

**AUSTIN CITY COUNCIL  
MINUTES****REGULAR MEETING  
THURSDAY, NOVEMBER 18, 2010**

**Invocation:** Father Bill Wack, St. Ignatius Catholic 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, November 18, 2010 in the Council Chambers of City Hall, 301 West Second Street, Austin, Texas.

Mayor Leffingwell called the Council Meeting to order at 10:06 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 regular meeting of November 4, 2010.  
**The minutes from the regular Council meeting of November 4, 2010 were approved on consent on Council Member Morrison's motion, Council Member Spelman's second on a 7-0 vote.**

**Items 2 through 5 were pulled for discussion.**

6. Authorize execution of a construction contract with CASH CONSTRUCTION CO., INC., Pflugerville, TX for the ABIA Reclaimed Water Pipeline Extension project in the amount of \$1,529,581, plus a \$76,479 contingency, for a total contract amount not to exceed \$1,606,060. Funding is available in the Fiscal Year 2010-2011 Capital Budget of the Austin Water Utility. Lowest bid of 9 bids received. This contract will be awarded in compliance with Chapter 2-9A of the City Code (Minority Owned and Women Owned Business Enterprise Procurement Program) through achievements of Good Faith Efforts with 14.17% MBE and 1.04% WBE subcontractor participation. Recommended by the Water & Wastewater Commission.  
**The motion authorizing the execution of a construction contract with Cash Construction Co., Inc. was approved on consent on Council Member Morrison's motion, Council Member Spelman's second on a 7-0 vote.**
7. Authorize execution of a construction contract with TEXAS STERLING CONSTRUCTION COMPANY, San Antonio, TX for the Reconstruction and Utility Adjustments: Group 7 and 9 Project, an ACCELERATE AUSTIN PROJECT in the amount of \$5,691,764, plus a \$284,588.20 contingency, for a total contract amount not to exceed \$5,976,352.20. Funding in the amount of \$5,015,204.88 is available in the Fiscal Year 2010-2011 Capital Budget of the Public Works Department. Funding in the amount of \$961,147.32 is available in the Fiscal Year 2010-2011 Capital Budget of the Austin Water Utility. Lowest bid of 6 bids received. This contract will be awarded in compliance with Chapter 2-9A of the City Code

(Minority Owned and Women Business Enterprise Procurement Program) by meeting the goals with 9.25% MBE and 6.59% WBE subcontractor participation. The Accelerate Austin Program was recommended by the Water and Wastewater Commission.

**The motion authorizing the execution of a construction contract with Texas Sterling Construction Company was approved on consent on Council Member Morrison's motion, Council Member Spelman's second on a 7-0 vote.**

8. Authorize execution of a construction contract with SOUTHWEST CORPORATION, Austin, TX for the Dedrick-Hamilton House Structural Stabilization, Partial Demolition & Lead and Asbestos Abatement Project in an amount not to exceed \$161,547. Funding is available in Fiscal Year 2010-2011 Operating Budget of the Neighborhood Housing and Community Development Department. Per Housing and Urban Development (HUD) requirements, this action is subject to applicable environmental review prior to the release of funds. Lowest bid of 2 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 5.55% MBE and 3.72% WBE subcontractor participation.

**The motion authorizing the execution of a construction contract with Southwest Corporation was approved on consent on Council Member Morrison's motion, Council Member Spelman's second on a 7-0 vote.**

9. Approve a resolution authorizing the filing of eminent domain proceedings for the South IH-35 Water and Wastewater Infrastructure Improvements Program Project to acquire electric easements of 0.766 acre, 0.525 acre, and 0.192 acre; access easements of 2.092 acre, 0.065 acre, 0.116 acre, and 0.066 acre; a waterline easement of 1.273 acres; a subterranean wastewater easement of 0.076 acre; wastewater easements of 0.230 acre and 0.438 acre; a temporary ingress and egress easement of 0.882 acre; a temporary working space and staging area and material storage site easement of 1.974 acres; and a temporary working space easement of 0.317 acre out of and a part of a called 166.598 Acre Tract or Parcel of land in the Santiago Del Valle Grant, Abstract No. 24, in Travis County, Texas, in the amount of \$196,630. The owners of the needed property interests are David A. Brewer and Billie J. Figer, co-trustees, Curtis B. Figer and spouse, Billie Jo Figer, Michael G. Figer, Donald K. Figer, Betsy A. Lambeth, Keith H. Harmon and Bonnie Harmon, Trustees of the Harmon Family Trust established by Trust Agreement dated November 3, 1999, and Billie Jo Figer, individually. The property is located at 9104 Bluff Springs Road, Austin, Travis County, Texas. Funding is included in the Fiscal Year 2010-2011 Capital Budget of the Austin Water Utility.

**Resolution No. 20101118-009 was approved on consent on Council Member Morrison's motion, Council Member Spelman's second on a 7-0 vote.**

10. Approve a resolution authorizing the filing of eminent domain proceedings for the Todd Lane from Ben White to St. Elmo Reconstruction Project for 12,163 square feet of right-of-way and for a 7,726 square foot temporary construction easement, out of Lot 1, amended plat of Lot 1, Todd Business Park, a subdivision in Travis County, Texas, in the amount of \$181,250. The owner of the needed property interests is TLBP, LTD. and KNIPPA FAMILY PARTNERSHIP, LTD., together doing business as Todd Lane Business Park. The property is located at 4213 Todd Lane, Austin, Travis County, TX. Funding is included in the Fiscal Year 2010-2011 Capital Budget of the Austin Transportation Department.

**Resolution No. 20101118-010 was approved on consent on Council Member Morrison's motion, Council Member Spelman's second on a 7-0 vote.**

11. Authorize negotiation and execution of professional services agreements with the following 10 firms: ESPEY CONSULTANTS, INC., Austin, TX; HALFF ASSOCIATES, INC., Austin, TX; JACOBS ENGINEERING GROUP, INC., Austin, TX; K FRIESE & ASSOCIATES, INC. (WBE/FW), Austin, TX; BINKLEY & BARFIELD, INC., Austin, TX; POST, BUCKLEY, SCHUH & JERNIGAN, INC., d/b/a PBS&J, Austin, TX; RAYMOND CHAN & ASSOCIATES, INC. (MBE/MA), Austin, TX; CAS CONSULTING & SERVICES, INC. (MBE/MA), Austin, TX; KING ENGINEERING ASSOCIATES,

INC., Austin, TX; and DAVCAR ENGINEERING SERVICES (MBE/MH), Austin, TX, or any of the other qualified responders to RFQ Solicitation No. CLMP042, to provide Professional Engineering Services for the Water and Wastewater Pipeline Engineering Rotation List 2010-2012 for an estimated period of two years or until financial authorization is expended, with the total amount not to exceed \$7,500,000 divided among the 10 firms. Funding is available in the Fiscal Year 2010-2011 Capital and/or Operating and Maintenance Budgets of the Austin Water Utility. The 10 most qualified firms out of 59 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) by meeting the goals with 15.80% MBE and 15.80% WBE subconsultant participation. Reviewed by the Water & Wastewater Commission.

**The motion authorizing the negotiation and execution of professional services agreements with Espey Consultants, Inc.; Halff Associates, Inc.; Jacobs Engineering Group, Inc; K Friese & Associates, Inc.; Binkley & Barfield, Inc; Post, Buckley, Schuh & Jernigan, Inc. doing business as PBS&J; Raymond Chan & Associates, Inc.; CAS Consulting & Services, Inc; King Engineering Associates, Inc.; and Davcar Engineering Services was approved on consent on Council Member Morrison's motion, Council Member Spelman's second on a 7-0 vote.**

12. Authorize negotiation and execution of professional services agreements with the following 9 firms: CP&Y INC., Austin, TX; CH2M HILL INC., Austin, TX; CDM, Austin, TX; AECOM TECHNICAL SERVICES, INC., Austin, TX; DAMON S. WILLIAMS ASSOCIATES, LLC, Round Rock, TX; MALCOLM PIRNIE, INC., Austin, TX; URS, Austin, TX; ALAN PLUMMER ASSOCIATES, INC., Austin, TX; and CAROLLO ENGINEERS, P.C., Austin, TX, or any of the other qualified responders to RFQ Solicitation No. CLMP036, to provide Professional Engineering Services for the Water and Wastewater Facility Engineering Services Rotation List (2010-2013), for an estimated period of three years or until financial authorization is expended, with the total amount not to exceed \$ 13,500,000 divided among the 9 firms. Funding in the amount of \$13,500,000 is available in the Fiscal Year 2010-2011 Capital and/or Operating and Maintenance Budgets of the Austin Water Utility. Most qualified 9 out of 33 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) by meeting the goals with 15.80% MBE and 15.80% WBE subconsultant participation. Recommended by the Water and Wastewater Commission.

**The motion authorizing the negotiation and execution of professional services agreements with the CP&Y Inc.; CH2M Hill Inc.; CDM; AECOM Technical Services, Inc.; Damon S. Williams Associates, LLC; Malcolm Pirnie, Inc.; Alan Plummer Associates, Inc.; and Carollo Engineers, P.C. was approved on consent on Council Member Morrison's motion, Council Member Spelman's second on a 7-0 vote.**

13. Approve a resolution adopting the Austin Downtown Public Improvement District (PID) Service Plan and Budget for 2011-2012. The Downtown Austin Alliance submitted a 2011-2012 budget for the PID in the amount of \$2,785,721. This amount includes \$2,485,174 in 2011 assessments (at a 96% collection rate), \$88,699 in collections from 2010; \$61,848 interest accrued in the PID Account and late payments; and a \$150,000 annual contribution from the City of Austin (\$75,000 Austin Convention Center Fund, and \$75,000 in the Water & Wastewater Utility Fund). Related to Items #14 & 69.

**Resolution No. 20101118-013 was approved on consent on Council Member Morrison's motion, Council Member Spelman's second on a 7-0 vote.**

14. Approve an ordinance setting the assessment rate and approving a proposed 2011 assessment roll for the Austin Downtown Public Improvement District (PID). The 2011 assessment rate of \$0.10/\$100 valuation is estimated to produce \$2,485,174 at a 96% collection rate. Related to Items #13 & 69.

**Ordinance No. 20101118-014 was approved on consent on Council Member Morrison's motion, Council Member Spelman's second on a 7-0 vote.**

15. Approve a resolution adopting the E. 6th Street Public Improvement District (PID) Service Plan and Budget for 2011. Sixth Street Austin submitted a 2011 budget for the PID in the amount of \$130,350. This amount includes \$63,027 in 2011 assessments (at a 90% collection rate), -\$8,932 in collections from 2010; \$2,755 interest accrued in the PID Account and late payments; a \$43,500 annual contribution from the City of Austin; and \$30,000 in donations, sponsorships and events to be raised by Sixth Street Austin. Appropriation of the \$100,350 in the Economic Growth and Redevelopment Services Department Special Revenue Fund will require City Council Authorization, and possible adjustment, after the assessment roll hearing on December 9, 2010. Related to Items #16 & 70.  
**Resolution No. 20101118-015 was approved on consent on Council Member Morrison's motion, Council Member Spelman's second on a 7-0 vote.**
16. Approve an ordinance setting the assessment rate and proposed 2011 assessment roll for the E. 6th Street Public Improvement District (PID). The 2011 assessment rate of \$0.15/\$100 valuation is estimated to produce \$63,027 at a 90% collection rate. Related to Items #15 & 70.  
**Ordinance No. 20101118-016 was approved on consent on Council Member Morrison's motion, Council Member Spelman's second on a 7-0 vote.**
17. Approve a resolution authorizing the negotiation and execution of contracts for state legislative representation services for a total combined amount not to exceed \$740,000. Funding is available in the Fiscal Year 2010-2011 Operating Budgets of the Government Relations Office, the Solid Waste Services Department, the Austin Water Utility, and Austin Energy.  
**Resolution No. 20101118-017 was approved on consent on Council Member Morrison's motion, Council Member Spelman's second on a 7-0 vote.**
18. Authorize negotiation and execution of amendments to increase funding for two contracts for HIV core medical and support services under the Ryan White HIV/AIDS Program Part A grant program: AIDS SERVICES OF AUSTIN, INC. in an amount not to exceed \$87,045, for a total 12-month contract amount not to exceed \$1,050,619 for the period March 1, 2010, through February 28, 2011, and a revised two-year total contract amount not to exceed \$1,972,761; and PROJECT TRANSITIONS, INC., in an amount not to exceed \$29,015, for a total 12-month contract amount not to exceed \$99,015 for the period March 1, 2010, through February 28, 2011, and a revised total two-year contract amount not to exceed \$199,015. Funding in the amount of \$116,060 is available in the Fiscal Year 2010-2011 Operating Budget of the Health and Human Services Department (HHSD) Special Revenue Fund, Ryan White Part A HIV Emergency Relief Project Grant. The grant period is March 1, 2010 through February 28, 2011. The Austin Area Comprehensive HIV Planning Council approved grant fiscal year 2010 service category allocations. Related to Item #19.  
**The motion authorizing the negotiation and execution of amendments to increase funding for two contracts with AIDS Services of Austin, Inc. and Project Transitions, Inc. was approved on consent on Council Member Morrison's motion, Council Member Spelman's second on a 7-0 vote.**
19. Approve an ordinance accepting \$116,060 in grant funds from the U.S. Department of Health and Human Services, Health Resources and Services Administration, and amending the Fiscal Year 2010-2011 Health and Human Services Department Operating Budget Special Revenue Fund of Ordinance 20100913-002 to appropriate \$116,060 for the Ryan White Part A HIV Emergency Relief Project Grant program. Funding is available from the U.S. Department of Health and Human Services Health Resources and Services Administration. The grant period is from March 1, 2010 to February 28, 2011. No City match is required. Related to Item #18.  
**Ordinance No. 20101118-019 was approved on consent on Council Member Morrison's motion, Council Member Spelman's second on a 7-0 vote.**

**Items 20 and 21 were pulled for discussion.**

22. Approve a resolution confirming the re-appointment of Gary Cobb to the Firefighters' and Police Officers' Civil Service Commission for the term beginning December 6, 2010 and ending December 5, 2013.  
**Resolution No. 20101118-022 was approved on consent on Council Member Morrison's motion, Council Member Spelman's second on a 7-0 vote.**

**Items 23 and 24 were pulled for discussion.**

25. Authorize negotiation and execution of an amendment to a professional services agreement with Greenberg Traurig, LLP for legal services regarding a contract for the provision of recycling services, for an additional amount of \$50,000 for a total contract amount not to exceed \$145,000. Funding in the amount of \$50,000 is available in the Fiscal Year 2010-2011 Operating Budget of the Solid Waste Services Department.  
**The motion authorizing the negotiation and execution of an amendment to a professional services agreement with Greenberg Traurig, LLP was approved on consent on Council Member Morrison's motion, Council Member Spelman's second on a 7-0 vote.**

**Item 26 was pulled for discussion.**

27. Approve second/third readings of an ordinance for full purpose annexation of the Pearson Place at Avery Ranch Area (approximately 196 acres in southern Williamson County south of Avery Ranch Boulevard at the intersection of Avery Ranch Boulevard and Double Eagle Pass); and establish an interim zoning classification. Funding necessary to provide general governmental services to this tract is available in the budgets of the departments which will provide the services.  
**This item was postponed on consent to December 9, 2010 on Council Member Morrison's motion, Council Member Spelman's second on a 7-0 vote.**
28. Approve third reading of an ordinance to annex the Springwoods Municipal Utility District (MUD) Annexation Area for full purposes in accordance with a Strategic Partnership Agreement (SPA) between the City of Austin and Springwoods MUD (approximately 468 acres located east of Pond Springs Road and west of Parmer Lane on both the north and south sides of Anderson Mill Road in Williamson County). Funding necessary to provide general governmental services to this tract is available in the budgets of the department which will provide the services.  
**Ordinance No. 20101118-028 was approved on consent on Council Member Morrison's motion, Council Member Spelman's second on a 7-0 vote.**
29. Approve third reading of an ordinance to annex the Springwoods Municipal Utility District (MUD) Annexation Area for limited purposes in accordance with a Strategic Partnership Agreement (SPA) between the City of Austin and Springwoods MUD (approximately 468 acres located east of Pond Springs Road and west of Parmer Lane on both the north and south sides of Anderson Mill Road in Williamson County). Funding necessary to provide general governmental services to this tract is available in the budgets of the department which will provide the services.  
**Ordinance No. 20101118-029 was approved on consent on Council Member Morrison's motion, Council Member Spelman's second on a 7-0 vote.**
30. Approve second/third readings of an ordinance for full purpose annexation of the Springwoods Outparcels Area (approximately 2 acres in Williamson County north of Pond Springs Road east of the intersection of Pond Springs Road and Sparkling Creek Drive, and north of the intersection of Pond Springs Road and Cahill Drive). Funding necessary to provide general governmental services to this tract is available in the budgets of the departments which will provide the services.  
**Ordinance No. 20101118-030 was approved on consent on Council Member Morrison's motion, Council Member Spelman's second on a 7-0 vote.**

31. Approve third reading of an ordinance for the full purpose annexation of the Springwoods Non-MUD Municipal Annexation Plan Area (approximately 354 acres located in Williamson County between Pond Springs Road and Parmer Lane in the north and south sides of Anderson Mill Road). Funding necessary to provide general governmental services to this tract is available in the budgets of the departments which will provide the services.  
**Ordinance No. 20101118-031 was approved on consent on Council Member Morrison's motion, Council Member Spelman's second on a 7-0 vote.**
32. Approve an ordinance authorizing the acceptance of \$32,286 in grant funds from the State of Texas, Governor's Office, Criminal Justice Division and amending the Fiscal Year 2010-2011 Police Department Operating Budget Special Revenue Fund of Ordinance No. 20100913-002 to appropriate \$32,286 to provide juvenile casework to support the APD Gang Intervention Team. Funding in the amount of \$32,836 is available from the State of Texas, Criminal Justice Division, Juvenile Accountability Block Grant (JABG) Program for the project period of September 1, 2010 to August 31, 2011.  
**Ordinance No. 20101118-032 was approved on consent on Council Member Morrison's motion, Council Member Spelman's second on a 7-0 vote.**
33. Authorize award and execution of a 24-month requirements service contract with KELI LABS TEXAS, Grand Prairie, TX, for test instrument calibration services in an estimated amount not to exceed \$64,930, with three 12-month extension options in an estimated amount not to exceed \$32,465 per extension option, for a total estimated contract amount not to exceed \$162,325. Funding in the amount of \$27,055 is available in the Fiscal Year 2010-2011 Operating Budget of Austin Energy. Funding for the remaining 14 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 2-9C 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 and execution of a requirements service contract with Keli Labs Texas was approved on consent on Council Member Morrison's motion, Council Member Spelman's second on a 7-0 vote.**

**Item 34 was pulled for discussion.**

35. Authorize award and execution of a service contract with EXCEL CONSTRUCTION SERVICES, LLC, Leander, TX for the replacement and installation of filter backwash valves and actuators for the Austin Water Utility in an estimated amount not to exceed \$85,800. Funding is available in the Fiscal Year 2010-2011 Capital Budget of the Austin Water Utility. Sole bid 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 Water and Wastewater Commission.  
**The motion authorizing the award and execution of a service contract with Excel Construction Services, LLC was approved on consent on Council Member Morrison's motion, Council Member Spelman's second on a 7-0 vote.**
36. Authorize award and execution of a 36-month requirements supply contract for the purchase of miscellaneous utility supplies with HAVERDA ENTERPRISES INC., dba ACE CONTRACTOR SUPPLY, Austin, TX, in an estimated amount not to exceed \$91,365, with three 12-month extension options in an estimated amount not to exceed \$30,455 per extension option, for a total estimated contract amount not to exceed \$182,730. Funding in the amount \$25,380 is available in the Fiscal Year 2010-2011 Operating Budget of the Austin Water Utility. Funding for the remaining 26 months of the original contract period and extension options is contingent upon available funding in future budgets. Lowest bid of four bids received. This contract will be awarded in compliance with Chapter 2-9D of the City Code

(Minority Owned and Women Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore no goals were established for this solicitation. Recommended by the Water and Wastewater Commission.

**The motion authorizing the award and execution of a requirements supply contract with Haverda Enterprises Inc. doing business as Ace Contractor Supply was approved on consent on Council Member Morrison's motion, Council Member Spelman's second on a 7-0 vote.**

37. Authorize award and execution of a 36-month requirements supply contract with HD SUPPLY WATERWORKS, Round Rock, TX, for the purchase of ball and gate valves of various types and sizes for the Austin Water Utility in an estimated amount not to exceed \$614,376, with three 12-month extension options in an estimated amount not to exceed \$204,792 per extension option, for a total estimated contract amount not to exceed \$1,228,752. Funding in the amount of \$170,660 is available in the Fiscal Year 2010-2011 Operating Budget of the Austin Water Utility. Funding for the remaining 26 months of the original contract period and extension options is contingent upon available funding in future budgets. Lowest bid of four bids received. This contract will be awarded in compliance with Chapter 2-9D of the City Code (Minority Owned and Women Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation. Recommended by the Water and Wastewater Commission.

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

38. Authorize award and execution of two 36-month requirements supply contracts for the purchase of ductile iron fittings and pipe joint restraints of various sizes for the Austin Water Utility with: TECHLINE PIPE L.P., Austin, TX, in an estimated amount not to exceed \$310,836, with three 12-month extension options in an estimated amount not to exceed \$103,612 per extension option, for a total estimated contract amount not to exceed \$621,672, and with HD SUPPLY WATER WORKS, Round, TX, in an estimated amount not to exceed \$100,431, with three 12-month extension options in an estimated amount not to exceed \$33,477 per extension option, for a total estimated contract amount not to exceed \$200,862. Funding in the amount of \$86,343 is available in the Fiscal Year 2010-2011 Operating Budget of the Austin Water Utility. Funding for the remaining 26 months of the original contract period and extension options is contingent upon available funding in future budgets. Lowest two bids of four 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 two requirements supply contracts with Techline Pipe L.P. and HD Supply Water Works was approved on consent on Council Member Morrison's motion, Council Member Spelman's second on a 7-0 vote.**

39. Authorize award and execution of a contract with THOMAS CONVEYOR COMPANY, Burleson, TX for the fabrication and delivery of lime slurry grit removal systems for the Austin Water Utility, in an estimated amount not to exceed \$199,488. Funding is available in the Fiscal Year 2010-2011 Capital Budget of the Austin Water Utility. 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 Water and Wastewater Commission.

**The motion authorizing the award and execution of a contract with Thomas Conveyor Company was approved on consent on Council Member Morrison's motion, Council Member Spelman's second on a 7-0 vote.**

40. Authorize award and execution of a 32-month requirements supply contract through the Texas Multiple Award Schedule (TXMAS) cooperative purchasing program with FORD AUDIO-VIDEO, Austin, TX,

for the purchase and installation of audiovisual equipment for the Austin Convention Center Department in an estimated amount not to exceed \$275,000. Funding in the amount of \$75,000 is available in the Fiscal Year 2010-2011 Operating Budget of the Austin Convention Center Department. Funding for the remaining 21 months of the original contract period and extension options 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.

**The motion authorizing the award and execution of a requirements supply contract through the Texas Multiple Award Schedule (TXMAS) cooperative purchasing program with Ford Audio-Video was approved on consent on Council Member Morrison's motion, Council Member Spelman's second on a 7-0 vote.**

41. Authorize award, negotiation, and execution of Amendment No. 1 to a 36-month contract with AMERICAN ASSOCIATION OF AIRPORT EXECUTIVES, Alexandria, VA, for the purchase and integration of a new Spanish language security training module in an amount not to exceed \$21,500 for a revised total contract amount not to exceed \$54,800. Funding in the amount of \$21,500 is available in the Fiscal Year 2010-2011 Operating Budget of the Department of Aviation. Contract Amendment. This contract will be awarded in compliance with Chapter 2-9C of the City Code (Minority Owned and Women Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation. Recommended by the Airport Advisory Commission.

**The motion authorizing the award, negotiation and execution of amendment number one with American Association of Airport Executives was approved on consent on Council Member Morrison's motion, Council Member Spelman's second on a 7-0 vote.**

42. Authorize award and execution of a 12-month requirements supply contract with VIDACARE, Shavano Park, TX for the purchase of EZ-IO(r) intraosseous infusion supplies for the Emergency Medical Services Department in an estimated amount not to exceed \$173,873, with two 12-month extension options in an estimated amount not to exceed \$173,873 per extension option, for a total estimated contract amount not to exceed \$521,619. Vidacare is the single source for these supplies. Funding in the amount of \$144,894 is available in the Fiscal Year 2010-2011 Operating Budget of the Emergency Medical Services Department. Funding for the remaining two months of the original contract period and extension options is contingent upon available funding in future budgets. This contract will be awarded in compliance with Chapter 2-9D of the City Code (Minority Owned and Women Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation.

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

43. Authorize award and execution of a contract with RONNIE MAX OLDHAM, dba CLEANFUEL CONVERSIONS, Austin, TX, or the other qualified bidder to IFB-BV No. AMC0022, to provide equipment and services to retrofit Prius vehicles with alternative power in an estimated amount not to exceed \$440,100. Funding in the amount of \$437,100 is available in the Fiscal Year 2010-2011 Emission Reduction grant from the Comptroller of Public Accounts, State Energy Conservation Office. 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 contract with Ronnie Max Oldham doing business as Cleanfuel Conversions was approved on consent on Council Member Morrison's motion, Council Member Spelman's second on a 7-0 vote.**



44. Authorize award and execution of a contract through the Texas Local Government Purchasing Cooperative (BuyBoard) with PHILPOTT MOTORS, LTD, Nederland, TX, for the purchase of 129 police patrol sedans in an amount not to exceed \$3,219,784.59. Funding is available in the Fiscal Year 2010-2011 Vehicle Acquisition Fund. 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.  
**The motion authorizing the award and execution of a contract through the Texas Local Government Purchasing Cooperative (BuyBoard) with Philpott Motors, LTD was approved on consent on Council Member Morrison's motion, Council Member Spelman's second on a 7-0 vote.**
45. Authorize award and execution of a 12-month requirements contract with ELK ELECTRIC, INC., Austin, TX, for electrical maintenance services in an estimated amount not exceed \$300,000, with five 12-month extension options in estimated amounts not to exceed \$325,000 for the first extension option, \$325,000 for the second extension option, \$330,000 for the third extension option, \$330,000 for the fourth extension option, and \$340,000 for the fifth extension option, for a total estimated contract amount not to exceed \$1,950,000. Funding in the amount of \$250,000 is available in the Fiscal Year 2010-2011 Operating Budget of the Parks and Recreation Department. Funding for the remaining two months of the original contract period and extension options is contingent upon available funding in future budgets. Lowest bid of three bids received. This contract will be awarded in compliance with Chapter 2-9C 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 contract with Elk Electric, Inc. was approved on consent on Council Member Morrison's motion, Council Member Spelman's second on a 7-0 vote.**
46. Authorize award and execution of a contract with LOADOMETER CORPORATION, Forest Hill, MD for the purchase of 16 portable wheel load scales for the Austin Police Department in an amount not to exceed \$70,320. Funding is available in the 2009 Department of Justice Assistance Grant Program Budget. Lowest bid meeting specification of three bids received. This contract will be awarded in compliance with Chapter 2-9D of the City Code (Minority Owned and Women Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation.  
**The motion authorizing the award and execution of a contract with Loadometer Corporation was approved on consent on Council Member Morrison's motion, Council Member Spelman's second on a 7-0 vote.**
47. Authorize award and execution of a 36-month requirements supply contract with ALLIED WASTE SERVICES OF AUSTIN, Del Valle, TX, or one of the other qualified bidders for IFB-BV No. SDC0158, for refuse and recycling collection services for city departments in an estimated amount not to exceed \$3,022,770, with three 12-month extension options in an estimated amount not to exceed \$1,007,590 for each extension option, for a total estimated contract amount not to exceed \$6,045,540. Funding in the amount of \$839,658 is available in the Fiscal Year 2010-2011 Operating Budget of the of participating City departments. Funding for the remaining twenty-six months of the initial contract period and extension options is contingent upon available funding in future budgets. Best evaluated 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. Recommended by the Solid Waste Advisory Commission. Recommended by the Water Wastewater Commission. Recommended by the Electric Utility Commission.

**The motion authorizing the award and execution of a requirements supply contract with Allied Waste Services of Austin was approved on consent on Council Member Morrison's motion, Council Member Spelman's second on a 7-0 vote.**

48. Approve a resolution granting Texas Gas Service's application to recover its gas facility relocation costs by applying a surcharge to customers.  
**Resolution No. 20101118-048 was approved on consent on Council Member Morrison's motion, Council Member Spelman's second on a 7-0 vote.**
49. Approve a resolution authorizing the City to intervene as part of a coalition of cities in the Railroad Commission of Texas' rate proceedings or other related administrative or adjudicatory proceedings contesting Atmos Pipeline-Texas' 2010 request to increase rates for city-gate and pipeline transportation gas service.  
**Resolution No. 20101118-049 was approved on consent on Council Member Morrison's motion, Council Member Spelman's second on a 7-0 vote.**
50. Approve an Interlocal Agreement with Travis County Emergency Services District No. 5 Manchaca Fire/Rescue ("ESD#5") to allow "ESD#5" or its contractor to install emergency vehicle preemption systems at certain traffic signals.  
**The motion to approve an interlocal agreement with Travis County Emergency Services District Number Five Manchaca Fire/Rescue ("ESD#5") or its contractor was approved on consent on Council Member Morrison's motion, Council Member Spelman's second on a 7-0 vote.**
51. Approve waiver of the requirements that allow affected individuals and neighborhood associations to object to a street closure under City Code Chapter 14-8 for the Livestrong Marathon which is to be held on Sunday, February 20, 2011. Reviewed by the Urban Transportation Commission.  
**The motion to approve waiver of the requirements that allow affected individuals and neighborhood associations to object to a street closure for the Livestrong Marathon was approved on consent on Council Member Morrison's motion, Council Member Spelman's second on a 7-0 vote.**
52. Approve an ordinance amending Section 12-4-64(D) of the City Code to add a portion of Spruce Canyon Drive to and delete a portion of Spruce Canyon Drive from the table of streets having a maximum speed limit of 20 miles per hour, during certain times, for students attending Nan Clayton Elementary School; and provide for emergency passage. \$4,000 for the installation of signs is available in the 2010-2011 Child Safety Fund of the Department of Public Works.  
**Ordinance No. 20101118-052 was approved on consent on Council Member Morrison's motion, Council Member Spelman's second on a 7-0 vote.**
53. Authorize negotiation and execution of an Interlocal Agreement with LOWER COLORADO RIVER AUTHORITY and BARTON SPRINGS/EDWARDS AQUIFER CONSERVATION DISTRICT regarding water rights for the Stoneledge Recharge Enhancement Project. There is no unanticipated fiscal impact. Recommended by the Environmental Board.  
**The motion authorizing the negotiation and execution of an interlocal agreement with Lower Colorado River Authority and Barton Springs/Edwards Aquifer Conservation District was approved on consent on Council Member Morrison's motion, Council Member Spelman's second on a 7-0 vote.**
54. Approve appointments and certain related waivers to citizen boards and commissions, to Council subcommittees and other intergovernmental bodies and removal and replacement of members.  
**The following appointments and waivers were approved on consent on Council Member Morrison's motion, Council Member Spelman's second on a 7-0 vote.**

**Board**Resource Management Commission

Luke Metzger

**Nominated By:**

Council Member Morrison

**Waivers**

Approve a waiver of the attendance requirement in Section 2-1-26 of the City Code for Richard Amato's service on the Resource Management Commission. The waiver includes absences through today's date.

55. Approve a resolution adopting the Violet Crown Trail Master Plan, previously known as the Walk for a Day Trail Plan, and directing the City Manager to work with other governmental entities as needed. (Mayor Lee Leffingwell Council Member Randi Shade and Council Member Chris Riley)  
**Resolution No. 20101118-055 was approved on consent on Council Member Morrison's motion, Council Member Spelman's second on a 7-0 vote.**
56. Approve a resolution creating a Joint Subcommittee of the Urban Transportation Commission and Downtown Commission to study and make recommendations relating to parking in the downtown area and report back to Council by March, 2011. (Mayor Pro Tem Mike Martinez Council Member Chris Riley Council Member Sheryl Cole)  
**Resolution No. 20101118-056 was approved on consent on Council Member Morrison's motion, Council Member Spelman's second on a 7-0 vote.**
57. Approve a resolution supporting passage of "meet and confer" legislation covering City of Austin non-civil service employees and directing the City Manager to meet with all appropriate stakeholders and legislators to work toward creating mutually agreeable "meet and confer" legislation to be pre-filed in the 82nd Texas Legislature. (Mayor Pro Tem Mike Martinez Mayor Lee Leffingwell )  
**Resolution No. 20101118-057 was approved on consent on Council Member Morrison's motion, Council Member Spelman's second on a 7-0 vote.**
58. Approve a resolution directing the City Manager to obtain additional information about the intent to locate near transit developments and transportation hubs from companies negotiating economic development proposals with the City. (Council Member Chris Riley Mayor Pro Tem Mike Martinez )  
**Resolution No. 20101118-058 was approved on consent on Council Member Morrison's motion, Council Member Spelman's second on a 7-0 vote.**
59. Approve a resolution declaring the City of Austin's support and participation in a multi-pronged, comprehensive hate crimes initiative to foster a safe and welcoming community by building public infrastructure, awareness, and sensitivity related to hate crimes. (Council Member Laura Morrison Council Member Randi Shade Council Member Sheryl Cole)  
**Resolution No. 20101118-059 was approved on consent on Council Member Morrison's motion, Council Member Spelman's second on a 7-0 vote.**

**Item 60 was pulled for discussion.**

61. Approve a resolution authorizing the City Manager to negotiate and execute an Interlocal Agreement in an amount not to exceed \$200,000 to partner in the Texas Facilities Commission's master planning effort. (Council Member Sheryl Cole Council Member Randi Shade and Council Member Riley )  
**Resolution No. 20101118-061 was approved on consent on Council Member Morrison's motion, Council Member Spelman's second on a 7-0 vote.**

62. Approve the waiver of certain fees and requirements for the Mil Adelitas por Veracruz event sponsored by the Consulate General of Mexico in Austin and MexNet Alliance which is to be held on Saturday, November 13, 2010 at the Emma S. Barrientos Mexican American Cultural Center. (Mayor Lee Leffingwell Council Member Sheryl Cole Council Member Laura Morrison)  
**The motion to approve the waiver of certain fees and requirements for the Mil Adelitas por Veracruz event was approved on consent on Council Member Morrison's motion, Council Member Spelman's second on a 7-0 vote.**
63. Approve the waiver of certain fees and requirements for the Veteran's and Peace Officer's Memorial Dedication Ceremony event sponsored by the Travis County Sheriff's Office which is to be held on Friday, December 10, 2010, at Woolridge Park. (Mayor Lee Leffingwell Council Member Randi Shade and Mayor Pro Tem Martinez)  
**The motion to approve the waiver of certain fees and requirements for the Veteran's and Peace Officer's Memorial Dedication Ceremony event was approved on consent on Council Member Morrison's motion, Council Member Spelman's second on a 7-0 vote.**
64. Approve the waiver of certain fees and requirements for the Hispanic Organizations Working Together as One (HOWTO) event which is to be held on Wednesday, December 1, 2010, at the Emma S. Barrientos Mexican American Cultural Center. (Mayor Pro Tem Mike Martinez Council Member Laura Morrison Mayor Lee Leffingwell)  
**The motion to approve the waiver of certain fees and requirements for the Hispanic Organizations Working Together as One (HOWTO) event was approved on consent on Council Member Morrison's motion, Council Member Spelman's second on a 7-0 vote.**
65. Set a public hearing to consider an amendment to Chapter 25-2 of the Austin City Code to designate the Board of Adjustment as the body to review variances and site development regulation appeals in the Neighborhood Conservation Combining District (NCCD) (C20-2010-019). (Suggested date and time: December 16, 2010, 4:00 p.m., at Austin City Hall, 301 W. Second Street, Austin, TX).  
**The public hearing was set on consent for December 16, 2010 at 4:00 p.m., City Hall at 301 W. Second Street, Austin, TX on Council Member Morrison's motion, Council Member Spelman's second on a 7-0 vote.**

**Item 66 was pulled for discussion.**

67. Set a public hearing to consider an ordinance regarding floodplain variances requested by the owner's engineer, Mr. Bradley Lingvai, on behalf of the owners to construct a new single-family house at 419 W. Johanna Street, which is in the 100-year floodplain of East Bouldin Creek. (Suggested date and time: December 9, 2010, 4:00 p.m., at Austin City Hall, 301 W. Second Street, Austin TX). October 12, 2009: Board of Adjustments approved a variance from LDC Section 25-2-774(C)(2) to construct a principal structure to the rear of the lot and to change the use of the existing lot to create a two-family residential use in a SF-3-NP, Family Residence-Neighborhood Plan Zoning District.  
**The public hearing was set on consent for December 9, 2010 at 4:00 p.m., City Hall at 301 W. Second Street, Austin, TX on Council Member Morrison's motion, Council Member Spelman's second on a 7-0 vote.**
68. Set a public hearing to consider an ordinance amending sections 25-2-1001 and 25-2-1008 of the City Code relating to landscaping irrigation requirements for site plans. (Suggested date and time: December 16, 2010, 4:00 p.m. at Austin City Hall, 301 W. Second Street, Austin, TX). Recommended by the Environmental Board. To be reviewed by the Resource Management Commission, the Water and Wastewater Commission, and the Planning Commission.

**The public hearing was set on consent for December 16, 2010 at 4:00 p.m., City Hall at 301 W. Second Street, Austin, TX on Council Member Morrison's motion, Council Member Spelman's second on a 7-0 vote.**

69. Set a public hearing on the Austin Downtown Public Improvement District (PID) 2011 assessments. (Suggested date and time: December 9, 2010, 4:00 p.m., at Austin City Hall, 301 W. Second Street, Austin, TX). Related to Items #13 & 14.

**The public hearing was set on consent for December 9, 2010 at 4:00 p.m., City Hall at 301 W. Second Street, Austin, TX on Council Member Morrison's motion, Council Member Spelman's second on a 7-0 vote.**

70. Set a public hearing on the E. 6th Street Public Improvement District (PID) 2011 assessments. (Suggested date and time: December 9, 2010, 4:00 p.m., at Austin City Hall, 301 W. Second Street, Austin, TX). Related to Items #15 & 16.

**The public hearing was set on consent for December 9, 2010 at 4:00 p.m., City Hall at 301 W. Second Street, Austin, TX on Council Member Morrison's motion, Council Member Spelman's second on a 7-0 vote.**

Items 71 and 72 were briefing items set for 10:30 a.m.

Item 73 was an Executive Session item.

Item 74 was a bond sale item set for 2:00 p.m.

Items 75 through 100 were zoning items set for 2:00 p.m.

Item 101 was a public hearing item set for 4:00 p.m.

#### **DISCUSSION ITEMS**

4. Authorize execution of Work Authorization Amendment No. 3 to Construction Manager at Risk contract with MWH CONSTRUCTORS, INC., Broomfield, CO, for a Guaranteed Maximum Price of \$22,422,968 for Work Packages No. S-303 Filters and Upflow Clarifiers 1 and 2 and No. S-305 Walls, Conveyances, and Miscellaneous Site Work for the Water Treatment Plant No. 4, plus a contingency in the amount of \$1,121,148, for a total not-to-exceed authorization amount of \$23,544,116. Funding is available in the Fiscal Year 2008-2009 Capital Budget of the Austin Water Utility. This Amendment will be awarded in compliance with Chapter 2-9A of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). Goals established for each of the Work Packages for this Guaranteed Maximum Price Proposal for 3C have been exceeded by MWH Constructors, Inc. Reviewed by the Water and Wastewater Commission.

**The motion authorizing the execution of work authorization amendment number three to construction manager at risk contract with MWH Constructors, Inc. was approved on Mayor Pro Tem Martinez' motion, Mayor Leffingwell's second on a 4-3 vote. Those voting aye were: Mayor Leffingwell, Mayor Pro Tem Martinez and Council Members Cole and Shade. Those voting nay were: Council Members Morrison, Riley and Spelman.**

#### **CITIZEN COMMUNICATION: GENERAL**

Sharon Blythe - Water treatment plant 4 transmission mains

Christopher Ringstaff - Austin family pays thousands for City permitting error

Rick Pope - Water treatment plant 4 transmission mains

Wayne Hensley - St. Johns community. **He was not present when his name was called.**

Paul Robbins - City issues

Russell Doyle - Fluoride

Ronnie Reefersed - Peace, freedom and fluoridation of our water

Richard Troxell - Homelessness in Austin

Rae Nadler-Olenick - Water Fluoridation

Philip Kay - Transmission mains

### **DISCUSSION ITEMS CONTINUED**

5. Authorize the negotiation and execution of all required Work Authorization amendments for the remainder of the construction phase services with MWH CONSTRUCTORS, INC., Broomfield, CO., construction manager-at-risk for the Water Treatment Plant No. 4 project, and authorize funding in the amount of \$299,758,773, which is the remaining balance of the Construction Cost Limitation of \$359,000,000 for all remaining construction phase services for the Water Treatment Plant No. 4 project. Funding is available in the Fiscal Year 2008-2009 Capital Budget of the Austin Water Utility. The Construction Manager at Risk contract and approved Amendments have been awarded in compliance with Chapter 2-9A of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). To date, goals have been exceeded by MWH Constructors, Inc. for Preconstruction Phase Services and all Work Packages making up the three existing Amendments. All future Work Packages for subsequent Amendments will contain MBE/WBE goals and compliance will be required. Not recommended by the Water and Wastewater Commission.

**The motion authorizing the negotiation and execution of all required work authorization amendments for the remainder of the construction phase services with MWH Constructors, Inc. was approved on Mayor Pro Tem Martinez' motion, Council Member Cole's second on a 4-3 vote. Those voting aye were: Mayor Leffingwell, Mayor Pro Tem Martinez and Council Members Cole and Shade. Those voting nay were: Council Members Morrison, Riley and Spelman. Direction was given to staff to provide quarterly reports on the financial status of Water Treatment Plant 4 to the Audit and Finance Committee, quarterly reports with respect to the Minority-Owned and Women-Owned Business Enterprise (MWBE) contractor participation to the Minority-Owned and Women-Owned Business Enterprise (MWBE) Council Committee and that the quarterly reports that will be provided to the Water and Wastewater Commission relating to project status should also be provided to the Audit and Finance Committee.**

**Mayor Leffingwell recessed the Council Meeting to go into Executive Session at 1:20 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.**

73. Discuss a real property acquisition of approximately 34 acres located at 1407 W. Stassney (Real Property - Section 551.072).

**Executive Session ended and Mayor Leffingwell called the Council Meeting back to order at 2:01 p.m.**

#### **DISCUSSION AND POSSIBLE ACTION ON BOND SALES**

74. Approve an ordinance authorizing the issuance of City of Austin, Texas, Water and Wastewater System Revenue Refunding Bonds, Series 2010A and City of Austin, Texas Water and Wastewater System Revenue Refunding Bonds, Taxable Series 2010B (Direct Subsidy-Build America Bonds), in an amount not to exceed \$185,000,000, and approving related documents. \$3,764,187 estimated debt service requirement and \$800 annual paying agent/registrar fee is included in the Fiscal Year 2010-2011 budget of the Utility Revenue Bond Redemption Fund.
- Ordinance No. 20101118-074 was approved on Mayor Pro Tem Martinez' motion, Mayor Leffingwell's second on a 6-0 vote. Council Member Cole was off the dais.**

#### **DISCUSSION ITEMS CONTINUED**

**Items 23 and 24 were acted on in a combined motion.**

23. Authorize negotiation and execution of an amendment to the professional services agreement with Greenberg, Traurig, P.A., for legal services in connection with the construction-manager-at-risk contract and professional engineering services agreements for Water Treatment Plant No. 4, to increase funding in the amount of \$60,000, for a total contract amount not to exceed \$260,000. Funding is available in the FY 2010-2011 Capital Budget of the Austin Water Utility.
- The motion authorizing the negotiation and execution of an amendment to the professional services agreement with Greenberg Traurig, P.A. was approved on Mayor Pro Tem Martinez' motion, Mayor Leffingwell's second on a 5-2 vote. Those voting aye were: Mayor Leffingwell, Mayor Pro Tem Martinez and Council Members Cole, Riley and Shade. Those voting nay were: Council Members Morrison and Spelman.**
24. Authorize negotiation and execution of an amendment to the legal services agreement with Smith, Robertson, Elliot, Glen, Klein & Bell, LLP, to provide legal services related to environmental review and compliance for Water Treatment Plant 4, to increase funding in the amount of \$125,000, for a total contract amount not to exceed \$495,000. Funding is available in the FY 2010-2011 Capital Budget of the Austin Water Utility.
- The motion authorizing the negotiation and execution of an amendment to the legal services agreement with Smith, Robertson, Elliot, Glen, Klein & Bell, LLP was approved on Mayor Pro Tem Martinez' motion, Mayor Leffingwell's second on a 5-2 vote. Those voting aye were: Mayor Leffingwell, Mayor Pro Tem Martinez and Council Members Cole, Riley and Shade. Those voting nay were: Council Members Morrison and Spelman.**

#### **BRIEFINGS**

71. New Central Library Project briefing  
**The presentation was made by Bert Lumbreras, Assistant City Manager; Sidney Bowen, AIA, Shepley Bulfinch; David Lake, FAIA, Lake/Flato Architects; and Greg Canally, Deputy Chief Financial Officer.**
72. African-American Resource Advisory Commission briefing  
**This item was postponed to December 9, 2010 without objection.**

**DISCUSSION ITEMS CONTINUED**

Items 2 and 3 were acted on in a combined motion.

2. Authorize the negotiation and execution of a developer agreement with Land Accelerator, LLC to reimburse costs to construct oversized 24-inch and 36-inch water transmission mains and appurtenances related to Service Extension Request No. 2955 to provide water service to the Formula 1 United States Austin, Texas development located at 7700 Elroy Road for a total reimbursement not to exceed \$5,373,734. Funding is available in the Fiscal Year 2010-2011 Capital Budget of the Austin Water Utility. Recommended by the Water and Wastewater Commission with the requirement that the applicant complies with the Third Party Agreement, if applicable. Related to Item #3.  
**The motion authorizing the negotiation and execution of a developer agreement with Land Accelerator, LLC was approved on Mayor Pro Tem Martinez' motion, Council Member Shade's second on a 7-0 vote. Staff was directed to provide Council with an analysis of the cost of providing the connection to the system compared to the fees charged.**
3. Authorize the negotiation and execution of a developer agreement with Land Accelerator, LLC to reimburse costs to construct an oversized 30-inch wastewater main and appurtenances related to Service Extension Request No. 2956 to provide wastewater service to the Formula 1 United States Austin, Texas development located at 7700 Elroy Road for a total reimbursement not to exceed \$8,126,619. Funding is available in the Fiscal Year 2010-2011 Capital Budget of the Austin Water Utility. Recommended by the Water and Wastewater Commission with the requirement that the applicant complies with the Third Party Agreement, if applicable. Related to Item #2.  
**The motion authorizing the negotiation and execution of a developer agreement with Land Accelerator, LLC was approved on Mayor Pro Tem Martinez' motion, Council Member Shade's second on a 7-0 vote. Staff was directed to provide Council with an analysis of the cost of providing the connection to the system compared to the fees charged.**
20. Approve negotiation and execution of a contract with THE SALVATION ARMY, Austin, TX to provide social services for homeless women and their dependent children in an amount not to exceed \$4,638,466 for the period January 1, 2011 through September 30, 2013, with two 12-month extension options in an amount not to exceed \$1,686,715 each, for a total contract amount not to exceed \$8,011,896. Funding in the amount of \$1,265,036 is available in the Fiscal Year 2010-2011 Operating Budget of the Health and Human Services Department.  
**The motion authorizing the negotiation and execution of a contract with The Salvation Army was approved on Council Member Morrison's motion, Council Member Spelman's second on a 7-0 vote.**
21. Authorize City Manager to negotiate and execute the renewal of the Interlocal Agreement for Emergency Shelter for Homeless Women and Children with TRAVIS COUNTY, TEXAS for an additional five-year term beginning April 1, 2011.  
**The motion authorizing the City Manager to negotiate and execute the renewal of the interlocal agreement for Emergency Shelter for Homeless Women and Children with Travis County was approved on Council Member Cole's motion, Mayor Pro Tem Martinez' second on a 7-0 vote.**
26. Approve a resolution for the adoption of the Parks and Recreation Department's "Long Range Plan for Land, Facilities, and Programs" which is a guide for future growth and development of Austin's parks and recreation system and follows the requirements of the Texas Parks and Wildlife Department master plan documents for parks and recreation agencies grant applications. Recommended by the Parks and Recreation Board.  
**Resolution No. 20101118-026 was approved on Council Member Cole's motion, Council Member Morrison's second on a 7-0 vote. Direction was given to staff to correct cemetery acreages; include**



**cemeteries in the Executive Summary; add Waller Creek as a priority; add relevant information from the Urban Park Stakeholders Group; address TODs, VMUs, the Downtown Plan, and the Waller Creek Plan in regards to high density areas; and bring the Executive Summary back to Council after PARD amendment.**

60. Approve a resolution extending the deadline for the city manager to make recommendations related to historic preservation and an analysis of the economic benefits of historic preservation. (Council Member Laura Morrison Council Member William Spelman and Council Member Chris Riley)  
**Resolution No. 20101118-060 was approved on Council Member Morrison's motion, Council Member Shade's second on a 7-0 vote. Staff was directed to use the recommendations recently presented by the Heritage Society along with the recommendations from staff to start the dialogue.**
34. Authorize award and execution of a 12-month requirements service contract with U. S. SECURITY ASSOCIATES, INC, Austin, TX, or one of the other qualified bidders to IFB-BV No. KDW0060, to provide unarmed uniformed security guard services in an estimated amount not to exceed \$1,478,110, with four 12-month extension options in an estimated amount not to exceed \$1,478,110 per extension option, for a total estimated contract amount not to exceed \$7,390,550. Funding in the amount of \$1,354,934 is available in the Fiscal Year 2010-2011 Operating Budget of Austin Energy. Funding for the remaining month of the original contract period and extension options is contingent upon available funding in future budgets. Best evaluated bid of nine bids received. This contract will be awarded in compliance with Chapter 2-9C of the City Code (Minority Owned and Women Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation. Recommended by the Electric Utility Commission.  
**The motion authorizing the award and execution of a requirements service contract with U.S. Security Associates, Inc. was approved on Council Member Spelman's motion, Council Member Morrison's second on a 7-0 vote.**

#### **PUBLIC HEARING AND POSSIBLE ACTION**

101. Conduct a public hearing and consider an ordinance amending sections in City Code Title 25 (Land Development) relating to docks, bulkheads and shoreline access.  
**This item was postponed to December 9, 2010 on Mayor Pro Tem Martinez' motion, Council Member Spelman's second on a 7-0 vote.**

#### **DISCUSSION ITEMS CONTINUED**

66. Set a public hearing to consider a resolution regarding the use of approximately 6,420 square feet of land for a permanent retrieval shaft, approximately 162,348 square feet of land for a permanent subterranean tunnel, and approximately 14,985 square feet of land temporary staging area and material storage site in connection with the construction, use, maintenance, repair, and replacement of a portion of the WTP4 Jollyville Water Transmission Main Project through multiple tracts of dedicated parkland known as the Upper Bull Creek Greenbelt, in accordance with Sec. 26.001 et seq. of the Texas Parks and Wildlife Code. All costs associated with construction, as well as any parkland restoration will be paid by requester. (Suggested date and time: December 16, 2010 at 4:00 p.m. at Austin City Hall, 301 W. Second Street, Austin, TX). Reviewed by the Parks and Recreation Board.  
**The public hearing was set for December 16, 2010 at 4:00 p.m., City Hall at 301 W. Second Street, Austin, TX on Mayor Pro Tem Martinez' motion, Council Member Shade's second on a 7-0 vote.**

**ZONING CONSENT ITEMS (HEARINGS CLOSED)**

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

75. C14-2009-0110 - American Adventure - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by zoning and rezoning property locally known as 13505 North F.M. 620 Road (Lake Creek Watershed) from community commercial-conditional overlay (GR-CO) district zoning to community commercial-conditional overlay (GR-CO) district zoning to change a condition of zoning. On February 25, 2010, City Council approved first reading of community commercial-conditional overlay (GR-CO) district zoning with conditions. Vote: 7-0. Applicant: Hamid Zarafshani / American Adventure RV Rentals, LLC. Agent: Shaw Hamilton Consultants (Shaw Hamilton). City Staff: Sherri Sirwaitis, 974-3057.  
**Ordinance No. 20101118-075 for community commercial-conditional overlay (GR-CO) district zoning with conditions was approved on consent on Council Member Cole's motion, Council Member Spelman's second on a 7-0 vote.**
76. C14-2010-0100 - Stagliano 620 - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by zoning and rezoning property locally known as 9800 N. FM 620 Road (Bull Creek Watershed) from development reserve (DR) district zoning and single-family residence-standard lot (SF-2) district zoning to community commercial-conditional overlay (GR-CO) district zoning to change a condition of zoning. On September 23, 2010, City Council approved first reading of community commercial-conditional overlay (GR-CO) district zoning with conditions. Vote: 7-0. Applicant: Vincent J. Stagliano. Agent: Land Strategies, Inc. (Paul Linehan). City Staff: Sherri Sirwaitis, 974-3057.  
**Ordinance No. 20101118-076 for community commercial-conditional overlay (GR-CO) district zoning with conditions was approved on consent on Council Member Cole'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.

79. C14-2010-0102 - Greenshores Annexation Zoning #1 - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by zoning property locally known as Greenshores Subdivision @ Pearce Road and Oak Shores (Connors Creek, Hog Pen Creek, Lake Austin Watersheds) from interim-single family residence large lot (I-SF-1) district zoning and interim-rural residence (I-RR) district zoning to single family residence large lot (SF-1) district zoning for Tracts 1 and 2, rural residence (RR) district zoning for Tract 3 and public (P) district zoning for Tracts 4 and 5. Staff Recommendation: To grant single family residence large lot (SF-1) district zoning for Tracts 1 and 2, rural residence (RR) district zoning for Tract 3 and public (P) district zoning for Tracts 4 and 5. Zoning and Platting Commission Recommendation: To grant single family residence large lot (SF-1) district zoning for Tracts 1 and 2, rural residence (RR) district zoning for Tract 3 and public (P) district zoning for Tracts 4 and 5. Applicant/Agent: City of Austin (Clark Patterson). City Staff: Clark Patterson, 974-7691.  
**The public hearing was closed and Ordinance No. 20101118-079 for single family residence large lot (SF-1) district zoning for Tracts 1 and 2, rural residence (RR) district zoning for Tract 3 and public (P) district zoning for Tracts 4 and 5 was approved on consent on Council Member Cole's motion, Council Member Spelman's second on a 7-0 vote.**
80. C14-2010-0103 - Greenshores Annexation Zoning #2 - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by zoning property locally known as Greenshores Subdivision @ Pearce Road, Lazy River and Oak Shores (Connors Creek, Hog Pen Creek,

Lake Austin Watersheds) from interim-single family residence large lot (I-SF-1) district zoning and interim-rural residence (I-RR) district zoning to single family residence large lot (SF-1) district zoning for Tract 1, rural residence (RR) district zoning for Tract 2 and public (P) district zoning for Tract 3. Staff Recommendation: To grant single family residence large lot (SF-1) district zoning for Tract 1, rural residence (RR) district zoning for Tract 2 and public (P) district zoning for Tract 3. Zoning and Platting Commission Recommendation: To grant single family residence large lot (SF-1) district zoning for Tract 1, rural residence (RR) district zoning for Tract 2 and public (P) district zoning for Tract 3. Applicant/Agent: City of Austin (Clark Patterson). City Staff: Clark Patterson, 974-7691.

**The public hearing was closed and Ordinance No. 20101118-080 for single family residence large lot (SF-1) district zoning for Tract 1, rural residence (RR) district zoning for Tract 2 and public (P) district zoning for Tract 3 was approved on consent on Council Member Cole's motion, Council Member Spelman's second on a 7-0 vote.**

81. C14-2010-0104 - Greenshores Annexation Zoning #3 - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by zoning property locally known as Greenshores Subdivision @ Pearce Road and Turnbuoy (Connors Creek, Hog Pen Creek, Lake Austin Watersheds) from interim-single family residence large lot (I-SF-1) district zoning and interim-rural residence (I-RR) district zoning to public (P) district zoning for Tract 1, rural residence (RR) district zoning for Tract 2, public (P) district zoning for Tract 3 and single family residence large lot (SF-1) district zoning for Tracts 4 and 5. Staff Recommendation: To grant public (P) district zoning for Tract 1, rural residence (RR) district zoning for Tract 2, public (P) district zoning for Tract 3 and single family residence large lot (SF-1) district zoning for Tracts 4 and 5. Zoning and Platting Commission Recommendation: To grant public (P) district zoning for Tract 1, single family residence large lot, conditional overlay (SF-1-CO) combining district zoning for Tract 2, public (P) district zoning for Tract 3 and single family residence large lot (SF-1) district zoning for Tracts 4 and 5. Applicant/Agent: City of Austin (Clark Patterson). City Staff: Clark Patterson, 974-7691.

**The public hearing was closed and Ordinance No. 20101118-081 for public (P) district zoning for Tract 1, single family residence large lot, conditional overlay (SF-1-CO) combining district zoning for Tract 2, public (P) district zoning for Tract 3 and single family residence large lot (SF-1) district zoning for Tracts 4 and 5 was approved on consent on Council Member Cole's motion, Council Member Spelman's second on a 7-0 vote.**

82. C14-2010-0105 - Greenshores Annexation Zoning #4 - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by zoning property locally known as Greenshores Subdivision @ Pearce Road, Oak Shores, Pappy's Way, Malibu Cove, Barefoot Cove and Greenshores Drive (Connors Creek, Hog Pen Creek, Lake Austin Watersheds) from interim-single family residence large lot (I-SF-1) district zoning, interim-rural residence (I-RR) district zoning, interim-lake austin residence (I-LA) district zoning, lake austin residence (LA) district zoning and family residence (SF-3) district zoning to public (P) district zoning for Tracts 1 and 8, single family residence large lot (SF-1) district zoning for Tracts 2-7, 9 and 11-13, lake austin (LA) district zoning for Tract 10, and rural residence (RR) district zoning for Tract 14. Staff Recommendation: To grant public (P) district zoning for Tracts 1 and 8, single family residence large lot (SF-1) district zoning for Tracts 2-7, 9 and 11-13, lake austin (LA) district zoning for Tract 10, and rural residence (RR) district zoning for Tract 14. Zoning and Platting Commission Recommendation: To grant public (P) district zoning for Tracts 1 and 8, single family residence large lot (SF-1) district zoning for Tracts 2-7, 9 and 11-13, lake austin (LA) district zoning for Tract 10, and rural residence (RR) district zoning for Tract 14. Applicant/Agent: City of Austin (Clark Patterson). City Staff: Clark Patterson, 974-7691.

**The public hearing was closed and Ordinance No. 20101118-082 for public (P) district zoning for Tracts 1 and 8, single family residence large lot (SF-1) district zoning for Tracts 2-7, 9 and 11-13, lake austin (LA) district zoning for Tract 10, and rural residence (RR) district zoning for Tract 14 was approved on consent on Council Member Cole's motion, Council Member Spelman's second on a 7-0 vote.**

83. C14-2010-0106 - Greenshores Annexation Zoning #5 - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by zoning property locally known as Greenshores Subdivision @ Pappy's Way and Turnbouy Drive (Connors Creek, Hog Pen Creek, Lake Austin Watersheds) from interim-single family residence large lot (I-SF-1) district zoning to single family residence large lot (SF-1) district zoning. Staff Recommendation: To grant single family residence large lot (SF-1) district zoning. Zoning and Platting Commission Recommendation: To grant single family residence large lot (SF-1) district zoning. Applicant/Agent: City of Austin (Clark Patterson). City Staff: Clark Patterson, 974-7691.  
**The public hearing was closed and Ordinance No. 20101118-083 for single family residence large lot (SF-1) district zoning was approved on consent on Council Member Cole's motion, Council Member Spelman's second on a 7-0 vote.**
84. C14-2010-0107 - Greenshores Annexation Zoning #6 - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by zoning property locally known as Greenshores Subdivision @ Pearce Road and Greenshores Drive (Connors Creek, Hog Pen Creek, Lake Austin Watersheds) from interim-single family residence large lot (I-SF-1) district zoning and interim-rural residence (I-RR) district zoning to single family residence large lot (SF-1) district zoning for Tracts 1 and 4 and rural residence (RR) district zoning for Tracts 2 and 3. Staff Recommendation: To grant single family residence large lot (SF-1) district zoning for Tracts 1 and 4 and rural residence (RR) district zoning for Tracts 2 and 3. Zoning and Platting Commission Recommendation: To grant single family residence large lot (SF-1) district zoning for Tracts 1 and 4 and rural residence (RR) district zoning for Tracts 2 and 3. Applicant/Agent: City of Austin (Clark Patterson). City Staff: Clark Patterson, 974-7691.  
**The public hearing was closed and Ordinance No. 20101118-084 for single family residence large lot (SF-1) district zoning for Tracts 1 and 4 and rural residence (RR) district zoning for Tracts 2 and 3 was approved on consent on Council Member Cole's motion, Council Member Spelman's second on a 7-0 vote.**
85. C14-2010-0108 - Greenshores Annexation Zoning #7 - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by zoning property locally known as Greenshores Subdivision @ Robbin Road (Connors Creek, Hog Pen Creek, Lake Austin Watersheds) from interim-lake austin residence (I-LA) district zoning to lake austin residence (LA) district zoning. Staff Recommendation: To grant lake austin residence (LA) district zoning. Zoning and Platting Commission Recommendation: To grant lake austin residence (LA) district zoning. Applicant/Agent: City of Austin (Clark Patterson). City Staff: Clark Patterson, 974-7691.  
**The public hearing was closed and Ordinance No. 20101118-085 for lake austin residence (LA) district zoning was approved on consent on Council Member Cole's motion, Council Member Spelman's second on a 7-0 vote.**
86. C14-2010-0109 - Greenshores Annexation Zoning #8 - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by zoning property locally known as Greenshores Subdivision @ Smoky Ridge & Frijolita (Connors Creek, Hog Pen Creek, Lake Austin Watersheds) from interim-single family residence large lot (I-SF-1) district zoning and interim-lake austin residence (I-LA) district zoning to single family residence large lot (SF-1) district zoning for Tract 2 and lake austin residence (LA) district zoning for Tract 1. Staff Recommendation: To grant single family residence large lot (SF-1) district zoning for Tract 2 and lake austin residence (LA) district zoning for Tract 1. Zoning and Platting Commission Recommendation: To grant single family residence large lot (SF-1) district zoning for Tract 2 and lake austin residence (LA) district zoning for Tract 1. Applicant/Agent: City of Austin (Clark Patterson). City Staff: Clark Patterson, 974-7691.  
**The public hearing was closed and Ordinance No. 20101118-086 for single family residence large lot (SF-1) district zoning for Tract 2 and lake austin residence (LA) district zoning for Tract 1 was**

**approved on consent on Council Member Cole's motion, Council Member Spelman's second on a 7-0 vote.**

87. C14-2010-0110 - Greenshores Annexation Zoning #9 - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by zoning property locally known as Greenshores Subdivision @ Pearce Road & Ski Shores Terrece (Connors Creek, Hog Pen Creek, Lake Austin Watersheds) from interim-lake austin residence (I-LA) district zoning to lake austin residence (LA) district zoning. Staff Recommendation: To grant lake austin residence (LA) district zoning. Zoning and Platting Commission Recommendation: To grant lake austin residence (LA) district zoning. Applicant/Agent: City of Austin (Clark Patterson). City Staff: Clark Patterson, 974-7691.  
**The public hearing was closed and Ordinance No. 20101118-087 for lake austin residence (LA) district zoning was approved on consent on Council Member Cole's motion, Council Member Spelman's second on a 7-0 vote.**
88. C14-2010-0101 - Shoal Creek Blvd. - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 1808 Vance Circle (Shoal Creek Watershed) from family residence (SF-3) district zoning to general office (GO) district zoning. Staff Recommendation: To deny general office (GO) district zoning. Planning Commission Recommendation: To deny general office (GO) district zoning. Applicant: Reynaldo Ortiz. Agent: J Valera Engineering (Juan Valera). City Staff: Clark Patterson, 974-7691.  
**This item was postponed on consent to January 13, 2011 at the applicant's request on Council Member Cole's motion, Council Member Spelman's second on a 7-0 vote.**
89. C14-2010-0139 - Avenue H - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 5301 Avenue H (Waller Creek Watershed) from single family residence-neighborhood plan (SF-3-NP) combining district zoning to neighborhood office-neighborhood plan (NO-NP) combining district zoning. Staff Recommendation: To grant neighborhood office-neighborhood plan (NO-NP) combining district zoning. Planning Commission Recommendation: To grant neighborhood office-neighborhood plan (NO-NP) combining district zoning. Applicant/Agent: Derrick Bonyuet. City Staff: Clark Patterson, 974-7691.  
**The public hearing was closed and Ordinance No. 20101118-089 for neighborhood office-neighborhood plan (NO-NP) combining district zoning was approved on consent on Council Member Cole's motion, Council Member Spelman's second on a 7-0 vote.**
90. C14-2010-0155 - 5775 Airport Boulevard - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 5775 Airport Boulevard, Suite 200 (Tannehill Branch Watershed) from general commercial services-mixed use-vertical mixed use building-neighborhood plan (CS-MU-V-NP) combining district zoning to commercial liquor sales-mixed use-vertical mixed use building-neighborhood plan (CS-1-MU-V-NP) combining district zoning. Staff Recommendation: To grant commercial liquor sales-mixed use-vertical mixed use building-neighborhood plan (CS-1-MU-V-NP) combining district zoning. Planning Commission Recommendation: To grant commercial liquor sales-mixed use-vertical mixed use building-neighborhood plan (CS-1-MU-V-NP) combining district zoning. Owner/Applicant: TPRF II/Highland Commons, LP (Joseph Chu). Agent: Thrower Design (Ron Thrower). City Staff: Wendy Rhoades, 974-7719.  
**The public hearing was closed and Ordinance No. 20101118-090 for commercial liquor sales-mixed use-vertical mixed use building-neighborhood plan (CS-1-MU-V-NP) combining district zoning was approved on consent on Council Member Cole's motion, Council Member Spelman's second on a 7-0 vote.**
91. C14-2010-0111 - 10301 Old San Antonio Road Rezone - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 10301 Old San Antonio Road (Slaughter Creek Watershed) from multifamily residence-low density-conditional

overlay (MF-2-CO) combining district zoning to multifamily residence-low density-conditional overlay (MF-2-CO) combining district zoning to change a condition of zoning. Staff Recommendation: To deny multifamily residence-low density-conditional overlay (MF-2-CO) combining district zoning to change a condition of zoning. Zoning and Platting Commission Recommendation: To grant an indefinite postponement. Owner/Applicant: Sheldon Stablewood, LP (Rick Sheldon). Agent: Thrower Design (Ron Thrower). City Staff: Wendy Rhoades, 974-7719.

**This item was postponed indefinitely on consent on Council Member Cole's motion, Council Member Spelman'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.)**

93. C14-2010-0146 - Jollyville Food Mart - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 11794 Jollyville Road (Walnut Creek Watershed) from neighborhood commercial-conditional overlay (LR-CO) combining district zoning to neighborhood commercial (LR) district zoning. Staff recommendation: To grant neighborhood commercial-conditional overlay (LR-CO) combining district zoning. Zoning and Platting Commission Recommendation: To grant neighborhood commercial-conditional overlay (LR-CO) combining district zoning. Applicant: Mohammad Arami. City Staff: Sherri Sirwaitis, 974-3057.

**The public hearing was closed and Ordinance No. 20101118-093 for neighborhood commercial-conditional overlay (LR-CO) combining district zoning was approved on consent on Council Member Cole's motion, Council Member Spelman's second on a 7-0 vote.**

94. C14-2008-0220 - Double Creek Village - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by zoning and rezoning property locally known as 10200-10614 South IH 35 Service Road Southbound (Onion Creek, Slaughter Creek Watersheds) from interim-rural residence (I-RR) district zoning and general commercial services (CS) district zoning to general commercial services-mixed use (CS-MU) combining district zoning. Staff Recommendation: To grant general commercial services-mixed use-conditional overlay (CS-MU-CO) combining district zoning with conditions. Zoning and Platting Commission Recommendation: To grant general commercial services-mixed use-conditional overlay (CS-MU-CO) combining district zoning with conditions. Owner/Applicant: Sterling/Babcock & Brown Double Creek LP (Drew Ireland). Agent: Alice Glasco Consulting (Alice Glasco). City Staff: Wendy Rhoades, 974-7719.

**The public hearing was closed and Ordinance No. 20101118-094 for general commercial services-mixed use-conditional overlay (CS-MU-CO) combining district zoning with conditions was approved on consent on Council Member Cole's motion, Council Member Spelman's second on a 7-0 vote. This includes a public restrictive covenant and a street deed that have been executed. Tract 3 has been dedicated for a roadway which is a loop road that will connect 1626 to IH-35 to provide access to adjacent parcels outside the zoning case area.**

95. C14-2010-0001 - General Store - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 6706 Moore's Crossing Boulevard (Onion Creek Watershed; Dry Creek East Watershed) from industrial park (IP) district zoning to community commercial (GR) district zoning. Staff Recommendation: To grant community commercial (GR) district zoning with conditions. Planning Commission Recommendation: To grant community commercial (GR) district zoning with conditions. Owner/Applicant: MC Joint Venture (Bill Gurasich). City Staff: Wendy Rhoades, 974-7719.

**The public hearing was closed and Ordinance No. 20101118-095 for community commercial (GR) district zoning with conditions was approved on consent on Council Member Cole's motion, Council Member Spelman's second on a 7-0 vote.**

96. C14-2010-0047 - Tract II Industrial - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 7008 Moore's Crossing

Boulevard (Dry Creek East Watershed) from single family residence standard lot (SF-2) district zoning to industrial park (IP) district zoning. Staff Recommendation: To grant industrial park-conditional overlay (IP-CO) combining district zoning with conditions. Planning Commission Recommendation: To grant industrial park-conditional overlay (IP-CO) combining district zoning with conditions. Owner/Applicant: MC Joint Venture (Bill Gurasich). City Staff: Wendy Rhoades, 974-7719.

**The public hearing was closed and Ordinance No. 20101118-096 for industrial park-conditional overlay (IP-CO) combining district zoning with conditions was approved on consent on Council Member Cole's motion, Council Member Spelman's second on a 7-0 vote.**

### **ZONING DISCUSSION ITEM**

77. C14-2010-0118 - 1901 South Lamar Boulevard - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 1901 South Lamar Boulevard (West Bouldin Creek Watershed) from commercial services (CS) district zoning to commercial-liquor sales (CS-1) district zoning. Staff Recommendation: To grant commercial-liquor sales (CS-1) district zoning. Planning Commission Recommendation: To grant commercial-liquor sales (CS-1) district zoning. First reading approved on October 28, 2010. Vote: 6-1; Morrison, nay. Applicant: Columbine Properties, Inc. (William Tamminga). Agent: Hajjar Sutherland & Kelly LLP (Kareem Hajjar). City Staff: Stephen Rye 974-7604.

**Ordinance No. 20101118-077 for commercial-liquor sales (CS-1) district zoning was approved on Council Member Riley's motion, Council Member Spelman's second on a 7-0 vote. The owner agreed to add the following to the restrictive covenant:**

- Noise levels shall not exceed 70 decibels, as measured at the property line.
- Live outdoor amplified music is prohibited on the property.

**Staff was directed to work with the owner on further noise mitigation issues.**

78. C14H-2010-0015 - Warner Stewart House - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 1015 Gaston Avenue (Shoal Creek Watershed) from family residence-standard lot (SF-2) district zoning to family residence-standard lot-historic landmark (SF-2-H) combining district zoning. Staff Recommendation: To grant family residence-standard lot-historic landmark (SF-2-H) combining district zoning. Historic Landmark Commission Recommendation: To grant family residence-standard lot-historic landmark (SF-2-H) combining district zoning. Planning Commission Recommendation: To grant family residence-standard lot-historic landmark (SF-2-H) combining district zoning. Applicants: Bill Pewitt and Shannon McCann, owners. City Staff: Steve Sadowsky, 974-6454.

**There was a motion made by Council Member Morrison and seconded by Council Member Riley to approve the ordinance for family residence-standard lot-historic landmark (SF-2-H) combining district zoning that failed on a 2-5 vote. Those voting aye were: Council Members Morrison and Riley. Those voting nay were: Mayor Leffingwell, Mayor Pro Tem Martinez and Council Members Cole, Shade and Spelman.**

**Mayor Leffingwell recessed the Council Meeting at 5:33 p.m.**

### **LIVE MUSIC**

BK and Mr. E

### **PROCLAMATIONS**

Proclamation -- Let's Make Austin a "Let's Move City" -- to be presented by Mayor Lee Leffingwell and to be accepted by Lou Earl and Julie Byers

Certificate of Congratulations -- Small Business Development Program -- to be presented by Mayor Lee Leffingwell and to be accepted by Rosy Jalifi and members of the lending community

Proclamation -- Eat Local Week -- to be presented by Mayor Pro Tem Mike Martinez and to be accepted by Marla Camp

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

Proclamation -- Hunger and Homelessness Awareness -- to be presented by Council Member Sheryl Cole and to be accepted by Ed McHorse, Beth Atherton and Richard Troxell

**Mayor Leffingwell called the Council Meeting back to order at 6:39 p.m.**

**ZONING DISCUSSION ITEMS CONTINUED**

92. C14-2010-0143 - Frontier Valley - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 1418 Frontier Valley Road (Carson Creek Watershed) from single family residence standard lot - neighborhood plan (SF-3-NP) combining district zoning to mobile home residence-neighborhood plan (MH-NP) combining district zoning. Staff Recommendation: To grant mobile home residence - neighborhood plan (MH-NP) combining district zoning. Planning Commission Recommendation: To forward to City Council without a recommendation. Applicant: FVMHP, LP (Randy G. Allen). Agent: FVMHP, LP (Randy G. Allen). City Staff: Stephen Rye, 974-7604.

**The public hearing was closed and the first reading of the ordinance for mobile home residence-neighborhood plan (MH-NP) combining district zoning, with the following addition, was approved on Council Member Spelman's motion, Mayor Pro Tem Martinez' second on a 6-1 vote. Council Member Morrison voted nay. The addition was the applicant should enter into a public restrictive covenant that states he and future owners would not object to a rezoning back to family residence (SF-3) if the proposed use ceases or changes in the future.**

97. C14-2010-0126 - Melridge Terrace - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 1303 Robert E. Lee Road (Town Lake Watershed) from single family residence standard lot (SF-3) district zoning to townhouse and condominium-conditional overlay (SF-6-CO) combining district zoning. Staff Recommendation: To grant townhouse and condominium residence-conditional overlay (SF-6-CO) combining district zoning. Planning Commission Recommendation: To grant townhouse and condominium residence-conditional overlay (SF-6-CO) combining district zoning. Applicant: Melridge Terrace, LP (Ryan Diepenbrock). Agent: Melridge Terrace, LP (Ryan Diepenbrock). City Staff: Stephen Rye, 974-7604.

**The public hearing was closed and Ordinance No. 20101118-097 for townhouse and condominium residence-conditional overlay (SF-6-CO) combining district zoning was approved on Council Member Riley's motion, Mayor Pro Tem Martinez' second on a 7-0 vote. The applicant verified his intent to install a sidewalk going down the hill.**

98. NPA-2009-0019.02 - Mitchell Hyde Park Rezone/NPA - Conduct a public hearing and approve an ordinance amending Ordinance No. 20040826-056 the Central Austin Combined Neighborhood Plan, an element of the Austin Tomorrow Comprehensive Plan, to change the land use designation on the future land use map (FLUM) on property locally known as 209 E. 38th Street (Waller Creek Watershed) from



Single Family to Multifamily land use. Staff Recommendation: To deny the Multifamily land use designation. Planning Commission Recommendation: To deny the Multifamily land use. Gil Liebrecht & Jason Mitchell. Vincent Gerard & Associate (Vincent G. Huebinger). Maureen Meredith, 974-2695.

**The public hearing was closed and the motion to deny the request to change the land use was approved on Mayor Pro Tem Martinez' motion, Council Member Shade's second on a 6-0-1 vote. Council Member Spelman was off the dais and recused himself.**

99. C14-2010-0024 - Mitchell Hyde Park Re-Zone - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 209 E 38th Street (Waller Creek Watershed) from single family residence-neighborhood conservation combining district-neighborhood plan (SF-3-NCCD-NP) combining district zoning to multifamily residence, limited density-neighborhood conservation combining district-neighborhood plan-conditional overlay (MF-1-NCCD-NP-CO) combining district zoning. Staff Recommendation: To deny multifamily residence, limited density-neighborhood conservation combining district-neighborhood plan-conditional overlay (MF-1-NCCD-NP-CO) combining district zoning. Planning Commission Recommendation: To deny multifamily residence, limited density-neighborhood conservation combining district-neighborhood plan-conditional overlay (MF-1-NCCD-NP-CO) combining district zoning. Applicant: Jason Mitchell. Agent: Vincent Gerard & Associates (Vincent Gerard). City Staff: Clark Patterson, 974-7691

**The public hearing was closed and the motion to deny the rezoning request was approved on Mayor Pro Tem Martinez' motion and Council Member Cole's second on a 6-0-1 vote. Council Member Spelman was off the dais and recused himself.**

100. C14H-2010-0019 - Hyde Park Local Historic District - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property generally between 38th and 45th Streets, Avenue A and Duval Streets, from family residence-neighborhood conservation combining district (SF-3-NCCD) combining district zoning to family residence-historic area-neighborhood conservation combining district (SF-3HD-NCCD) combining district zoning; family residence-historic landmark-neighborhood conservation combining district (SF-3-H-NCCD) combining district zoning to family residence-historic landmark-historic area-neighborhood conservation combining district (SF-3-H-HD-NCCD) combining district zoning; townhouse and condominium residence-neighborhood conservation combining district (SF-6-NCCD) combining district zoning to townhouse and condominium residence- historic area-neighborhood conservation combining district (SF-6-HD-NCCD) combining district zoning; multi-family residence-low density-neighborhood conservation (MF-2-NCCD) combining district to multi-family residence-low density-historic area-neighborhood conservation (MF-2-HD-NCCD) combining district; multi-family residence-medium density-neighborhood conservation (MF-3-NCCD) combining district to multi-family residence-medium density-historic area-neighborhood conservation (MF-3-HD-NCCD) combining district; multi-family residence-moderate-high density-neighborhood conservation (MF-4-NCCD) combining district to multi-family residence-moderate-high density-historic area-neighborhood conservation (MF-4-HD-NCCD) combining district; limited office-neighborhood conservation (LO-NCCD) combining district to limited office-historic area- neighborhood conservation (LO-HD-NCCD) combining district; limited office-historic landmark-neighborhood conservation (LO-H-NCCD) combining district to limited office-historic landmark-historic area-neighborhood conservation (LO-H-HD-NCCD) combining district; limited office-vertical mixed use-neighborhood conservation (LO-V-NCCD) combining district to limited office-vertical mixed use-historic area-neighborhood conservation (LO-V-HD-NCCD) combining district; general office-neighborhood conservation (GO-NCCD) combining district to general office-historic area-neighborhood conservation (GO-HD-NCCD) combining district; neighborhood commercial-neighborhood conservation (LR-NCCD) combining district to neighborhood commercial-historic area-neighborhood conservation (LR-HD-NCCD) combining district; community commercial-neighborhood conservation (GR-NCCD) combining district to community commercial-historic area-neighborhood conservation (FR-HD-NCCD) combining district; general commercial services-neighborhood conservation (CS-NCCD) combining district to general commercial services-historic area-neighborhood conservation (CS-HD-NCCD)

combining district; neighborhood office-neighborhood conservation (NO-NCCD) combining district to neighborhood office-historic landmark- historic area-neighborhood conservation (NO-H-HD-NCCD) combining district; and public-neighborhood conservation (P-NCCD) combining district to public-historic area-neighborhood conservation (P-HD-NCCD) combining district. Staff Recommendation: To grant the historic area combining district zoning to all the above-referenced base zoning classifications. Historic Landmark Commission Recommendation: To grant the historic area combining district zoning to all the above-referenced base zoning classifications. Planning Commission Recommendation: To grant the historic area combining district zoning to all the above-referenced base zoning classifications. Applicants: Hyde Park Historic District Nominating Team (Lorre Weidlich, chair). City Staff: Steve Sadowsky, 974-6454.

**The motion to deny the postponement request was approved on Council Member Shade's motion, Council Member Morrison's second on a 6-0-1 vote. Council Member Spelman was off the dais and recused himself.**

**The public hearing was left open and the first reading of the ordinance for historic area combining district zoning with the following friendly amendment and direction to staff was approved on Mayor Pro Tem Martinez' motion, Council Member Cole's second on a 6-0-1 vote. Council Member Spelman was off the dais and recused himself.**

**The friendly amendment from Council Member Riley was to change the "Hyde Park Local Historic District's Residential Standards: Single Family and Contributing Multifamily Preservation and Restoration" document as follows. It was accepted by the maker of the motion and Council Member Cole, who second the motion.**

**Section 2.1, should read:**

**"Front of Houses:**

**Doorways on the primary façade are an important architectural feature. Do not enlarge, alter, or relocate doorways. Retain original entry doors. In cases where replacement of an original entry door is required, or where the house does not have the original door, choose a replacement door that is compatible with the historic character of the house in terms of design and materials. Retain the glazing (window or glass) in its original configuration on doors that contain glass.**

**Recommendation: Look to other houses of similar age and style in choosing a replacement door, or consult publications or catalogs dealing with houses of the same age and style as yours."**

**Staff was directed to bring the ordinance back for second and third readings on December 16, 2010 and to look into fees associated with local historic districts, including waiving the fee associated with certificates of appropriateness for projects that don't require a building permit.**

**Mayor Leffingwell adjourned the meeting at 9:43 p.m. without objection.**

**The minutes for the Regular Meeting of November 18, 2010 were approved on this the 9th day of December 2010 on Council Member Shade's motion, Council Member Cole's second on a 7-0 vote.**