



**AUSTIN CITY COUNCIL  
MINUTES**

**REGULAR MEETING  
THURSDAY, DECEMBER 16, 2010**

**Invocation:** Rev. Jim Rigby, St. Andrews Presbyterian 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, December 16, 2010 in the Council Chambers of City Hall, 301 West Second Street, Austin, Texas.**

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

**CONSENT AGENDA**

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

1. Approve the minutes of the Austin City Council regular meeting of December 9, 2010.  
**The minutes from the regular Council meeting of December 9, 2010 were approved on consent on Mayor Pro Tem Martinez' motion, Council Member Spelman's second on a 7-0 vote.**
2. Approve an ordinance releasing the dedication by separate instrument of an unaccepted public roadway easement recorded at Volume 3909, Page 1003, of the Real Property Records of Travis County, Texas, containing 1.22 acres of land known as "White Crowe Trail" to the abutting owners, subject to the retention of any established private rights in the easement and the separate public utility easement in the property.  
**Ordinance No. 20101216-002 was approved on consent on Mayor Pro Tem Martinez' motion, Council Member Spelman's second on a 7-0 vote.**
3. Authorize the negotiation and execution of a sixty (60) month lease of approximately 4,934 rentable square feet of office space for the Treasury Office located at 700 Lavaca, 9th floor, from TRAVIS COUNTY, TEXAS, in an amount not to exceed \$567,410. Funding in the amount of \$75,654.67 is available in the Fiscal Year 2010-2011 Operating Budget of the Financial and Administrative Services Department. Funding for the remaining lease term is contingent upon available funding in future budgets.  
**The motion authorizing the negotiation and execution of a lease from Travis County was approved on consent on Mayor Pro Tem Martinez' motion, Council Member Spelman's second on a 7-0 vote.**

**Item 4 was pulled for discussion.**

5. Authorize the negotiation and execution of a contract to purchase in fee simple Lots 1 and 2, Block A, of Village at Walnut Creek Phase 2, Section 1-B, a subdivision in Travis County, Texas, located at 12417

and 12444 Alderbrook Drive from River City Partners, Ltd. in an amount not to exceed \$260,000. Funding is available in the Fiscal Year 2010-2011 Capital Budget of the Parks and Recreation Department.

**The motion authorizing the negotiation and execution of a contract to purchase in fee simple lots one and two, block A, of Village at Walnut Creek Phase 2, section 1-B was approved on consent on Mayor Pro Tem Martinez' motion, Council Member Spelman's second on a 7-0 vote.**

6. Authorize execution of a construction contract with SMITH CONTRACTING CO., INC., Austin, TX for the Traffic System Management Improvements - Braker Lane at Hwy 183 project in an amount not to exceed \$198,782.50. Funding is available in the Fiscal Year 2010-2011 Capital Budget of the Austin Transportation Department. Lowest compliant bid of 6 bids received. This contract will be awarded in compliance with Chapter 2-9A of the City Code (Minority Owned and Women Owned Business Enterprise Procurement Program) by meeting the goals with 8.83% MBE and 7.78% WBE subcontractor participation.

**The motion authorizing the execution of a construction contract with Smith Contracting Co., Inc. was approved on consent on Mayor Pro Tem Martinez' motion, Council Member Spelman's second on a 7-0 vote.**

7. Authorize execution of a construction contract with BRH-GARVER CONSTRUCTION, LP., Houston, TX for the Anderson Mill/RR 620 Transmission Main Northwest Zone C36 Project, in the amount of \$2,670,354.49 plus a \$267,035.45 contingency, for a total contract amount not to exceed \$2,937,389.94. Funding is available in the Fiscal Year 2010-2011 Capital Budget of the Austin Water Utility. Lowest bid of 8 bids received. This contract will be awarded in compliance with Chapter 2-9A of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program) by meeting the goals with 14.98% MBE and 32.83% WBE subcontractor participation. Recommended by the Water and Wastewater Commission.

**The motion authorizing the execution of a construction contract with BRH-Garver Construction, LP was approved on consent on Mayor Pro Tem Martinez' motion, Council Member Spelman's second on a 7-0 vote.**

8. Authorize execution of a construction contract with OVER THE TOP SYSTEMS, LTD./DBA PIONEER ROOF SYSTEMS, Pflugerville, TX for the Davis Water Treatment Plant Roof Improvements 2010 Rebid project in the amount of \$866,605 plus a \$43,330.25 contingency, for a total contract amount not to exceed \$909,935.25. Funding is available in the Fiscal Year 2010-2011 Capital Budget of the Austin Water Utility. 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) through the achievements of Good Faith Efforts with 0.00% MBE and 6.32% WBE subcontractor participation. Recommended by the Water and Wastewater Commission.

**The motion authorizing the execution of a construction contract with Over the Top Systems, LTD doing business as Pioneer Roof Systems was approved on consent on Mayor Pro Tem Martinez' motion, Council Member Spelman's second on a 7-0 vote.**

9. Authorize execution of a construction contract with CRAM ROOFING COMPANY, INC., San Antonio, TX for the Govalle Wastewater Treatment Plant Roof Improvements 2010 project in the amount of \$159,500 plus an \$7,975 contingency, for a total contract amount not to exceed \$167,475. Funding is available in the Fiscal Year 2010-2011 Capital Budget of the Austin Water Utility. Lowest bid of 3 bids received. This contract will be awarded in compliance with Chapter 2-9A of the City Code (Minority Owned and Women Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation. Recommended by the Water and Wastewater Commission.

**The motion authorizing the execution of a construction contract with Cram Roofing Company, Inc. was approved on consent on Mayor Pro Tem Martinez' motion, Council Member Spelman's second on a 7-0 vote.**

10. Authorize execution of a construction contract with MRCO, INC., San Antonio, TX for the Walnut Creek Wastewater Treatment Plant Roof Improvements 2010 project in the amount of \$589,719 plus a \$29,485.95 contingency, for a total contract amount not to exceed \$619,204.95. Funding 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 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 execution of a construction contract with MRCO, Inc. was approved on consent on Mayor Pro Tem Martinez' motion, Council Member Spelman's second on a 7-0 vote.**

11. Authorize execution of a construction contract with LAUGHLIN-THYSSEN, INC., Houston, Texas for the Shoal Creek - Rosedale Storm Drain Improvements Phase 2 project in the amount of \$4,785,778 plus a \$478,577 contingency, for a total contract amount not to exceed \$5,264,355. Funding in the amount of \$4,965,224 is available in the Fiscal Year 2010-2011 Capital Budget of the Watershed Protection Department. Funding in the amount of \$299,131 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 Owned Business Enterprise Procurement Program) by meeting the goals with 13.50% MBE and 6.69% WBE subcontractor participation. Recommended by the Water and Wastewater Commission.

**The motion authorizing the execution of a construction contract with Laughlin-Thyssen, Inc. was approved on consent on Mayor Pro Tem Martinez' motion, Council Member Spelman's second on a 7-0 vote.**

12. Authorize execution of Change Order #9 to the construction contract with SMITH CONTRACTING CO., INC., Austin, TX for the Second Street District Streetscape Street Reconstruction and Utility Adjustment - West of Congress Project in the amount of \$210,499.40, for a total contract amount not to exceed \$3,403,131.96. Funding is available in the Fiscal Year 2010-2011 Capital Budget of the Planning & Development Review Department. This contract will be awarded in compliance with Chapter 2-9A of the City Code (Minority Owned and Women Owned Business Enterprise Procurement Program) with 9.38% MBE and 3.79% WBE subcontractor participation to date including this change order.

**The motion authorizing the execution of change order number nine to the construction contract with Smith Contracting Co., Inc. was approved on consent on Mayor Pro Tem Martinez' motion, Council Member Spelman's second on a 7-0 vote.**

13. Authorize ratification of a construction contract with TEXAS STERLING CONSTRUCTION CO., San Antonio, TX for the RMMA Emergency Street Reconstruction Project in an amount not to exceed \$132,934. Funding is available in the Fiscal Year 2010-2011 Capital Budget of the Public Works Department. Lowest bid of 2 bids received. This contract was awarded in Compliance with Chapter 2-9A of the City Code (Minority Owned and Women Owned Business Enterprise Procurement Program). This was an emergency service contract; therefore, it is exempted under Chapter 791 of the Texas Local Government Code and no goals were established for this solicitation.

**The motion authorizing the ratification of a construction contract with Texas Sterling Construction Co. was approved on consent on Mayor Pro Tem Martinez' motion, Council Member Spelman's second on a 7-0 vote.**

14. Authorize execution of a construction contract with KIVA, INC., Buda, TX for the Tech Ridge Dam Modernization project in an amount not to exceed \$208,125. Funding is available in the Fiscal Year 2010-

2011 Capital Budget of the Watershed Protection Department. Low bid of 3 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 28.92% MBE and 4.04% WBE subcontractor participation.

**The motion authorizing the execution of a construction contract with Kiva, Inc. was approved on consent on Mayor Pro Tem Martinez' motion, Council Member Spelman's second on a 7-0 vote.**

15. Approve a resolution authorizing the filing of eminent domain proceedings for the Fort Branch Watershed Management Area Reach 6 & 7 Channel Rehabilitation - Truelight Area and Eleanor Drive Area Project to acquire a 964 square foot permanent drainage easement out of Lot 53, Block 3, Lincoln Gardens Section One, a subdivision in the City of Austin, Travis County, Texas, in the amount of \$6,214. The owners of the needed property interest are Roy Lee Loggins, Charles Brown, Albert Loggins, Ray Loggins, Susie Marie Brown, Clarence Doug Simms, Tommy Joe Logans, and Felicia Dee, who are the heirs to the estate of Ethel Mae Simms. The property is located at 1239 Eleanor Street, Austin, Travis County, Texas. Funding is included in the Fiscal Year 2010-2011 Capital Budget of the Watershed Protection Department.

**Resolution No. 20101216-015 was approved on consent on Mayor Pro Tem Martinez' motion, Council Member Spelman's second on a 7-0 vote.**

16. Approve a resolution authorizing the filing of eminent domain proceedings for the Carson Creek - Hoeke - Posten Lane Roadway and Drainage Project to acquire 0.101 acre (4,395 square feet) of land for a drainage and water line easement, situated in the Santiago Del Valle Grant, out of and a portion of Tract 1, Reveile Subdivision, a subdivision in the City of Austin, Travis County, Texas, in the amount of \$12,225. The owners of the needed property interest are JIMMY NASSOUR, JANICE LEE MATTOX, Independent Executrix of the Estate of JAMES ALBON MATTOX aka JIM MATTOX, deceased and MARTA KARPAN MATTOX. The property is located at 2609 Hoeke Lane, Austin, Travis County, Texas. Funding is included in the Fiscal Year 2010-2011 Capital Budget of the Watershed Protection Department.

**Resolution No. 20101216-016 was approved on consent on Mayor Pro Tem Martinez' motion, Council Member Spelman's second on a 7-0 vote.**

17. Authorize negotiation and execution of an amendment to the professional services agreement with CAMP DRESSER & MCKEE, INC., Austin, TX for additional engineering services for the Water Reclamation Initiative: Central - Phase I - B Elevated Storage Tank, in the amount of \$195,915 for a total agreement not to exceed \$2,347,921. Funding is available in the Fiscal Year 2010-2011 Capital Budget of the Austin Water Utility. This contract will be awarded in compliance with Chapter 2-9A of the City Code (Minority Owned and Women Owned Business Enterprise Procurement Program) with 33.84% MBE and 15.16% WBE subcontractor participation to date. Recommended by the Water and Wastewater Commission.

**The motion authorizing the negotiation and execution of an amendment to the professional services agreement with Camp Dresser & McKee, Inc. was approved on consent on Mayor Pro Tem Martinez' motion, Council Member Spelman's second on a 7-0 vote.**

18. Authorize the negotiation and execution of a parking agreement with AMLI Austin Retail, L.P., AMLI Downtown Austin, L.P., and PPF AMLI 421 West 3rd Street, L.P. (together with the City, the "Parties") related to parking privileges for retail patrons, retail employees, and valet operations connected with 2nd Street retail businesses on Blocks 2, 3, 4, 20 and 22, in parking garages owned by the City and AMLI entities on Blocks 3, 20 and 22.

**The motion authorizing the negotiation and execution of a parking agreement with AMLI Austin Retail, L.P.; AMLI Downtown Austin, L.P.; and PPF AMLI 421 West 3<sup>rd</sup> Street, L.P. was approved on consent on Mayor Pro Tem Martinez' motion, Council Member Spelman's second on a 7-0 vote.**

19. Authorize the negotiation and execution of an amendment to an existing Parking Agreement with UP Schneider, L.P. related to parking privileges for Schneider Property retail patrons and retail employees parking in the City Hall garage.  
**The motion authorizing the negotiation and execution of an amendment to an existing parking agreement with UP Schneider, L.P. was approved on consent on Mayor Pro Tem Martinez' motion, Council Member Spelman's second on a 7-0 vote.**
20. Authorize the negotiation and execution of a Validation Agreement with CJUF II Stratus Block 21, LLC related to validation privileges for Block 21 retail patrons parking in the City Hall garage.  
**The motion authorizing the negotiation and execution of a validation agreement with CJUF II Stratus Block 21, LLC was approved on consent on Mayor Pro Tem Martinez' motion, Council Member Spelman's second on a 7-0 vote.**

**Items 21 through 24 were pulled for discussion.**

25. Authorize negotiation and execution of an amendment to the professional services agreement with John Hall Public Affairs, in connection with litigation and environmental permitting issues relating to the Fayette Power Plant, to increase funding in the amount of \$120,000.00, for a total contract amount not to exceed \$173,000.00. Funding is available in the Fiscal Year 2010-2011 Operating Budget of Austin Energy.  
**The motion authorizing the negotiation and execution of an amendment to the professional services agreement with John Hall Public Affairs was approved on consent on Mayor Pro Tem Martinez' motion, Council Member Spelman's second on a 7-0 vote.**
26. Approve payment of a judgment in Gregory Kervill v. City of Austin, Cause No. D-1-GN-06-003682, in the 200th Judicial District, Travis County, Texas, in the amount of \$250,000.  
**The motion to approve the payment of a judgment in Gregory Kervill v. City of Austin in the amount of \$250,000 was approved on consent on Mayor Pro Tem Martinez' motion, Council Member Spelman's second on a 7-0 vote.**
27. Authorize negotiation and execution of an amendment to the legal services agreement with Brown McCarroll, LLP, to provide legal services related to the litigation and environmental permitting issues relating to the Fayette Power Plant, to increase funding in the amount of \$156,550.00, for a total contract amount not to exceed \$209,550.00. Funding is available in the Fiscal Year 2010-2011 Operating Budget of Austin Energy.  
**The motion authorizing the negotiation and execution of an amendment to the legal services agreement with Brown McCarroll, LLP was approved on consent on Mayor Pro Tem Martinez' motion, Council Member Spelman's second on a 7-0 vote.**
28. 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.  
**Ordinance No. 20101216-028 was approved on consent on Mayor Pro Tem Martinez' motion, Council Member Spelman's second on a 7-0 vote.**
29. Approve an Ordinance to amend Ordinance No. 20101014-053, to correct the ordinance and zoning map for 7919 Thomas Springs Road by correctly reflecting two separate tracts with separate zoning categories (C14-2010-0141).  
**Ordinance No. 20101216-029 was approved on consent on Mayor Pro Tem Martinez' motion, Council Member Spelman's second on a 7-0 vote.**

30. Authorize execution of an Interlocal Agreement between the City of Austin and the State of Texas, Attorney General's Office, Criminal Investigations Division for up to \$10,000 for peace officer overtime incurred while working on Human Trafficking cases as part of the Austin/Travis County Human Trafficking Law Enforcement Task Force. Funding is available in the Fiscal Year 2010-2011 Special Revenue Fund of the Austin Police Department from the Bureau of Justice Assistance "Austin Area Human Trafficking Task Force Fiscal Year 2010 Continuation Funding" grant program.  
**The motion authorizing the execution of an interlocal agreement between the City of Austin and the State of Texas, Attorney General's Office, Criminal Investigations Division was approved on consent on Mayor Pro Tem Martinez' motion, Council Member Spelman's second on a 7-0 vote.**
31. Authorize the execution of an Interlocal Agreement between the City of Austin and Travis County to reimburse the Travis County Sheriff's Office up to \$15,000 for peace officer overtime incurred while working on Human Trafficking cases as part of the Austin/Travis County Human Trafficking Law Enforcement Task Force. Funding is available in the Fiscal Year 2010-2011 Special Revenue Fund of the Austin Police Department from the Bureau of Justice Assistance "Austin Area Human Trafficking Task Force Fiscal Year 2010 Continuation Funding" grant program.  
**The motion authorizing the execution of an interlocal agreement between the City of Austin and Travis County was approved on consent on Mayor Pro Tem Martinez' motion, Council Member Spelman's second on a 7-0 vote.**
32. Approve an ordinance accepting \$250,000 in grant funds from the Downtown Austin Alliance; and amending the Fiscal Year 2010-2011 Police Department Operating Budget Special Revenue Fund of Ordinance No. 20100913-002 to appropriate \$250,000 for the Downtown Public Safety Camera Project. Funding is available from the Downtown Austin Alliance from May 1, 2010 through April 30, 2012. Related to Items #44 and #45.  
**Ordinance No. 20101216-032 was approved on consent on Mayor Pro Tem Martinez' motion, Council Member Spelman's second on a 7-0 vote.**
33. Approve negotiation and execution of Amendment #1 to the Barton Springs Bicycle Lane Project Multiple Use Agreement with the Texas Department of Transportation to improve the existing bicycle crossing of Barton Springs Road under Mopac Expressway.  
**The motion to approve the negotiation and execution of amendment number one to the Barton Springs Bicycle Lane Project Multiple Use Agreement with the Texas Department of Transportation was approved on consent on Mayor Pro Tem Martinez' motion, Council Member Spelman's second on a 7-0 vote.**
34. Authorize award and execution of a 36-month requirements service contract with ATMOS PIPELINE AND STORAGE, LLC, Dallas, TX, for natural gas transportation services for Austin Energy in an estimated amount not to exceed \$4,000,000. Atmos Pipeline and Storage, LLC is the single source vendor for these services. Funding will be provided through Electric fuel charge revenue. 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 Atmos Pipeline and Storage, LLC was approved on consent on Mayor Pro Tem Martinez' motion, Council Member Spelman's second on a 7-0 vote.**
35. Authorize award, negotiation, and execution of a requirements service contract with GEOSPATIAL INNOVATIONS, INC., Austin, TX, for the purchase of software implementation services in an amount not to exceed \$1,061,835. Geospatial Innovations, Inc., is the sole proposer for these services. Funding is available in the Fiscal Year 2010-2011 Capital Budget of Austin Energy. Sole proposal received. This

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

**The motion authorizing the award, negotiation and execution of a requirements service contract with Geospatial Innovations, Inc. was approved on consent on Mayor Pro Tem Martinez' motion, Council Member Spelman's second on a 7-0 vote.**

36. Approve the ratification of a contract with INTEGRATED POWER SERVICES LLC, La Porte, TX, for the repair of a draft fan motor at Decker Creek Power Station in an amount not to exceed \$193,878. Funding is available in the Fiscal Year 2010-2011 Operating Budget of Austin Energy. Critical Business Need. This contract was awarded in compliance with Chapter 2-9C of the City Code (Minority Owned and Women Owned Business Enterprise Procurement Program). This was an emergency service contract; therefore, it is exempted under Chapter 791 of the Texas Local Government Code and no goals were established for this solicitation. Recommended by the Electric Utility Commission.

**The motion to ratify a contract with Integrated Power Services LLC was approved on consent on Mayor Pro Tem Martinez' motion, Council Member Spelman's second on a 7-0 vote.**

37. Approve the ratification of a contract with INVENSYS SYSTEMS INC., Houston, TX, for the purchase of a control system upgrade in an amount not to exceed \$1,194,649. Funding in the amount of \$1,194,649 is available in the Fiscal Year 2010-2011 Capital Budget of Austin Energy. Critical Business Need. This contract was awarded in compliance with Chapter 2-9C of the City Code (Minority Owned and Women Owned Business Enterprise Procurement Program). This was an emergency service contract; therefore, it is exempted under Chapter 791 of the Texas Local Government Code and no goals were established for this solicitation. Recommended by the Electric Utility Commission.

**The motion to ratify a contract with Invensys Systems Inc. was approved on consent on Mayor Pro Tem Martinez' motion, Council Member Spelman's second on a 7-0 vote.**

38. Authorize award and execution of a 9-month requirements service contract through the Texas Local Government Purchasing Cooperative (BuyBoard) with RICOH AMERICAS CORPORATION, Austin, Texas for the lease of multi-function business machines and managed services in an estimated amount not to exceed \$374,999, with four 12-month extension options in an estimated amount not to exceed \$500,000 per extension option, for a total contract amount not to exceed \$2,374,999. Funding in the amount of \$374,999 is available in the Fiscal Year 2010-2011 Operating Budget of Austin Energy. Funding for 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. Recommended by the Electric Utility Commission.

**The motion authorizing the award and execution of a requirements service contract through the Texas Local Government Purchasing Cooperative (BuyBoard) with Ricoh Americas Corporation was approved on consent on Mayor Pro Tem Martinez' motion, Council Member Spelman's second on a 7-0 vote.**

39. Authorize award, negotiation, and execution of a 12-month requirements service contract with SIMPLEX GRINNELL L.P., Round Rock, TX, or one of the other qualified offerors to RFP No. SMH0112, for inspection, testing, maintenance, and repair service for fire suppression and alarm systems for Austin Energy in an estimated amount not to exceed \$300,000, with four 12-month extension options in an estimated amount not to exceed \$300,000 per extension option, for a total estimated contract amount not to exceed \$1,500,000. Funding in the amount of \$225,000 is available in the Fiscal Year 2010-2011 Operating Budget of Austin Energy. Funding for the remaining three months of the original contract period and extension options is contingent upon available funding in future budgets. Best evaluated

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

**The motion authorizing the award, negotiation and execution of a requirements service contract with Simplex Grinnell LP was approved on consent on Mayor Pro Tem Martinez' motion, Council Member Spelman's second on a 7-0 vote.**

40. Authorize award and execution of a 24-month requirements service contract with UTILITY SERVICES & CONSULTING CORP., Sarver, PA, for underground utility locating services in an estimated amount not to exceed \$713,500, with three 12-month extension options in an estimated amount not to exceed \$356,750 per extension option, for a total estimated contract amount not to exceed \$1,783,750. Funding in the amount of \$267,563 is available in the Fiscal Year 2010-2011 Operating Budget of Austin Energy. Funding for the remaining 15 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. Recommended by the Electric Utility Commission.

**The motion authorizing the award and execution of a requirements service contract with Utility Services & Consulting Corp. was approved on consent on Mayor Pro Tem Martinez' motion, Council Member Spelman's second on a 7-0 vote.**

41. Authorize award and execution of Amendment No. 1 to a contract with RIZZO AND ASSOCIATES, LLC. Austin, Texas to increase the current contract amount in an estimated amount not to exceed \$62,400 for additional Cultural Competency training services for the Austin Water Utility, for a total estimated contract amount not to exceed \$92,270. Funding in the amount of \$62,400 is available in the Fiscal Year 2010-2011 Operating Budget of the Austin Water Utility. 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 Water and Wastewater Commission.

**The motion authorizing the award and execution of amendment number one to a contract with Rizzo and Associates, LLC was approved on consent on Mayor Pro Tem Martinez' motion, Council Member Spelman's second on a 7-0 vote.**

42. Authorize award and execution of a contract with SAFEWARE INC., Round Rock, TX, for the purchase of self-contained breathing apparatus components for the Austin Water Utility in an amount not to exceed \$594,412.82. Funding is available in the Fiscal Year 2010-2011 Operating Budget of the Austin Water Utility. 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 contract with Safeware Inc. was approved on consent on Mayor Pro Tem Martinez' motion, Council Member Spelman's second on a 7-0 vote.**

43. Authorize award and execution of two 12-month requirements supply contracts for the purchase of brass fittings of various types and sizes for the Austin Water Utility with TECHLINE PIPE, LP, Austin, TX, in an estimated amount not to exceed \$189,607, with three 12-month extension options in an estimated amount not to exceed \$189,607 per extension option, for a total estimated contract amount not to exceed \$758,428; and HD SUPPLY WATERWORKS, Round Rock, TX, in an estimated amount not to exceed \$83,276, with three 12-month extension options in an estimated amount not to exceed \$83,276 per extension option, for a total estimated contract amount not to exceed \$333,104. Funding in the amount of \$227,403 is available in the Fiscal Year 2010-2011 Operating Budget of the Austin Water Utility.



Funding for the remaining two months of the original contract period and extension options is contingent upon available funding in future budgets. Lowest 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. Recommended by the Water and Wastewater Commission.

**The motion authorizing the award and execution of two requirements supply contracts for the purchase of brass fittings of various types and sizes for the Austin Water Utility with Techline Pipe, LP was approved on consent on Mayor Pro Tem Martinez' motion, Council Member Spelman's second on a 7-0 vote.**

44. Authorize award, negotiation, and execution of an Interlocal Agreement for cooperative purchasing with the City and County of Denver, Colorado to allow each municipality to utilize each others' contracts for goods and services. Procurements under this interlocal agreement will not be made unless funds are available in appropriate departmental budgets. Related to Items #32 and #45.

**The motion authorizing the award, negotiation and execution of an interlocal agreement for cooperative purchasing with the City and County of Denver was approved on consent on Mayor Pro Tem Martinez' motion, Council Member Spelman's second on a 7-0 vote.**

45. Authorize award, negotiation, and execution of a 13-month requirements supply contract with AVRIO RMS GROUP, LLC, Easton, MD, through an Interlocal Agreement with the City and County of Denver, CO, for the purchase of public safety street cameras, installation, maintenance, training, and support in an estimated amount not to exceed \$569,629, as part of Austin Police Department's "H.A.L.O." (High Activity Location Observation) Public Safety Camera project. Funding is available in Fiscal Year 2010-2011 Special Revenue Fund of the Austin Police Department. This contract will be awarded in compliance with Chapter 2-9C of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). This Interlocal Agreement is exempt from the MBE/WBE Program; therefore, no goals were established for this contract. However, Avrio has identified 8.0% MBE subcontractor participation. Related to Items #32 and #44.

**The motion authorizing the award, negotiation and execution of a requirements supply contract with Avrio RMS Group, LLC was approved on consent on Mayor Pro Tem Martinez' motion, Council Member Spelman's second on a 7-0 vote.**

46. Authorize award, negotiation, and execution of a 36-month requirements supply contract with ENERGY XTREME LLC, Austin, TX for the purchase, installation, integration, testing, and maintenance of an Alternate Power/Anti-Idling system in estimated amounts not to exceed \$126,000 for Phase I and \$1,779,750 for Phase II, for a total estimated contract amount not to exceed \$1,905,750. Funding is available in Fiscal Year 2009-2010 Capital Budget of the Austin Police Department. Funding for Phase II is contingent upon available funding in future budgets. Sole proposal 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.

**This item was withdrawn on consent on Mayor Pro Tem Martinez' motion, Council Member Spelman's second on a 7-0 vote.**

47. Authorize award, negotiation, and execution of a 12-month contract with FDM SOFTWARE, LTD, North Vancouver, BC, for software maintenance and services in an amount not to exceed \$127,958, with four 12-month extension options in an amount not to exceed \$130,788.20 for the first extension option, \$133,689.16, for the second extension option, \$136,662.63 for the third extension option, and \$139,710.45 for the fourth extension option, for a total contract amount not to exceed \$668,808.44. FDM Software, LTD, is the sole source provider for these services. Funding in the amount of \$127,958 is available in the Fiscal Year 2010-2011 Operating Budget of Financial and Administrative Services Department, Combined Transportation and Emergency Communications Center (CTECC). Funding for

the extension options is contingent upon available funding in future budgets. This contract will be awarded in compliance with Chapter 2-9C of the City Code (Minority Owned and Women Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation.

**The motion authorizing the award, negotiation and execution of a contract with FDM Software, LTD was approved on consent on Mayor Pro Tem Martinez' motion, Council Member Spelman's second on a 7-0 vote.**

48. Authorize award and execution of a 36-month requirements supply contract with TESSCO, INC., Hunt Valley, MD for the supply of two-way radio parts and accessories in an estimated amount not to exceed \$750,000, with three 12-month extension options in an estimated amount not to exceed \$275,000 for the first extension option, \$302,500 for the second extension option, and \$332,750 for the third extension option, for a total estimated contract amount not to exceed \$1,660,250. Funding in the amount \$187,500 is available in the Fiscal Year 2010-2011 General Fund Radio Maintenance Budget. Funding for the remaining 27 months of the original contract period and extension options is contingent upon available funding in future budgets. Lowest bid of two bids received. This contract will be awarded in compliance with Chapter 2-9D of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation.

**The motion authorizing the award and execution of a requirements supply contract with TESCO, Inc. was approved on consent on Mayor Pro Tem Martinez' motion, Council Member Spelman's second on a 7-0 vote.**

49. Authorize award and execution of a three-month requirements supply contract through The Cooperative Purchasing Network (TCPN) with GRAINGER, INC., Austin, TX, to purchase industrial supplies and equipment in an estimated amount not to exceed \$421,875, with four 12-month extension options in an estimated amount not exceed \$1,687,500 for each extension option, for a total estimated contract amount not to exceed \$7,171,875. Funding in the amount of \$1,265,625 is available in the Fiscal Year 2010-2011 Operating Budget of various City departments. Funding for the remaining extension options is contingent upon available funding in future budgets. This contract will be awarded in compliance with Chapter 2-9D of the City Code (Minority Owned and Women Owned Business Enterprise Procurement Program). This contract is a Cooperative Purchase; therefore, it is exempted under Chapter 791 of the Texas Local Government Code and no goals were established for this solicitation. Recommended by the Electric Utility Commission.

**The motion authorizing the award and execution of a requirements supply contract through the Cooperative Purchasing Network (TCPN) with Grainger, Inc. was approved on consent on Mayor Pro Tem Martinez' motion, Council Member Spelman's second on a 7-0 vote.**

50. Authorize award and execution of a 22-month requirements supply contract through the TEXAS MULTIPLE AWARD SCHEDULE (TXMAS) cooperative purchasing program with MSC INDUSTRIAL SUPPLY CO., Melville, NY, to purchase industrial supplies and equipment in an estimated amount not to exceed \$2,062,500. Funding in the amount of \$843,750 is available in the Fiscal Year 2010-2011 Operating Budget of various City departments. Funding for the remaining 13 months of the original contract period is contingent upon available funding in future budgets. This Cooperative Contract is exempt from the MBE/WBE Ordinance. This exemption is in compliance with Chapter 2-9D of the City Code (Minority Owned and Women Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this contract. Recommended by the Water and Wastewater Commission. Recommended by the Electric Utility Commission.

**The motion authorizing the award and execution of a requirements supply contract through the Texas Multiple Award Schedule (TXMAS) with MSC Industrial Supply Co. was approved on consent on Mayor Pro Tem Martinez' motion, Council Member Spelman's second on a 7-0 vote.**

51. Authorize award and execution of a 31-month requirements service contract through the Texas Multiple Award Schedule (TXMAS) cooperative purchasing program with SIMPLEX GRINNELL L.P., Round Rock, TX, for inspection, testing, maintenance, repair, upgrades, and new system installation for fire suppression, alarm, and related systems for various City departments in an estimated amount not to exceed \$5,032,065. Funding in the amount of \$1,016,458 is available in the Fiscal Year 2010-2011 Operating Budget of various City Departments. 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 2-9C 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 contract.

**The motion authorizing the award and execution of a requirements service contract through the Texas Multiple Award Schedule (TXMAS) cooperative purchasing program with Simplex Grinnell L.P. was approved on consent on Mayor Pro Tem Martinez' motion, Council Member Spelman's second on a 7-0 vote.**

52. Authorize award and execution of a 36-month requirements service contract with LONGHORN INTERNATIONAL TRUCKS LTD., Austin, TX to provide repair services with associated parts for vehicles and equipment with Caterpillar engines in an estimated amount not to exceed \$291,200, with three 12-month extension options in estimated amounts not to exceed \$138,240 for the first extension option, \$165,888 for the second extension option, and \$199,065 for the third extension option, for a total estimated contract amount not to exceed \$794,393. Funding in the amount of \$66,667 is available in the Fiscal Year 2010-2011 Operating Budget of the Financial and Administrative Services Department, Fleet Fund. 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 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 service contract with Longhorn International Trucks LTD. was approved on consent on Mayor Pro Tem Martinez' motion, Council Member Spelman's second on a 7-0 vote.**

53. Authorize award and execution of a contract through the Texas Local Government Purchasing Cooperative (BuyBoard) with SIDDONS FIRE APPARATUS, INC., Manor, TX, for the purchase of four triple-combination pumper trucks and one non-walk-in rescue truck in an amount not to exceed \$2,278,500. 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 Siddons Fire Apparatus, Inc. was approved on consent on Mayor Pro Tem Martinez' motion, Council Member Spelman's second on a 7-0 vote.**

54. Authorize award and execution of a 24-month requirements supply contract with ENLIGHTENED-LEADERS, LLC, Austin, TX for the purchase of training kits for the Crucial Conversations Training Program in an estimated amount not to exceed \$252,000, with two 12-month extension options in an estimated amount not to exceed \$126,000 per extension option, for a total estimated contract amount not to exceed \$504,000. Enlightened-Leaders, LLC, is the single source vendor. Funding in the amount of \$105,000 is available in the Fiscal Year 2010-2011 Operating Budgets of various City Departments. Funding for the remaining 14 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.

**This item was withdrawn on consent on Mayor Pro Tem Martinez' motion, Council Member Spelman's second on a 7-0 vote.**

55. Authorize award and execution of a contract through the Texas Local Government Purchasing Cooperative (BuyBoard) with WHEELED COACH INDUSTRIES, Winter Park, FL, for the purchase of six ambulances in an amount not to exceed \$969,680. Funding in the amount of \$808,066.65 is available in the Fiscal Year 2010-2011 Vehicle Acquisition Fund. Funding in the amount of \$161,613.35 is available in the Fiscal Year 2010-2011 Operating Budget of the Emergency Medical Services Department. 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 Wheeled Coach Industries was approved on consent on Mayor Pro Tem Martinez' motion, Council Member Spelman's second on a 7-0 vote.**

56. Authorize award, negotiation, and execution of a 12-month requirements services contract with SAFETY SOLUTIONS, INC. Austin, Texas, or one of the other qualified offerors to RFP No. JSD0100, to provide safety program management services for \$735 Million in construction projects anticipated to be included in the Rolling Owner Controlled Insurance Program (ROCIP V) in an estimated amount not to exceed \$101,500, with three 12-month extension options in an estimated amount not to exceed \$89,000, \$73,020 and \$65,250 respectively per extension option, for a total estimated contract amount not to exceed \$328,770. Funding is available in the Fiscal Year 2010-2011 Capital Budgets of Austin Water Utility, Parks and Recreation Department, and the Library Department. Funding for the extension options will be contingent upon available funding of future CIP budgets. Best evaluated proposal of three proposals received. This contract will be awarded in compliance with Chapter 2-9C of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation. Recommended by the Water and Wastewater Commission.

**The motion authorizing the award, negotiation and execution of a requirements services contract with Safety Solutions, Inc. was approved on consent on Mayor Pro Tem Martinez' motion, Council Member Spelman's second on a 7-0 vote.**

57. Authorize award and execution of a contract through the Texas Local Government Purchasing Cooperative (BUYBOARD) with KRAFTSMAN COMMERCIAL PLAYGROUNDS & WATER PARKS, Spring, TX, for modifications to the Liz Carpenter Fountain at Butler Park in an amount not to exceed \$1,100,000. Funding is available in the Fiscal Year 2010-2011 Capital Budget for the Parks and Recreation Department. This contract is in compliance with Chapter 2-9C of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). Although this Cooperative Contract is exempt from the MBE/WBE Program, Kraftsman identified 16.44% MBE and 17.75% WBE subcontractor participation.

**The motion authorizing the award and execution of a contract through the Texas Local Government Purchasing Cooperative (BuyBoard) with Kraftsman Commercial Playgrounds & Water Parks was approved on consent on Mayor Pro Tem Martinez' motion, Council Member Spelman's second on a 7-0 vote.**

58. Authorize award and execution of a contract through the Texas Local Government Purchasing Cooperative (BuyBoard) with WE BUILD FUN, INC., Allen, TX, for the purchase and installation of bleachers and shade structures for the Parks and Recreation Department in an amount not to exceed

\$278,296.60. Funding is available in the Fiscal Year 2010-2011 Operating Budget of the Parks and Recreation Department. 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 We Build Fun, Inc. was approved on consent on Mayor Pro Tem Martinez' motion, Council Member Spelman's second on a 7-0 vote.**

59. Authorize award and execution of a 36-month requirements service contract with PROTOUCH NURSES, INC., dba PROTOUCH STAFFING, Houston, TX, or one of the other qualified bidders for IFB-BV No. PAX0200, to provide medical staffing services in an estimated amount not to exceed \$255,000, with three 12-month extension options in estimated amounts not to exceed \$95,000 for the first extension option, \$100,000 for the second extension option, and \$105,000 for the third extension option, for a total estimated contract amount not to exceed \$555,000. Funding in the amount of \$54,166 is available in the Fiscal Year 2010-2011 Operating Budget of the Austin Police Department. Funding in the amount of \$12,500 is available in the Fiscal Year 2010-2011 Operating Budget of the Health and Human Services Department. Funding for the remaining 26 months of the original contract period and extension options is contingent upon available funding in future budgets. Best evaluated bid meeting specifications of six bids received. This contract will be awarded in compliance with Chapter 2-9C of the City Code (Minority Owned and Women Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation.

**The motion authorizing the award and execution of a requirements service contract with Protouch Nurses, Inc., doing business as Protouch Staffing was approved on consent on Mayor Pro Tem Martinez' motion, Council Member Spelman's second on a 7-0 vote.**

60. Authorize award and execution of Amendment No.1 to a contract with HIGH SIERRA ELECTRONICS, Grass Valley, CA, to increase the current term of the contract for 20 additional flashing light warning sign components for placement at existing low water crossings in an amount not to exceed \$117,500, for a revised total contract amount of \$317,500. Funding is available in the Fiscal Year 2010-2011 Capital Budget of the Watershed Protection Department. Funding for the extension options is contingent upon available in future budgets. 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.

**The motion authorizing the award and execution of amendment number one to a contract with High Sierra Electronics was approved on consent on Mayor Pro Tem Martinez' motion, Council Member Spelman's second on a 7-0 vote.**

61. Authorize award, negotiation, and execution of a 36-month professional services contract with WINSBOROUGH CONSULTANTS, Leander, Texas, for diatom identification and analysis services for the Watershed Protection Department in an estimated amount not to exceed \$75,000, with two 12-month extension options in an estimated amount not to exceed \$25,000 per extension option, for a total estimated contract amount not to exceed \$125,000. Funding is available in the Fiscal Year 2010-2011 Operating Budget of the Watershed Protection Department. Funding for the remaining 24 months of the original contract period and extension options is contingent upon available funding in future budgets. This Professional Services contract is exempt from the MBE/WBE Ordinance. This exemption is 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 contract.

**The motion authorizing the award, negotiation and execution of a professional services contract with Winsborough Consultants was approved on consent on Mayor Pro Tem Martinez' motion, Council Member Spelman's second on a 7-0 vote.**

62. Approve an ordinance amending Chapter 13-2 of the Austin City Code adding a minimum fare for taxicab service originating at Austin Bergstrom International Airport. Recommended by the Urban Transportation Commission.  
**Ordinance No. 20101216-062 was approved on consent on Mayor Pro Tem Martinez' motion, Council Member Spelman's second on a 7-0 vote.**
63. Approve an ordinance amending Chapter 13-2 of the Austin City Code to include a fee for cleaning a taxicab. Recommended by the Urban Transportation Commission.  
**Ordinance No. 20101216-063 was approved on consent on Mayor Pro Tem Martinez' motion, Council Member Spelman's second on a 7-0 vote.**
64. Approve a resolution authorizing staff to negotiate and execute an amendment to the Interlocal Agreement (ILA) between the City and the Texas Department of Transportation (TxDOT) related to the parking lots under IH 35 between 6th and 8th streets. Funding for this agreement is available in the IH 35 Parking Program.  
**Resolution No. 20101216-064 was approved on consent on Mayor Pro Tem Martinez' motion, Council Member Spelman's second on a 7-0 vote.**
65. 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 were approved on consent on Mayor Pro Tem Martinez' motion, Council Member Spelman's second on a 7-0 vote.**

**Board/Nominee**

**Nominated by**

Commission on Immigrant Affairs  
Christopher Cano

Council Member Riley

Community Development Commission  
Karen Langley

Council Member Shade

**Intergovernmental Bodies**

Lone Star Rail District  
Sid Covington

Approve a resolution reappointing Sid Covington to the Lone Star Rail District:

**Resolution No. 20101216-065 was approved on Mayor Pro Tem Martinez' motion, Council Member Spelman's second on a 7-0 vote.**

66. Authorize a resolution to approve the Amended and Restated Articles of Organization for the Austin Travis County Mental Health and Mental Retardation Center, doing business as Austin Integral Care. (Mayor Lee Leffingwell Council Member Randi Shade and Mayor Pro Tem Mike Martinez)  
**Resolution No. 20101216-066 was approved on consent on Mayor Pro Tem Martinez' motion, Council Member Spelman's second on a 7-0 vote.**
67. Approve a resolution amending the City's Legislative Program for the 82nd Texas Legislature to reflect endorsement of House Bill 212, relating to regulation of payday, auto title and other unregulated

consumer lending businesses in the State. (Mayor Pro Tem Mike Martinez Council Member Chris Riley and Mayor Lee Leffingwell)

**Resolution No. 20101216-067 was approved on consent on Mayor Pro Tem Martinez' motion, Council Member Spelman's second on a 7-0 vote.**

68. Approve a resolution regarding compliance with the standards and principles of the City's Minority-Owned and Women-Owned Business Enterprise Procurement Program (M/WBE Program) in Cooperative Purchase agreements. (Mayor Pro Tem Mike Martinez Council Member Randi Shade and Council Member Sheryl Cole)

**Resolution No. 20101216-068 was approved on consent on Mayor Pro Tem Martinez' motion, Council Member Spelman's second on a 7-0 vote.**

69. Approve a resolution directing the City Manager to work with the Historic Landmark Commission and other community stakeholders on potential amendments to the Historic Landscape Restoration component of the Comprehensive Preservation Master Plan for the Elisabet Ney Museum. (Council Member Laura Morrison Mayor Lee Leffingwell and Council Member Bill Spelman)

**Resolution No. 20101216-069 was approved on consent on Mayor Pro Tem Martinez' motion, Council Member Spelman's second on a 7-0 vote.**

70. Approve the waiver of certain deadline requirements and the closure notice which allows affected individuals and neighborhood associations to object to the closure under City Code Chapter 14-8 for the first annual Zilker Holiday Tree Run to be held on Sunday, December 26, 2010 at 4:30 p.m. in and around Zilker Park including Barton Springs Road from Mopac Expressway to Robert E. Lee Road. (Council Member Randi Shade Mayor Pro Tem Mike Martinez Council Member Chris Riley)

**The motion to approve the waiver of certain deadline requirements and the closure notice was approved on consent on Mayor Pro Tem Martinez' motion, Council Member Spelman's second on a 7-0 vote.**

**Item 71 was pulled for discussion.**

Items 72 and 73 were briefing items set for 10:30 a.m.

Item 74 was an Executive Session item.

Item 75 was action on an Executive Session item.

Items 76 through 93 were zoning items set for 2:00 p.m.

Items 94 through 98 were public hearing items set for 4:00 p.m.

### **DISCUSSION ITEMS**

4. Authorize the negotiation and execution of a month-to-month lease renewal with funding authorization for up to 12-months, for up to 125 parking spaces for employees of the Faulk Central Library and the Austin History Center of the Austin Public Library Department, located at 800 Lavaca, with TRAVIS COUNTY, TEXAS, Austin TX, in an amount not to exceed \$157,500. Funding in the amount of \$118,125 is available in the Fiscal Year 2010-2011 Operating Budget of the Library Department. Funding for the remaining lease term is contingent upon available funding in future budgets.

**The motion authorizing the negotiation and execution of a lease renewal with funding authorization with Travis County was approved on Council Member Riley's motion, Council Member Spelman's second on a 7-0 vote.**

**Items 21 and 22 were acted on in a combined motion.**

21. Approve an ordinance amending the Fiscal Year 2010-2011 Emergency Medical Services Department (EMS) Operating Budget of Ordinance No. 20100913-002 to increase EMS General Fund Operating Revenue in the amount of \$1,385,780, increase EMS General Fund Operating Expenses in the amount of \$1,066,215, and add 12 new paramedic full-time equivalent positions; amending the Fiscal Year 2010-2011 Operating Budget, General Fund Budget Stabilization Reserve Fund of Ordinance No. 20100913-002 to transfer and appropriate funds. Funding in the amount of \$1,385,780 will be available per the approval of the Interlocal Agreement with Travis County for ground EMS services for Fiscal Year 2010-2011.

**Ordinance No. 20101216-021 was approved on Council Member Spelman's motion, Mayor Leffingwell's second on a 7-0 vote.**

22. Authorize execution of renewal and amendment of the Interlocal Cooperation Agreement between the City and Travis County to provide ground emergency medical services in areas of Travis County outside the City's corporate limits and support services to Travis County's STAR Flight program for a 12-month term beginning on October 1, 2010, in exchange for payment of \$11,937,253 by Travis County.

**The motion authorizing the execution of renewal and amendment of the interlocal cooperation agreement between the City and Travis County was approved on Council Member Spelman's motion, Mayor Leffingwell's second on a 7-0 vote.**

**BRIEFING**

73. Austin Water 140 GPCD Conservation Plan  
**This item was postponed to January 27, 2011 without objection.**

**DISCUSSION ITEMS CONTINUED**

23. Approve a resolution adopting the City's Legislative Program for the 82nd Texas Legislative Session.  
**Resolution No. 20101216-023 was approved with the following amendment on Council Member Morrison's motion, Mayor Leffingwell's second on a 7-0 vote. The amendment was to add one item to the "City Council Support" category of the City of Austin Legislative Program for the 82<sup>nd</sup> Texas Legislature as follows: voter approval of civil service status for Emergency Management Services staff.**
24. Approve an ordinance amending City Code Sections 3-1-1, 3-2-3, and 3-7-2 (Animal Regulation, Commerce in Live Animals, and Offense and Penalty) relating to commerce in live animals, specifically cats and dogs, and establishing a fine for a failure to comply.  
**Ordinance No. 20101216-024 was approved on Mayor Pro Tem Martinez' motion, Council Member Cole's second on a 7-0 vote.**
71. Set a public hearing to receive citizen comments on the City's intent to apply to the U.S. Department of Housing and Urban Development (HUD) for up to \$8,000,000 of Section 108 funds and up to \$2,000,000 in Brownfields Economic Development Initiative (BEDI) Grant to carry out eligible economic development activities pursuant to 24 CFR 570.703 (h)(2) and 570.204. Under the HUD Regulations the City proposes to make loans to for-profit entities to create job opportunities for persons of low and moderate income at a minimum of one job per \$35,000 of HUD assistance, pursuant to 20 CFR 570.703 (i). (Suggested date and time: January 13, 2011, 4:00 p.m. at Austin City Hall, 301 W. Second Street, Austin, TX).  
**The public hearing was set for January 13, 2011 at 4:00 p.m., City Hall at 301 W. Second Street, Austin, TX on Mayor Pro Tem Martinez' motion, Council Member Spelman's second on a 7-0 vote.**



**BRIEFINGS**

72. Annual report from Austin Technologies Incubator (ATI) on 2010 activities and accomplishments  
**The presentation was made by Kevin Johns, Director of Economic Growth and Redevelopment Services and Isaac Barchas, Director of Austin Technology Incubator.**

**Mayor Leffingwell recessed the Council Meeting to go into Executive Session at 11:32 a.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.**

74. Discuss legal issues related to John K. Strickland, Jr., Peter C. Strickland, and Edwin L. Strickland, III v. City of Austin; Cause No. D-1-GN-09-001838; In the District Court of Travis County, Texas. (Private consultation with attorney-section 551.071.) Related to Item #75.

**Executive Session ended and Mayor Leffingwell called the Council Meeting back to order at 12:06 p.m.**

**CITIZEN COMMUNICATION: GENERAL**

Daniel Llanes - No disc golf at Guerrero Park

Pam Thompson - No disc golf at 700 Grove in Montopolis

Librado Almanza - No disk golf in Roy Guerrero Colorado River Park

Stefan Wray - No disc golf for Guerrero Colorado River Park

Susana Almanza - No disc golf for Montopolis and Guerrero Park!

Linda Messier - Proposed site for the homeless RV park in North Austin

Akwasi Evans - Economic discrimination. **He was not present when his name was called.**

Pat Johnson - City issues

Marilyn Jackson - No disc golf at Roy Guerrero Park. **She was not present when her name was called.**

John Hynes - Austin Green Zone.. **He was not present when his name was called.**

**ACTION ON EXECUTIVE SESSION**

75. Approve an ordinance authorizing a settlement agreement in John K. Strickland, Jr., Peter C. Strickland, and Edwin L. Strickland, III v. City of Austin; Cause No. D-1-GN-09-001838 filed in District Court, Travis County, Texas and granting variances necessary to effectuate the settlement. Related to Item #74.  
**Ordinance No. 20101216-075 was approved on Council Member Cole's motion, Council Member Spelman's second on a 7-0 vote.**

Mayor Leffingwell recessed the Council Meeting at 12:38 p.m.

Mayor Leffingwell called the Council Meeting back to order at 2:04 p.m.

**ZONING CONSENT ITEMS (HEARINGS CLOSED)**

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

76. C14-2010-0063 - Linda Vista A - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by zoning property locally known as 10506 and 10606 Linda Vista Drive (Onion Creek Watershed) from interim-single family residence standard lot (I-SF-2) district zoning to limited industrial service (LI) district zoning. Staff Recommendation: To grant an indefinite postponement. Planning Commission Recommendation: To be reviewed on December 14, 2010. Owner/Applicant: TSWG 130 LLC (Bill Gurasich). City Staff: Wendy Rhoades, 974-7719.  
**This item was postponed Indefinitely on consent at the applicant's request on Council Member Spelman's motion, Mayor Pro Tem Martinez' second on a 6-0. Council Member Cole was off the dais. (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.)**
77. C14-2010-0064 - Linda Vista B - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by zoning property locally known as 6603 Rowood Drive and 10706-11000 Linda Vista Drive (Onion Creek Watershed; Dry Creek East Watershed) from interim-single family residence standard lot (I-SF-2) district zoning to limited industrial service (LI) district zoning. Staff Recommendation: To grant an indefinite postponement. Planning Commission Recommendation: To be reviewed on December 14, 2010. Owner/Applicant: TSWG 130 LLC (Bill Gurasich). City Staff: Wendy Rhoades, 974-7719.  
**This item was postponed Indefinitely on consent at the applicant's request on Council Member Spelman's motion, Mayor Pro Tem Martinez' second on a 6-0. Council Member Cole was off the dais. (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.)**
78. C14-2010-0065 - Linda Vista C - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by zoning property locally known as 10707, 10805, 10809, 10901 and 11001 Linda Vista Drive (Onion Creek Watershed; Dry Creek East Watershed) from interim-single family residence standard lot (I-SF-2) district zoning to limited industrial service (LI) district zoning. Staff Recommendation: To grant an indefinite postponement. Planning Commission Recommendation: To be reviewed on December 14, 2010. Owner/Applicant: TSWG 130 LLC (Bill Gurasich). City Staff: Wendy Rhoades, 974-7719.  
**This item was postponed indefinitely on consent at the applicant's request on Council Member Spelman's motion, Mayor Pro Tem Martinez' second on a 6-0. Council Member Cole was off the dais. (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.)**
79. C14-2010-0066 - Linda Vista D - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by zoning property locally known as 10501, 10507 and 10605 Linda Vista Drive, and 6807 South FM 973 Road (Onion Creek Watershed) from interim-rural residence (I-RR) district zoning and interim-single family residence standard lot (I-SF-2) district zoning to limited industrial service (LI) district zoning. Staff Recommendation: To grant an indefinite postponement. Planning Commission Recommendation: To be reviewed on December 14, 2010. Owner/Applicant: TSWG 130 LLC (Bill Gurasich). City Staff: Wendy Rhoades, 974-7719.  
**This item was postponed indefinitely on consent at the applicant's request on Council Member Spelman's motion, Mayor Pro Tem Martinez' second on a 6-0. Council Member Cole was off the**

**dais. (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.)**

80. C14-2010-0174 - Platinum Onion Creek - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 11206 South IH-35 Service Road Southbound and 11301 Old San Antonio Road (Onion Creek Watershed) from general commercial services-mixed use-conditional overlay (CS-MU-CO) combining district zoning to multi-family residence low density (MF-2) district zoning. Staff Recommendation: To grant multi-family residence low density (MF-2) district zoning with conditions. Zoning and Platting Commission Recommendation: To grant multi-family residence low density (MF-2) district zoning with conditions. Owner/Applicant: Haviland Lake Partners, LP (Jeffrey N. Drinkard). Agent: Smith, Robertson, Elliott, Glen, Klein & Douglas, L.L.P. (David Hartman). City Staff: Wendy Rhoades, 974-7719.

**This item was postponed on consent to January 27, 2011 at the applicant's request on Council Member Spelman's motion, Mayor Pro Tem Martinez' second on a 6-0. Council Member Cole was off the dais.**

81. C14-2010-0062 - 973/Elroy C-Store - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by zoning property locally known as 6301 Elroy Road (Onion Creek Watershed) from interim-rural residence (I-RR) district zoning to community commercial (GR) district zoning. Staff Recommendation: To grant an indefinite postponement. Planning Commission Recommendation: To be reviewed on December 14, 2010. Owner/Applicant: SR Development (Bill Gurasich). City Staff: Wendy Rhoades, 974-7719.

**This item was postponed indefinitely on consent at the applicant's request on Council Member Spelman's motion, Mayor Pro Tem Martinez' second on a 6-0. Council Member Cole was off the dais. (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.)**

82. NPA-2010-0010.01 - Cristo Rey Catholic Church Lot 6 Rezoning - Conduct a public hearing and approve an ordinance amending Ordinance No. 20011213-43, the Holly 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 2110 E. 2nd Street (Town Lake Watershed) from single family to office land use. Staff Recommendation: To deny office land use. Planning Commission Recommendation: Postponed to December 14, 2010. Owner/Applicant: Cristo Rey Catholic Church (Rev. Jayme Mathias). Agent: DAVCAR Engineering (Thomas Duvall, P.E.). City Staff: Maureen Meredith, 974-2695.

**The item was postponed on consent to February 10, 2011 at the staff's request on Council Member Spelman's motion, Mayor Pro Tem Martinez' second on a 6-0. Council Member Cole was off the dais.**

83. C14-2010-0135 - Cristo Rey Catholic Church Lot 6 Rezoning - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 2110 East 2nd Street (Town Lake Watershed) from family residence-neighborhood plan (SF-3-NP) combining district zoning to general office-conditional overlay-neighborhood plan (GO-CO-NP) combining district zoning. Staff Recommendation: To deny general office-conditional overlay-neighborhood plan (GO-CO-NP) combining district zoning. Planning Commission Recommendation: To be reviewed on December 14, 2010. Applicant: Cristo Rey Catholic Church (Rev. Jayme Mathias). Agent: DAVCAR Engineering (Thomas Duvall, PE). City Staff: Joi Harden, 974-2122.

**The item was postponed on consent to February 10, 2011 at the staff's request on Council Member Spelman's motion, Mayor Pro Tem Martinez' second on a 6-0. Council Member Cole was off the dais.**

84. NPA-2010-0012.01 - 2001 & 2005 Chicon Street - Conduct a public hearing and approve an ordinance amending Ordinance No. 20020801-91, the Upper Boggy Creek Neighborhood Plan, an element of the Austin Tomorrow Comprehensive Plan, to change the land use designation on the future land use map (FLUM) on property locally know as 2001 & 2005 Chicon Street (Boggy Creek Watershed) from single family to mixed use/office land use. Staff Recommendation: To grant an indefinite postponement. Planning Commission Recommendation: Postponed to the December 14, 2010. Owner/Applicant: Youth and Family Alliance dba LifeWorks. Agent: Youth and Family Alliance dba LifeWorks. (Mitch Weynand, Chief Operating Officer). City Staff: Maureen Meredith, 974-2695.  
**This item was postponed indefinitely on consent at the applicant's request on Council Member Spelman's motion, Mayor Pro Tem Martinez' second on a 6-0. Council Member Cole was off the dais. (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.)**
85. C14-2010-0127 - LifeWorks East Central - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 2001 and 2005 Chicon Street (Boggy Creek Watershed) from family residence-neighborhood plan (SF-3-NP) combining district zoning to limited office-mixed use-neighborhood plan (LO-MU-NP) combining district zoning. Staff Recommendation: To grant limited office-mixed use-neighborhood plan combining district zoning. Planning Commission Recommendation: To be reviewed on December 14, 2010. Applicant: Youth and Family Alliance, dba LifeWorks (Susan McDowell). Agent: Youth and Family Alliance, dba LifeWorks (Mitch Weynand). City Staff: Joi Harden, 974-2122.  
**This item was postponed indefinitely on consent at the applicant's request on Council Member Spelman's motion, Mayor Pro Tem Martinez' second on a 6-0. Council Member Cole was off the dais. (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.)**
86. NPA-2010-0012.02 - 2007 Chicon Street - Conduct a public hearing and approve an ordinance amending Ordinance No. 20020801-91, the Upper Boggy Creek Neighborhood Plan, an element of the Austin Tomorrow Comprehensive Plan, to change the land use designation on the future land use map (FLUM) on property locally know as 2007 Chicon Street (Boggy Creek Watershed) from single family to mixed use/office land use. Staff Recommendation: To grant an indefinite postponement. Planning Commission Recommendation: Postponed to December 14, 2010 . Owner/Applicant: Youth and Family Alliance dba LifeWorks. Agent: Youth and Family Alliance dba LifeWorks. (Mitch Weynand, Chief Operating Officer). City Staff: Maureen Meredith, 974-2695.  
**This item was postponed indefinitely on consent at the applicant's request on Council Member Spelman's motion, Mayor Pro Tem Martinez' second on a 6-0. Council Member Cole was off the dais. (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.)**
87. C14-2010-0136 - LifeWorks East Central - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 2007 Chicon Street (Boggy Creek Watershed) from family residence-neighborhood plan (SF-3-NP) combining district zoning to limited office-mixed use-neighborhood plan (LO-MU-NP) combining district zoning. Staff Recommendation: To grant an indefinite postponement. Planning Commission Recommendation: To be reviewed on December 14, 2010. Applicant: Youth and Family Alliance, dba LifeWorks (Susan McDowell). Agent: Youth and Family Alliance, dba LifeWorks (Mitch Weynand). City Staff: Joi Harden, 974-2122.  
**This item was postponed indefinitely on consent at the applicant's request on Council Member Spelman's motion, Mayor Pro Tem Martinez' second on a 6-0. Council Member Cole was off the dais. (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.)**

88. C14-2010-0190 - BB-OTL Project - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 1807 West Slaughter Lane (Slaughter Creek Watershed) from community commercial (GR) district zoning to limited industrial service (LI) district zoning. Staff Recommendation: To grant limited industrial service-conditional overlay (LI-CO) combining district zoning. Zoning and Platting Commission Recommendation: To be reviewed on January 4, 2011. Owner/Applicant: BB Retail South, LP (Jimmy J. Nassour). Agent: Alice Glasco Consulting (Alice Glasco). City Staff: Wendy Rhoades, 974-7719.  
**This item was postponed on consent to January 13, 2011 at the staff's request on Council Member Spelman's motion, Mayor Pro Tem Martinez' second on a 6-0. Council Member Cole was off the dais.**
92. C14H-2010-0039 - Bradford-Nohra House - Conduct a public hearing and approve all three readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 4213 Avenue G (Waller Creek Watershed) from townhouse-condominium residence-neighborhood conservation (SF-6-NCCD) combining district zoning to townhouse-condominium residence-historic landmark-neighborhood conservation (SF-6-H-NCCD) combining district zoning. Staff Recommendation: To deny townhouse-condominium residence-historic landmark-neighborhood conservation (SF-6-H-NCCD) combining district zoning. Historic Landmark Commission Recommendation: To grant townhouse-condominium residence-historic landmark-neighborhood conservation (SF-6-H-NCCD) combining district zoning. Planning Commission Recommendation: To be reviewed on December 14, 2010. Applicant: Historic Landmark Commission. Owner: Sylvia Dudney, Trustee for Helen Nohra. City Staff: Steve Sadowsky, 974-6454.  
**This item was postponed on consent to January 13, 2011 at the staff's request on Council Member Spelman's motion, Mayor Pro Tem Martinez' second on a 6-0. Council Member Cole was off the dais.**

### ZONING DISCUSSION ITEMS

89. C14H-2010-0021 - Olson-Foster House - Conduct a public hearing and approve all three readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 3808 Avenue H (Waller Creek Watershed) from family residence-neighborhood conservation (SF-3-NCCD) combining district zoning to family residence-historic landmark-neighborhood conservation (SF-3-H-NCCD) combining district zoning. Staff Recommendation: To grant family residence-historic landmark-neighborhood conservation (SF-3-H-NCCD) combining district zoning. Historic Landmark Commission Recommendation: To grant family residence-historic landmark-neighborhood conservation (SF-3-H-NCCD) combining district zoning. Planning Commission Recommendation: To grant family residence-historic landmark-neighborhood conservation (SF-3-H-NCCD) combining district zoning. Applicant: Francis Wilde, owner. City Staff: Steve Sadowsky, 974-6454.  
**The public hearing was closed and the motion to approve the ordinance for family residence-historic landmark-neighborhood conservation (SF-3-H-NCCD) combining district zoning was made by Council Member Morrison, seconded by Council Member Riley. The motion failed on a 2-4 vote. Those voting aye were: Council Members Morrison and Riley. Those voting nay were: Mayor Leffingwell, Mayor Pro Tem Martinez and Council Members Cole and Shade. Council Member Spelman recused himself.**
90. C14H-2010-0020 - Paul J. Thompson House - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 1507 Wooldridge Drive (Shoal Creek Watershed) from family residence (SF-3) district zoning to family residence-historic landmark (SF-3-H) combining district zoning. Staff Recommendation: To grant family residence-historic landmark (SF-3-H) combining district zoning. Historic Landmark Commission Recommendation: To grant family residence-historic landmark (SF-3-H) combining district zoning. Planning Commission

Recommendation: To grant family residence-historic landmark (SF-3-H) combining district zoning. Applicants: Valerie and Michael Weynand, owners. City Staff: Steve Sadowsky, 974-6454.

**The public hearing was closed and Ordinance No. 20101216-090 for family residence-historic landmark (SF-3-H) combining district zoning was approved on Council Member Spelman's motion, Council Member Cole's second on a 6-1 vote. Council Member Shade voted nay.**

91. C14H-2010-0027 - Bouldin-Blum House - Conduct a public hearing and approve all three readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 615 West Mary Street (East Bouldin Creek Watershed) from family residence-neighborhood plan (SF-3-NP) combining district zoning to family residence-historic landmark-neighborhood plan (SF-3-H-NP) combining district zoning. Staff Recommendation: To grant family residence-historic landmark-neighborhood plan (SF-3-H-NP) combining district zoning. Historic Landmark Commission Recommendation: To grant family residence-historic landmark-neighborhood plan (SF-3-H-NP) combining district zoning. Planning Commission Recommendation: To grant family residence-historic landmark-neighborhood plan (SF-3-H-NP) combining district zoning. Applicant: Laura Raines Smith, owner. City Staff: Steve Sadowsky, 974-6454.  
**The public hearing was closed and Ordinance No. 20101216-091 for family residence-historic landmark-neighborhood plan (SF-3-H-NP) combining district zoning was approved on Council Member Spelman's motion, Mayor Leffingwell's second on a 7-0 vote.**
93. C14H-2010-0019 - Hyde Park Local Historic District - Conduct a public hearing and approve second and third readings of 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 (SF-3-NCCD) combining district to family residence-historic area-neighborhood conservation (SF-3-HD-NCCD) combining district; family residence-historic landmark-neighborhood conservation (SF-3-H-NCCD) combining district to family residence-historic landmark-historic area-neighborhood conservation (SF-3-H-HD-NCCD) combining district; townhouse and condominium residence-neighborhood conservation (SF-6-NCCD) combining district to townhouse and condominium residence-historic area-neighborhood conservation (SF-6-HD-NCCD) combining district; 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. Prior Council action: Keep the public hearing open and approve on first reading only 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 public hearing was closed and Ordinance No. 20101216-093 for historic area combining district zoning was approved with the Hyde Park Preservation Plan and Design Standards dated December 9, 2010 on Council Member Cole's motion, Council Member Morrison's second on a 6-0 vote. Council Member Spelman recused himself.**

**Mayor Leffingwell recessed the Council Meeting at 3:54 p.m.**

**Mayor Leffingwell called the Council Meeting back to order at 4:05 p.m.**

**Mayor Leffingwell recessed the Council Meeting at 5:36 p.m.**

#### LIVE MUSIC

Charlie Faye

#### PROCLAMATIONS

Certificate of Congratulations -- Award-winning DVD, "Big Bird, Little Bird" -- to be presented by Mayor Lee Leffingwell and to be accepted by Sara Hickman and collaborators

Proclamation -- 2010 Neighborhood Habitat Challenge Winners -- to be presented by Mayor Lee Leffingwell and to be accepted by representatives of the winning Neighborhood Associations

Proclamation -- KOOP Radio's "Sweet 16" Anniversary Benefit -- to be presented by Mayor Lee Leffingwell and to be accepted by Kim McCarson and KOOP Board Members

Proclamation -- Austin Clubhouse Month -- to be presented by Council Member Randi Shade and to be accepted by Lisa Yoch and Carolyn Neal

**Mayor Leffingwell called the Council Meeting back to order at 6:40 p.m.**

#### PUBLIC HEARINGS AND POSSIBLE ACTION

94. Conduct a public hearing and consider an appeal by Albert Stowell regarding the decision to renew an Outdoor Music Venue permit for The Allan House, located at 1104 San Antonio Street.  
**The public hearing was closed and the motion to modify the permit was approved with the following modification on Council Member Morrison's motion, Council Member Spelman's second on a 7-0 vote. The owner agreed to modify the permit by adding a sound curtain shell by December 23, 2010 in the area of amplified sound; the appellant agreed to withdraw the appeal.**
95. Conduct a public hearing and consider an ordinance amending 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). Recommended by the Planning Commission.

**The public hearing was closed and Ordinance No. 20101216-095 was approved on Council Member Spelman's motion, Council Member Morrison's second on a 7-0 vote.**

96. Conduct a public hearing to consider an appeal by Mrs. Carol Torgrimson of the Zoning and Platting Commission's decision to approve a Hill Country Roadway site plan for The Trails at 620, located at 8300 N. R.M. 620, (SPC-2009-0349C) and its associated variance for an additional driveway cut.  
**The public hearing was closed and the motion to deny the appeal was approved on Council Member Spelman's motion, Mayor Leffingwell's second on a 7-0 vote. Staff was directed to model state requirements, specifically safety.**
97. Conduct a public hearing and consider an ordinance amending sections 25-2-1001 and 25-2-1008 of the City Code relating to landscaping irrigation requirements for site plans. There is no unanticipated fiscal impact. Recommended by the Environmental Board. Recommended by the Planning Commission.  
**The public hearing was closed and Ordinance No. 20101216-097 was approved with the following amendments on Mayor Pro Tem Martinez' motion, Council Member Riley's second on a 7-0 vote.**

**The amendments were:**

**Part 2, section 25-2-1008, subsection (E) should read,**

**"In addition to irrigation meeting the requirements of Subsection (A), supplemental irrigation using irrigation methods described in Subsection (F) is required:**

- (1) for the first two growing seasons for all or a portion of a newly planted required landscaped area without permanent irrigation;**
- (2) permanently for all newly planted trees in a required landscaped area; and**
- (3) as prescribed by rule for all newly planted required landscaping located in medians, islands, or peninsulas."**

**Part 5 should read, "This ordinance takes effect on December 27, 2010."**

98. Conduct a public hearing and approve a resolution authorizing 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 for a 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. Reviewed by Parks and Recreation Board.  
**The motion to close the public hearing and approve Resolution No. 20101216-098 with the following amendments to the mitigation fee was approved on Mayor Pro Tem Martinez's 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. The amendment from Mayor Pro Tem Martinez was to increase the mitigation fee to \$500,000. Council Member Cole's friendly amendment was to award mitigation damages of at least \$500,000 and have the Parks and Recreation Department and the Austin Water Utility staff make a presentation to the Audit and Finance Commission concerning the calculation of a mitigation fee that these two departments could support. The amendment was accepted by the maker of the motion and by Mayor Leffingwell, who made the second. Council Member Shade directed staff to ensure a memorandum of understanding be prepared per the list provided by Concerned Citizens in Northwest Austin.**

**Mayor Leffingwell adjourned the meeting at 10:50 p.m. without objection.**



**The minutes for the Regular Meeting of December 16, 2010 were approved on this the 13th day of January 13, 2011 on Council Member Spelman's motion, Council Member Cole's second on a 7-0 vote.**