested date and time: August 20, 2009, 6:00 PM at Austin City Hall, 301 W. Second Street, Austin, TX).
43. Set a Public Hearing to receive public comment on the proposed rate and fee changes for the Austin Water Utility as part of the Fiscal Year 2009-2010 Proposed Budget. (Suggested date and time: August 27, 2009, 6:00 pm at Austin City Hall, 301 W. Second Street, Austin, TX).

12:00 PM -- Citizen Communications: General

Pat Smith – Open Maufrais Lane for the safety and public health of the children attending our Dove Spring child care located by the unnecessarily barricaded Maufrais Lane/Button Bend intersection

Gus Peña – To discuss the City budget and its implications on US residents 2. Please continue to support and appreciate our military veterans and their service to our country 3. Please advocate and support true affordable housing initiatives 4. Please continue to improve social services and social fabric initiatives

Linda Greene – Fluoride in our water: How to save more than a million a year!

Paul Norris - Energy Conservation Audit and Disclosure (ECAD) ordinance limitations

Rae Nadler-Olenick – Water fluoridation

Debbie Russell – Eco. Change, exchange

Wanda Thompson – Budget-Fire control

CarolAnneRose Kennedy – Bye Bye Uncle Sam. All you have to do is change your W-4 form in 2010 January 10th and put the saving under the mattress until January 10 and December 20th 2010

Louis Kokernak - Billboards

Ronnie Gjemre – Peace and Freedom

Executive Session

44. Discuss legal issues related to council's authority to establish council's meeting procedures. (Private Consultation with Attorney - Section 551.071).

45. Discuss legal issues related to requirements to adopt budget and set tax rate. (Private Consultation with Attorney - Section 551.071).

2:00 PM -- Briefings

46. Presentation by ETC Institute on the results of the 2009 City of Austin Citizen Survey
47. Presentation by Wallace, Roberts, & Todd, LLC regarding the Comprehensive Plan Advisory Committee

3:00 PM -- Austin Housing Finance Corporation Board of Directors Meeting

The Mayor will recess the City Council meeting to conduct a Board of Directors' Meeting of the Austin Housing Finance Corporation. Following adjournment of the AHFC Board meeting the City Council will re-convene (The AHFC agenda is temporarily located at <http://www.ci.austin.tx.us/agenda/council.htm>).

3:00 PM -- Tax Increment Financing Board

The Mayor will recess the City Council meeting to conduct a Board of Director's meeting of the Tax Increment Financing (TIF) Board #16. Following adjournment of the TIF Board meeting the City Council will re-convene. (The TIF agenda is temporarily located at <http://www.ci.austin.tx.us/agenda/council.htm>).

3:00 PM -- Mueller Local Government Corporation

The Mayor will recess the City Council meeting to conduct a Board of Directors' meeting of the Mueller Local Government Corporation. Following adjournment of the MLGC Board meeting the City Council will re-convene (The MLGC agenda is temporarily located at <http://www.ci.austin.tx.us/agenda/council.htm>).

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

48. C14H-2008-0037 - Texaco Depot - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 1300-1302 East 4th Street (Town Lake Watershed) from transit-oriented development-neighborhood plan (TOD-NP) combining district zoning to transit-oriented development-historic landmark-neighborhood plan (TOD-H-NP) combining district zoning. First reading approved on April 30, 2009. Vote: 7-0. Applicant and Agent: Lorelei Brown. City Staff: Steve Sadowsky, 974-6454.

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

- 49 PH. C14-2008-0155 - Home-Dental Office for John C. Besperka, D.D.S. - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 13985 FM 12769 Road (Lake Travis Watershed) from

development reserve (DR) district zoning to limited office-mixed use-conditional overlay (LO-MU-CO) combining district zoning. Staff Recommendation: To grant limited office-mixed use-conditional overlay (LO-MU-CO) combining district zoning. Zoning and Platting Commission Recommendation: To grant limited office-mixed use-conditional overlay (LO-MU-CO) combining district zoning. Applicant and Agent: John C. Besperka. City Staff: Sherri Sirwaitis, 974-3057.

- 50 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.
- 51 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.
- 52 PH. C14-85-339(RCA) - East Yager Lane Restrictive Covenant Amendment - Conduct a public hearing to approve a restrictive covenant amendment for the property located at 400-900 Block of East Yager Lane (Walnut Creek Watershed). Staff Recommendation: To approve amendment of the restrictive covenant. Zoning and Platting Commission Recommendation: To approve amendment of the restrictive covenant. Applicant: Armbrust & Brown, L.L.P. (Amanda Morrow). Agent: Allen Samuels Realty (Jeff Wooley); Solo Star Realty, Inc. (John McCormack); Burton Landing L.L.C. (Robert S. Peed Jr.); and Austin Korean Presbyterian Church. City Staff: Joi Harden, 974-2122.
- 53 PH. C14-2008-0193 - 500 Block of VFW and Yager Lane Rezoning - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as the 500 Block of VFW Road (Walnut Creek Watershed) from multi-family residence-low density (MF-2) district zoning; limited office (LO) district zoning and neighborhood commercial (LR) district zoning to townhouse and condominium residence (SF-6) district zoning. Staff Recommendation: To grant townhouse and condominium residence (SF-6) district zoning. Zoning and Platting Commission Recommendation: To grant townhouse and condominium residence-conditional overlay (SF-6-CO) combining district zoning. Applicant: Armbrust & Brown, L.L.P. (Amanda Morrow). Agent: Solo Star Realty, Inc. (John McCormack and John Gilbert.) City Staff: Joi Harden, 974-2122.
- 54 PH. NPA-2009-0002.01 - East César Chávez Neighborhood Planning Area Vertical Mixed Use Neighborhood Plan Amendment - Conduct a public hearing and approve an ordinance amending Ordinance No. 001214-20, the East César Chávez Neighborhood Plan, an element of the Austin Tomorrow Comprehensive Plan, to change the land use designation on the Future Land Use Map (FLUM) from open space to mixed use on selected tracts within the East César Chávez Neighborhood Planning Area, bounded by the alley between East 6th Street and East Seventh Street to the north, Chicon Street to the east, Lady Bird Lake to the south and IH 35 to the west (Town Lake, Waller Creek Watersheds). Staff Recommendation: To approve mixed use on selected tracts. Planning Commission Recommendation: To approve mixed use on selected tracts. Applicant and Agent: Neighborhood Planning and Zoning Department. City Staff: Jacob Browning, 974-7657.

- 55 PH. C14-2009-0036 - East César Chávez 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 East César Chávez Neighborhood Planning Area, bounded by the alley between East 6th Street and East 7th Street to the north; Chicon Street to the east; Lady Bird Lake to the south; and IH 35 to the west (Town Lake; Waller Creek Watersheds). Regulations governing Vertical Mixed Use Building dimensional standards; allowable uses for a Vertical Mixed Use Building in office base district zoning; relaxed parking standards for commercial uses in a Vertical Mixed Use Building; and affordability requirements for Vertical Mixed Use Building developments will be considered for adoption. The Austin City Council may consider adopting all or some of these regulations, or amending the Vertical Mixed Use (VMU) overlay district to exclude properties from the overlay district. Planning Commission Recommendation: To grant vertical mixed use (VMU) zoning with dimensional standards and additional uses in office districts. Applicant and Agent: Neighborhood Planning and Zoning Department. City Staff: Jacob Browning, 974-7657.
- 56 PH. C814-01-0114.01 - Comanche Canyon Ranch, ETJ Planned Unit Development Amendment #1 - Conduct a public hearing and approve an ordinance amending Ordinance No. 040129-43 and the Comanche Canyon Ranch ETJ Planned Unit Development Agreement to allow areas 3 and 4 identified in the Agreement and in the area locally known as 12309 Bullick Hollow Road and 6708 North FM 620 Road (Lake Travis Watershed), to be developed as a major utility facility (Water Treatment Plant 4) and to specify that development will adhere to the provisions of the City's Land Development Code and Ordinance No. 20080515-035. Staff Recommendation: To grant the first amendment to Comanche Canyon Ranch ETJ Planned Unit Development. Environmental Board Recommendation: To grant the first amendment to Comanche Canyon Ranch ETJ Planned Unit Development. Zoning and Platting Commission Recommendation: To grant an amendment to the Comanche Canyon Ranch ETJ Planned Unit Development. Applicant: Austin Water Utility (William P. Stauber). Agent: City of Austin, Public Works Department (Robert Hengst). City Staff: Wendy Rhoades, 974-7719.
- 57 PH. C14-2009-0049 - Sigma Alpha Mu - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 2501 Leon Street (Shoal Creek Watershed) from multi-family residence-moderate high density-neighborhood plan (MF-4-NP) combining district zoning to multi-family residence-moderate high density-conditional overlay-neighborhood plan (MF-4-CO-NP) combining district zoning. Staff Recommendation: To grant multi-family residence-moderate high density-conditional overlay-neighborhood plan (MF-4-CO-NP) combining district zoning. Planning Commission Recommendation: To grant multi-family residence-moderate high density-conditional overlay-neighborhood plan (MF-4-CO-NP) combining district zoning. Applicant: Alumni Association of Sigma Theta Chapter of Sigma Alpha Mu, Inc. (Michael L. Kottwitz). Agent: Greenblum & Associates (Bradley Greenblum). City Staff: Clark Patterson, 974-7691.
- 58 PH. C14-2009-0058 - Randolph Rezoning - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 1901 Big Horn Drive (Shoal Creek Watershed) from Lake Austin residence (LA) district zoning to single-family residence-standard lot (SF-2) district zoning. Staff Recommendation: To grant single-family residence-standard lot (SF-2) district zoning. Planning Commission Recommendation: To grant single-family residence-standard lot (SF-2) district zoning. Applicant: TAG 04 Investments, L.P. (Gary Randolph). Agent: Land Answers (Jim Witliff). City Staff: Clark Patterson, 974-7691.
- 59 PH. C14-2009-0059 - Texas Association of Nurse Anesthetists - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 888 Banister Lane (West Bouldin Creek Watershed) from family residence (SF-3) district zoning to limited office-mixed use-conditional overlay (LO-MU-CO) combining district zoning. Staff Recommendation: To grant limited office-mixed use-conditional overlay (LO-MU-CO) combining district zoning. Planning

Commission Recommendation: To grant limited office-mixed use-conditional overlay (LO-MU-CO) combining district zoning. Applicant: Texas Association of Nurse Anesthetists (Janet H. Morrow). Agent: Jackson Walker, LLP (Katherine Loayza). City Staff: Stephen Rye, 974-7604.

- 60 PH. C14-2009-0061 - Smart Facility - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by zoning property locally known as 3404 South FM 973 Road (Colorado River Watershed) from interim-rural residence (I-RR) district zoning to public (P) district zoning. Staff Recommendation: To grant public (P) district zoning. Zoning and Platting Commission Recommendation: To grant public (P) district zoning with conditions. Applicant: Travis County Facilities Management Department (Roger Elkhoury). Agent: Travis County (Gabriel Stock). City Staff: Wendy Rhoades, 974-7719.
- 61 PH. C14-2009-0063 - Patton Avenue - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 822 and 824 Patton Avenue (Carson Creek Watershed) from multi-family residence-low density (MF-2) district zoning and multi-family residence-medium density (MF-3) district zoning to commercial-liquor sales (CS-1) district zoning. Staff Recommendation: To grant community commercial-conditional overlay (GR-CO) combining district zoning. Zoning and Platting Commission Recommendation: To grant commercial-liquor sales-conditional overlay (CS-1-CO) combining district zoning. Applicant and Agent: James P. and Paula Sullivan. City Staff: Wendy Rhoades, 974-7719.
- 62 PH. C14H-2009-0006 - Walter E. and Janet Long House - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 1 Green Lanes (Shoal Creek Watershed) from family residence (SF-3) district zoning to family residence-historic landmark (SF-3-H) combining district zoning. Staff recommendation: To grant family residence-historic landmark (SF-3-H) combining district zoning. Historic Landmark Commission Recommendation: To grant family residence-historic landmark (SF-3-H) combining district zoning. Planning Commission Recommendation: Forwarded to Council without a recommendation. Applicant: Historic Landmark Commission. City Staff: Steve Sadowsky, 974-6454.
- 63 PH. C14H-2009-0011 - St. David's Rectory - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 1603 Pearl Street (Shoal Creek Watershed) from family residence (SF-3) district zoning to family residence-historic landmark (SF-3-H) combining district zoning. Staff Recommendation: To grant family residence-historic landmark (SF-3-H) combining district zoning. Historic Landmark Commission Recommendation: To grant family residence-historic landmark (SF-3-H) combining district zoning. Planning Commission Recommendation: To grant family residence-historic landmark (SF-3-H) combining district zoning. Applicant: Valerie Wickland. City Staff: Steve Sadowsky, 974-6454.
- 64 PH. C14H-2009-0013 - Kappa Kappa Gamma House - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 2001 University Avenue (Waller Creek Watershed) from multi-family residence-moderate high density-neighborhood plan (MF-4-NP) combining district zoning to multi-family residence-moderate high density-historic landmark-neighborhood plan (MF-4-H-NP) combining district zoning. Staff Recommendation: To grant multi-family residence-moderate high density-historic landmark-neighborhood plan (MF-4-H-NP) combining district zoning. Historic Landmark Commission Recommendation: To grant multi-family residence-moderate high density-historic landmark-neighborhood plan (MF-4-H-NP) combining district zoning. Planning Commission Recommendation: To grant multi-family residence-moderate high density-historic landmark-neighborhood plan (MF-4-H-NP) combining district zoning. Applicant and Agent: Kappa Kappa Gamma House Association. City Staff: Steve Sadowsky, 974-6454.
- 65 PH. C14H-2009-0017 - Murray-Hatfield House - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 408 W. 32nd Street (Waller Creek Watershed) from family residence-

neighborhood conservation combining district-neighborhood plan (SF-3-NCCD-NP) combining district zoning to family residence-historic landmark-neighborhood conservation combining district-neighborhood plan (SF-3-H-NCCD-NP) combining district zoning. Staff Recommendation: To grant family residence-historic landmark-neighborhood conservation combining district-neighborhood plan (SF-3-H-NCCD-NP) combining district zoning. Historic Landmark Commission Recommendation: To grant family residence-historic landmark-neighborhood conservation combining district-neighborhood plan (SF-3-H-NCCD-NP) combining district zoning. Planning Commission Recommendation: To be reviewed on August 25, 2009. Applicant: Historic Landmark Commission. City Staff: Steve Sadowsky, 974-6454.

- 66 PH. C14H-2009-0019 - Mount Calvary Missionary Baptist Church - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 2111 S.L. Davis Avenue (Boggy Creek Watershed) from family residence-neighborhood plan (SF-3-NP) combining district zoning to family residence-historic landmark-neighborhood plan (SF-3-H-NP) combining district zoning. Staff Recommendation: To grant family residence-historic landmark-neighborhood plan (SF-3-H-NP) combining district zoning. Historic Landmark Commission Recommendation: To grant family residence-historic landmark-neighborhood plan (SF-3-H-NP) combining district zoning. Planning Commission Recommendation: To grant family residence-historic landmark-neighborhood plan (SF-3-H-NP) combining district zoning. Applicant: Mount Calvary Missionary Baptist Church. City Staff: Steve Sadowsky, 974-6454.

5:30 PM -- Live Music

Fire Ants

5:30 PM -- Proclamations

Presentation to APD -- Patriot Award -- to be accepted by Police Chief Art Acevedo

Proclamation -- Vision is for Learning Month -- to be presented by Mayor Lee Leffingwell and to be accepted by Mark Wilson


Certificate of Appreciation -- AMLI -- to be presented by Mayor Lee Leffingwell and to be accepted by an AMLI representative


Proclamation -- Mission Funeral Home 50th Anniversary -- to be presented by Mayor Pro Tem Mike Martinez and to be accepted by Carlos Villasenor

6:00 PM -- Public Hearings and Possible Actions

- 67 PH. Conduct a Public Hearing to receive public comment on the Fiscal Year 2009-2010 Proposed Budget.
- 68 PH. Conduct a public hearing and consider an ordinance amending City Code Chapter 11-1, Chapter 25-1, Chapter 25-2, and Chapter 25-11 relating to historic landmark tax exemptions, zoning, and enforcement. Recommended by Zoning and Platting Commission and Planning Commission.
- 69 PH. Conduct a public hearing and consider a request by David Allison, owner of the property located at 12223 RR 620 N, Suite 105, for a waiver from the distance requirement of City Code Section 4-9-4(A) which requires a minimum of 300 feet between a business that sells alcoholic beverages and a church.

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