

**AUSTIN CITY COUNCIL  
MINUTES****REGULAR MEETING  
THURSDAY, OCTOBER 14, 2010**

**Invocation:** Pastor Michael Dennis, North Village Church

The following represents the actions taken by the Austin City Council in the order they occurred during the meeting. While the minutes are not in sequential order, all agenda items were discussed. The City Council of Austin, Texas, convened in a regular meeting on Thursday, October 14, 2010 in the Council Chambers of City Hall, 301 West Second Street, Austin, Texas.

Mayor Leffingwell called the Council Meeting to order at 10:10 a.m.

**CONSENT AGENDA**

The following items were acted on by one motion. No separate action occurred on any of the items.

1. Approve the minutes of the Austin City Council special called meeting of September 29, 2010 and regular meeting of September 30, 2010.  
**The minutes from the special called meeting of September 29, 2010 and regular meeting of September 30, 2010 were approved on consent on Council Member Cole's motion, Council Member Morrison's second on a 7-0 vote.**

**Item 2 was pulled for discussion.**

3. Approve a resolution authorizing acceptance of grants from the Federal Aviation Administration, the Transportation Security Administration, and other agencies of the United States Government in an amount not to exceed \$30,000,000 to the City of Austin, Department of Aviation, for Austin-Bergstrom International Airport for Fiscal Year 2010-2011. Grant reimbursement will apply to projects in the Fiscal Year 2010-2011 Approved Capital and/or Operating Budgets of the Aviation Department. Grant funds will be placed in the Airport Capital Fund, the ABIA Improvement Funds and/or the ABIA Operating Fund. Reviewed by the Austin Airport Advisory Commission.  
**Resolution No. 20101014-003 was approved on consent on Council Member Cole's motion, Council Member Morrison's second on a 7-0 vote.**

4. Approve an ordinance changing the name of GREGG LANE to GREGG WARD LANE in order to remove a duplicate name. As this street name change is being initiated by a City Department, no fee will be required. The \$331.38 for replacement of the street signs located at the corner of GREGG LN at E ST ELMO RD and a second sign located at the corner of GREGG LN at CARTER LN will be funded by the Public Works Department.  
**Ordinance No. 20101014-004 was approved on consent on Council Member Cole's motion, Council Member Morrison's second on a 7-0 vote.**

**Item 5 was pulled for discussion.**

6. Approve the negotiation and execution of the documents and instruments necessary both to use a tract of 88.076 acres on the north side of McAngus Road at Towery Lane in Austin, Travis County, Texas for municipal purposes and to remit up to \$475,000 to the Noise Compatibility Program fund. Funding is available in the Fiscal Year 2010-2011 Amended Capital Budget of the Austin Police Department. Related to Items #24 and 25.  
**The motion authorizing the negotiation and execution of the documents and instruments necessary to use a tract of 88.076 acres on the north side of McAngus Road at Towery Lane and to remit up to \$475,000 to the Noise Compatibility Program fund was approved on consent on Council Member Cole's motion, Council Member Morrison's second on a 7-0 vote.**
7. Authorize execution of a construction contract with J. C. EVANS CONSTRUCTION CO., LP, Leander, TX for Hoeke-Posten Lane Roadway and Drainage Improvements in the amount of \$1,516,048.50 plus a \$75,802.42 contingency, for a total contract amount not to exceed \$1,591,850.92. Funding is available in the Fiscal Year 2010-2011 Capital Budget of the Watershed Protection Department. Lowest bid of 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) through the achievements of Good Faith Efforts with 7.21% MBE and 8.00% WBE subcontractor participation.  
**The motion authorizing the execution of a construction contract with J.C. Evans Construction Co., LP was approved on consent on Council Member Cole's motion, Council Member Morrison's second on a 7-0 vote.**
8. Authorize execution of a construction contract with MUNIZ CONCRETE AND CONTRACTING, INC., (MBE/MH 66.92%), Austin, TX for the South Metric Dam Modernization project in an amount not to exceed \$193,810.05. Funding is available in the Fiscal Year 2009-2010 Capital Budget of the Watershed Protection Department. Lowest bid of 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) by meeting the goals with 66.92% MBE prime contractor and 7.28% WBE subcontractor participation.  
**The motion authorizing the execution of a construction contract with Muniz Concrete and Contracting, Inc. was approved on consent on Council Member Cole's motion, Council Member Morrison's second on a 7-0 vote.**
9. Approve a resolution authorizing the filing of eminent domain proceedings for the Anderson Mill/RR 620 Transmission Main Project to acquire a 16,766 square foot water line easement, out of Lot 4, Block A, Volente Subdivision, a subdivision in Travis County, Texas, in the amount of \$77,543. The owner of the needed property interests is JOHNSON FOUR CORNERS, LTD. The property is located at 11901 Anderson Mill Road, Austin, Travis County, Texas. Funding is included in the Fiscal Year 2010-2011 Capital Budget of the Austin Water Utility Department.  
**Resolution No. 20101014-009 was approved on consent on Council Member Cole's motion, Council Member Morrison's second on a 7-0 vote.**
10. Approve a resolution authorizing the filing of eminent domain proceedings for the NWC Transmission Main Project to acquire a 2,408 square foot water line easement, out of Lot 1, Block A, Plaza Volente, a subdivision in Travis County, Texas, in the amount of \$4,617. The owner of the needed property interest is KRG Plaza Volente, LP. The property is located at 11521 N. Ranch Road 620, Austin, Travis and Williamson Counties, Texas. Funding is available in the Fiscal Year 2010-2011 Capital Budget of the Austin Water Utility Department.  
**Resolution No. 20101014-010 was approved on consent on Council Member Cole's motion, Council Member Morrison's second on a 7-0 vote.**
11. Approve a resolution authorizing the filing of eminent domain proceedings for the Fort Branch Watershed Management Area Reach 6 & 7 - Truelight Area and Eleanor Drive Area Project to acquire a 4,944 squarefoot permanent drainage easement out of Lot 23, Block 1, Lincoln Gardens Section 1, a subdivision

in the City of Austin, Travis County, Texas, in the amount of \$5,162.00. The owners of the needed property interest are MAGDALENA LEDESMA and SAIZ EXCAVATION, LLC. The property is located at 1214 Fort Branch, Austin, Travis County, Texas. Funding is included in the Fiscal Year 2010-2011 Capital Budget of the Watershed Protection Department.

**Resolution No. 20101014-011 was approved on consent on Council Member Cole's motion, Council Member Morrison's second on a 7-0 vote.**

**Item 12 was pulled for discussion.**

**Items 13 and 14 were pulled to be heard after the related Executive Session item.**

**Item 15 was pulled for discussion.**

16. Authorize negotiation and execution of a contract with SICKLE CELL ANEMIA ASSOCIATION OF AUSTIN, MARC THOMAS CHAPTER, for the provision of services to clients with sickle cell disease, their families, and at-risk populations, for a 12-month term beginning October 1, 2010, in an amount not to exceed \$107,123, with three 12-month renewal options, each in an amount not to exceed \$107,123, for a total contract amount not to exceed \$428,492. Funding in the amount of \$107,123 is available in the Fiscal Year 2010-2011 Operating Budget of the Health and Human Services Department. Funding for the renewal options is contingent upon the availability of funding in future budgets.

**The motion authorizing the negotiation and execution of a contract with Sickle Cell Anemia Association of Austin, Marc Thomas Chapter, was approved on consent on Council Member Cole's motion, Council Member Morrison's second on a 7-0 vote.**

**Item 17 was pulled for discussion.**

18. Approve a resolution authorizing the application of grant funding up to \$2,500,000 from the U. S. Department of Housing and Urban Development Lead Hazard Reduction Demonstration Program for the City's LeadSmart Program. Funding is available from the U. S. Department of Housing and Urban Development Office of Healthy Homes and Lead Hazard Control, for the grant period December 1, 2010 to May 31, 2014. There is a required match of 25 percent (\$625,000) which will be met by funds received in the Housing Rehabilitation Revolving Loan program and in-kind services.

**Resolution No. 20101014-018 was approved on consent on Council Member Cole's motion, Council Member Morrison's second on a 7-0 vote.**

19. Approve a resolution authorizing Elizabeth A. Spencer, Acting Director of the Neighborhood Housing and Community Development Office, to sign all contracts concerning affordable housing programs with the Texas Department of Housing and Community Affairs on behalf of the City Manager.

**Resolution No. 20101014-019 was approved on consent on Council Member Cole's motion, Council Member Morrison's second on a 7-0 vote.**

20. Authorize execution of a Parkland Improvement Agreement between the City of Austin and Core Health Foundation, a Texas non-profit corporation ("Core"), under which Core will fund and construct an ADA accessible pier adjacent to Waller Beach at Lady Bird Johnson Lake, and construct related erosion control infrastructure improvements, for a term beginning on October 22, 2010, and terminating on January 31, 2017. Recommended by the Parks and Recreation Board.

**The motion to authorize execution of a parkland improvement agreement between the City of Austin and Core Health Foundation was approved on consent on Council Member Cole's motion, Council Member Morrison's second on a 7-0 vote.**

21. 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 2010-2011 Operating Budget of the Planning and Development Review Department.

**The motion authorizing payment of membership fees to the Austin-San Antonio Corridor Council in an amount not to exceed \$50,000 was approved on consent on Council Member Cole's motion, Council Member Morrison's second on a 7-0 vote.**

22. Authorize payment of the City's annual membership dues in the Lone Star Rail District, in an amount not to exceed \$49,500. Funding is available in the Fiscal Year 2010-2011 Operating Budget of the Planning and Development Review Department.

**The motion authorizing payment of the City's annual membership dues in the Lone Star Rail District in an amount not to exceed \$49,500 was approved on consent on Council Member Cole's motion, Council Member Morrison's second on a 7-0 vote.**

23. Authorize negotiation and execution of Amendment No. 5 to the Interlocal Agreement for Booking and Related Services between Travis County and the City of Austin in the amount of \$5,957,889 for Fiscal Year 2010-2011. Funding is available in the Fiscal Year 2010-2011 Operating Budget of the Austin Police Department.

**The motion authorizing the negotiation and execution of amendment number five to the interlocal agreement for booking and related services between Travis County and the City of Austin was approved on consent on Council Member Cole's motion, Council Member Morrison's second on a 7-0 vote.**

24. Approve a resolution declaring the City of Austin's official intent to reimburse itself from Certificates of Obligation in the amount of \$475,000 related to the purchase of real estate on the north side of McAngus Road at Towery Lane in Austin, Travis County, Texas for the Mounted Patrol Unit. \$475,000 in Certificates of Obligations to be issued in August 2011 or later. Related to Items #6 and 25.

**Resolution No. 20101014-024 was approved on consent on Council Member Cole's motion, Council Member Morrison's second on a 7-0 vote.**

25. Approve an ordinance amending the Fiscal Year 2010-2011 Police Department Capital Budget of Ordinance No. 20100913-003 to appropriate \$475,000 for the purchase of real estate on the north side of McAngus Road at Towery Lane in Austin, Travis County, Texas for the Mounted Patrol Unit. Funding in the amount of \$475,000 is available from a reimbursement resolution. Related to Items #6 and 24.

**Ordinance No. 20101014-025 was approved on consent on Council Member Cole's motion, Council Member Morrison's second on a 7-0 vote.**

26. Authorize award, negotiation and execution of a 36-month requirements service contract with COMMERCIAL KITCHEN PARTS AND SERVICE, San Antonio, TX to provide preventative maintenance and repair services for kitchen equipment in an estimated amount not to exceed \$546,000, with three 12-month extension options in estimated amounts not to exceed \$259,200 for the first extension option, \$311,040 for the second extension option, and \$373,248 for the third extension option, for a total estimated contract amount not to exceed \$1,489,488. Funding in the amount of \$150,000 is available in the Fiscal Year 2010-2011 Operating Budget of the Austin Convention Center Department. Funding for the remaining 24 months of the original contract period and extension options is contingent upon available funding in future budgets. Best evaluated bid of two bids received. This contract will be awarded in compliance with Chapter 2-9C of the City Code (Minority Owned and Women Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation.

**The motion authorizing the award, negotiation and execution of a requirements service contract with Commercial Kitchen Parts and Service was approved on consent on Council Member Cole's motion, Council Member Morrison's second on a 7-0 vote.**

27. Authorize award and execution of a 12-month requirements supply contract with AIR LIQUIDE AMERICA SPECIALTY GASES, LLC, Manor, TX, for the purchase of special cylinder gases and gas cylinder management services for Austin Energy in an estimated amount not to exceed \$48,913, with four

12-month extension options in an estimated amount not to exceed \$48,913 per extension option, for a total estimated contract amount not to exceed \$244,565. Funding in the amount of \$48,913 is available in the Fiscal Year 2010-2011 Operating Budget of Austin Energy. Funding for the extension options is contingent upon available funding in future budgets. Lowest bid of two bids received. This contract will be awarded in compliance with Chapter 2-9D of the City Code (Minority Owned and Women Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation. Recommended by the Electric Utility Commission.

**The motion authorizing the award and execution of a requirements supply contract with Air Liquide America Specialty Gases, LLC was approved on consent on Council Member Cole's motion, Council Member Morrison's second on a 7-0 vote.**

28. Authorize award and execution of a 24-month requirements supply contract with TECHLINE, INC., Austin, TX, for the purchase of vacuum switches in an estimated amount not to exceed \$1,189,200, with three 12-month extension options in an estimated amount not to exceed \$594,600 per extension option, for a total estimated contract amount not to exceed \$2,973,000. Funding in the amount of \$594,600 is available in the Fiscal Year 2010-2011 Capital Budget of Austin Energy. Funding for the remaining 12 months of the original contract period and extension options is contingent upon available funding in future budgets. Lowest bid of two bids received. This contract will be awarded in compliance with Chapter 2-9D of the City Code (Minority Owned and Women Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation. Recommended by the Electric Utility Commission.

**The motion authorizing the award and execution of a requirements supply contract with Techline, Inc. was approved on consent on Council Member Cole's motion, Council Member Morrison's second on a 7-0 vote.**

29. Authorize award, negotiation, and execution of an 18-month requirements service contract with VOLATILITY MANAGERS LLC, Green Mountain Falls, CO, or one of the other qualified offerors to RFP No. RML0022, for consulting services for performing residential consumer independent rate advisor services for Austin Energy in an estimated amount not to exceed \$97,340 for Phase I (Participation in Public Involvement Committee process), with one 18-month extension option to provide additional services in an estimated amount not to exceed \$162,600 for Phase II (Rate Proceeding Support), for a total estimated contract amount not to exceed \$259,940. Funding in the amount of \$75,000 is available in the Fiscal Year 2010-2011 Operating Budget of Austin Energy. Funding for the remaining six months of the original contract period and extension option is contingent upon available funding in future budgets. Best evaluated proposal of three 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. Recommended by the Electric Utility Commission.

**The motion authorizing the award, negotiation and execution of a requirements service contract with Volatility Managers LLC was approved on consent on Council Member Cole's motion, Council Member Morrison's second on a 7-0 vote.**

30. Authorize award and execution of a contract with MERIDIAN MEDICAL TECHNOLOGIES, INC., Columbia, MD for atropine and pralidoxime chloride injections for the Emergency Medical Services Department in an amount not to exceed \$63,552.60. Funding is available in the Fiscal Year 2007-2008 grant funds from the Metropolitan Medical Response System Program of the U.S. Department of Homeland Security. Lowest bid of three bids received. This contract will be awarded in compliance with Chapter 2-9D of the City Code (Minority Owned and Women Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation.

**The motion authorizing the award and execution of a contract with Meridian Medical Technologies, Inc. was approved on consent on Council Member Cole's motion, Council Member Morrison's second on a 7-0 vote.**

31. Authorize award and execution of a 36-month requirements service contract with CROWDER INDUSTRIAL RADIATOR SVC INC, Austin, TX for repair services for automotive and heavy equipment radiators in an estimated amount not to exceed \$305,760, with three 12-month extension options in estimated amounts not to exceed \$145,152 for the first extension option, \$174,182 for the second extension option, and \$209,019 for the third extension option, for a total estimated contract amount not to exceed \$834,113. Funding in the amount of \$77,000 is available in the Fiscal Year 2010-2011 Operating Budget of the Financial and Administrative Services Department, Fleet Fund. Funding for the remaining 25 months of the original contract period and extension options is contingent upon funding in future budgets. Best evaluated bid of two bids received. This contract will be awarded in compliance with Chapter 2-9C of the City Code (Minority Owned and Women Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation.

**The motion authorizing the award and execution of a requirements service contract with Crowder Industrial Radiator SVC Inc. was approved on consent on Council Member Cole's motion, Council Member Morrison's second on a 7-0 vote.**

32. Authorize award, negotiation, and execution of a professional services contract with THE PFM GROUP, Philadelphia, PA, or one of the other qualified responders to the RFQ, for the Cost of Service Study for the Planning and Development Review Department in an estimated contract amount not to exceed \$100,000. Funding is available in the Fiscal Year 2010-2011 Capital Budget of the Planning and Development Review Department. This Professional Services contract is exempt from the MBE/WBE Ordinance. This exemption is in compliance with Chapter 2-9B of the City Code (Minority Owned and Women Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this contract.

**The motion authorizing the award, negotiation and execution of a professional services contract with The PFM Group was approved on consent on Council Member Cole's motion, Council Member Morrison's second on a 7-0 vote.**

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

**The following appointments were approved on consent on Council Member Cole's motion, Council Member Morrison's second on a 7-0 vote.**

**Board/Nominee**

**Nominated by**

Commission on Immigrant Affairs

Donald Krupens

Council Member Shade

Environmental Board

Eva Hernandez

Mayor Pro Tem Martinez

Mayor Pro Tem Martinez is nominating Eva Hernandez to replace Phil Moncada.

Urban Forestry Board

Patrick Brewer

Mayor Leffingwell

Waller Creek Citizen Advisory Committee

Russel D. Louis (recommended by Downtown Austin Alliance)

Council

Graham Williams (recommended by Austin Music Commission)

Council

Airport Boulevard Advisory Group

|                   |         |
|-------------------|---------|
| Peter Cesaro      | Council |
| Katrina Daniel    | Council |
| Roger El Khoury   | Council |
| Jill Fagan        | Council |
| Martha Koock-Ward | Council |
| Bryan Hardeman    | Council |
| Carol Huntsberger | Council |
| David Jabour      | Council |
| Natalie Marquis   | Council |
| Dennis McDaniel   | Council |
| Alan D. Miller    | Council |
| Bill Mullane      | Council |
| Steve Oliver      | Council |
| Jay Reddy         | Council |
| Scott Talkington  | Council |
| Ron Thrower       | Council |
| Greg Weaver       | Council |
| Bart Whatley      | Council |
| Sebastian Wren    | Council |

34. Approve a resolution amending Resolution No. 021003-40 to add the Austin Trailer Food Festival 2010 event as a City Co-sponsored special event for this year, waive certain requirements, and waive or reimburse certain fees for this event which is to be held on Saturday, November 6, 2010 at Auditorium Shores. (Mayor Pro Tem Mike Martinez Council Member Randi Shade Council Member Chris Riley)  
**Resolution No. 20101014-034 was approved on consent on Council Member Cole's motion, Council Member Morrison's second on a 7-0 vote.**

**Item 35 was pulled for discussion.**

36. Approve a resolution authorizing the initiation of amendments to an adopted neighborhood plan at any time as is necessary to implement the outcomes of the expedited process for adoption of land development regulations for the properties within the East Riverside Corridor Master Plan boundaries. (Council Member Chris Riley Council Member Laura Morrison )  
**Resolution No. 20101014-036 was approved on consent on Council Member Cole's motion, Council Member Morrison's second on a 7-0 vote.**
37. Approve the waiver of certain fees and requirements under City Code Chapter 14-8 for the City co-sponsored 2010 Veteran's Day Parade with Travis County Veterans Service Office, which is to be held on November 11, 2010 from the Ann Richards Congress Avenue Bridge to the Capitol Building. (Mayor Lee Leffingwell Mayor Pro Tem Mike Martinez Council Member Randi Shade)  
**The motion to approve the waiver of certain fees and requirements for the City co-sponsored 2010 Veteran's Day Parade with Travis County Veterans Service Office was approved on consent on Council Member Cole's motion, Council Member Morrison's second on a 7-0 vote.**
38. Approve the waiver of certain fees and requirements for the Sustainable Speaker Series Lunch featuring Edward Mazria and hosted by the Austin Community Design and Development Center, which is to be held Thursday, October 21, 2010 at the Emma S. Barrientos Mexican American Cultural Center. (Council Member Chris Riley Mayor Pro Tem Mike Martinez Council Member Sheryl Cole)  
**The motion to approve the waiver of certain fees and requirements for the Sustainable Speaker Series Lunch was approved on consent on Council Member Cole's motion, Council Member Morrison's second on a 7-0 vote.**

39. Approve the waiver of the deadline requirement that applicants issue a proposed street closure notice 90 days prior to an event which allows affected individuals and neighborhood associations to object to the closure under City Code Chapter 14-8 for the Arthouse at the Jones Center Grand Re-Opening event which is to be held on Sunday, October 24, 2010, on Congress Avenue, between 7th Street & 8th Street. (Council Member Randi Shade Council Member Sheryl Cole )  
**The motion to approve the waiver of the deadline requirement that applicants issue a proposed street closure notice 90 days prior to an event for the Arthouse at the Jones Center Grand Re-Opening event was approved on consent on Council Member Cole's motion, Council Member Morrison's second on a 7-0 vote.**
40. Approve the waiver of certain fees and requirements for the Bipolar Foundation of Central Texas event which is to be held Thursday, October 21, 2010 at the George Washington Carver Museum and Cultural Center. (Council Member Sheryl Cole Mayor Lee Leffingwell Mayor Pro Tem Mike Martinez)  
**The motion to approve the waiver of certain fees and requirements for the Bipolar Foundation of Central Texas event was approved on Council Member Cole's motion, Council Member Morrison's second on a 7-0 vote.**
41. Set a public hearing to consider an ordinance amending the Austin Tomorrow Comprehensive Plan by adopting the Heritage Hills/Windsor Hills Combined Neighborhood Plan. The boundaries for Heritage Hills/Windsor Hills Combined Neighborhood Planning Area are E. Braker Lane to the north; US Highway 183 to the south; Cameron Road/Dessau Road to the east; and Interstate Highway 35 (IH-35) to the west. (Suggested date and time: December 9, 2010, 2:00 p.m., at Austin City Hall, 301 W. Second Street, Austin, TX).  
**The public hearing was set on consent for December 9, 2010 at 2:00 p.m., Austin City Hall at 301 W. Second Street, Austin, TX on Council Member Cole's motion, Council Member Morrison's second on a 7-0 vote.**
42. Set a Public Hearing to consider an ordinance amending the Electric Rate Schedule contained in Ordinance No. 20100913-004 to include primary service customers as eligible customers under the Coincident Load Special Contract Rider, eliminate the need for a written contract under the Independent School Districts Time-of-Use tariff, and extend the low-income fuel charge under the Residential Service Tariff beyond its current expiration date of March 1, 2011. (Suggested date and time: October 28, 2010, 4:00 p.m. at Austin City Hall, 301 W. Second Street, Austin, TX). There is no unanticipated fiscal impact. Recommended by the Electric Utility Commission.  
**The public hearing was set on consent for October 28, 2010 at 4:00 p.m., Austin City Hall at 301 W. Second Street, Austin, TX on Council Member Cole's motion, Council Member Morrison's second on a 7-0 vote.**
58. Approve the reimbursement of certain fees for the PARKnowledge Reception event sponsored by the Austin Parks Foundation which was held October 6, 2010 at the Seaholm Intake Center. (Council Member Sheryl Cole Council Member Chris Riley Council Member Randi Shade)  
**The motion to approve the reimbursement of certain fees for the PARKnowledge Reception event was approved on consent on Council Member Cole's motion, Council Member Morrison's second on a 7-0 vote.**

Items 43 and 44 were briefing items set for 10:30 a.m.

Items 45 through 57 were zoning items set for 2:00 p.m.

### DISCUSSION ITEMS

2. Approve negotiation and execution of an agreement with the Harvest Foundation, a 501(c)(3) nonprofit corporation, in an amount not to exceed \$75,000, and an Interlocal Agreement among the City of Austin,



Travis County and the Austin Independent School District (AISD), in an amount not to exceed \$25,000, to hold a series of African American Men and Boys Conferences during the 2010-2011 school year at selected AISD middle and high schools. Funding in the amount of \$100,000 is available in the Fiscal Year 2010-2011 Operating Budget of Austin Energy.

**The motion to authorizing the negotiation and execution of an agreement with the Harvest Foundation was approved on Council Member Spelman's motion, Mayor Leffingwell's second on a 7-0 vote.**

5. Approve an ordinance changing the name of GENERAL AVIATION AVE to EMMA BROWNING AVE to honor Emma Browning. As this street name change is being initiated by a city department, no fee will be assessed. The processing fee of \$750 for replacement of the street signs located at the corner of GENERAL AVIATION AVE at BURLESON RD, BURLESON RD at S US 183 HWY and at BURLESON RD at S FM 973 RD will be funded by the Public Works Department.  
**Ordinance No. 20101014-005 was approved on Council Member Riley's motion, Mayor Leffingwell's second on a 7-0 vote.**
12. Authorize negotiation and execution of a professional services agreement with one of the following firms: GATEWAY PLANNING GROUP, INC., Austin, TX (staff recommendation); DESIGN WORKSHOP, INC., Austin, TX (alternate firm); or one of the other qualified responders to RFQ Solicitation No. CLMP060 to provide professional planning services for the Airport Boulevard Form-based Code Initiative in an amount not to exceed \$453,000. Funding is available in the Fiscal Year 2010-2011 Operating Budget of the Planning and Development Review Department. Staff recommendation is the most qualified firm out of 5 firms evaluated through the City's qualification-based selection process. This contract will be awarded in compliance with Chapter 2-9B of the City Code (Minority Owned and Women Owned Business Enterprise Procurement Program). All firms met or exceeded the goals for this solicitation, with 15.8% MBE and 15.8% WBE subconsultant participation.  
**The motion authorizing the negotiation and execution of a professional services agreement with Gateway Planning Group, Inc. was approved on Council Member Riley's motion, Council Member Morrison's second on a 7-0 vote.**
15. Approve a resolution supporting as part of the City's legislative agenda for the 2011 session of the Texas State Legislature an amendment to Vernon's Civil Statutes, Title 109, Article 6243n to provide a separate tier of benefits under the City of Austin Employees' Retirement System for future employees only, and directing the City Manager to investigate and recommend additional changes to Article 6243n that may be included as part of the City's legislative agenda for the 2011 session of the Texas State Legislature.  
**Resolution No. 20101014-015 was approved on Council Member Spelman's motion, Council Member Shade's second on a 7-0 vote.**
17. Authorize negotiation and execution of Amendment Number Ten to the Truancy Court Pilot Project Interlocal Agreement between the City, Travis County and the Travis County Juvenile Board for chronic truancy intervention services for a one-year term beginning October 1, 2010, in an amount not to exceed \$38,828. Funding is available in the Fiscal Year 2010-2011 Operating Budget of the Health and Human Services Department. The contract period is October 1, 2010 - September 30, 2011.  
**The motion authorizing the negotiation and execution of amendment number ten to the Truancy Court Pilot Project interlocal agreement between the City, Travis County and the Travis County Juvenile Board was approved on Council Member Spelman's motion, Council Member Morrison's second on a 6-0 vote. Council Member Cole was off the dais.**

35. Approve a resolution directing the City Manager to allocate \$25,000 from the Holly Good Neighbor Program "Cultural Arts Projects" fund in the FY2010-11 Austin Energy operating budget to fund the Viva La Vida Fest 2010: 27th Annual Dia de los Muertos celebration to be held October 23, 2010. (Mayor Pro Tem Mike Martinez Council Member Sheryl Cole Mayor Lee Leffingwell)  
**Resolution No. 20101014-035 was approved on Mayor Pro Tem Martinez' motion, Council Member Riley's second on a 6-0 vote. Council Member Cole was off the dais.**

### **BRIEFING**

43. Presentation by ETC Institute on the results of the 2010 City of Austin Citizen Survey  
**The presentation was made by Ed Van Eenoo, Budget Officer and Chris Tatham of ETC Institute. Direction was given to the consultant to compare the data based on various forms of government and to compare the staffing ratios of the various cities.**

### **CITIZEN COMMUNICATION: GENERAL**

Rae Nadler-Olenick – Fluoride action network's Dr. Paul Connett will visit Austin Nov. 4-9

Ronnie Reefersed – Peace, freedom and fluoride

CAROLANNEROSE KENNEDY – AVE...ROSEMARIA...IN HONOR OF ROSEMARY KENNEDY

Paul Robbins – City issues

Joe Quintero Agenda 21 - Greater East Austin Neighborhood Association - East Cesar Chavez plan a taking of our – land tool used by the City of Austin and their government agent Lori Renteria.

Tyrone Anderson –The safety and the conditions of some of the boarding homes that some of the mentally ill patients are being released into. **He was not present when his name was called.**

Lory Shelton – TBA

John Goldstone – Surveillance cameras in residential neighborhoods. **He was not present when his name was called.**

Sharon Blythe – Water transmission tunnel. **Direction was given to staff to correct the posting problem, if one does exists for the Parks Board Land and Facilities subcommittee.**

Linda Greene – Why all citizens should visit [fluoridealert.org](http://fluoridealert.org).

**Mayor Leffingwell recessed the meeting to go into Executive Session at 12:31 p.m.**

### **EXECUTIVE SESSION**

**The City Council went into Executive Session, pursuant to Chapter 551 of the Texas Government Code, to receive advice from Legal Counsel, to discuss matters of land acquisition, litigation, and personnel matters as specifically listed on this agenda and to receive advice from Legal Counsel regarding any other item on this agenda.**

**The Mayor announced that Council would discuss items number 13 and 14 on the regular agenda during Executive Session.**

Executive Session ended and Mayor Pro Tem Martinez called the Council Meeting back to order at 1:45 p.m.

#### **BRIEFINGS CONTINUED**

44. Briefing on Parks and Recreation Department's Long Range Plan  
The presentation was made Parks and Recreation staff Kelly Snook, Assistant Director, and Jena Neal, Planner. Direction was given to staff to provide more substantive recommendations when the Long Range Plan comes back for action.

The motion to recess was made by Council Member Spelman and second by Council Member Riley without objection at 1:59 p.m.

Mayor Leffingwell called the meeting back to order at 2:00 p.m.

#### **DISCUSSION ITEMS CONTINUED**

13. Approve an ordinance authorizing the City Manager to execute a Master Development Agreement with CONSTRUCTIVE VENTURES, INC. and TC AUSTIN DEVELOPMENT, INC. for redevelopment of the property currently occupied by the Austin Energy Control Center; adopting building access and area of refuge requirements; and approving a managed growth agreement. Related to Item #14.  
**Ordinance No. 20101014-013 was approved on Council Member Riley's motion, Mayor Pro Tem Martinez' second on a 6-1 vote. Council Member Morrison voted nay. Staff was directed to bring estimated cost figures to the Audit and Finance Committee for each step in the development of this property .**
14. Approve an ordinance amending the Fiscal Year 2010-2011 Economic Growth and Redevelopment Services Office Capital Budget of Ordinance No. 20100913-003 to appropriate \$1,350,000 to fund improvements with revenues related to the Energy Control Center Master Development Agreement. Funding is available in developer contributions in conjunction with the Energy Control Center Master Development Agreement. Related to Item #13.  
**Ordinance No. 20101014-014 was approved on Council Member Riley's motion, Mayor Pro Tem Martinez' second on a 6-1 vote. Council Member Morrison voted nay.**

#### **ZONING CONSENT ITEMS (HEARINGS CLOSED)**

The following zoning items were acted on by one motion. No separate action occurred on any of the items.

45. C14-2010-0132 - Central Texas Rehabilitation - Approve third reading of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 4500 1/2 Triangle Avenue (Waller Creek Watershed) from unzoned to general commercial services-conditional overlay (CS-CO) combining district zoning. First and second readings approved on September 23, 2010. Vote 7-0. Applicant: State of Texas (Hal Croft). Agent: Brown McCarroll, L.L.P. (Nikelle Meade). City Staff: Clark Patterson, 974-7691.  
**Ordinance No. 20101014-045 for general commercial services-conditional overlay (CS-CO) combining district zoning was approved on Council Member Morrison's motion, Council Member Spelman's second on a 7-0 vote.**

#### **ZONING CONSENT ITEMS (PUBLIC HEARINGS)**

The following zoning items were acted on by one motion. No separate action occurred on any of the items.

49. C14-2010-0112 - Gagaland - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 1503 Enfield Road (Town Lake Watershed) from neighborhood office-conditional overlay-neighborhood plan (NO-CO-NP) combining district zoning to multi-family residence-medium density-neighborhood plan (MF-3-NP) combining district zoning. Staff Recommendation: To grant multi-family residence-medium density-conditional overlay-neighborhood plan (MF-3-CO-NP) combining district zoning. Planning Commission Recommendation: To grant multi-family residence-medium density-conditional overlay-neighborhood plan (MF-3-CO-NP) combining district zoning. Applicant: Gagaland, LLC (Laura Gottesman) Agent: Tina Contros. City Staff: Clark Patterson, 974-7691  
**This item was postponed on consent to November 4, 2010 at the neighborhood and applicant's request on Council Member Spelman's motion, Council Member Morrison's second on a 7-0 vote.**
50. C14-2010-0113 - Gagaland 2 - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 1501 Enfield Road (Town Lake Watershed) from multi-family residence-medium density-neighborhood plan (MF-3-NP) combining district zoning to neighborhood office-neighborhood plan (NO-NP) combining district zoning. Staff Recommendation: To grant neighborhood office-conditional overlay-neighborhood plan (NO-CO-NP) combining district zoning. Planning Commission Recommendation: To grant neighborhood office-conditional overlay-neighborhood plan (NO-CO-NP) combining district zoning. Applicant: Gagaland, LLC (Laura Gottesman) Agent: Tina Contros. City Staff: Clark Patterson, 974-7691  
**This item was postponed on consent to November 4, 2010 at the neighborhood and applicant's request on Council Member Spelman's motion, Council Member Morrison's second on a 7-0 vote.**
51. C14-2010-0129 - Century Property - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 1705 Century Street (Gilleland Creek Watershed) from single family residence-standard lot (SF-2) district zoning to general commercial services-conditional overlay (CS-CO) combining district zoning. Staff Recommendation: To grant general commercial services-conditional overlay (CS-CO) combining district zoning. Zoning and Platting Commission Recommendation: To grant general commercial services-conditional overlay (CS-CO) combining district zoning. Applicant: Guy G. Mathews and Barbara P. Mathews. Agent: Graves, Dougherty, Hearon & Moody, P.C. (Peter J. Cesaro). City Staff: Sherri Sirwaitis, 974-3057.  
**The public hearing was closed and Ordinance No. 20101014-051 for general commercial services-conditional overlay (CS-CO) combining district zoning was approved on consent on Council Member Spelman's motion, Council Member Morrison's second on a 7-0 vote.**
52. C14-2010-0130 - IH-35 Property - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 15527 North Interstate-35 Service Road North Bound (Gilleland Creek Watershed) from single family residence-standard lot (SF-2) district zoning to general commercial services-conditional overlay (CS-CO) combining district zoning. Staff Recommendation: To grant general commercial services-conditional overlay (CS-CO) combining district zoning. Zoning and Platting Commission Recommendation: To grant general commercial services-conditional overlay (CS-CO) combining district zoning. Applicant: Guy G. Mathews. Agent: Graves, Dougherty, Hearon & Moody, P.C. (Peter J. Cesaro). City Staff: Sherri Sirwaitis, 974-3057.  
**The public hearing was closed and Ordinance No. 20101014-052 for general commercial services-conditional overlay (CS-CO) combining district zoning was approved on consent on Council Member Spelman's motion, Council Member Morrison's second on a 7-0 vote.**
53. C14-2010-0141 - Thomas Springs Road - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 7919 Thomas Springs Road (Williamson Creek Watershed) from rural residence-neighborhood plan (RR-NP) combining district zoning to family residence-neighborhood plan (SF-3-NP) and limited office-neighborhood plan (LO-NP) combining district zoning. Staff Recommendation: To grant family residence-neighborhood plan (SF-3-

NP) and limited office-neighborhood plan (LO-NP) combining district zoning. Planning Commission Recommendation: To grant family residence-neighborhood plan (SF-3-NP) and limited office-neighborhood plan (LO-NP) combining district zoning. Applicant: Monreal Corp. (Steve Monreal). Agent: Lenworth Consulting (Nash Gonzales). City Staff: Stephen Rye, 974-7604.

**The public hearing was closed and Ordinance No. 20101014-053 for family residence-neighborhood plan (SF-3-NP) and limited office-neighborhood plan (LO-NP) combining district zoning was approved on consent on Council Member Spelman's motion, Council Member Morrison's second on a 7-0 vote.**

54. C14-2010-0144 - 8011 B Cameron Rd. - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City code by rezoning property locally known as 8011 B Cameron Road (Little Walnut Creek Watershed) from industrial park (IP) district zoning to general commercial services (CS) district zoning. Staff Recommendation: To grant general commercial services (CS) district zoning. Zoning and Platting Commission Recommendation: To grant general commercial services (CS) district zoning. Applicant: Buttross Group (David Buttross). Agent: Southwest Key Programs, Inc. (Elizabeth Nielson). City Staff: Joi Harden, 974-2122.

**The public hearing was closed and Ordinance No. 20101014-054 for general commercial services (CS) district zoning was approved on consent on Council Member Spelman's motion, Council Member Morrison's second on a 7-0 vote.**

**Action was taken on item 55 but was reconsidered later in the meeting. See below.**

56. C14H-2010-0010 - Ruel Walker House - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 2419 Wooldridge Drive (Shoal Creek Watershed) from single family residence-standard lot (SF-2) district zoning to single family residence-standard lot-historic landmark (SF-2-H) combining district zoning. Staff Recommendation: To grant single family residence-standard lot-historic landmark (SF-2-H) combining district zoning. Historic Landmark Commission Recommendation: To grant single family residence-standard lot-historic landmark (SF-2-H) combining district zoning. Planning Commission Recommendation: To grant single family residence-standard lot-historic landmark (SF-2-H) combining district zoning. Applicants: Bill and Karen Hertel, owners. City Staff: Steve Sadowsky, 974-6454.

**This item was postponed on consent on Council Member Spelman's motion, Council Member Morrison's second on a 7-0 vote. (Under City Code, items postponed indefinitely are withdrawn from the active agenda and must be re-noticed before being placed back on the council agenda.)**

**Action was taken on item 57 but was reconsidered later in the meeting. See below.**

**Mayor Leffingwell recessed the Council Meeting and called the Board of Directors' Meeting of the Austin Housing Finance Corporation to order at 3:02 p.m. See separate minutes.**

**Mayor Leffingwell called the Council Meeting back to order at 3:04 p.m.**

### **ZONING DISCUSSION ITEMS**

46. C14-06-0121(RCA) - The Domain Restrictive Covenant Amendment - Conduct a public hearing and approve a restrictive covenant amendment for property locally known as 10712, 10728, 10800, 11000, 11500, 11600 Burnet Road; 11601 Domain Drive; 2900, 3001, 3101 Esperanza Crossing (Walnut Creek /Shoal Creek Watersheds) to modify the time period associated with the requirements to provide 9-acres of private parkland within the Domain development. Staff Recommendation: To grant the restrictive covenant amendment. Planning Commission Recommendation: To grant the public restrictive covenant amendment. Applicant: RREEF Domain LP Development Trust, Domain Gateway I, LP, Domain Retail (Chad Marsh). Agent: Drenner & Golden Stuart Wolff, LLP (Michele Haussmann). City Staff: Sherri Sirwaitis, 974-3057.

The public hearing was closed and the restrictive covenant amendment was approved with the following amendments on Council Member Cole's motion, Council Member Spelman's second on a 7-0 vote.

The amendments were.

The reference to "RREEF DOMAIN II L.P." will be stricken from the ownership section, the first WHEREAS paragraph and the notary section of the restrictive covenant.

Paragraph 7, b, 1 of the restrictive covenant should read:

"The Domain-Endeavor Project shall provide internal bicycle routes for access and continuity to existing or planned bicycle routes as well as multi-use hike and bike trails as more particularly detailed in the attached Exhibit A."

Paragraph 7, b, 4 of the restrictive covenant should read, "The sharrows shall be installed within one year of the effective date of this Amendment for existing roadways, and at the time of construction for future roadways."

Paragraph 7, c of the restrictive covenant should read, "Owner will spend a minimum of \$4,000,000 for park infrastructure and other recreational facilities (excluding the hike and bike trail system, but including the two pocket parks referred to in f below).

- 1) \$1 million shall be spent before the earlier of i) the first residential unit constructed south of Esperanza Crossing and adjacent to the park, or ii) before the completion of 500 residential units north of Esperanza Crossing; 2) additional \$1 million shall be spent before the completion of 1,500 residential units on the site; 3) \$4 million, which includes the \$2 million above, shall be spent before the earlier of the date that is ten years from the effective date of this Amendment, or ii) before the completion of 3,000 residential units on the site."

47. C14-2010-0015 - The Domain Rezoning-Endeavor - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 10712, 10728, 10800, 11000, 11500, 11600 Burnet Road; 11601 Domain Drive; 2900, 3001, 3101 Esperanza Crossing (Walnut Creek/Shoal Creek Watersheds) from major industrial-planned development area (MI-PDA) combining district zoning to major industrial-planned development area (MI-PDA) combining district zoning to change a condition of zoning. Staff Recommendation: To grant major industrial-planned development area (MI-PDA) combining district zoning. Planning Commission Recommendation: To grant major industrial-planned development area (MI-PDA) combining district zoning. Applicant: RREEF Domain LP Development Trust, Domain Gateway I, LP, Domain Retail I LP (Chad Marsh). Agent: Drenner & Golden Stuart Wolff, LLP (Michele Haussmann). City Staff: Sherri Sirwaitis, 974-3057.

The public hearing was closed and Ordinance No. 20101014-047 for major industrial-planned development area (MI-PDA) combining district zoning was approved with the following amendments on Council Member Spelman's motion, Council Member Cole's second on a 7-0 vote.

Part 3, C, 1 of the ordinance should read:

"The Domain-Endeavor Project shall provide internal bicycle routes for access and continuity to existing or planned bicycle routes as well as multi-use hike and bike trails as more particularly detailed in the attached Exhibit C."

Part 3, C, 4 of the ordinance should read:

"The sharrows shall be installed within one year of the effective date of this ordinance for existing roadways and at the time of construction for future roadways."

48. C14-2010-0087 - The Domain Rezoning-Simon - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 11701, 11733 North Mopac Expressway; 11400, 11500 Domain Drive; 3311 Rogers Road; 3409 Esperanza Crossing; 11600 Century Oaks Terrace (Walnut Creek/Shoal Creek Watersheds) from major industrial-planned development area (MI-PDA) combining district zoning to major industrial-planned development area (MI-PDA) combining district zoning to change a condition of zoning. First reading approved on August 26, 2010. Vote: 7-0. Owner: SPGIL Domain LP, The Domain Shopping Center LP, (Richard S. Sokolov), Heritage Communities LP. Applicant: City of Austin-Planning & Development Review Department (Sherri Sirwaitis). City Staff: Sherri Sirwaitis, 974-3057.

**The public hearing was closed and Ordinance No. 20101014-048 for major industrial-planned development area (MI-PDA) combining district zoning to change a condition of zoning with the following amendments was approved on Council Member Spelman's motion, Mayor Leffingwell's second on a 7-0 vote.**

**Part 3, C, 1 of the ordinance should read:**

**"A pedestrian/bicycle entrance shall be provided between the existing pedestrian/bicycle trail under MoPac Expressway and the Simon Project internal drive as shown on the attached Exhibit B. A minimum 12-foot wide paved path shall be constructed with an associated curb cut connecting to the internal drive prior to issuance of a certificate of occupancy for a building on Lot 5A, Block A, the Domain Shopping Center Section 3 Subdivision."**

**Add a new paragraph to Part 3, section D to read:**

**"The two trees on the property numbered 5068 and 5081 as shown on Exhibit D may not be removed, unless the City Arborist approves otherwise based on the health of the individual trees."**

**The fourth WHEREAS of the restrictive covenant should read:**

**"WHEREAS, the requirements of the Land Development Code for both the Endeavor Tract and the Simon Tract allow for a combined maximum of eighty percent (80%) net site area impervious cover resulting in a total allowable impervious cover area of 135.36 acres for the Endeavor Tract and 40.54 acres for the Simon Tract; and"**

### **ZONING RECONSIDERED**

**Action was taken on item 55 but was reconsidered later in the meeting. See below.**

57. C14H-2010-0014 - Adams House - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 4300 Avenue G (Waller Creek Watershed) from family residence-neighborhood conservation (SF-3-NCCD) combining district to family residence-historic landmark-neighborhood conservation (SF-3-H-NCCD) combining district zoning. Staff Recommendation: To grant family residence-historic landmark-neighborhood conservation (SF-3-H-NCCD) combining district zoning. Historic Landmark Commission Recommendation: To grant family residence-historic landmark-neighborhood conservation (SF-3-H-NCCD) combining district zoning. Planning Commission Recommendation: To grant family residence-historic landmark-neighborhood conservation (SF-3-H-NCCD) combining district zoning. Applicant: Sidney Lock, owner. City Staff: Steve Sadowsky, 974-6454.

**The public hearing was closed and the first reading of the ordinance for family residence-historic landmark-neighborhood conservation (SF-3-H-NCCD) combining district zoning was approved on consent on Council Member Spelman's motion, Council Member Morrison's second on a 7-0 vote.**

**A motion to reconsider item 57 for staff presentation was approved on Council Member Shade's motion, Mayor Pro Tem Martinez' second on a 7-0 vote.**

**The public hearing was closed and the Ordinance No. 20101014-057 for family residence-historic landmark-neighborhood conservation (SF-3-H-NCCD) combining district zoning was approved on Council Member Morrison's motion, Council Member Spelman's second on a 7-0 vote.**

55. C14H-2010-0009 - Voss House - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 1501 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. Applicant: Susie Buehler, owner. City Staff: Steve Sadowsky, 974-6454.

**The public hearing was closed and the first reading of the ordinance for family residence-historic landmark (SF-3-H) combining district zoning was approved on consent on Council Member Spelman's motion, Council Member Morrison's second on a 7-0 vote.**

**A motion to reconsider item 55 for staff presentation was approved on Council Member Shade's motion, Mayor Pro Tem Martinez' second on a 7-0 vote.**

**The public hearing was closed and a motion to approve the ordinance for family residence-historic landmark (SF-3-H) combining district zoning failed on Council Member Spelman's motion, Council Member Morrison's second on a 4-2 vote. Council Member Cole was off the dais. Those voting aye were: Mayor Pro Tem Martinez and Council Members Morrison, Riley and Spelman. Those voting nay were: Mayor Leffingwell and Council member Shade. There were enough votes to close the public hearing and approve the first reading of the ordinance.**

**A motion to reconsider item 55 due to Council Member Cole's return to the dais was approved on Council Member Spelman's motion, Council Member Morrison's second on a 7-0 vote.**

**The public hearing was closed and Ordinance No. 20101014-055 for family residence-historic landmark (SF-3-H) combining district zoning was approved on Council Member Spelman's motion, Council Member Morrison's second on a 5-2 vote. Those voting aye were: Mayor Pro Tem Martinez and Council Members Cole, Morrison, Riley and Spelman. Those voting nay were: Mayor Leffingwell and Council Member Shade.**

**Mayor Leffingwell adjourned the meeting at 3:44 p.m. without objection.**

### **LIVE MUSIC**

Dawni McCray

### **PROCLAMATIONS**

Parks and Recreation Department Arts and Humanities Awards -- to be presented by Mayor Lee Leffingwell and to be accepted by the honorees

Proclamation -- National Forum for Black Public Administrators Conference -- to be presented by Mayor Lee Leffingwell and to be accepted by Kevin Russell and Sherri Fleming

Proclamation -- Archives Week -- to be presented by Mayor Lee Leffingwell and to be accepted by Mark Firmin



Proclamation -- African American Cultural District Day -- to be presented by Council Member Sheryl Cole and to be accepted by Lisa Byrd and Peter Freeman

Proclamation -- Disability Mentoring Day -- to be presented by Council Member Laura Morrison and to be accepted by Denise Sonleitner

Proclamation -- Down Syndrome Association's Buddy Walk -- to be presented by Mayor Pro Tem Mike Martinez and to be accepted by Gerard Jimenez

**The minutes for the regular meeting of October 14, 2010 were approved on this the 28th day of October 2010 on Mayor Pro Tem Martinez' motion, Council Member Cole's second on a 7-0 vote.**