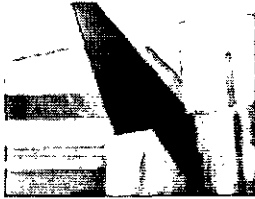


**AGENDA**

**Thursday, March 11, 2010**

The Austin City Council will convene at 10:00 AM on  
Thursday, March 11, 2010 at Austin City Hall  
301 W. Second Street, Austin, TX



AUSTIN CITY CLERK  
POSTING: DATE/TIME  
2010 MAR 5 PM 4 13

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**

Dr. Joseph C. Parker, Jr., Pastor, David Chapel Missionary Baptist Church

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

#### **Approval of Minutes**

1. Approve the Minutes of the Austin City Council special called meetings of February 18, February 22, and March 3, 2010, and regular meeting of February 25, 2010 and approve amended minutes of November 5, 2009.

#### **Austin Energy**

2. Approve issuance of a rebate to REIT Management & Research LLC for the installation of energy efficient reflective roofing at 12455 Research Blvd. in Austin, Texas, in an amount not to exceed \$82,981.44. Funding is available in the Fiscal Year 2009-2010 Operating Budget of Austin Energy, Conservation Rebates and Incentives Fund. Recommended by the Electric Utility Commission and Resource Management Commission.
3. Approve an ordinance authorizing acceptance of \$17,500 in grant funds from the U.S. Department of Energy through the Railroad Commission of Texas and amending the Fiscal Year 2009-2010 Austin Energy Operating Budget Special Revenue Fund of Ordinance No. 20090914-002 to appropriate such grant funds, and authorize negotiation and execution of a four-year agreement between the Central Texas Clean Cities Program and the Railroad Commission of Texas to promote the use of propane vehicles and improve related infrastructure, in an amount not to exceed \$17,500 a year, for a total amount not to exceed \$70,000. Funding in the amount of \$17,500 is available from the U.S. Department of Energy through the Railroad Commission of Texas. Matching funds are not required. Recommended by the Electric Utility Commission and Resource Management Commission.
4. Approve an ordinance authorizing acceptance of \$20,000 in grant funds from the U.S. Department of Energy through Leonardo Technologies Inc., Morgantown, WV, and amending the Fiscal Year 2009-2010 Austin Energy Operating Budget Special Revenue Fund of Ordinance No. 20090914-002 to appropriate \$20,000 for programmatic support of the Central Texas Clean Cities Program. Funding is available from the U.S. Department of Energy through Leonardo Technologies Inc. Matching funds are not

required. Recommended by the Electric Utility Commission and the Resource Management Commission.

### **Austin Water Utility**

5. Authorize the negotiation and execution of an agreement with River Place Municipal Utility District ("River Place") for the provision of out-of-district water service to an approximately one-acre tract ("Dunlap Tract") which is located east of River Place's boundary. The landowner and River Place will be responsible for the necessary infrastructure improvements. No City funding is required for this agreement. Recommended by the Water and Wastewater Commission.

### **Aviation**

6. Authorize negotiation and execution of a reimbursement agreement with a consortium of rent-a-car companies holding Concession Agreements at Austin-Bergstrom International Airport for professional services to perform a study to determine the feasibility of a new rental car facility and parking garage at the Airport in an amount not to exceed \$454,000. Funding in the amount of \$454,000 is available in the residual account of the surplus fund of the Rental Car Special Facility Revenue Bond Customer Facility Charge (CFC) Trust Account. Recommended by the Austin Airport Advisory Commission.
7. Authorize negotiation and execution of an agreement with Reed Business Information, Quadrant House, The Quadrant, Sutton, Surrey SM2 5AS, United Kingdom, to host the Network USA 2011 Conference to be held March 6, 7, and 8, 2011. Execution of the agreement with Reed Business Information will obligate the City to expend approximately \$165,000 to host the Conference. Funding in the amount of \$75,000 is available in the Fiscal Year 2009-2010. The remaining funds are subject to availability in the Fiscal Year 2010-2011 budget. Recommended by the Austin Airport Advisory Commission.

### **Code Compliance**

8. Approve an ordinance authorizing the acceptance and appropriation of grant funding from the Capital Area Planning Council of Governments under the 2010-2011 Regional Solid Waste Grant Program in the amount of \$20,801 to purchase surveillance cameras and related equipment. Funding is available from the 2010-2011 Regional Solid Waste Grant Program.

### **Contract and Land Management**

9. Approve an ordinance authorizing the City Manager to transfer certain real property to the Austin Housing Finance Corporation for the development of affordable residential housing.
10. Authorize the use of the Design-Build method for design and construction services in accordance with Local Government Code, Chapter 271, Subchapter H, Section 271.119 for the development of the Asian American Resource Center.
11. Authorize the negotiation and execution of a 36-month lease renewal for 1,643 square feet of storage space for the Organized Crime Unit of the Austin Police Department, located near Highway 290 East from MB-LA COSTA LTD., in an amount not to exceed \$57,600 for the initial renewal. Funding in the amount of \$4,800 is available in the Fiscal Year 2009-2010 Operating Budget of the Austin Police Department. Funding for the remaining contract period is contingent upon available funding in future budgets.
12. Authorize the negotiation and execution of a 36-month lease renewal for 10,000 square feet of warehouse space for the Austin Transportation Department, located at 6014 Technicenter Drive, Suite 2-201, from TECHNI-CENTER PARTNERS LTD., Austin TX, in an amount not to exceed \$170,100 for the initial renewal. Funding in the amount of

\$14,175 is available in the Fiscal Year 2009-2010 Operating Budget of the Austin Transportation Department. Funding for the remaining contract period is contingent upon available funding in future budgets.

13. Authorize execution of a construction contract with SOUTHLAND CONTRACTING, INC., Fort Worth, TX, for the South IH-35 Water/Wastewater Infrastructure Improvements Program, Segment 2/5 - Slaughter and Onion Creek Crossings, 36-Inch Water Main in the amount of \$5,985,534, plus a \$299,276.70 contingency, for a total contract amount not to exceed \$6,284,810.70. Funding is available in the Fiscal Year 2009-2010 Capital Budget of the Austin Water Utility. Lowest bid of six (6) bids received. This contract will be awarded in compliance with Chapter 2-9A of the City Code (Minority Owned and Women Owned Business Enterprise Procurement Program) by meeting the goals with 10.89% MBE and 5.45% WBE subcontractor participation. Recommended by the Water and Wastewater Commission.
14. Authorize execution of a construction contract with RESTEK, INC., Manchaca, TX, for the 2010 Miscellaneous Bridge Maintenance Project in an amount not to exceed \$313,288.83. Funding is available in the Fiscal Year 2009-2010 Operating Budget of the Public Works 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 15.91% WBE subcontractor participation.
15. Authorize execution of a construction contract with VCC, LLC, Irving, TX, for a new Animal Services Center at 7201 Levander Loop in the amount of \$11,635,000 plus a \$450,000 contingency, for a total contract amount not to exceed \$12,085,000. Funding in the amount of \$9,270,000 is available in the Fiscal Year 2009-2010 Capital Budget of the Health and Human Services Department; Funding in the amount of \$2,625,000 is available in the Fiscal Year 2009-2010 Capital Budget of the Financial Administration Services Department; Funding in the amount of \$190,000 is available in the Fiscal Year 2009-2010 Capital Budget of Austin Energy. 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) through achievement of Good Faith Efforts with 4.01% MBE and 2.96% WBE subcontractor participation. Recommended by the Electric Utility Commission. Related to Item #22.
16. Authorize the negotiation and execution of the fee simple acquisition of .386 acre (16,806 square feet), more or less, out of .889 acre of land in the Santiago Del Valle Grant, Travis County, Texas, locally known as 915 Bastrop Highway, from ERASMO GONZALES and BERTA GONZALES for the Airport Noise Mitigation Program, in the amount of \$96,000 for the land, plus closing costs and moving related expenses in the amount of \$10,000, for an amount not to exceed \$106,000. Funding is available in the Fiscal Year 2009-2010 Capital Budget of the Department of Aviation using airport funds and available Federal Aviation Administration (FAA) Grants.
17. Authorize the negotiation and execution of documents necessary to purchase in fee simple Lot 1, Block A of Barton Creek Office Park, a subdivision in Travis County, Texas, located at 2800 S. Capital of Texas Hwy from BARTON CREEK VENTURE, LTD., for the Barton Creek Wilderness Park in an amount not to exceed \$5,500,000. Funding in the amount of \$1,900,000 is available in the Fiscal Year 2009-2010 Capital Budget of the Austin Water Utility. Funding in the amount of \$3,600,000 is available in the Fiscal Year 2009-2010 Capital Budget of the Watershed Protection Department.
18. Authorize negotiation and execution of a professional services agreement with the following six firms: URS CORPORATION, Austin, TX; INTERA INC, Austin, TX; SHAW ENVIRONMENTAL & INFRASTRUCTURE, INC, Austin, TX; TRC ENVIRONMENTAL CORPORATION, Austin, TX; WESTON SOLUTIONS INC., Austin, TX; AMEC GEOMATRIX, INC., Austin, TX, for Professional Engineering Services for the Environmental Services Rotation List 2010-2012 for a period of two years or until financial authorization is expended, maximum amount not to exceed \$3,600,000 divided among the six firms. Funding is available in the Capital Budgets and/or Operating Budgets of various departments. Best six (6) qualification statements of nineteen (19) statements

received. This contract will be awarded in compliance with Chapter 2-9B of the City Code (Minority Owned and Women Owned Business Enterprise Procurement Program) by meeting the goals with 15.80% MBE and 15.80% WBE subconsultant participation.

19. Authorize negotiation and execution of a professional services agreement with the following two firms: HALFF ASSOCIATES, INC., Austin, TX and PBS&J, Austin, TX, for the Floodplain Modeling and Mapping Engineering Services Rotation List for various Capital Improvement Projects for an estimated period of three years or until financial authorization is expended, with a maximum funding amount not to exceed \$2,000,000, divided among the two firms. Partial funding is available in the Fiscal Year 2009-2010 Capital Budget and/or Operating Budget of the Watershed Protection Department. Funding for the remaining contract term is contingent upon available funding in future fiscal years. Best two (2) qualification statements of fourteen (14) statements received. This contract will be awarded in compliance with Chapter 2-9B of the City Code (Minority Owned and Women Owned Business Enterprise Procurement Program) by meeting the goals with 15.80% MBE and 15.80% WBE subconsultant participation.

#### **Emergency Medical Services**

20. Approve an ordinance amending the Fiscal Year 2009-2010 EMS Fee Schedule of Ordinance No. 20090914-004, to approve changes made by Travis County Commissioners Court to the Fiscal Year 2009-2010 STAR Flight patient transport fees.

#### **Health and Human Services**

21. Approve a resolution adopting the Recommendations for the Implementation Plan to Reduce Animal Intake and Increase Live Animal Outcomes, and authorizing the City Manager to initiate implementation.
22. Approve an ordinance amending the Fiscal Year 2009-2010 Financial and Administrative Services Department Capital Budget of Ordinance No. 20090914-003 to transfer \$588,000 to the Health and Human Services Department Capital Budget; and amending the Fiscal Year 2009-2010 Health and Human Services Department Capital Budget of Ordinance No. 20090914-003 to appropriate the \$588,000 transfer from the Capital Improvement Program (CIP) Contingency Program for infrastructure improvements. Funding is available in the Fiscal Year 2009-2010 Financial and Administrative Services Department Capital Budget - Capital Improvements Program Contingency. Related to Item #15.

#### **Law**

23. Authorize execution of an amendment to the legal services contract with MGT of America, Inc. for representation services on behalf of the City of Austin for an increase of \$30,000, with a total contract amount not to exceed \$70,000. Funding is available in the Fiscal year 2009-2010 Operating Budget of the Austin Water Utility.

#### **Purchasing Office**

24. Authorize award, negotiation, and execution of a 12-month requirements service contract with FRANK CRYSTAL & CO. OF TEXAS, INC., Houston, TX, to provide Airport Liability Insurance for Austin-Bergstrom International Airport (ABIA), in an estimated amount not to exceed \$83,500, with four 12-month extension options in estimated amounts not to exceed \$91,850, \$101,035, \$111,138 and \$122,252 respectively, for a total estimated contract amount not to exceed \$509,775. Funding in the amount of \$83,500 is available in the 2009-2010 Operating Budget of the Aviation Department. Funding for the extension options is contingent upon available funding in future budgets. Best evaluated proposal of six proposals received. This contract will be awarded in compliance with Chapter 2-9C of the City Code (Minority Owned and Women Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation.

25. Authorize award and execution of Amendment No. 3 to a contract with HPI, LLC, Houston, TX to increase the contract for the upgrade of the gas turbine controls at Decker Creek Power Station in an amount not to exceed \$238,565, for a revised total estimated contract amount not to exceed \$2,171,834. 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.
26. Authorize award and execution of a 12-month requirements supply contract with VAUGHN MANUFACTURING CORP., Salisbury, MA, for the purchase of digital water heater timers in an estimated amount not to exceed \$206,240, with three 12-month extension options in an estimated amount not to exceed \$205,000 per extension option, for a total estimated contract amount not to exceed \$821,240. Funding in the amount of \$120,307 is available in the Fiscal Year 2009-2010 Operating Budget of Austin Energy. Funding for the remaining five months of the original contract period and extension options is contingent upon available funding in future budgets. Sole bid received. This contract will be awarded in compliance with Chapter 2-9D of the City Code (Minority Owned and Women Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation. Recommended by the Electric Utility Commission and the Resource Management Commission.
27. Authorize award and execution of a 21-month requirements service contract through the Texas Multiple Award Schedule (TXMAS) with STROUHAL TIRE RECAPPING PLANT, INC., Bryan, TX, for the purchase of retread tires in an estimated amount not to exceed \$2,044,900. Funding in the amount of \$667,333 is available in the Fiscal Year 2009-2010 Operating Budget of the Financial and Administrative Services Department, Fleet Fund. Funding for the remaining 14 months of the original contract period is contingent upon available funding in future budgets. This contract will be awarded in compliance with Chapter 2-9C of the City Code (Minority Owned and 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.
28. Authorize award and execution of a 12-month requirements supply contract through the Texas Local Government Purchasing Cooperative (BuyBoard) with GT DISTRIBUTORS, INC., Austin, TX, for the purchase of ammunition in an estimated amount not to exceed \$552,615. Funding in the amount of \$201,000 is available in the Fiscal Year 2009-2010 Operating Budget of the Austin Police Department. Funding for the remaining six months of the original contract period is contingent upon available funding in future budgets. This cooperative contract is exempt from the MBE/WBE Ordinance. This exemption is 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 contract.
29. Authorize award and execution of Amendment No. 1 to a contract with MYCOFF, FRY, PROUSE, LLC. Conifer, CO for an increase to the contract for recruitment services for the Austin Energy General Manager in an estimated amount not to exceed \$46,000 for a revised total estimated contract amount not to exceed \$69,000. Funding is available in the Fiscal Year 2009-2010 Operating Budget of Austin Energy. Professional Service. 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.

**Item(s) from Council**

30. Approve appointments and certain related waivers to citizen boards and commissions, to Council subcommittees and other intergovernmental bodies and removal and replacement of members.

31. Approve an ordinance authorizing reimbursement of payment for water quality controls in the amount of \$12,208.64 for the property known as the Shoalmont Subdivision, city file number C8-2008-0224.OA. (Council Member Laura Morrison, Council Member Randi Shade and Mayor Pro Tem Mike Martinez)
32. Approve a resolution directing the City Manager to allocate \$4,684 from Holly Good Neighbor "Cultural Arts" projects to fund the Conjunto Music Festival during the Latino music month of May. (Mayor Pro Tem Mike Martinez and Mayor Lee Leffingwell )
33. Approve a resolution authorizing the City Manager to work with Travis County to monitor industrial uses in the City's Extraterritorial Jurisdiction (ETJ), with particular attention to the impact on residential land uses, ground water, surface water, and air quality. (Mayor Pro Tem Mike Martinez, Mayor Lee Leffingwell and Council Member Sheryl Cole)
34. Approve a resolution recognizing the "Let's Get to Work" initiative and supporting pursuit of community partnerships and potential grant funds, including state and federal grant funds. (Mayor Pro Tem Mike Martinez and Mayor Lee Leffingwell )
35. Approve a resolution directing the City Manager to work with stakeholders to create a policy regarding the use of social media sites and online collaborative tools for the City's Boards and Commissions. (Council Member Chris Riley, Mayor Pro Tem Mike Martinez and Council Member Laura Morrison)
36. Approve a resolution directing the City Manager to obtain additional information regarding the expected annual average wage for the lowest paid 10 percent of local workers from companies negotiating firm-based economic development proposals with the City. (Council Member Randi Shade, Mayor Lee Leffingwell and Mayor Pro Tem Mike Martinez)
37. Approve a resolution directing the City Manager to bring forward the Austin Regional Intelligence Center Privacy Policy and Interlocal Agreement between participating entities to the Public Safety Commission for review and recommendations to the City Council. (Council Member Laura Morrison and Council Member William Spelman)
38. Approve a resolution directing the City Manager to identify barriers experienced by artists working on city-sponsored art projects with members of the arts community, including the Arts Commission, and make recommendations for process improvements for assisting artists participating in city-sponsored art projects, including but not limited to potential fee waivers. (Council Member Laura Morrison and Mayor Pro Tem Mike Martinez)
39. Approve the waiver of certain fees under City Code Chapter 14-8 for the 2010 Men Rally for Change: Marching for Safe Homes and Safe Streets event sponsored by SafePlace which is to be held Saturday, April 10, 2010 beginning at the Mexican-American Cultural Center (MACC) and ending at Fiesta Gardens. (Mayor Pro Tem Mike Martinez and Council Member Randi Shade)

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

40. Set a public hearing to consider an ordinance amending Chapter 25-2, Subchapter E of the City Code, related to Design Standards and Mixed Use. (Suggested date and time: April 8, 2010, 4:00 p.m. at Austin City Hall, 301 W. Second Street, Austin, TX).
41. Set a public hearing to consider an ordinance amending City Code Sections 25-12-111 and 25-12-113 relating to permitting requirements of the 2008 National Electrical Code. (Suggested date and time: April 8, 2010, 4:00 p.m. at Austin City Hall, 301 W. Second Street, Austin, TX). Dan McNabb, 974-2752; Leon Barba 974-7254; Sylvia Arzola, 974-6448. Recommended by the Electric Board.
42. Set a public hearing to consider an ordinance repealing and replacing Article 12 of City Code Chapter 25-12 to adopt the 2009 International Energy Conservation Code and

local amendments. (Suggested date and time: April 8, 2010, 4:00 p.m. at Austin City Hall, 301 W. Second Street, Austin, TX). Recommended by the Electric Utility Commission, Resource Management Commission, Building and Fire Code Board of Appeals, and the Mechanical, Plumbing and Solar Board.

43. Set a public hearing to consider an ordinance repealing and replacing Article 1 of City Code Chapter 25-12 to adopt the 2009 International Building Code and local amendments; and amending Article 13 of City Code Chapter 25-12 related to permit application and expiration requirements. (Suggested date and time: April 8, 2010, 4:00 p.m. at Austin City Hall, 301 W. Second Street, Austin, TX). Recommended by the Building and Fire Code Board of Appeals.
44. Set a public hearing to consider an ordinance amending City Code Sections 25-12-241 and 25-12-243 relating to permitting and energy efficiency requirements of the 2006 International Residential Code. (Suggested date and time: April 8, 2010, 4:00 p.m. at Austin City Hall, 301 W. Second Street, Austin, TX). Recommended by the Building Fire Code Board of Appeals.
45. Set a public hearing to consider an ordinance repealing and replacing Article 7 of City Code Chapter 25-12 to adopt the 2009 International Fire Code and local amendments. (Suggested date and time: April 8, 2010, 4:00 p.m. at Austin City Hall, 301 W. Second Street, Austin, TX).
46. Set a public hearing to consider an ordinance repealing and replacing Article 6 of City Code Chapter 25-12 to adopt the 2009 Uniform Plumbing Code and certain local amendments. (Suggested date and time: April 8, 2010, 4:00 p.m. at Austin City Hall, 301 W. Second Street, Austin, TX). Recommended by the Mechanical, Plumbing and Solar Board.
47. Set a public hearing to consider an ordinance repealing and replacing Article 9 of City Code Chapter 25-12 to adopt the 2009 International Property Maintenance Code and local amendments; repealing Article 10 (Dangerous Buildings Code) of City Code Chapter 25-12; and amending City Code Chapters 2-1 and 6-1 to correct code citations. (Suggested date and time: April 8, 2010, 4:00 p.m. at Austin City Hall, 301 W. Second Street, Austin, TX). Recommended by the Building and Standards Commission.
48. Set a public hearing to consider an ordinance repealing and replacing Article 5 of City Code Chapter 25-12 to adopt the 2009 Uniform Mechanical Code and local amendments. (Suggested date and time: April 8, 2010, 4:00 p.m. at Austin City Hall, 301 W. Second Street, Austin, TX). Recommended by Mechanical, Plumbing and Solar Board.

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

49. Asian American Resource Center briefing
50. Groundwater Characteristics

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

Kenneth Lewis – Statute of limitations and false arrest

Pat Valls-Trelles – Animal issues

Paul Aviña – Economic prosperity

Pat Johnson – Anticipated wrecker driver and towing company scams during the 2010 South by Southwest



Robert G. MacDonald – The importance of DREAMS & Hope

Richard Troxell – Homelessness in Austin

Patricia Smith – Opening access from Maufrays to Button Bend to provide safety for our child care center, Little Dudes Learning Center in Dove Springs

Thomas Heikkala – City of Austin has picked out specifically our neighborhood to issue building code violations that are unfair

Scott Harpst – Building code violations

Douglas Lee Riley – Capital Metro

### **Executive Session**

51. Discuss legal issues concerning agreements with Capital Metro relating to construction of transportation projects (Private Consultation with Attorney - Section 551.071).

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

52. C14-2008-0123 - Bennett Tract - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by zoning and rezoning property locally known as 7309 South IH 35 Service Road Northbound (South Boggy Creek; Onion Creek Watersheds) from interim-rural residence (I-RR) district zoning and community commercial (GR) district zoning to general commercial services-mixed use-conditional overlay (CS-MU-CO) combining district zoning with conditions. First reading approved on January 28, 2010. Vote: 7-0. South Austin I-35 Associates c/o Bennett Realty Group (Delbert C. Bennett). Big Red Dog Engineering/Consulting (Will Schnier). Wendy Rhoades, 974-7719.
53. C14H-2009-0047 - Pace-Perry House - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 1403 Wathen Avenue (Shoal Creek Watershed) from family residence (SF-3) district zoning to family residence-historic landmark (SF-3-H) combining district zoning. First reading approved on December 10, 2009. Vote: 6-0 (Martinez off the dais.) Applicants: Don and Daphne Kuykendall. City Staff: Steve Sadowsky, 974-6454.

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

- 54 PH. C14-2008-0220 - Double Creek Village - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 10200 - 10614 South IH-35 Service Road Southbound (Slaughter and Onion Creek Watersheds) from interim rural-residence (I-RR) district zoning and general commercial services-conditional overlay (CS-CO) combining district zoning to general commercial services-mixed use (CS-MU) combining district zoning. Staff Recommendation: Pending. Zoning and Platting Commission Recommendation: To be reviewed on April 20, 2010. Applicant: Sterling/Babcock & Brown Double Creek LP (Drew M. Ireland). Agent: Alice Glasco Consulting (Alice Glasco). City Staff: Wendy Rhoades, 974-7719.
- 55 PH. C14-2009-0156 - Los Comales - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 2136 East 7th Street (Town Lake Watershed) from general commercial services-mixed

use-conditional overlay-neighborhood plan (CS-MU-CO-NP) combining district zoning to commercial liquor sales-mixed use-conditional overlay-neighborhood plan (CS-1-MU-CO-NP) combining district zoning. Staff Recommendation: To deny commercial liquor sales-mixed use-conditional overlay-neighborhood plan (CS-1-MU-CO-NP) combining district zoning. Planning Commission Recommendation: To deny commercial liquor sales-mixed use-conditional overlay-neighborhood plan (CS-1-MU-CO-NP) combining district zoning. Applicant: Merced and Graciela Benitez. Agent: Evergreen Global Group, LLC (Roger Chan). City Staff: Joi Harden, 974-2122.

- 56 PH. C14-2010-0005 – Athena School Haussmann – Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 1405 & 1409 Morgan Lane (West Bouldin Creek watershed) from family residence (SF-3) district zoning to neighborhood office-conditional overlay (NO-CO) combining district zoning and general office-conditional overlay (GO-CO) combining district zoning. Staff Recommendation: To grant neighborhood office-conditional overlay (NO-CO) combining district zoning and general office-conditional overlay (GO-CO) combining district zoning. Planning Commission Recommendation: To grant neighborhood office-conditional overlay (NO-CO) combining district zoning and general office-conditional overlay (GO-CO) combining district zoning. Applicant: Karl D. Haussmann. Agent: Rob Buchanan. City Staff: Stephen Rye 974-7604.
- 57 PH. C14-2009-0162 - AAA Limousine - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 11902 North Interstate Highway-35 Service Road South Bound (Walnut Creek Watershed) from limited office (LO) district zoning to community commercial-conditional overlay (GR-CO) combining 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/Owner: Mohammad Boujabadi. Agent: A.E.C. Inc. (Phil Moncada). City Staff: Sherri Sirwaitis, 974-3057.
- 58 PH. C14-2009-0165 - 5639 Airport Boulevard Rezone – Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 5639 Airport Boulevard (Tannihill Branch Watershed) from commercial services-vertical mixed use-conditional overlay-neighborhood plan (CS-V-CO-NP) combining district zoning to commercial services-liquor sales-vertical mixed use-conditional overlay-neighborhood plan. (CS-1-V-CO-NP) combining district zoning. Staff Recommendation: To grant commercial services-liquor sales-vertical mixed use-conditional overlay-neighborhood plan (CS-1-V-CO-NP) combining district zoning. Planning Commission Recommendation: To grant commercial services-liquor sales-vertical mixed use-conditional overlay- neighborhood plan. (CS-1-V-CO-NP) combining district zoning. Applicant: Wonderworkers Properties, L.L.C. (David Jabour) Agent: Thrower Design (Ron Thrower) City Staff: Clark Patterson, 974-7691.
- 59 PH. C14-2009-0163 - Lot 1 Leon A. Schmidt Addition - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 8565 Research Boulevard (Little Walnut Creek Watershed) from community commercial-neighborhood plan (GR-NP) combining district zoning to commercial-liquor sales-neighborhood plan (CS-1-NP) combining district zoning. Staff Recommendation: To grant commercial-liquor sales-conditional overlay-neighborhood plan (CS-1-CO-NP) combining district zoning. Zoning and Platting Commission Recommendation: To grant commercial-liquor sales-conditional overlay-neighborhood plan (CS-1-CO-NP) combining district zoning. Applicant/Owner: O'Brien Cedrone Inc. (Alfredo Cedrone). Agent: Conley Engineering, Inc. (Carl Conley). City Staff: Sherri Sirwaitis, 974-3057.
- 60 PH. C14-2009-0166 - Westend Bistro – Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 1315 West 6th Street (Town Lake) from limited office-vertical mixed use-neighborhood plan (LO-V-NP) combining district zoning and limited office-neighborhood plan (LO-NP) combining district zoning to community commercial-vertical mixed use-conditional overlay-neighborhood plan (GR-V-CO-NP) combining district zoning. Staff

Recommendation: To grant community commercial-vertical mixed use-conditional overlay-neighborhood plan (GR-V-CO-NP) combining district zoning. Planning Commission Recommendation: To grant community commercial-vertical mixed use-conditional overlay-neighborhood plan (GR-V-CO-NP) combining district zoning. Applicant: AGSA Group, L.L.C. (Gretchen Alley) Agent: Jim Bennett Consulting (Jim Bennett) City Staff: Clark Patterson, 974-7691.

- 61 PH. NPA-2009-0012.03 – Upper Boggy Creek Vertical Mixed Use Neighborhood Plan Amendment - Conduct a public hearing and approve an ordinance amending Ordinance No. 020801-92, the Upper Boggy Creek 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, multifamily, office and commercial to mixed use and mixed use/office on selected tracts within the Upper Boggy Creek Neighborhood Planning Area, bounded by IH 35, 26th Street and Comal Street to the west, Airport Boulevard to the north and east, and Martin Luther King, Jr. Boulevard, Cedar Boulevard, Rogers Boulevard, Walnut Boulevard and Manor Road to the south (Boggy Creek, Waller Creek Watersheds). Planning Commission Recommendation: To approve mixed use and mixed use/office on selected tracts. Applicant and Agent: Planning and Development Review Department. City Staff: Jacob Browning, 974-7657.
- 62 PH. C14-2009-0102 – Upper Boggy Creek 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 Upper Boggy Creek Neighborhood Planning Area, bounded by IH 35, 26th Street and Comal Street to the west, Airport Boulevard to the north and east, and Martin Luther King, Jr. Boulevard, Cedar Boulevard, Rogers Boulevard, Walnut Boulevard and Manor Road to the south (Boggy 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 selected tracts from the vertical mixed use overlay district. Applicant and Agent: Planning and Development Review Department. City Staff: Jacob Browning, 974-7657.

### **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/edims/document.cfm?id=130485>)

### **4:00 PM -- Public Hearings and Possible Actions**

- 63 PH. Conduct a public hearing and consider an ordinance creating an economic development program and authorizing the negotiation and execution of an economic development agreement with FACEBOOK, INC.
- 64 PH. Conduct a public hearing and consider an ordinance creating an economic development program and authorizing the negotiation and execution of an economic development agreement with YINGLI GREEN ENERGY AMERICAS, INC.
- 65 PH. Conduct a public hearing and consider an appeal by North University Neighborhood Planning Team regarding the decision to approve an Outdoor Music Venue Permit for Little Woodrow's, located at 2610 Guadalupe.
- 66 PH. Conduct a public hearing to receive citizen input on community needs for the annual Action Plan for Fiscal Year 2010-2011, required by the U.S. Department of Housing and

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

Tameca Jones

**5:30 PM -- Proclamations**

Proclamation -- Fix-A-Leak Week -- to be presented by Mayor Lee Leffingwell and to be accepted by Greg Meszaros

Proclamation -- Red Cross Month -- to be presented by Mayor Lee Leffingwell and to be accepted by Marty McKellips


Proclamation -- National Women's Month -- to be presented by Council Member Laura Morrison and to be accepted by Molly Barker


Proclamation -- "Getting Connected" Business Resource Fair -- to be presented by Mayor Pro Tem Mike Martinez and to be accepted by Vicky Valdez

Distinguished Service Awards -- Ralph Gohring and Kyoung Chung -- to be presented by Mayor Pro Tem Mike Martinez and to be accepted by the honorees

Certificate of Appreciation -- Johnny Degollado -- to be presented by Mayor Pro Tem Mike Martinez and to be accepted by the honoree

**Adjourn**

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 *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.