

# AGENDA



**Thursday, September 24, 2009**

The Austin City Council will convene at 10:00 AM on  
Thursday, September 24, 2009 at Austin City Hall  
301 W. Second Street, Austin, TX



AUSTIN CITY CLERK  
POSTING: DATE/TIME  
2009 SEP 18 PM 5 33

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**

Rabbi Moshe Trepp, Outreach Austin

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

#### **Approval of Minutes**

1. Approve the Minutes of the Austin City Council special called meeting of August 26, 2009, regular meeting of August 27, 2009 and budget meeting of September 14, 2009.

#### **Austin Energy**

2. Authorize negotiation and execution of a 36-month funding agreement between the City of Austin and the CLEAN AIR Force of Central Texas to provide funding and extend the City's involvement in clean air programs, in the amount of \$90,000 for 12 months with two 12-month renewal options, for a total agreement amount not to exceed \$270,000. Funding is available in the Fiscal Year 2008-2009 Operating Budget of Austin Energy. Funding for the remaining months of the contract period is contingent upon available funding in future budgets. Recommended by the Electric Utility Commission and Resource Management Commission.
3. Approve issuance of a rebate to HELIOVOLT for the installation of energy efficient equipment including new high efficiency cooling towers, chillers, variable frequency drives (VFDs) and lighting and light controls, in an amount not to exceed \$62,125. Funding is available in the Fiscal Year 2008-2009 Operating Budget of Austin Energy, Conservation Rebates and Incentives Fund. Recommended by the Environmental Board and Resource Management Commission.
4. Approve the issuance of a Letter of Intent for a rebate to PIONEER ROOFING for the installation of a solar photovoltaic system at 2319 Patterson Industrial, Austin, Texas, 78660, 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.

5. Approve the issuance of a Letter of Intent for a rebate to the TEXAS NATIONAL GUARD ARMORY - BEE CAVES for the installation of a solar photovoltaic system at 408 St. Stephens School Road, Austin, Texas, 78746, 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.
6. Approve the issuance of a Letter of Intent for a rebate to TRINITY EPISCOPAL SCHOOL for the installation of a solar photovoltaic system at 3901 Bee Caves Road in Austin, Texas, 78746, 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.

#### **Austin Water Utility**

7. Approve a resolution to repeal Resolution No. 20050428-011, and adopt the City of Austin Utility Profile & Water Conservation Plan. This plan is a requirement of the Texas Commission on Environmental Quality (TCEQ). There is no unanticipated fiscal impact. Recommended by Citizen's Water Conservation Implementation Task Force, Resource Management Commission, and Water & Wastewater Commission.
8. Approve a resolution authorizing extension of the fee schedule for participation under the Balcones Canyonlands Conservation Plan – Shared Vision through September 30, 2010. This action does not require budget allocation or funding. Recommended by the Water and Wastewater Commission.
9. Approve issuance of a rebate in the amount of \$54,870 to ReGreen, Inc. for the installation of 295 water efficient toilets at the Sienna Ridge Apartments at 1817 E Oltorf St., Austin TX 78741. Funding in the amount of \$54,870 is available in the Fiscal Year 2008-2009 Operating Budget of Austin Water Utility. Recommended by the Citizens Water Conservation Implementation Task Force, Water and Wastewater Commission, and Resource Management Commission.

#### **Budget**

10. Approve a resolution declaring the City of Austin's official intent to reimburse itself from Certificates of Obligation in the amount of \$3,850,000 related to the purchase of real estate and warehouse space and associated facility repairs and improvements to the warehouse. \$3,850,000 in Certificates of Obligations to be issued in August 2010 or later. Related to Items #18, 58, & 77.
11. Approve a resolution declaring the City's official intent to reimburse itself from Certificates of Obligation in the amount of \$1,350,000 related to the purchase of real estate and associated facility repairs and improvements. \$1,350,000 in Certificates of Obligations to be issued in August 2010 or later. Related to Items #19, 59, & 82.

#### **Communications and Technology Management**

12. Approve ratification of an Interlocal Agreement and six amendments with Travis County for security and loss prevention services provided to the Combined Transportation, Emergency & Communications Center in Fiscal Years 2003-2008 in an amount not to exceed \$4,515,318, of which the City's share is \$1,128,829.50; and authorize the negotiation and execution of Amendment No. 7 to purchase these same services for Fiscal Year 2009-2010 in an amount not to exceed \$880,000, of which the City's share is \$220,000, for a total agreement amount not to exceed \$5,395,318. Funding in the amount of \$880,000 is available in the Fiscal Year 2009-2010 Operating Budget of the Financial and Administrative Services Department, Communications and Technology Management. The City Of Austin's share is \$220,000. The remaining \$660,000 will be reimbursed by the CTECC partners.

## **Community Court**

13. Authorize execution of Contract Amendment No. 5 to the Interlocal Cooperation Agreement with Austin/Travis County Mental Health and Mental Retardation Center to extend the contract for an additional 12-month period to provide treatment services for certain Class B enhanced public intoxication offenders known as Project Recovery for a total contract amount not to exceed \$358,580 for the Fiscal Year 2009-2010. Funding is available in the Fiscal Year 2009-2010 Operating Budget for this program for Community Court.

## **Contract and Land Management**

14. Approve an ordinance authorizing the fee simple acquisition of two lots described as 0.248 of an acre of land, more or less and 0.29 of an acre of land, more or less out of the Santiago Del Valle Grant, Abstract No. 24 in Travis County Texas, and locally known as 7901 Posten Lane and 7905 Posten Lane for the CARSON CREEK WATERSHED-INTEGRATED PROJECT IMPLEMENTATION HOEKE LN. BUYOUTS, and waiving certain requirements of Chapter 14-3 of the City Code to allow payment of relocation benefits in accordance with federal regulations, in the amount of \$274,000. Funding is available in the Fiscal Year 2008-2009 Capital Budget of the Watershed Protection Department.
15. Approve an ordinance authorizing the fee simple acquisition of Lot 2, Block 2, of Bergstrom Downs No. 1, locally known as 821 Patton Ave, from BILLINGSLEY CO., INC. and THEODOROS POLAKIS, for the Airport Noise Mitigation Program, in the amount of \$112,000 for the land and improvements and waiving certain requirements of Chapter 14-3 of the City Code to allow payment of relocation benefits in accordance with federal regulations in the amount of \$22,900, plus closing costs and moving related expenses in the amount of \$10,000, for an amount not to exceed \$144,900. Funding is available in the Fiscal Year 2008-2009 Capital Budget of the Department of Aviation.
16. Authorize the acquisition for the Austin Water Utility: Water Reclaim Initiative - Central Phase 3A - Red River to UT Reclaim Transmission Main of various permanent water line easements and temporary construction easements out of the remaining portion of Lot 1, Block L, Ridgetop Addition, Travis County, Texas, located at 1000, 1006 & 1008 East 50th Street & N of IH-35, Austin, Travis, from TERRELL TIMMERMANN and GERALDINE TIMMERMANN, in the amount not to exceed \$250,000. Funding is available in the Fiscal Year 2008-2009 Capital Improvement Project Budget of the Austin Water Utility.
17. Authorize the fee simple acquisition of Lot 7, Block 1, and Lots 4 and 7, Block 2, Bergstrom Downs No. 1, and Lots B and C, Resubdivision of Lot 1, Block 1, Bergstrom Downs No. 1, locally known as 810, 811, 817, 822, and 824 Patton Avenue from JAMES P. SULLIVAN and PAULA M. SULLIVAN, for the Airport Noise Mitigation Program in the amount of \$537,400 for land and improvements, plus closing costs and moving related expenses in the amount of \$22,500, for an amount not to exceed \$559,900. Funding is available in the Fiscal Year 2009-2010 Capital Budget of the Department of Aviation.
18. Authorize the City Manager to negotiate and execute a contract to purchase in fee simple acquisition of real estate and warehouse space, described as 2.358 acres of land out of the J.C. Tannehill League in Travis County, Texas now known as Lot 2, Block A, Springdale Center, a subdivision in Travis County, Texas, from E. R. HOLDINGS, LLC, a Texas Limited Liability Company. Funding is available in the Fiscal Year 2008-2009 of the Capital Budget of the Austin Police Department. Related to Items #10, 58, & 77.
19. Authorize the City Manager to negotiate and execute a contract to purchase in fee simple portions of Lots 1, 2, 3, 4, 13 and 14, Block 1 of Crest Haven Addition, a subdivision in Travis County, Texas, according to the map or plat of record in Volume 502, Page 425, of the Deed Records of Travis County, Texas, from CONTRACT CARRIERS, INC., a New Mexico Corporation. Funding is available in the Fiscal Year 2008-2009 Capital Budget of the Public Works Department. Related to Item #11, 59, & 82.

20. Authorize the use of the Competitive Sealed Proposal project delivery method in accordance with Local Government Code, Chapter 271, Subchapter H, for the decommissioning of the Holly Street Power Plant. Recommended by the Electric Utility Commission.
21. Authorize the use of the Design-Build method for contracting for construction, rehabilitation, alteration, or repair of a facility in accordance with Local Government Code, Chapter 271, Subchapter H, Section 271.119, for major improvements to three aquatic facilities (Bartholomew, West Enfield, and Deep Eddy) identified in the 2006 Bond Pool Replacement Program.
22. Authorize execution of a construction contract with C.L. CARSON, INC., Austin, TX, for The Austin Convention Center Waller Creek Terrace Room Reconfiguration Project in an amount not to exceed \$258,700. Funding is available in the Fiscal Year 2008-2009 Capital Budget of the Austin Convention Center Department. Lowest bid of four (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) by meeting the goals with 4.46% MBE and 3.61% WBE subcontractor participation.
23. Authorize execution of a construction contract with ASD CONSULTANTS, INC. (MBE/MB 67.93%) Austin, TX, for the Austin Fire Department Locker Room Additions, Phase IV in the amount of \$600,889 plus a \$60,088 contingency, for a total contract amount not to exceed \$660,977. Funding is available in the Fiscal Year 2008-2009 Capital Budget of the Austin Fire Department. Lowest bid of five (5) 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 0.00% MBE and 0.57% WBE subcontractor participation.
24. Authorize execution of a construction contract with PRISM DEVELOPMENT, INC. (MBE/MH 99.32%), Austin, TX, for the Street and Bridge Alleys Project (FY2009) in the amount of \$191,983 plus a \$9,599.15 contingency, for a total contract amount not to exceed \$201,582.15. Funding in the amount of \$118,784.92 is available in the Fiscal Year 2008-2009 Capital Budget of the Public Works Department. Funding in the amount of \$82,797.23 is available in the Fiscal Year 2008-2009 Capital Budget of the Austin Water Utility. Lowest compliant bid of five (5) 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 0.00% MBE and 0.68% WBE subcontractor participation. Recommended by the Water and Wastewater Commission.
25. Authorize execution of Change Order #2 to the construction contract with OSCAR RENDA CONTRACTING, INC., Roanoke, TX, for ACWP – Govalle 1: Newton Street Area Wastewater Improvements in the amount of \$406,300, for a total contract amount not to exceed \$4,786,525.20. Funding is available in the Fiscal Year 2008-2009 Capital Budget of the Austin Water Utility. This contract was awarded in compliance with Chapter 2-9A of the City Code (Minority Owned and Women-Owned Business Enterprise Procurement Program) with 12.84% MBE and 7.08% WBE subcontractor participation to date including this change order. Recommended by the Water and Wastewater Commission.
26. Authorize execution of a construction contract with TEXAS SOLAR POWER COMPANY, Austin, TX, for the Glen Bell Solar Panel Installation Project in the amount of \$585,287.83. Funding is available in the Fiscal Year 2008-2009 Capital Budget of Austin Energy. Lowest bid of five (5) bids received. This contract will be awarded in compliance with Chapter 2-9A of the City Code (Minority Owned and Women Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation. Recommended by the Electric Utility Commission, the Resource Management Commission, and the Water and Wastewater Commission.
27. Authorize execution of a construction contract with RODRIGUEZ BARR, INC. dba THE BARR COMPANY, (WBE/FH, 55.57%), Austin, TX, for the McBeth Recreation Center

Improvements Project in the amount of \$502,800 plus a \$25,140 contingency, for a total contract amount not to exceed \$527,940. Funding is available in the Fiscal Year 2008-2009 Capital Budget of the Parks and Recreation Department. 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) through the achievements of Good Faith Efforts with 4.14% MBE and 3.09% WBE subcontractor participation.

28. Authorize execution of a construction contract with AUSTIN UNDERGROUND, INC., (MBE/MH 91.00%), Lago Vista, TX, for the Oak Lawn Neighborhood Storm Drain Improvements in the amount of \$1,339,868.20 plus a \$66,993.41 contingency, for a total contract amount not to exceed \$1,406,861.61. Funding is available in the Fiscal Year 2008-2009 Capital Budget of the Watershed Protection Department. Lowest bid of eleven (11) 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 1.53% MBE and 7.47% WBE subcontractor participation.
29. Authorize negotiation and execution of Amendment No. 1 to the professional services agreement with ELLERBE BECKET INC., Minneapolis, MN, for consulting services for Austin Energy's relocated Energy Control Center in the amount of \$4,206,767, which includes an increase of the original authorization in the amount of \$1,500,000, for a total contract amount not to exceed \$5,000,000. Funding in the amount of \$1,500,000 is available in the Fiscal Year 2008-2009 Capital Budget of the Austin Energy. This contract will be awarded in compliance with Chapter 2-9B of the City Code (Minority Owned and Women Owned Business Enterprise Procurement Program) with 16.50% MBE and 14.20% WBE subconsultant participation to date. Recommended by the Electric Utility Commission.
30. Authorize negotiation and execution of an amendment to the professional services agreement with WALLACE, ROBERTS, & TODD, LLC, Philadelphia, PA, for professional planning services for the new Comprehensive Plan for the City of Austin in the amount of \$1,190,000, for a total contract amount not to exceed \$1,340,000. Funding in the amount of \$1,190,000 is available in the Fiscal Year 2008-2009 Capital Budget of the Planning and Development Review Department. This contract will be awarded in compliance with Chapter 2-9B of the City Code (Minority Owned and Women Owned Business Enterprise Procurement Program) with 16.80% MBE and 14.20% WBE subconsultant participation to date.

#### **Economic Growth & Redevelopment Services**

31. Authorize the negotiation and execution of a 12-month Interlocal Agreement with the University of Texas at Austin through its Austin Technology Incubator-Bioscience program in an amount not to exceed \$125,000, with two 12-month renewal options in an amount not to exceed \$125,000 per renewal option, for a total contract amount not to exceed \$375,000 for business consulting services to Austin high technology startups. Funding in the amount of \$125,000 in the Fiscal Year 2009-2010 Operating Budget of the Economic Growth and Redevelopment Service Office. Funding for the extension options is contingent upon available funding in future budgets.
32. Authorize the negotiation and execution of a 12-month Interlocal Agreement with the University of Texas at Austin, through its Austin Technology Incubator-Wireless program, in an amount not to exceed \$200,000, with two 12-month extensions options in an amount not to exceed \$200,000 per renewal option, for a total contract amount not to exceed \$600,000 for business consulting services to Austin high technology startups. Funding in the amount of \$600,000 available in the Fiscal Year 2009-2010 Operating Budget of the Economic Growth and Redevelopment Service Office. Funding for the extension options is contingent upon available funding in future budgets.
33. Approve an ordinance authorizing the City Manager to negotiate and execute an amendment to the economic development agreement with NBC Universal Inc. for the

Friday Night Lights television program to extend the agreement for two additional seasons and amend the performance criteria.

34. Approve a resolution implementing a formal cost-benefit analysis into the City's evaluation process for review of future economic incentive agreement proposals and a process timeline for taking action on firm-based economic incentive proposals.
35. Authorize the negotiation and execution of a Second Amendment to the 2nd Street Retail Disposition and Development Agreement with AMLI Austin Retail, L.P. (AMLI), related to the ground floor retail spaces under the Blocks 2 and 4 subleases.

### **Emergency Medical Services**

36. Authorize execution of an Interlocal Cooperation Agreement between the City and Travis County to provide ground emergency medical services in areas of Travis County outside the City's corporate limits and support services to Travis County's STAR Flight program for a 12-month term beginning on October 1, 2008, in exchange for payment of \$11,035,274 by Travis County. Funding from Travis County in the amount of \$11,035,274 is available in the Fiscal Year 2008-2009 Operating Budget of the Emergency Medical Services Department, as amended.

### **Fire**

37. Approve an ordinance establishing classifications and positions in the classified service of the Fire Department, eliminating and creating positions in certain ranks, establishing pay rates, repealing Ordinance No. 20090914-006 relating to Fire Department classifications and positions and declaring an emergency. Funding is available in the Fiscal Year 2009-2010 Operating Budget of the Austin Fire Department.

### **Health and Human Services**

38. Authorize negotiation and execution of a 12-month contract with FRONT STEPS, INC., Austin, TX, for the provision of homeless social services at the Austin Resource Center for the Homeless (ARCH) in an amount not to exceed \$2,193,580 effective October 1, 2009 through September 30, 2010. Funding in the amount of \$1,933,494 is included in the Fiscal Year 2009-2010 Operating Budget of the Health and Human Services Department and funding in the amount of \$260,086 is available in the Fiscal Year 2009-2010 Operating Budget of the Health and Human Services Department Emergency Shelter Grant (ESG) Special Revenue Fund for a total funding amount of \$2,193,580. Recommended by the Health and Human Services Subcommittee.
39. Authorize negotiation and execution of three contracts effective October 1, 2009 to provide employment-related services and assistance from the Texas Department of Housing and Community Affairs, Community Service Block Grant Recovery Act Fund with the following providers: CARITAS OF AUSTIN in an amount not to exceed \$453,872; AUSTIN FAMILIES, INC. (DBA FAMILYCONNECTIONS) in an amount not to exceed \$225,000; and WORKSOURCE -GREATER AUSTIN AREA WORKFORCE BOARD (DBA WORKFORCE SOLUTIONS-CAPITAL AREA WORKFORCE BOARD) in an amount not to exceed \$500,000. Funding in the amount of \$1,178,872 is available in the Fiscal Year 2008-2009 Operating Budget of the Health and Human Services Department Special Revenue Fund, Community Services Block Grant Recovery Act Fund. The contract period is October 1, 2009 through September 30, 2010. The grant period is August 1, 2009 to September 30, 2010. Recommended by the Health and Human Services Subcommittee.
40. Approve an ordinance authorizing acceptance of \$3,062,820 in grant funds from the U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT, HOMELESSNESS PREVENTION AND RAPID RE-HOUSING PROGRAM (HPRP), and amending the Fiscal Year 2008-2009 Health and Human Services Operating Budget Special Revenue Fund of Ordinance No. 20080908-002 to appropriate \$3,062,820 homelessness prevention and rapid re-housing services. Funding is available from the U.S. Department of Housing and Urban Development (HUD), Homelessness Prevention and Rapid Re-Housing

Program-ARRA Funds. The grant period is July 15, 2009 through July 15, 2012. No City match is required. Recommended by the Public Health and Human Services Subcommittee.

41. Authorize negotiation and execution of four contracts effective September 30, 2009 for the provision of homelessness prevention and rapid re-housing services under the U.S. Department of Housing and Urban Development, Homelessness Prevention and Rapid Re-Housing Program (HPRP) with the following providers: CARITAS OF AUSTIN in an amount not to exceed \$480,000 for HPRP Outreach/Intake Specialists; YOUTH AND FAMILY ALLIANCE (DBA LIFEWORKS) in an amount not to exceed \$1,967,840 as the HPRP fiscal agent; AUSTIN TENANT'S COUNCIL in an amount not to exceed \$120,000 for tenant mediation and legal services; and CARITAS OF AUSTIN in an amount not to exceed \$240,000 for Housing Locators/Inspectors. Funding in the amount of \$2,807,840 is available in the Fiscal Year 2008-2009 Operating Budget of the Health and Human Services Department Special Revenue Fund Homelessness Prevention and Rapid Re-Housing Program (HPRP). The grant period is July 15, 2009 through July 15, 2012. Recommended by the Public Health and Human Services Subcommittee.
42. Authorize negotiation and execution of a renewal and amendment of the Interlocal Cooperation Agreement between the City and Travis County for public health services to provide public health services to Travis County for a 12-month term beginning on October 1, 2009, in exchange for payment of \$2,888,537 by Travis County. Funding from Travis County in the amount of \$2,888,537 was included in the Fiscal Year 2009-2010 Budget of the Health and Human Services Department General Fund. The 2010 Renewal Term of the agreement is for the period October 1, 2009 through September 30, 2010. Recommended by the Public Health and Human Services Subcommittee.

#### **Library**

43. Approve an ordinance accepting \$50,000 in grant funds from the Texas State Library and Archives Commission, and amending the Fiscal Year 2008-2009 Library Department Operating Budget Special Revenue Fund of Ordinance No. 20080908-002 to appropriate the funds to add one full-time equivalent (FTE) position. Funding in the amount of \$50,000 is available from the Texas State Library and Archives Commission. The grant period is September 1, 2009 through August 31, 2010.

#### **Municipal Court**

44. Approve an ordinance repealing and replacing City Code Chapter 12-5 Articles 3 and 4 relating to the administrative adjudication of parking violations, the impoundment or immobilization of motor vehicles for unpaid parking citations, and fines, costs and fees. Recommended by the Judicial Committee.

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

45. Authorize acceptance of a transfer from the Urban Renewal Agency of the City of Austin of the fee simple title to two lots and a structure in the 900 block of East 11th Street to the City at no cost, for future use as the African American Cultural and Heritage Facility; and authorize the City Manager to negotiate and execute lease agreements with Pro Arts Collective and the African-American Capital City Chamber of Commerce.
46. Authorize negotiation and execution of a 12-month contract with Austin Tenants' Council (ATC), in an amount not to exceed \$288,729, with a one 12-month extension option in an amount not to exceed \$288,729, for a combined contract amount not to exceed \$577,458, for community education and protection under tenant protection laws. Funding is available in the Fiscal Year 2009-2010 Grant Budget of the Neighborhood Housing and Community Development Office. Per HUD requirements, this action is subject to applicable environmental review prior to the release of funds. Funding for the extension option is contingent upon available funds in future budgets.
47. Authorize negotiation and execution of a 12-month contract with Business Investment



Growth, in an amount not to exceed \$200,000, with a one 12-month extension option in an amount not to exceed \$200,000, for a combined contract amount not to exceed \$400,000, to provide training and technical assistance services to Certified Micro Enterprises under the Small Business Development Program. Funding is available in the Fiscal Year 2009-2010 Grant Budget of the Neighborhood Housing and Community Development Office. Per HUD requirements, this action is subject to applicable environmental review prior to the release of funds. Funding for the extension option is contingent upon available funds in future budgets.

48. Approve a resolution authorizing the negotiation and execution of a contract between the City of Austin and the Texas Department of Housing and Community Affairs, in an amount not exceed \$2,542,618, to help mitigate the impact of the foreclosure crisis in Austin neighborhoods through the Neighborhood Stabilization Program funded by the Housing and Economic Recovery Act 2009. Funding in the amount of \$2,542,618 will be provided through the Texas Department of Housing and Community Affairs. The Neighborhood Stabilization Program is a reimbursement program that will require repayment.
49. Authorize negotiation and execution of a 12-month contract with PeopleFund, in an amount not to exceed \$150,000, with a one 12-month extension option in an amount not to exceed \$150,000, for a combined contract amount not to exceed \$300,000, to support job creation and the expansion of small businesses by providing loan services through PeopleFund's Small Business Development Program. Funding is available in the Fiscal Year 2009-2010 Grant Budget of the Neighborhood Housing and Community Development Office. Per HUD requirements, this action is subject to applicable environmental review prior to the release of funds. Funding for the extension option is contingent upon available funds in future budgets.
50. Authorize negotiation and execution of a one-year service agreement with the Austin Housing Finance Corporation to manage and operate various housing programs for the City during Fiscal Year 2009-2010 funded by proceeds from the City's General Obligation housing bonds in an amount not to exceed \$15.8 million. Funding is available in the Fiscal Year 2009-2010 Capital Budget of the Neighborhood Housing and Community Development Office.
51. Authorize negotiation and execution of a one-year service agreement with the Austin Housing Finance Corporation to manage and operate various housing programs for the City during Fiscal Year 2009-2010 funded by the City's federal Housing and Urban Development funds and local housing funds in an amount not to exceed \$10,480,628. Funding is available in the Fiscal Year 2009-2010 Neighborhood Housing and Community Development Grant Fund, Operating Fund, Housing Trust Fund and University Neighborhood Overlay Fund.

#### **Planning and Development Review**

52. Approve a resolution authorizing negotiation and execution of a Fiscal and Personnel Management Agreement and a Staff Management Agreement with the Capital Area Metropolitan Planning Organization (CAMPO) Policy Advisory Committee to continue the City's administrative support services to CAMPO through September 30, 2014.
53. Approve a resolution initiating Code amendments to implement the recommendations of the Downtown Austin Plan Density Bonus Report. Reviewed by Community Development Commission, Downtown Commission, Design Commission and Planning Commission.
54. Approve a resolution approving the Public Participation Plan for the new Comprehensive Plan for the City of Austin and its extraterritorial jurisdiction. To be reviewed by Planning Commission on September 22, 2009.

## **Police**

55. Authorize negotiation and execution of Amendment No. 3 to the Interlocal Agreement for Booking and Related Services between Travis County and the City of Austin in the amount of \$5,520,923 for Fiscal Year 2009-2010. Funding is available in the Fiscal Year 2009-2010 Operating Budget of the Austin Police Department.
56. Authorize an execution of Amendment No. 1 to the Interlocal Agreement between the City of Austin and Travis County, in the amount of \$6,800 per month, for continued reimbursement funding of a sixth Fulltime Forensic Chemist position that performs drug analysis at the Austin Police Department Forensic Science Division Laboratory and for Forensic Chemist overtime for cases worked on behalf of Travis County. Funding for the sixth forensic chemist will be provided by Travis County on a reimbursement basis at the rate of \$5,800 per month; compensation for partial months will be prorated. Overtime will be billed only as used and not to exceed \$1,000 per month.
57. Approve an ordinance authorizing the acceptance of additional grant funds in the amount of \$87,239 from the Downtown Austin Alliance; and amending the Fiscal Year 2008-2009 Police Department Operating Budget Special Revenue Fund of Ordinance No. 20080908-002 to appropriate an additional \$87,239 in funding for a total grant amount of \$516,239 for the Downtown Ranger Program, and add four full-time equivalent positions for a total of thirteen (13) authorized full-time equivalent grant positions for the Downtown Ranger Program. Funding is available from the Downtown Austin Alliance from May 1, 2009 through April 30, 2010.
58. Approve an ordinance amending the Fiscal Year 2008-2009 Police Department Capital Budget of Ordinance No. 20080908-03 to appropriate \$3,850,000 to purchase real estate, improvements, and warehouse space for an evidence storage facility and make facility repairs. Funding is available from a reimbursement resolution. Related to Items #10, 18, & 77.

## **Public Works**

59. Approve an ordinance amending the Fiscal Year 2008-2009 Public Works Department Capital Budget of Ordinance No. 20080908-003 to appropriate \$1,350,000 to purchase real estate and facility improvements. Funding is available from a reimbursement resolution. Related to Items #11, 19, & 82.

## **Purchasing Office**

60. Authorize award and execution of a 36-month requirements supply contract with CENVEO, INC., Dallas, TX for printed, recycled-content window envelopes in an estimated amount not to exceed \$420,486, with three 12-month extension options in an estimated amount not to exceed \$140,162 per extension option, for a total estimated contract amount not to exceed \$840,972. Funding in the amount of \$140,162 is available in the Fiscal Year 2009-2010 Operating Budget of Austin Energy. Funding for the remaining 24 months of the original contract period and extension options is contingent upon available funding in future budgets. Lowest bid of seven 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.
61. Authorize award and execution of a 12-month requirements contract with SUN-NET CONSULTING, San Jose, CA for the purchase of an Electric Reliability Council of Texas (ERCOT) compatible transmission outage scheduler (TOA) software application for Austin Energy in an estimated amount not to exceed \$228,500, with three 12-month extension options for maintenance in an estimated amount not to exceed \$17,000 per year, for a total estimated contract amount not to exceed \$279,500. Funding in the amount of \$6,000 is available in the Fiscal Year 2008-2009 Operating Budget of Austin Energy. Funding in the amount of \$222,500 is available in the Fiscal Year 2008-2009

Capital Budget of Austin Energy. Funding for the remaining months of the original contract extension options 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. Recommended by Electric Utility Commission.

62. Authorize award and execution of a contract with ALLAN VORDA & ASSOCIATES, Sugar Land, TX for the purchase of one walk-in freezer and one cooler for the Austin Police Department in an amount not to exceed \$105,000. Funding is available in the Fiscal Year 2008-2009 One-Time Critical Capital Budget of the Austin Police Department. Lowest bid meeting specification 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.
63. Authorize award, negotiation, and execution of a 12-month requirements supply contract through the State of Texas, Department of Information Resources (DIR) with DELL, INC., Round Rock, Texas, for the purchase of power management software (NightWatchman) and related maintenance and services, in an estimated amount not to exceed \$172,300, with two 12-month extension options in an estimated amount not to exceed \$33,840 per extension option, for a total estimated contract amount not to exceed \$239,980. Funding in the amount of \$121,800 is available in the Fiscal Year 2008-2009 Operating Budgets of Austin Energy, Austin Water Utility and Austin Convention Center Energy Conservation Programs. Funding in the amount of \$32,500 is available in the Fiscal Year 2008-2009 Operating Budget of the Financial and Administrative Services Department, Communications and Technology Management. Funding in the amount of \$18,000 is contingent upon approval of Fiscal Year 2009-2010 Operating Budget of the Financial and Administrative Services Department, Communications and Technology Management. Funding for the 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 Electric Utility Commission and Resource Management Commission.
64. Authorize award, negotiation, and execution of a requirements service contract through the State of Texas Department of Information Resources (DIR) with EMA, INC., St. Paul, MN, for the implementation of Maximo software, including technical and training services, as the Enterprise Work Order and Asset Management (EAM) System for the Watershed Protection Department and Transportation Department in an estimated amount not to exceed \$1,396,725. Funding in the amount of \$672,550 is available in the Fiscal Year 2008-2009 Capital Budget of the Watershed Protection Department. Funding in the amount of \$724,175 is available in the Fiscal Year 2008-2009 Capital Budget of the Transportation Department. 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 Government Code and no goals were established for this contract. However, the contractor has agreed to subcontract with the following companies: TSGI, Inc. (WBE) - \$112,140; Rhyon Technologies (MBE) - \$100,800; Digital Mapping Services LLP (MBE) - \$44,800.
65. Authorize award and execution of a contract with FD MANUFACTURING dba FD TRAINING INTERNATIONAL, INC., Granbury, TX, for the purchase of a Fire Engineer Training Simulator in an amount not to exceed \$58,600. Funding is available in the Fiscal Year 2008-2009 Vehicle Acquisition Fund. 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.

66. Authorize award and execution of a contract through the Houston-Galveston Area Council of Governments (HGAC) with SCHWARZE INDUSTRIES, INC., Huntsville, AL for the purchase of three street sweepers in an amount not to exceed \$627,824 and WIRTGEN AMERICA, INC., Antioch, TN for the purchase of one self-propelled paver in an amount not to exceed \$150,669. Funding in the amount of \$315,293 is available in the Fiscal Year 2008-2009 Capital Budget of the Public Works Department. Funding in the amount of \$463,200 is available in the Fiscal Year 2008-2009 Capital Budget of the Solid Waste Services 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 Local Government Code and no goals were established for this solicitation.

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

67. Approve appointments and certain related waivers to citizen boards and commissions, to Council subcommittees and other intergovernmental bodies and removal and replacement of members.
68. Approve a resolution to reallocate the existing Fiscal Year 2008-2009 funding plan for the Holly Good Neighbor Program. (Mayor Pro Tem Mike Martinez and Mayor Lee Leffingwell)
69. Approve a resolution authorizing the use of City Hall by AIDS Services of Austin for a visual light display to go "red" for the week of October 11th through October 18th, making the City of Austin an official participant in Austin Red Week. (Council Member Laura Morrison, Council Member Chris Riley and Mayor Lee Leffingwell)
70. Approve a resolution directing the City Manager to develop a plan to increase the frequency and number of spay/neuter surgery services and present the plan to Council by November 5, 2009, including any necessary budget amendments. (Council Member William Spelman and Council Member Laura Morrison)
71. Approve a resolution directing the City Manager to commission an independent program assessment and analysis of the Millennium Youth Entertainment Complex and develop a long term strategic plan for the facility with a community stakeholder process. (Council Member Sheryl Cole, Council Member William Spelman and Council Member Randi Shade)
72. Approve a resolution directing the City Manager to develop a neighborhood matching fund program to provide City support for neighborhood improvement projects. (Council Member Sheryl Cole and Council Member William Spelman)
73. Approve the waiver of certain fees for the Marathon Kids 2009-2010 Kick Off Celebration to be held on Saturday, October 3, 2009 at The University of Texas' Mike Myers Stadium. (Mayor Lee Leffingwell and Council Member Sheryl Cole)

#### **Item(s) to Set Public Hearing(s)**

74. Set a public hearing on appeals by Champion Assets, Ltd. and the 2222 Coalition of Neighborhood Associations of the Zoning and Platting Commission's decision to approve a site plan extension for a site located at 6015 N. Capital of Texas Highway, a project known as Champion Commercial Development. (Suggested date and time: October 22, 2009, 6:00 p.m. at Austin City Hall, 301 W. Second Street, Austin, TX)
75. Set a public hearing to consider an ordinance amending Chapter 25-5 to require approval of non-City water and wastewater utilities during site plan approval. (Suggested date and time: October 22, 2009, 6:00 p.m. at Austin City Hall, 301 W. Second Street, Austin, TX). There is no unanticipated fiscal impact.

Recommended by the Planning Commission. To be reviewed by the Water and Wastewater Commission on October 14, 2009.

**10:30 AM -- Morning Briefings**

- 76. Austin Technology Incubator Presentation on Fiscal Year 2009 accomplishments and highlights

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

Danny Camacho – Public cemetery oversight

Dale Flatt – Public cemetery operations need for more oversight and performance measures for pard and contractor

Ronnie Gjemre (reeferseed) – Peace and freedom

Rae Nadler-Olenick – Water fluoridation

Walter Olenick – Water fluoridation

Gus Peña – City issues and discuss budget

Paul Robbins – City issues

Jimmy Castro – Travis County health district budget

Linda Greene – Why spend millions on fluoride waste

CarolAnneRose Kennedy – Let's all stop paying federal income tax

**Executive Session**

- 77. Consider the acquisition of approximately 2.5 acres in northeast Austin for warehouse space.(Real Property - Section 551.072). Related to Items #10, 18, & 58.
- 78. Discuss legal issues and possible settlement of claims arising out of the design and construction of the parking garage at Austin-Bergstrom International Airport. (Private Consultation with Attorney - Section 551.071).
- 79. Discuss legal issues related to Cause No. D-1-GN-07-001790; Archer-Western Contractors, Ltd., an Illinois Limited Partnership v. City of Austin, Texas; In the 201st Judicial District Court of Travis County, Texas (concerns Ulrich Water Treatment Plant). (Private Consultation with Attorney - Section 551.071).
- 80. Discuss legal issues relating to an appeal of the renewal of an Outdoor Music Venue Permit for ATX Sports Bar. (Private Consultation with Attorney - Section 551.071). Related to Item #105.
- 81. Discuss legal issues related to Cause No. D-1-GN-08-001402; Marvin Clayborne and Stephan Center v. City of Austin; in the 98th Judicial District County of Travis, County Texas. (Private Consultation with Attorney - Section 551.071).
- 82. Consider the acquisition of approximately 2.4 acres in northeast Austin for a street and bridge facility. (Real Property - Section 551.072). Related to Items # 11, 19, & 59.

### **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>).

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

- 83. NPA-2008-0015.03 - Precinct 1 New Office Building - Approve second/third readings of 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). First reading approved on August 6, 2009. Vote: 7-0. Applicant and Agent: Travis County Facilities Management Department. City Staff: Paul DiGiuseppe, 974-2865.
- 84. C14-2008-0174 - Precinct 1 New Office Building - Approve second/third readings of 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-conditional overlay-neighborhood plan (P-CO-NP) combining district zoning. First reading approved on August 6, 2009. Vote: 7-0. Applicant and Agent: Travis County Facilities Management Department. City Staff: Joi Harden, 974-2122.

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

- 85 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 be reviewed on September 22, 2009. Applicant: Austin Energy (Dorothy Kester). Agent: Stanley Consultants, Inc. (Charles Steinman). City Staff: Joi Harden, 974-2122.
- 86 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.
- 87 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 October 27, 2009. Applicant: Historic Landmark Commission. City Staff: Steve Sadowsky, 974-6454.

- 88 PH. NPA-2009-0014.01 – Carson Creek - Conduct a public hearing and approve an ordinance amending Ordinance No. 021010-11, the Southeast 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 industrial to commercial for the property located at 6511 E. Ben White Blvd. Eastbound (Carson Creek Watershed). Staff Recommendation: To approve commercial land use designation. Planning Commission Recommendation: To approve commercial land use designation. Owner: DJK Inc., John Bushman. Applicant and Agent: Real Estate Consulting, James Leverett. City Staff: Maureen Meredith, 974-2695.
- 89 PH. C14-2009-0072 - Carson Creek - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 6511 East Ben White Blvd. Eastbound (Carson Creek Watershed) from limited industrial service-conditional overlay-neighborhood plan (LI-CO-NP) combining district zoning to general commercial services-conditional overlay-neighborhood plan (CS-CO-NP) combining district zoning. Staff Recommendation: To grant general commercial services-conditional overlay-neighborhood plan (CS-CO-NP) combining district zoning. Planning Commission Recommendation: To grant general commercial services-conditional overlay-neighborhood plan (CS-CO-NP) combining district zoning. Applicant: DJK, Inc. (John Bushman). Agent: Real Estate Consulting (Jim Leverett). City Staff: Wendy Rhoades, 974-7719.
- 90 PH. NPA-2009-0017.01 - Crestview Neighborhood Planning Area Vertical Mixed Use Neighborhood Plan Amendment - Conduct a public hearing and approve an ordinance amending Ordinance No. 040401-Z-2, the Crestview Neighborhood Plan, an element of the Austin Tomorrow Comprehensive Plan, to change the land use designation on the Future Land Use Map (FLUM) from Commercial to Mixed Use on selected tracts within the Crestview Neighborhood Planning Area, bounded by Anderson Lane on the north; North Lamar Boulevard on the east; Justin Lane on the south; and Burnet Road on the west (Shoal Creek, Waller Creek Watersheds). Planning Commission Recommendation: To change the future land use map from commercial to mixed use on selected tracts within the Crestview Neighborhood Planning Area. Applicant and Agent: Neighborhood Planning and Zoning Department. City Staff: Greg Montes, 974-2629.
- 91 PH. C14-2009-0065 - Crestview 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 Crestview Neighborhood Planning Area, bounded by Anderson Lane on the north; North Lamar Boulevard on the east; Justin Lane on the south; and Burnet Road on the west (Shoal Creek, 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 building (V) district zoning and to exclude certain tracts from the vertical mixed use (VMU) overlay district. Applicant and Agent: Neighborhood Planning and Zoning Department. City Staff: Greg Montes, 974-2629.

- 92 PH. C14-2009-0041 - Central East Austin 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 Central East Austin Neighborhood Planning Area, bounded by Martin Luther King, Jr. Boulevard on the north; Northwestern Avenue, Rosewood Avenue and Chicon Street on the east; the alley between East 6th Street and East 7th Street, and East 7th Street on the south; and IH-35 on the west (East Boggy Creek, 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 building (V) district zoning and to exclude certain tracts from the vertical mixed use (VMU) overlay district. Applicant and Agent: Neighborhood Planning and Zoning Department. City Staff: Minal Bhakta, 974-6453.
- 93 PH. NPA-2009-0020.01 - SoFi Plaza - Conduct a public hearing and approve an ordinance amending Ordinance No. 20050818-Z001, the South Congress 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 single family to commercial for the property located at 511 Normandy Street (Williamson Creek Watershed). Staff Recommendation: To deny commercial land use designation. Planning Commission Recommendation: To deny commercial land use designation. Applicant: Tanvir Siddiqui. City Staff: Maureen Meredith, 974-2695.
- 94 PH. C14-2009-0028 - SoFi Plaza - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 511 Normandy Street (Williamson Creek Watershed) from family residence-neighborhood plan (SF-3-NP) combining district zoning to general commercial services-mixed use-neighborhood plan (CS-MU-NP) combining district zoning. Staff Recommendation: To deny general commercial services-mixed use-neighborhood plan (CS-MU-NP) combining district zoning. Planning Commission Recommendation: To deny general commercial services-mixed use-neighborhood plan (CS-MU-NP) combining district zoning. Applicant and Agent: Tanvir Siddiqui. City Staff: Stephen Rye, 974-7604.
- 95 PH. NPA-2009-0022.01 - Congress Avenue Baptist Church - Conduct a public hearing and approve an ordinance amending Ordinance No. 20050929-Z001, the Greater South River City 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 civic to mixed use on the western portion of the tract for the property located at 1511 South Congress Avenue. (East Bouldin Creek Watershed). Staff Recommendation: To approve mixed use land use designation on the western portion of the tract. Planning Commission Recommendation: To approve mixed use on the western portion of the tract. Applicant: Congress Avenue Baptist Church (Jim Gotcher). Agent: Dubois, Bryant, & Campbell (Henry Gilmore). City Staff: Maureen Meredith, 974-2695.
- 96 PH. C14-2009-0032 - Congress Avenue 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 1511 South Congress Avenue (East Bouldin Creek Watershed) from family residence-neighborhood conservation combining district-neighborhood plan (SF-3-NCCD-NP) combining district zoning to general commercial services-neighborhood conservation combining district-neighborhood plan (CS-NCCD-NP) combining district zoning, and general office-neighborhood conservation combining district-neighborhood plan (GO-NCCD-NP) combining district zoning. Staff Recommendation: To grant general commercial services-neighborhood conservation combining district-neighborhood plan (CS-NCCD-NP) combining district zoning, and general office-neighborhood conservation combining district-conditional overlay-



neighborhood plan (GO-CO-NCCD-NP) combining district zoning. Planning Commission Recommendation: To grant general commercial services- neighborhood conservation combining district-neighborhood plan (CS-NCCD-NP) combining district zoning, and general office-neighborhood conservation combining district-conditional overlay-neighborhood plan (GO-CO-NCCD-NP) combining district zoning. Applicant: Congress Avenue Baptist Church (Jim Gotcher). Agent: Dubois, Bryant & Campbell (Henry Gilmore). City Staff: Stephen Rye, 974-7604.

- 97 PH. C814-2008-0087 - South Shore District PUD - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 1701 S. Lakeshore, 1801 S. Lakeshore, 1414 Arena Drive, 1333 Arena Drive, 1200 Tinnin Ford and 1201 Town Creek (Town Lake Watershed) from multi-family residence-medium density (MF-3) district zoning, multi-family residence-medium density-neighborhood plan (MF-3-NP) combining district zoning, and community commercial-neighborhood plan (GR-NP) combining district zoning to planned unit development (PUD) district zoning and planned unit development-neighborhood plan (PUD-NP) combining district zoning. Staff Recommendation: To grant planned unit development-neighborhood plan (PUD-NP) combining district zoning. Planning Commission Recommendation: To grant planned unit development-neighborhood plan (PUD-NP) combining district zoning with conditions. Applicant: Grayco Town Lake Investments 2007, L.P. Agent: Drenner & Golden Stuart Wolff, L.L.P. (Michele Rogerson). City Staff: Stephen Rye, 974-7604.

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

Electric Touch

#### **5:30 PM -- Proclamations**

Proclamation -- Childhood Cancer Awareness Month -- to be presented by Mayor Lee Leffingwell and to be accepted by Lisa Molina

Proclamation -- Arts & Humanities Month, The Time to "Get Your Art On!" -- to be presented by Mayor Lee Leffingwell and to be accepted by Vincent Kitch

Proclamation -- Nami Walk Day -- to be presented by Mayor Lee Leffingwell and to be accepted by Kathy Weaver and Margie Gardner

Proclamation -- River City Youth Foundation's 25th Anniversary -- to be presented by Mayor Pro Tem Mike Martinez and to be accepted by Mona Gonzalez


Proclamation -- Fall Prevention Awareness Week -- to be presented by Council Member Chris Riley and to be accepted by Walter Timberlake and Cecilia Crossley


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

- 98 PH. Conduct a public hearing on the proposed property (ad valorem) tax rate for Fiscal Year 2009-2010.
- 99 PH. Conduct a public hearing for the full purpose annexation of the Ferguson Lane - Brown Lane Annexation Area (approximately 22 acres in eastern Travis County east of Brown Lane and west of Ferguson Lane approximately 875 feet north of the intersection of Ferguson Lane and Brown Lane).
- 100 PH. Conduct a public hearing for the full purpose annexation of the Northwest Hills Ranch Annexation Area (approximately 20 acres in northern Travis County east of D K Ranch Road approximately 275 feet south of the intersection of D K Ranch Road and Texas Plume Road).

- 101 PH. Conduct a public hearing for the full purpose annexation of the Shaw Lane Quarry Annexation Area (approximately 197 acres in eastern Travis County approximately 2,225 feet south of the intersection of McKinney Falls Parkway and Shaw Lane).
- 102 PH. Conduct a public hearing for the full purpose annexation of Reserve at Westhill Annexation Area (approximately 7 acres in northern Travis County at the northwest corner of the intersection of Yaupon Drive and Texas Plume Road). August 20, 2009 - Council set a public hearing for September 24, 2009 and October 1, 2009.
- 103 PH. Conduct a public hearing and consider an ordinance amending Chapter 25-1 of the City Code relating to neighborhood plan amendments.
- 104 PH. Conduct a public hearing and consider an ordinance amending Chapter 25-1 of the City Code to establish public notice and hearing requirements for processing a proposed development agreement for a project by a governmental entity. Recommended by Planning Commission.
- 105 PH. Conduct a public hearing and consider an appeal by Elda Bruciaga of a decision to approve the renewal of an Outdoor Music Venue Permit for ATX Sports Bar located at 1504 East 6th Street. Related to Item #80.

### **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

January 15, 2009

January 29, 2009

February 12, 2009

February 26, 2009

March 5, 2009

March 12, 2009

March 26, 2009

April 2, 2009

April 23, 2009

April 30, 2009

May 14, 2009

May 21, 2009

June 11, 2009

June 18, 2009

July 23, 2009

August 6, 2009

August 20, 2009

August 27, 2009

September 14, 15 and 16, 2009  
(Budget Readings)

September 24, 2009

October 1, 2009

October 15, 2009

October 22, 2009

November 5, 2009

November 19, 2009

December 10, 2009

December 17, 2009

### CANCELLED DATES

January 1, 2009

January 8, 2009

January 22, 2009

February 5, 2009

February 19, 2009

March 19, 2009

April 9, 2009

April 16, 2009

May 7, 2009

May 28, 2009

June 4, 2009

June 25, 2009

July 2, 2009

July 9, 2009

July 16, 2009

July 30, 2009

August 13, 2009

September 3, 2009

September 10, 2009

September 17, 2009

October 8, 2009

October 29, 2009

November 12, 2009

November 26, 2009

December 3, 2009

December 24, 2009

December 31, 2009