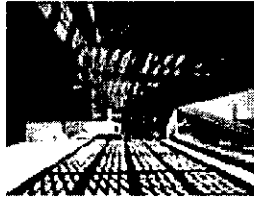


A U S T I N   C I T Y   C O U N C I L

# AGENDA



**Thursday, October 1, 2009**

The Austin City Council will convene at 10:00 AM on  
Thursday, October 1, 2009 at Austin City Hall  
301 W. Second Street, Austin, TX

AUSTIN CITY CLERK  
POSTING: DATE/TIME  
2009 SEP 25 PM 4 37



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**

Pastor Patrick Wilson, Westoak Woods Baptist Church

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

#### **Approval of Minutes**

1. Approve the Minutes of the Austin City Council regular meeting of September 24, 2009.

#### **Budget**

2. Approve an ordinance adopting and levying a property (ad valorem) tax rate for the City of Austin for Fiscal Year 2009-2010. There is no unanticipated fiscal impact. A fiscal note is not required.
3. 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 #4 & 20.

#### **Contract and Land Management**

4. 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 2009-2010 of the Capital Budget of the Austin Police Department. Related to Items #3 & 20.
5. Authorize negotiation and execution of a construction contract with FACILITIES REHABILITATION INC. (MBE/MH - 96.30%), Taylor, TX, for the Decker Creek Power

Station drainage improvements in an amount not to exceed \$135,006. Funding is available in the Fiscal Year 2009-2010 Capital Budget of Austin Energy. Lowest of eight (8) 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 96.30% MBE prime participation and 3.70% WBE subcontractor participation. Recommended by the Electric Utility Commission.

6. Authorize execution of a construction contract with SUPERIOR CONCRETE FENCE OF TEXAS, INC., Euless, TX, for Koenig Lane Substation Wall in the amount of \$81,424.25 plus a \$4,071.21 contingency, for a total contract amount not to exceed \$85,495.46. Funding is available in the Fiscal Year 2009-2010 Capital Budget of the Austin Energy. Funding is divided between Transmission (85%, \$72,671.46) and Distribution Substation (15%, \$12,824.00). 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 14.00% MBE and 0.00% WBE subcontractor participation. Reviewed by the Electric Utility Commission.
7. Authorize execution of a construction contract with SMITH CONTRACTING COMPANY, INC, Austin, TX, for the Blunn Creek – Warehouse Row Water Quality Ponds 1 & 2 in the amount of \$425,256 plus a \$42,525.60 contingency, for a total contract amount not to exceed \$467,781.60. Funding is available in the Fiscal Year 2009-2010 Capital Budget of the Watershed Protection Department. Lowest bid of ten (10) 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 10.24% MBE and 3.16% WBE subcontractor participation.
8. Authorize execution of a construction contract with CHASCO CONSTRUCTORS, LTD., LLP, Round Rock, TX, for the Lakewood Drive at Bull Creek Low Water Crossing Improvements in the amount of \$716,331.17 plus a \$35,816.56 contingency, for a total contract amount not to exceed \$752,147.73. Funding is available in the Fiscal Year 2009-2010 Capital Budget of the Watershed Protection Department. Lowest bid of eight (8) 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 11.45% MBE and 7.93% WBE subcontractor participation. Recommended by the Parks and Recreation Board.
9. Authorize negotiation and execution of a 10-month lease renewal for 5,360 square feet of space for the Twin Oaks Branch Library, located at 2301 S. Congress Ave., Suite 7, from TWIN OAKS ASSOCIATES, LTD., Austin, TX, in an amount not to exceed \$54,940. Funding is available in the Fiscal Year 2009-2010 Operating Budget of the Library Department.
10. Authorize negotiation and execution of a professional services agreement with the following five firms: HALFF ASSOCIATES, INC., Austin, TX; SURVEYING AND MAPPING (SAM) INC., Austin, TX; COBB, FENDLEY & ASSOCIATES, INC., Austin, TX; THE WALLACE GROUP, INC., Austin, TX; and TBE GROUP, INC./CARDNO TBE, Austin, TX, for the Subsurface Utility Engineering Services (SUE) Rotation List for various Capital Improvement Projects for an estimated period of two years or until financial authorization is expended, each agreement in an amount not to exceed \$400,000 per firm with the total amount for the five agreements not to exceed \$2,000,000. Funding is available in the Fiscal Year 2009-2010 Capital and/or Operating Budgets of the various departments for which services are needed. Best qualification statements of twelve (12) 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 9.54% MBE and 5.80% WBE subcontractor participation.

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

11. Approve an ordinance establishing an enhanced process of review of economic incentive proposals.

## **Health and Human Services**

12. Authorize the execution of Amendment No. 1 to the Memorandum of Cooperation between the City and AUSTIN INDEPENDENT SCHOOL DISTRICT, Austin, TX, to waive the temporary food event permit fee for any and all school-related non-profit entity events on an AISD school campus.
13. Approve negotiation and execution of an Interlocal Agreement with THE UNIVERSITY OF TEXAS AT AUSTIN for a Ryan White Act comprehensive HIV needs assessment for a 10-month period beginning October 1, 2009 in an amount not to exceed \$65,000. Funding in the amount of \$51,000 is available in the Fiscal Year 2008-2009 Operating Budget of the Health and Human Services Department Special Revenue Fund, Ryan White Part A HIV Emergency Relief Project grant program. Funding for the remaining balance is contingent upon future grant funds availability. The agreement period is October 1, 2009 to July 31, 2010. The grant period is March 1, 2009 to February 28, 2010.

## **Human Resources**

14. Approve a resolution amending Chapters A and B of the City's Personnel Policies to include gender identity as it relates to conditions of work/discrimination, reporting violations and discrimination grievances.

## **Law**

15. Approve settlement of the City's claims against Jose I. Guerra, Inc. and Frank Lam and Associates, Inc. concerning the design of the airport parking garage.
16. Approve a settlement 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).
17. Approve a settlement 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.

## **Planning and Development Review**

18. Authorize payment of membership fees to the Austin-San Antonio Corridor Council in an amount not to exceed \$50,000. Funding is available in the Fiscal Year 2009-2010 Operating Budget of the Planning and Development Review Department.
19. Authorize payment of the City's annual membership dues in the Austin-San Antonio Intermunicipal Commuter Rail District, in an amount not to exceed \$49,500. Funding is available in the Fiscal Year 2009-2010 Operating Budget of the Planning and Development Review Department.

## **Police**

20. Approve an ordinance amending the Fiscal Year 2009-2010 Police Department Capital Budget of Ordinance No. 200909014-03 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 #3 & 4.

## **Purchasing Office**

21. Authorize award, negotiation, and execution of Amendment No. 9 to increase the contract with ABB, INC., Sugar Land, TX for a Supervisory Control and Data Acquisition/Energy Management System (SCADA/EMS) upgrade in an estimated amount not to exceed \$1,803,600, for a revised total estimated contract amount not to exceed \$18,062,335. Funding is available in the Fiscal Year 2009-2010 Capital Budget of

Austin Energy. Contract Amendment. This contract will be awarded in compliance with Chapter 2-9D of the City Code (Minority Owned and Women Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation. Recommended by the Electric Utility Commission.

22. Authorize award and execution of a 12-month requirements supply and service contract with the STATE OF TEXAS DEPARTMENT OF INFORMATION RESOURCES (DIR) Austin, TX, for the purchase of computer hardware products including maintenance, training, information technology services and telecommunication products and services for Austin Energy in an estimated amount not to exceed \$10,536,384. Funding in the amount of \$9,221,356 is available in the Fiscal Year 2009-2010 Capital Budget of Austin Energy. Funding in the amount of \$1,315,028 is available in the Fiscal Year 2009-2010 Operating Budget of Austin Energy. 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 solicitation. However, SMBR will assist in the identification of subcontracting opportunities on a case by case basis. Recommended by the Electric Utility Commission.
23. Authorize award and execution of a 12-month requirements supply and service agreement with the STATE OF TEXAS DEPARTMENT OF INFORMATION RESOURCES (DIR) Austin, TX, for the purchase of computer software products including maintenance, training, and information technology services for Austin Energy in an estimated amount not to exceed \$12,331,750. Funding in the amount of \$6,578,694 is available in the Fiscal Year 2009-2010 Capital Budget of Austin Energy. Funding in the amount of \$5,753,056 is available in the Fiscal Year 2009-2010 Operating Budget of Austin Energy. 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 solicitation. However, SMBR will assist in the identification of subcontracting opportunities on a case by case basis. Recommended by the Electric Utility Commission.
24. Authorize award and execution of Amendment No. 2 to a contract with GENERAL ELECTRIC INTERNATIONAL, Atlanta, GA, to increase the contract amount for the maintenance of Sand Hill Energy Center's gas and steam turbines in an amount not to exceed \$6,500,000, for a revised total estimated contract amount not to exceed \$37,107,414. Funding is available in the Fiscal Year 2009-2010 Operating Budget of Austin Energy. Contract Amendment. This contract will be awarded in compliance with Chapter 2-9C of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation. Recommended by the Electric Utility Commission.
25. Authorize award and execution of a contract with PDMA CORPORATION, Tampa, FL, for the purchase of an AC motor test system for Austin Energy facilities in an amount not to exceed \$76,645. Funding in the amount of \$64,120 is available in the Fiscal Year 2009-2010 Capital Budget of Austin Energy. Funding in the amount of \$12,525 is available in the Fiscal Year 2009-2010 Operating Budget of Austin Energy. 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. Recommended by the Electric Utility Commission.
26. Authorize award and execution of a 24-month revenue contract with UTILITY RECYCLING SERVICES, INC., Wills Point, TX, for the sale and disposal of obsolete transformers for Austin Energy in an amount not to exceed \$356,182 with three 12-month extension options in an amount not to exceed \$178,091 per extension option, for a total contract amount not to exceed \$890,455. The total revenue for Fiscal Year 2009-

2010 is estimated to be \$178,091. Highest 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 the Electric Utility Commission.

27. Authorize award and execution of a 24-month requirements supply contract with MORNING PRIDE MFG, dba HONEYWELL FIRST RESPONDER PRODUCTS, Dayton, OH to provide firefighting bunker gear for the Austin Fire Department in an estimated amount not to exceed \$863,298 with four 12-month extension options in an estimated amount not to exceed \$431,649 per extension option, for a total estimated contract amount not to exceed \$2,589,894. Funding in the amount of \$431,649 is available in the Fiscal Year 2009-2010 Operating Budget of the Austin Fire Department. Funding for the remaining twelve months of the original contract period and extension options is contingent upon available funding in future budgets. Lowest bid meeting specification 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.
28. Authorize award and execution of four 24-month requirements supply contracts for the supply of water pipe repair components with FERGUSON WATERWORKS, Georgetown, TX, in an estimated amount not to exceed \$170,368, with two 12-month extension options in an estimated amount not to exceed \$85,184 per extension option, for a total estimated contract amount not to exceed \$340,736; with MUNICIPAL WATER WORKS, Royse City, TX, in an estimated amount not to exceed \$44,734, with two 12-month extension options in an estimated amount not to exceed \$22,367 per extension option, for a total estimated contract amount not to exceed \$89,468; with HD SUPPLY WATERWORKS, Round Rock, TX, in an estimated amount not to exceed \$17,310, with two 12-month extension options in an estimated amount not to exceed \$8,655 per extension option, for a total estimated contract amount not to exceed \$34,620; and with ACT PIPE & SUPPLY, Pflugerville, TX, in an estimated amount not to exceed \$10,657, with two 12-month extension options in an estimated amount not to exceed \$5,328 per extension option, for a total estimated contract amount not to exceed \$21,313. Funding in the amount of \$121,534 is available in the Fiscal Year 2009-2010 Operating Budget of the Austin Water Utility. Funding for the remaining 12 months of the original contract period and extension options is contingent on available funding in future budgets. Lowest bids of five bids received. This contract will be awarded in compliance with Chapter 2-9D of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore no goals were established for this solicitation. Recommended by the Water and Wastewater Commission.
29. Authorize award and execution of a 12-month requirements supply contract through the STATE OF TEXAS DEPARTMENT OF INFORMATION RESOURCES (DIR), Austin, TX, in an estimated amount not to exceed \$12,424,816 for the purchase of computer, telephone, and network hardware and \$3,007,040 for computer hardware, telephone, and network maintenance services for a total estimated contract amount not to exceed \$15,431,856. Funding in the amount of \$6,167,941 is available in the Fiscal Year 2009-2010 Operating Budgets of various departments. Funding in the amount of \$5,120,848 is available in the Fiscal Year 2009-2010 Capital Budgets of various departments. Funding in the amount of \$3,967,000 is available from Grants Budgets of various departments. Funding in the amount of \$176,067 is available in the Municipal Court Technology 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. However, SMBR will assist in the identification of subcontracting opportunities on a case by case basis.

30. Authorize award and execution of a 36-month requirements service/supply contract with BALAR EQUIPMENT CO., Houston, TX to provide repair services and captive repair parts for Vac-Con sewer cleaners in an estimated amount not to exceed \$509,600, with three 12-month extension options in estimated amounts not to exceed \$241,920 for the first extension option, \$290,304 for the second extension option, and \$348,364 for the third extension option, for a total estimated contract amount not to exceed \$1,390,188. Funding in the amount of \$140,000 is available in the Fiscal Year 2009-2010 Operating Budget of the Financial and Administrative Services Department, Fleet Fund. Funding for the remaining 24 months of the original contract period and extension options is contingent upon available funding in future budgets. Single 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.

#### **Treasury Office**

31. Adopt a resolution approving issuance by River Place Municipal Utility District of Unlimited Tax Refunding Bonds, Series 2009, in a principal amount not to exceed \$7,025,000; and approving the District's Bond Ordinance and Preliminary Official Statement in substantially the form provided by the District. The City is not responsible for payment of District bond debt service until annexation and dissolution of the District. If annexation occurs, the avoided debt service associated with the refunding would also benefit the City of Austin. There is no anticipated fiscal impact. A fiscal note is not required.

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

32. Approve appointments and certain related waivers to citizen boards and commissions, to Council subcommittees and other intergovernmental bodies and removal and replacement of members.
33. Approve an ordinance amending Section 2-1-171 of the City Code (Public Safety Commission) to include additional organizations that may be represented on the Public Safety Commission. (Mayor Pro Tem Mike Martinez and Mayor Lee Leffingwell)
34. Approve a resolution directing the City Manager to recommend a funding source for lease payments for the Lion's Municipal Golf Course other than the Golf Enterprise Operating Fund. (Mayor Pro Tem Mike Martinez, Mayor Lee Leffingwell and Council Member Randi Shade)
35. Approve a resolution directing the City Manager to review the City's ability to provide free public wireless internet access at Austin-Bergstrom International Airport and report back to council within 120 days. (Mayor Pro Tem Mike Martinez and Mayor Lee Leffingwell )
36. Approve a resolution directing the City Manager to develop a plan for a taxicab driver climate controlled facility at Austin-Bergstrom International Airport, and report back to Council within ninety days. (Mayor Pro Tem Mike Martinez and Mayor Lee Leffingwell )
37. Approve a resolution directing the City Manager to develop a menu of options to address safety issues at private construction sites. (Council Member William Spelman and Mayor Pro Tem Mike Martinez )
38. Approve a resolution directing the City Manager to ensure City use of treated and raw water is consistent with Chapter 6-4 Article 2 of the City Code (Water Use Management). (Council Member William Spelman and Mayor Lee Leffingwell )
39. Approve a resolution appointing a new Acting City Auditor and setting compensation and benefits. (Council Member Sheryl Cole, Council Member Randi Shade and Council Member Laura Morrison)

40. Approve a resolution directing the City Manager to provide a quarterly update to the Council's Audit and Finance Committee on the financial status of Austin Energy, the Austin Water Utility, the General Fund, and other funds as requested by the Committee. (Council Member Sheryl Cole, Council Member William Spelman and Council Member Randi Shade)
41. Approve the waiver of certain rental fees for the Sunrise Service event sponsored by House the Homeless to be held on Sunday, November 22, 2009, at the Fanny Gazebo on Auditorium Shores. (Mayor Pro Tem Mike Martinez, Council Member Chris Riley and Council Member Laura Morrison)
42. Approve waiver of certain fees and requirements under Chapter 14-8 of the City Code, and authorize reimbursement of certain costs for the City co-sponsored 2009 Fiesta de Independencia Celebration sponsored by Fiesta de Independencia Foundation that was held on September 14, 2009. (Mayor Pro Tem Mike Martinez and Council Member Randi Shade )
43. Approve the waiver of certain rental fees for the Manos de Cristo event to be held on Sunday, October 25, 2009, at the Zilker Park Clubhouse. (Council Member Chris Riley, Mayor Pro Tem Mike Martinez and Council Member Sheryl Cole)
44. Approve the waiver of certain fees for the AIDS Walk Austin to be held on Sunday, October 18, 2009, beginning at Austin City Hall Plaza. (Council Member Laura Morrison, Council Member Chris Riley and Council Member Sheryl Cole)
45. Approve the waiver of certain banner fees for the PeopleFund Conference on Economic Opportunity to be held on Saturday, October 25, 2009, at the Austin Community College's Eastview Campus. (Council Member Sheryl Cole, Council Member Laura Morrison and Council Member Randi Shade)

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

46. Set a public hearing to consider an ordinance amending Chapter 25-2 of the City Code to change the interim zoning designations granted at annexation for standard and small single-family lots shown on an approved preliminary plan or final plat. (Suggested date and time: December 10, 2009, 6:00 p.m. at Austin City Hall, 301 W. Second Street, Austin, TX).
47. Set a Public Hearing to consider an ordinance amending Chapters 25-1 and 25-2 of the City Code to clarify that a Neighborhood Planning Contact Team may be an interested party for purposes of administrative appeals. (Suggested date and time: November 5, 2009 at 6:00 p.m., City Hall Council Chambers, 301 West Second Street, Austin, TX).

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

Lee Rooney – Under aged drinking

Tom Jones – Watershed

Don Bolin – Veterans Day parade

Pat Valls-Trelles – Animal issues

Brandon Mathis – Solar rebate program solar policy

Rae Nadler-Olenick – Water fluoridation and Citizens Communication



CarolAnneRose Kennedy – UNDERSTANDING ENGLISH: JOSE: CAN YOU SEE?

Ronnie Gjemre – Peace and freedom

Gus Peña - City issues

Paul Robbins – City issues

### **Executive Session**

48. Discuss legal issues relating to labor negotiations with the Austin Fire department. (Private Consultation with Attorney - Section 551.071).

### **2:00 PM -- Zoning Ordinances / Restrictive Covenants (HEARINGS CLOSED)**

49. C14-2009-0059 - Texas Association of Nurse Anesthetists - Approve second/third readings of 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. First reading approved on September 24, 2009. Vote 4-3 (Riley, Spelman, Morrison voted Nay). Texas Association of Nurse Anesthetists (Janet H. Morrow). Agent: Jackson Walker, LLP (Katherine Loayza). City Staff: Stephen Rye, 974-7604.

### **2:00 PM -- Zoning and Neighborhood Plan Amendments (Public Hearings and Possible Action)**

- 50 PH. C14-2009-0069 - Cap'n Scrubby's Carwash - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 11007 FM 2222 (West Bull Creek Watershed) from single family residence-standard lot (SF-2) district zoning to community commercial (GR) district zoning. Staff Recommendation: To grant community commercial-conditional overlay (GR-CO) combining district zoning. Zoning and Platting Commission Recommendation: To grant community commercial-conditional overlay (GR-CO) combining district zoning. Applicant: William F. Schwartz Enterprises, Inc. (William F. Schwartz). Agent: LOC Consultants, Inc. (Sergio Lozano. City Staff: Clark Patterson, 974-7691.
- 51 PH. C14-2009-0077 Balcones Place Condos - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 5011 Balcones Drive (Taylor Slough North Watershed) from general commercial services (CS) district zoning to multi-family residence-medium density-conditional overlay (MF-3-CO) combining district zoning. Staff Recommendation: To grant multi-family residence-medium density-conditional overlay (MF-3-CO) combining district zoning. Zoning and Platting Commission Recommendation: To be reviewed on October 6, 2009. Applicant: Oakmont House LTD. (James David). Agent: Jim Bennett Consulting (Jim Bennett). City Staff: Clark Patterson, 974-7691.
- 52 PH. C14H-2009-0012 – Baker-Allen House – Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 2402 Harris Boulevard (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 and Agent: Florence Benson Wilkerson. City Staff: Steve Sadowsky, 974-6454.

- 53 PH. C14H-2009-0014 – McGee-Clark-Byrd House – Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 1520 Northwood Road (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. Applicants: Holmes and Joan Gwynn. City Staff: Steve Sadowsky, 974-6454.
- 54 PH. C14H-2009-0015 – Gardner House – Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 2418 Jarratt Avenue (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. Applicants: David and Robin Jackson. City Staff: Steve Sadowsky, 974-6454.
- 55 PH. C14H-2009-0020 – Dr. Ralph E. and Anna Cloud House – Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 1718 Summitview Place (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. Applicants: Camille and Stephanie Tueni. City Staff: Steve Sadowsky, 974-6454.
- 56 PH. C14H-2009-0021 – Jackson-Novy-Kelly-Hoey House – Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 2406 Harris Boulevard (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. Applicants: Robert and Michelle Kinney. City Staff: Steve Sadowsky, 974-6454.
- 57 PH. C14H-2009-0022 – Thomas House – Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 1603 Niles Road (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. Applicants: Roger Dale and Elizabeth Ann Linebarger. City Staff: Steve Sadowsky, 974-6454.
- 58 PH. C14H-2009-0023 – Webster House – Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 706 Oakland Avenue (Shoal Creek Watershed) from multi-family residence-

moderate-high density-neighborhood plan (MF-4-NP) district zoning to multi-family residence-moderate-high density-neighborhood plan-historic landmark (MF-4-H-NP) combining district zoning. Staff Recommendation: To grant multi-family residence-moderate-high density-neighborhood plan-historic landmark (MF-4-H-NP) combining district zoning. Historic Landmark Commission recommendation: To grant multi-family residence-moderate-high density-neighborhood plan-historic landmark (MF-4-H-NP) combining district zoning. Planning Commission recommendation: To grant multi-family residence-moderate-high density-neighborhood plan-historic landmark (MF-4-H-NP) combining district zoning. Applicants: Scott Marks and Lucy Wood. Steve Sadowsky, 974-6454.

- 59 PH. C14H-2009-0024 – Aycock House – Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 1405 Wathen Avenue (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: Chandler Ford. City Staff: Steve Sadowsky, 974-6454.
- 60 PH. C14H-2009-0027 – Potter-Pincoffs House – Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 2607 Wooldridge Drive (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. Applicants: Ken and Angela Hashman. City Staff: Steve Sadowsky, 974-6454.

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

Leather Bag

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

Proclamation -- National Forum for Black Public Administrators Week -- to be presented by Mayor Lee Leffingwell and to be accepted by Anthony Snipes

Proclamation -- COA Combined Charities Campaign Kick-Off -- to be presented by Mayor Lee Leffingwell and to be accepted by Karen Sharp

Proclamation -- HopeLine Domestic Violence Awareness Month -- to be presented by Mayor Lee Leffingwell and to be accepted by Audrey Lundy

Proclamation -- Central Texas Voluntary Organizations Active in Disaster Day -- to be presented by Mayor Pro Tem Mike Martinez and to be accepted by Toni Silver


Proclamation -- Binational Health Week -- to be presented by Council Member Randi Shade and to be accepted by Annie Crawford


Distinguished Service Award -- Taylor Dudley -- to be presented by Council Member Sheryl Cole and to be accepted by the honoree

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

- 61 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).
- 62 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).
- 63 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).
- 64 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).
- 65 PH. Conduct a public hearing and consider an ordinance for floodplain variances requested by Mr. Efrain V. Avila for an existing development that converted an attached garage into a habitable area at the single-family residence at 306 Heartwood Drive. This structure is in the 25-year and 100-year floodplains of Williamson Creek. The applicant also requests waiving the requirement to dedicate a drainage easement to the full limit of the 100-year floodplain to exclude the footprint of the existing house from the easement dedication requirement.

## 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.