

**AUSTIN CITY COUNCIL
MINUTES****REGULAR MEETING
THURSDAY, FEBRUARY 25, 2010**

Invocation: Pastor Jacquelyn Donald-Mims, Imani Community 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, February 25, 2010 in the Council Chambers of City Hall, 301 West Second Street, Austin, Texas.

Mayor Leffingwell called the Council Meeting to order at 10:29 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 February 11, 2010.
The minutes from the meeting of February 11, 2010 were approved on consent on Mayor Pro Tem Martinez' motion, Council Member Morrison's second on a 7-0 vote.
2. Authorize the negotiation and execution of a 30-year easement from Katherine Sharp John and Cheryl Sharp, as attorneys in fact for 10 individual land owners, and from Katherine Sharp John, individually, on a total of approximately 4,664 acres of land in Pecos County, Texas, referred to as the Hinde Estate property, to serve as potential sites for wind power generation units, in a combined annual amount not to exceed \$50,000, for a total combined amount not to exceed \$1,500,000. Funding in the amount of \$50,000 is available in the Fiscal Year 2009-2010 Operating Budget of Austin Energy. Funding for the remainder is contingent upon available funding in future budgets. Recommended by the Resource Management Commission and by the Electric Utility Commission.
The motion authorizing the negotiation and execution of an easement from Katherine Sharp John and Cheryl Sharp, as attorneys in fact for 10 individual land owners, and Katherine Sharp John, individually, was approved on consent on Mayor Pro Tem Martinez' motion, Council Member Morrison's second on a 7-0 vote.
3. Approve the issuance of a Letter of Intent for a rebate to ASSET PLUS for the installation of up to 409 water efficient toilets at Ashbury Parke Apartments, in an amount not to exceed \$81,800. Funding is available in the Fiscal Year 2009-2010 Conservation Rebate and Incentives Fund. Recommended by the Water and Wastewater Commission and the Resource Management Commission.
The motion to approve the issuance of a letter of intent for a rebate to Asset Plus was approved on consent on Mayor Pro Tem Martinez' motion, Council Member Morrison's second on a 7-0 vote.
4. Approve the issuance of a Letter of Intent for a rebate to ASSET PLUS for the installation of up to 293 water efficient toilets at Audubon Square Apartments, in an amount not to exceed \$58,600. Funding is

available in the Fiscal Year 2009-2010 Conservation Rebate and Incentives Fund. Recommended by the Water and Wastewater Commission and the Resource Management Commission on February.

The motion to approve the issuance of a letter of intent for a rebate to Asset Plus was approved on consent on Mayor Pro Tem Martinez' motion, Council Member Morrison's second on a 7-0 vote.

5. Approve the issuance of a Letter of Intent for a rebate to COPPER MILL APARTMENT HOMES for the installation of up to 412 water efficient toilets at the Copper Mill Apartment Homes, in an amount not to exceed \$82,400. Funding is available in the Fiscal Year 2009-2010 Conservation Rebate and Incentives Fund. Recommended by the Water and Wastewater Commission and the Resource Management Commission.
The motion to approve the issuance of a letter of intent for a rebate to Copper Mill Apartment Homes was approved on consent on Mayor Pro Tem Martinez' motion, Council Member Morrison's second on a 7-0 vote.
6. Approve the issuance of a Letter of Intent for a rebate to HARDROCK CANYON APARTMENTS for the installation of up to 570 water efficient toilets at the Hardrock Canyon Apartments, in an amount not to exceed \$114,000. Funding is available in the Fiscal Year 2009-2010 Conservation Rebate and Incentives Fund. Recommended by the Water and Wastewater Commission and the Resource Management Commission.
The motion to approve the issuance of a letter of intent for a rebate to Hardrock Canyon Apartments was approved on consent on Mayor Pro Tem Martinez' motion, Council Member Morrison's second on a 7-0 vote.
7. Approve the issuance of a Letter of Intent for a rebate to ASSET PLUS for the installation of up to 294 water efficient toilets at Harpers Creek Apartments, in an amount not to exceed \$58,800. Funding is available in the Fiscal Year 2009-2010 Conservation Rebate and Incentives Fund. Recommended by the Water and Wastewater Commission and the Resource Management Commission.
The motion to approve the issuance of a letter of intent for a rebate to Asset Plus was approved on consent on Mayor Pro Tem Martinez' motion, Council Member Morrison's second on a 7-0 vote.
8. Approve the issuance of a Letter of Intent for a rebate to LOGANS MILL for the installation of up to 303 water efficient toilets at Logans Mill Apartments, in an amount not to exceed \$60,600. Funding is available in the Fiscal Year 2009-2010 Conservation Rebate and Incentives Fund. Recommended by the Water and Wastewater Commission and the Resource Management Commission.
The motion to approve the issuance of a letter of intent for a rebate to Logans Mill was approved on consent on Mayor Pro Tem Martinez' motion, Council Member Morrison's second on a 7-0 vote.
9. Approve the issuance of a Letter of Intent for a rebate to NORTHWEST HILLS for the installation of up to 339 water efficient toilets at the Northwest Hills Apartments, in an amount not to exceed \$67,800. Funding is available in the Fiscal Year 2009-2010 Conservation Rebate and Incentives Fund. Recommended by the Water and Wastewater Commission and the Resource Management Commission.
The motion to approve the issuance of a letter of intent for a rebate to Northwest Hills was approved on consent on Mayor Pro Tem Martinez' motion, Council Member Morrison's second on a 7-0 vote.
10. Approve the issuance of a Letter of Intent for a rebate to FREE TOILET REPLACEMENTS, INC, for the installation of up to 403 water efficient toilets at the Oak Hollow Apartment Homes, in an amount not to exceed \$80,600. Funding is available in the Fiscal Year 2009-2010 Conservation Rebate and Incentives Fund. Recommended by the Water and Wastewater Commission and the Resource Management Commission.

The motion to approve the issuance of a letter of intent for a rebate to Free Toilet Replacements, Inc. was approved on consent on Mayor Pro Tem Martinez' motion, Council Member Morrison's second on a 7-0 vote.

11. Approve the issuance of a Letter of Intent for a rebate to ASSET PLUS for the installation of up to 299 water efficient toilets at Pinto Creek Apartments, in an amount not to exceed \$59,800. Funding is available in the Fiscal Year 2009-2010 Conservation Rebate and Incentives Fund. Recommended by the Water and Wastewater Commission and the Resource Management Commission.
The motion to approve the issuance of a letter of intent for a rebate to Asset Plus was approved on consent on Mayor Pro Tem Martinez' motion, Council Member Morrison's second on a 7-0 vote.
12. Approve the issuance of a Letter of Intent for a rebate to RESEARCH POINTE APARTMENTS for the installation of up to 342 water efficient toilets at Research Pointe Apartments, in an amount not to exceed \$68,400. Funding is available in the Fiscal Year 2009-2010 Conservation Rebate and Incentives Fund. Recommended by the Water and Wastewater Commission and the Resource Management Commission.
The motion to approve the issuance of a letter of intent for a rebate to Research Pointe Apartments was approved on consent on Mayor Pro Tem Martinez' motion, Council Member Morrison's second on a 7-0 vote.
13. Approve the issuance of a Letter of Intent for a rebate to THE FOREST APARTMENTS for the installation of up to 273 water efficient toilets at The Forest Apartments, in an amount not to exceed \$54,600. Funding is available in the Fiscal Year 2009-2010 Conservation Rebate and Incentives Fund. Recommended by the Water and Wastewater Commission and the Resource Management Commission.
The motion to approve the issuance of a letter of intent for a rebate to The Forest Apartments was approved on consent on Mayor Pro Tem Martinez' motion, Council Member Morrison's second on a 7-0 vote.
14. Approve the issuance of a Letter of Intent for a rebate to FREE TOILET REPLACEMENTS, INC. for the installation of up to 271 water efficient toilets at The Woods on Barton Skyway, in an amount not to exceed \$54,200. Funding is available in the Fiscal Year 2009-2010 Conservation Rebate and Incentives Fund. Recommended by the Water and Wastewater Commission and the Resource Management Commission.
The motion to approve the issuance of a letter of intent for a rebate to Free Toilet Replacements, Inc. was approved on consent on Mayor Pro Tem Martinez' motion, Council Member Morrison's second on a 7-0 vote.
15. Approve the issuance of a Letter of Intent for a rebate to FREE TOILET REPLACEMENTS, INC., for the installation of up to 408 water efficient toilets at Travis Station Apartments, in an amount not to exceed \$81,600. Funding is available in the Fiscal Year 2009-2010 Conservation Rebate and Incentives Fund. Recommended by the Water and Wastewater Commission and the Resource Management Commission.
The motion to approve the issuance of a letter of intent for a rebate to Free Toilet Replacements, Inc. was approved on consent on Mayor Pro Tem Martinez' motion, Council Member Morrison's second on a 7-0 vote.
16. Approve the issuance of a Letter of Intent for a rebate to ASSET PLUS for the installation of up to 495 water efficient toilets at Trestles of Austin Apartments, in an amount not to exceed \$99,000. Funding is available in the Fiscal Year 2009-2010 Conservation Rebate and Incentives Fund. Recommended by the Water and Wastewater Commission and the Resource Management Commission.
The motion to approve the issuance of a letter of intent for a rebate to Asset Plus was approved on consent on Mayor Pro Tem Martinez' motion, Council Member Morrison's second on a 7-0 vote.

17. Approve the issuance of a Letter of Intent for a rebate to VILLAGE AT GRACY FARMS for the installation of up to 484 water efficient toilets at Village at Gracy Farms, in an amount not to exceed \$96,800. Funding is available in the Fiscal Year 2009-2010 Conservation Rebate and Incentives Fund. Recommended by the Water and Wastewater Commission and the Resource Management Commission.
The motion to approve the issuance of a letter of intent for a rebate to Village at Gracy Farms was approved on consent on Mayor Pro Tem Martinez' motion, Council Member Morrison's second on a 7-0 vote.
18. Approve an ordinance amending Chapter 15-9 of the City Code relating to Water and Wastewater Service Connections to Certain Lots and extensions of service lines for a maximum distance of 100 feet. There is no unanticipated fiscal impact. Recommended by the Water and Wastewater Commission.
Ordinance No. 20100225-018 was approved on consent on Mayor Pro Tem Martinez' motion, Council Member Morrison's second on a 7-0 vote.
19. Approve a resolution authorizing the filing of eminent domain proceedings for the South IH-35 Water/Wastewater Infrastructure Improvements Program, to acquire a 4,372 square-foot permanent waterline easement and a 4,169 square-foot temporary working space easement out of 14.025 acres of the Santiago Del Valle Grant, Abstract No. 24, Travis County, TX, in the amount of \$2,452. The owner of the needed property interests is JADCO DEVELOPMENT, INC. The property is located within the City's extraterritorial jurisdiction in Travis County, Texas on the north side of Bradshaw Road and on the west side of Old Lockhart Road, near the intersection of Bradshaw Road and Old Lockhart Road. Funding is available in the Fiscal Year 2009-2010 Capital Budget of the Austin Water Utility.
Resolution No. 20100225-019 was approved on consent on Mayor Pro Tem Martinez' motion, Council Member Morrison's second on a 7-0 vote.
20. Authorize negotiation and execution of an Agreement with MUNIZ CONCRETE & CONTRACTING, INC. (MBE/MH-90.27%), Austin, TX, for ADA sidewalk and ramp improvements in South East Austin in an amount not to exceed \$95,886.75. Funding is available in the Fiscal Year 2009 - 2010 Capital Budget of the Public Works Department. Best Value to the City of Austin of four (4) Proposals 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 90.27% MBE prime participation and 3.60% WBE subcontractor participation.
The motion authorizing the negotiation and execution of an agreement with Muniz Concrete & Contracting, Inc. was approved on consent on Mayor Pro Tem Martinez' motion, Council Member Morrison's second on a 7-0 vote.
21. Authorize execution of change orders to the following three Austin Water Utility Indefinite Delivery/Indefinite Quantity Wastewater Line Relay and Spot Repair service contracts with PEABODY GENERAL CONTRACTORS, INC, Dripping Springs, TX, (WBE/FW - Zone A: 64.49%, Zone B: 71.78%, and Zone C: 65.73%) in the amount of \$378,952.50 for the Zone A contract, in the amount of \$520,620 for the Zone B contract, and in the amount of \$378,952.50 for the Zone C contract. Funding in the amount of \$1,278,525 is available in the Fiscal Year 2009-2010 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 5.40% MBE and 4.12% WBE (Zone A); 4.68% MBE and 2.43% WBE (Zone B); and 4.92% MBE and 4.96% WBE (Zone C) subcontractor participation to date. Recommended by the Water and Wastewater Commission.
The motion authorizing the execution of change orders to Austin Water Utility Indefinite Delivery/Indefinite Quantity Wastewater Line Relay and Spot Repair service contracts with Peabody General Contractors, Inc. was approved on consent on Mayor Pro Tem Martinez' motion, Council Member Morrison's second on a 7-0 vote.

22. Authorize execution of a construction contract with LAUGHLIN-THYSSEN, INC. of Houston, TX, for the South IH-35 Water Wastewater Infrastructure Improvement Program Segment 1 - Slaughter Lane to Slaughter Creek, 36-Inch Water Main project in the amount of \$2,116,403 plus \$211,640.30 contingency, for a total contract amount not to exceed \$2,328,043.30. Funding is available in the Fiscal Year 2009-2010 Capital Budget of the Austin Water Utility. Lowest bid of twelve (12) 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 31.01% MBE and 2.36% 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 Morrison's second on a 7-0 vote.
23. Authorize execution of a construction contract with KEYSTONE CONSTRUCTION, INC., Austin, TX, for the Loop 360 Water Improvements - Allen Road Pump Station Project in the amount of \$4,609,981 plus a \$224,249.05 contingency, for a total contract amount not to exceed \$4,834,230.05. Funding is available in the Fiscal Year 2009-2010 Capital Budget of the Austin Water Utility. Lowest bid of four (4) 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 6.75% MBE and 4.46% WBE subcontractor participation. Recommended by the Water and Wastewater Commission.
The motion authorizing the execution of a construction contract with Keystone Construction, Inc. was approved on consent on Mayor Pro Tem Martinez' motion, Council Member Morrison's second on a 7-0 vote.
24. Authorize execution of a construction contract with FAZZONE CONSTRUCTION CO. INC., Austin, TX, for the Northwest Recreation Center Expansion and Improvements project in the amount of \$2,355,600 plus a \$117,780 contingency, for a total contract amount not to exceed \$2,473,380. Funding is available in the Fiscal Year 2009-2010 Capital Budget of the Parks and Recreation Department. Lowest bid of five (5) bids received. This contract will be awarded in compliance with Chapter 2-9A of the City Code (Minority Owned and Women Owned Business Enterprise Procurement Program) through the achievements of Good Faith Efforts with 9.31% MBE and 9.76% WBE subcontractor participation.
The motion authorizing the execution of a construction contract with Fazzone Construction Co. Inc. was approved on consent on Mayor Pro Tem Martinez' motion, Council Member Morrison's second on a 7-0 vote.
25. Authorize negotiation and execution of a professional services agreement with KLEINFELDER CENTRAL, INC., Austin, TX, for professional engineering services for the Reservoir Recoating and Safety Improvements Project in an amount not to exceed \$1,000,000. Funding is available in the Fiscal Year 2009-2010 Capital Budget of the Austin Water Utility. Best qualification statement of six (6) statements received. This contract will be awarded in compliance with Chapter 2-9B of the City Code (Minority Owned and Women Owned Business Enterprise Procurement Program) by meeting the goals with 7.14 % MBE and 3.94 % WBE subcontractor participation. Recommended by the Water and Wastewater Commission.
The motion authorizing the negotiation and execution of a professional services agreement with Kleinfelder Central, Inc. was approved on consent on Mayor Pro Tem Martinez' motion, Council Member Morrison's second on a 7-0 vote.

Item 26 was pulled for discussion.

27. Authorize execution of a professional services agreement with HDR ENGINEERING, INC., Austin, TX, for planning services for the Integrated Solid Waste Management Master Plan in an amount not to exceed \$1,099,014 plus a \$110,000 contingency, for a total contract amount not to exceed \$1,209,014. Funding is

available in the Fiscal Year 2009-2010 Capital Budget of the Solid Waste Services Department. Best negotiated scope of services and fee. This contract will be awarded in compliance with Chapter 2-9B of the City Code (Minority Owned and Women Owned Business Enterprise Procurement Program) by meeting the goals with 15.80% MBE and 15.80% WBE subconsultant participation. Recommended by the Solid Waste Advisory Commission.

The motion authorizing the execution of a professional services agreement with HDR Engineering, Inc. was approved on consent on Mayor Pro Tem Martinez' motion, Council Member Morrison's second on a 7-0 vote.

28. Authorize funding for the design and construction of the Austin Energy Seaholm Substation perimeter wall, not to exceed \$750,000, as part of the Seaholm East Redevelopment District as a public art project as outlined in Chapter 7-2 of the City Code (Art in Public Places). Funding in the amount of \$750,000 is available in the Fiscal Year 2009-2010 Capital Budget of Austin Energy. The Austin Arts Commission approved unanimously on February 8, 2010. Recommended by the Electric Utility Commission.
- The motion authorizing the funding for the design and construction of the Austin Energy Seaholm Substation perimeter wall was approved on consent on Mayor Pro Tem Martinez' motion, Council Member Morrison's second on a 7-0 vote.**

Items 29 and 30 were pulled for discussion.

31. Approve a corrective ordinance amending Sections 15-2-6 and 15-2-7 of the City Code relating to the Drainage Utility.
- Ordinance No. 20100225-031 was approved on consent on Mayor Pro Tem Martinez' motion, Council Member Morrison's second on a 7-0 vote.**

Item 32 was pulled to be heard after a presentation.

33. Approve an ordinance accepting \$18,000 in grant funds from the National Recreation and Parks Association; and amending the Fiscal Year 2009-2010 Parks and Recreation Department Operating Budget Special Revenue Fund of Ordinance 20090914-002 to appropriate \$18,000 for the installation of adaptive equipment for boaters on Lady Bird Lake. Funding in the amount of \$18,000 is available from the National Recreation and Parks Association. No city match is required. The grant period will be January 1, 2010 through December 1, 2010.
- Ordinance No. 20100225-033 was approved on consent on Mayor Pro Tem Martinez' motion, Council Member Morrison's second on a 7-0 vote.**
34. Approve a resolution authorizing the execution of a Multiple Use Agreement between the City of Austin and the Texas Department of Transportation (TxDOT) for a hike and bike path to be constructed and maintained in TxDOT Right of Way at the intersection of MoPac Expressway and Walnut Creek. There is no unanticipated fiscal impact. A fiscal note is not required.
- Resolution No. 20100225-034 was approved on consent on Mayor Pro Tem Martinez' motion, Council Member Morrison's second on a 7-0 vote.**
35. Approve an ordinance to annex the Greenshores Lake Austin and Excess Capacity Area for the limited purposes of planning and zoning (approximately 161 acres in Travis County north and west of the intersection of Oak Shores and Pearce Road; west of Robbins Road; south of Smoky Ridge; and east of Ski Shores Terrace). Limited purpose annexation does not have a significant impact on the general fund.
- Ordinance No. 20100225-035 was approved on consent on Mayor Pro Tem Martinez' motion, Council Member Morrison's second on a 7-0 vote.**

36. Approve an ordinance adopting a regulatory plan for the Greenshores Lake Austin and Excess Capacity Area, which is being annexed for limited purposes, and establishing I-SF-1 interim zoning designations for portions of the annexed area.
Ordinance No. 20100225-036 was approved on consent on Mayor Pro Tem Martinez' motion, Council Member Morrison's second on a 7-0 vote.
37. Approve an ordinance to annex the Harris Branch Outparcel Area for full purposes (approximately 2 acres in eastern Travis County west of Cameron Road approximately one tenth of a mile south of the intersection of Parmer Lane and Cameron Road). Funding necessary to provide general governmental services to this tract is available in the budgets of the departments which will provide the services.
Ordinance No. 20100225-037 was approved on consent on Mayor Pro Tem Martinez' motion, Council Member Morrison's second on a 7-0 vote.
38. Approve an ordinance to annex the Moore's Crossing - Linda Vista annexation area for the limited purposes of planning and zoning (approximately 34 acres in southern Travis County east of FM 973 at the southeast corner of the intersection of FM 973 and Burleson Road and east of the intersection of FM 973 and Linda Vista Drive). Limited purpose annexation does not have a significant impact on the general fund.
Ordinance No. 20100225-038 was approved on consent on Mayor Pro Tem Martinez' motion, Council Member Morrison's second on a 7-0 vote.
39. Approve an ordinance adopting a regulatory plan for the Moore's Crossing-Linda Vista annexation Area, which is being annexed for limited purposes. Limited purpose annexation does not have a significant impact on the General Fund.
Ordinance No. 20100225-039 was approved on consent on Mayor Pro Tem Martinez' motion, Council Member Morrison's second on a 7-0 vote.
40. Authorize negotiation and execution of an Interlocal Cooperation Agreement between Travis County, Texas, Austin Independent School District and Texas Health and Human Services Commission on behalf of the Texas Department of Family and Protective Services for reimbursement in an approximate amount of \$57,000 to the City of Austin for the initial and on-going costs of security systems and services, furniture and equipment, signage and other fixtures and equipment installed at the Austin Ridge Campus, 8509 FM 969, Building 690, Austin, Texas for the co-located leased space in connection with the Austin/Travis County Child Protection Team. There is no unanticipated fiscal impact.
The motion authorizing the negotiation and execution of an interlocal cooperation agreement between Travis County, Austin Independent School District and Texas Health and Human Services Commission on behalf of the Texas Department of Family and Protective Services was approved on consent on Mayor Pro Tem Martinez' motion, Council Member Morrison's second on a 7-0 vote.
41. Authorize negotiation and execution of an Advance Funding Agreement with the Texas Department of Transportation (TxDOT) in an amount not to exceed \$622,684 for the relocation and adjustment of City owned water and wastewater lines in connection with the State's widening of RM 2769 from 0.75 miles west of RM 620 to Anderson Mill Road. Funding is available in the Fiscal Year 2009-2010 Capital Budget of the Austin Water Utility. Recommended by the Water and Wastewater Commission.
The motion authorizing the negotiation and execution of an advance funding agreement with the Texas Department of Transportation (TxDOT) was approved on consent on Mayor Pro Tem Martinez' motion, Council Member Morrison's second on a 7-0 vote.
42. Approve an ordinance amending the Fiscal Year 2009-2010 Public Works Department Operating Budget of Ordinance No. 20090914-002 to increase the Beginning Balance by \$4,981,811 to appropriate \$842,079 into the Public Works Street Preventive Maintenance program for the purchase of heavy-duty

vehicles and decrease the Transportation Fund Ending Balance by \$842,079. Funding is available from the Transportation Fund Ending Balance. Relate to Item #49.

Ordinance No. 20100225-042 was approved on consent on Mayor Pro Tem Martinez' motion, Council Member Morrison's second on a 7-0 vote.

43. Authorize award and execution of two 12-month requirements service contracts for survey and inventory of Golden-Cheeked Warbler and Black-Capped Vireo birds for the Austin Water Utility with HICKS & COMPANY, Austin, TX in an estimated contract amount not to exceed \$57,072, and BAER ENGINEERING AND ENVIRONMENTAL CONSULTING, INC, Austin, TX in an estimated contract amount not to exceed \$51,313. Funding in the amount of \$108,385 is available in the Fiscal Year 2009-2010 Operating Budget of the Austin Water Utility. Lowest bids of six bids received. This contract will be awarded in compliance with Chapter 2-9C of the City Code (Minority Owned and Women Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation. Recommended by the Water & Wastewater Commission.
The motion authorizing the award and execution of a requirements service contracts with Hicks & Company and Baer Engineering and Environmental Consulting, Inc. was approved on consent on Mayor Pro Tem Martinez' motion, Council Member Morrison's second on a 7-0 vote.
44. Authorize award and execution of a 36-month requirements supply contract with MCCAIN WATERWORKS MARKETING, LLC, San Antonio, TX, for the purchase of pipe, valves, and fittings in an estimated amount not to exceed \$246,000, with three 12-month extension options in an estimated amount not to exceed \$82,000 per extension option, for a total estimated contract amount not to exceed \$492,000. Funding in the amount of \$47,833 is available in the Fiscal Year 2009-2010 Operating Budget of the Austin Water Utility. Funding for the remaining 29 months of the original contract period and extension options is contingent upon available funding in future budgets. Sole Source. This contract will be awarded in compliance with Chapter 2-9D of the City Code (Minority Owned and Women Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation. Recommended by the Water & Wastewater Commission.
The motion authorizing the award and execution of a requirements supply contract with McCain Waterworks Marketing, LLC was approved on consent on Mayor Pro Tem Martinez' motion, Council Member Morrison's second on a 7-0 vote.
45. Authorize award and execution of a 12-month requirements supply contract with US PEROXIDE, LLC, Atlanta, GA for the purchase of 50% hydrogen peroxide in an estimated amount not to exceed \$279,000, with two 12-month extension options in an estimated amount not to exceed \$279,000 per extension option, for a total estimated contract amount not to exceed \$837,000. Funding in the amount of \$162,750 is available in the Fiscal Year 2009-2010 Operating Budget of the Austin Water Utility. Funding for the remaining five months of the original contract period and extension options is contingent upon available funding in future budgets. Lowest bid of two bids received. This contract will be awarded in compliance with Chapter 2-9D of the City Code (Minority Owned and Women Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation. Recommended by the Water & Wastewater Commission.
The motion authorizing the award and execution of a requirements supply contract with US Peroxide, LLC was approved on consent on Mayor Pro Tem Martinez' motion, Council Member Morrison's second on a 7-0 vote.
46. Approve an ordinance amending Ordinance No. 20070621-152 to modify vendor recordkeeping requirements and providing exceptions to the Workplace Conditions Code. June 21, 2007 - Approved ordinance enacting a policy to procure and maintain contracts for goods and services relating to apparel, garments, and corresponding accessories in a manner that supports humane and legal labor practices.
This item was postponed on consent to March 25, 2010 on Mayor Pro Tem Martinez' motion, Council Member Morrison's second on a 7-0 vote.

47. Authorize award and execution of a 22-month requirements service contract through U.S. Communities Government Purchasing Alliance with KONE, INC., Austin, TX to provide elevator preventative maintenance, repair, and modernization services at various City facilities in an estimated amount not to exceed \$1,803,450, with one 24-month extension option in an estimated amount not to exceed \$2,360,880 for a total estimated contract amount not to exceed \$4,164,330. Funding in the amount of \$573,825 is available in the Fiscal Year 2009-2010 Operating Budget of various City Departments. Funding for the remaining 15 months of the original contract period and extension option is contingent upon available funding in future budgets. This contract will be awarded in compliance with Chapter 2-9C of the City Code (Minority Owned and Women Owned Business Enterprise Procurement Program). This 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 Water & Wastewater Commission.
- The motion authorizing the award and execution of a requirements service contract through U.S. Communities Government Purchasing Alliance with Kone, Inc. was approved on consent on Mayor Pro Tem Martinez' motion, Council Member Morrison's second on a 7-0 vote.**
48. Authorize award and execution of a thirty-six month requirements supply contract with MEMPHIS POOL SUPPLY, Memphis, TN for swimming pool paint for the Parks and Recreation Department in an estimated amount not to exceed \$174,240, with two twelve-month extension options in an estimated amount not to exceed \$58,080 per extension option, for a total estimated contract amount not to exceed \$290,400. Funding in the amount of \$38,720 is available in the Fiscal Year 2009-2010 Operating Budget of the Parks and Recreation Department. Funding for the remaining 28 months of the original contract period and the extension options are contingent upon available funding in future budgets. Lowest bid of four bids received. This contract will be awarded in compliance with Chapter 2-9D of the City Code (Minority Owned and Women Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation.
- The motion authorizing the award and execution of a requirements supply contract with Memphis Pool Supply was approved on consent on Mayor Pro Tem Martinez' motion, Council Member Morrison's second on a 7-0 vote.**
49. Authorize award and execution of three contracts through the Texas Local Government Purchase Cooperative (BuyBoard) with RUSH TRUCK CENTER, Houston, TX for the purchase of one thermoplastic striping machine in an amount not to exceed \$443,235; INDUSTRIAL DISPOSAL SUPPLY, San Antonio, TX for the purchase of three Cyclone 4500 high-pressure surface cleaners in an amount not to exceed \$294,975; PHILPOTT MOTORS, LTD, Nederland, TX for the purchase of two medium-duty trucks in an amount not to exceed \$87,186.28. Authorize award and execution of a contract with SAN ANTONIO SOUTHWEST TRAILERS, San Antonio, TX for the purchase of two custom-built trailers in an amount not to exceed \$16,682. Funding in the amount of \$842,078.28 is available in the Fiscal Year 2009-2010 Operating Budget of the Public Works 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. Related to Item #42.
- The motion authorizing the award and execution of three contracts through the Texas Local Government Purchase Cooperative (BuyBoard) with Rush Truck Center, Industrial Disposal Supply, Philpott Motors, Ltd and a contract with San Antonio Southwest Trailers was approved on consent on Mayor Pro Tem Martinez' motion, Council Member Morrison's second on a 7-0 vote.**

Item 50 was pulled to be heard after Executive Session.

51. Approve an ordinance amending Section 12-4-64 (D) of the City Code to establish a maximum speed limit of 35 miles per hour on Southpark Meadows Drive from West Slaughter Lane to South 1st Street. Funding in the amount of \$102 is available in the Fiscal Year 2009-2010 Operating Budget of the Transportation Department for installation of necessary signs.

Ordinance No. 20100225-051 was approved on consent on Mayor Pro Tem Martinez' motion, Council Member Morrison's second on a 7-0 vote.

Item 52 was pulled for discussion.

53. Approve an ordinance authorizing the extension of the Letter of Credit and Reimbursement Agreement between the City of Austin and JPMorgan relating to the \$350,000,000 City of Austin, Texas Combined Utility Systems Commercial Paper Notes, Series A program and the approval of all related documents. Of the approximately \$4,225,000 Letter of Credit Fee, half is available in the Fiscal Year 2009-2010 Operating Budget of the Austin Water Utility and Austin Energy, the remaining half will be included in the Fiscal Year 2010-2011 Proposed Operating Budget of those departments.

Ordinance No. 20100225-053 was approved on consent on Mayor Pro Tem Martinez' motion, Council Member Morrison's second on a 7-0 vote.

54. Authorize negotiation and execution of an Interlocal Cooperation Agreement with the Texas Water Development Board (TWDB) for a volumetric survey of Lady Bird Lake, in an amount not to exceed \$4,995.25.

The motion authorizing the negotiation and execution of an interlocal cooperation agreement with the Texas Water Development Board (TWDB) was approved on consent on Mayor Pro Tem Martinez' motion, Council Member Morrison's second on a 7-0 vote.

55. Authorize negotiation and execution of an Interlocal Cooperation Agreement with the Texas Water Development Board (TWDB) for a volumetric survey of Lake Austin, in the total amount of \$5,157.

The motion authorizing the negotiation and execution of an interlocal cooperation agreement with the Texas Water Development Board (TWDB) was approved on consent on Mayor Pro Tem Martinez' motion, Council Member Morrison's second on a 7-0 vote.

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

The following appointments and waivers were approved on consent on Mayor Pro Tem Martinez' motion, Council Member Morrison's second on a 7-0 vote.

Board

Nominated By:

Austin Music Commission

Michael Feferman

Council Member Riley

57. Approve an ordinance granting a waiver of the license agreement application fee under City Code Section 14-11-1 for the temporary installation of art located at the south side of Barton Skyway near the intersection of South Lamar Boulevard in an amount not to exceed \$425.00. (Council Member Laura Morrison Mayor Pro Tem Mike Martinez)

Ordinance No. 20100225-057 was approved on consent on Mayor Pro Tem Martinez' motion, Council Member Morrison's second on a 7-0 vote.

58. Approve a resolution directing the City Manager to work with stakeholders, including but not limited to, the creative, high-tech, and business communities to draft and submit the City of Austin's response to the Google Fiber for Communities Request for Information. (Council Member Laura Morrison Council Member Chris Riley and Council Member Randi Shade)

Resolution No. 20100225-058 was approved on consent on Mayor Pro Tem Martinez' motion, Council Member Morrison's second on a 7-0 vote.

59. Approve a resolution directing the City Manager to evaluate options to bring by-product synergy opportunities to Austin and present recommendations to the City Council not later than May 27, 2010. (Council Member William Spelman Council Member Chris Riley Council Member Sheryl Cole)
Resolution No. 20100225-059 was approved on consent on Mayor Pro Tem Martinez' motion, Council Member Morrison's second on a 7-0 vote.
60. Approve a resolution directing the City Manager to work with the Urban Transportation Commission to collect stakeholder input and make recommendations regarding issues related to taxicab rates. (Council Member William Spelman Mayor Pro Tem Mike Martinez Council Member Chris Riley)
Resolution No. 20100225-060 was approved on consent on Mayor Pro Tem Martinez' motion, Council Member Morrison's second on a 7-0 vote.
61. Approve the waiver of certain fees and requirements under City Code Chapter 14-8 and authorize payment of certain costs for the City co-sponsored 2010 South by Southwest Conferences and Festivals event with SXSW, Inc. to be held March 12-21, 2010. (Mayor Pro Tem Mike Martinez Council Member Sheryl Cole and Mayor Lee Leffingwell)
The motion to approve the waiver of certain fees and requirements and authorize payment of certain costs for the City co-sponsored 2010 South by Southwest Conferences and Festivals event with SXSW, Inc. was approved on consent on Mayor Pro Tem Martinez' motion, Council Member Morrison's second on a 7-0 vote.
62. Approve the reimbursement of certain fees for the 2010 Vietnamese Lunar New Year Celebration sponsored by the Vietnamese American Community of Austin Texas (VACAT) which was held Saturday, February 6, 2010 at Lanier High School. (Mayor Pro Tem Mike Martinez Council Member Sheryl Cole Council Member Randi Shade)
The motion to approve the reimbursement of certain fees for the 2010 Vietnamese Lunar New Year Celebration was approved on consent on Mayor Pro Tem Martinez' motion, Council Member Morrison's second on a 7-0 vote.
63. Set a public hearing to consider an appeal by East Town Lake Citizens Neighborhood Association of Planning Commission's decision to approve a Conditional Use Site Plan for a Hotel/Motel use located at 1609 E. Cesar Chavez (East Side Inn, SPC-2009-0303CS). (Suggested date and time: March 25, 2010, 6:00 p.m. at Austin City Hall, 301 W. Second Street, Austin, TX).
The public hearing was set for March 25, 2010 at 6:00 p.m., City Hall at 301 W. Second Street, Austin, TX on consent on Mayor Pro Tem Martinez' motion, Council Member Morrison's second on a 7-0 vote.
64. Set a public hearing to consider the use of approximately 5.87 acres for an electric substation, electric transmission lines, distribution lines and drainage area through dedicated parkland known as Morris Williams Golf Course, in accordance with Sec. 26.001 et seq. of the Texas Parks and Wildlife Code. All costs associated with construction will be paid by requester. (Suggested date and time: March 25, 2010, 4:00 p.m. at Austin City Hall, 301 W. Second Street, Austin, TX). Recommended by the Electric Utility Commission. To be reviewed by the Parks and Recreation Board on March 2, 2010.
The public hearing was set for March 25, 2010 at 4:00 p.m., City Hall at 301 W. Second Street, Austin, TX on consent on Mayor Pro Tem Martinez' motion, Council Member Morrison's second on a 7-0 vote.
65. Set a public hearing to consider the use of approximately 6,873 square feet permanent wastewater line, approximately 5,150 square feet temporary access and temporary workspace, to construct, use, maintain,

repair, and replace a wastewater line for construction of a portion of the Airport at Chesterfield Wastewater Improvements through dedicated parkland known as Reilly Park, in accordance with Sec. 26.001 et seq. of the Texas Parks and Wildlife Code. All costs associated with construction, as well as any parkland restoration will be paid by requester. (Suggested date and time: March 25, 2010, 4:00 p.m. at Austin City Hall, 301 W. Second Street, Austin, TX). Recommended by Parks and Recreation Board.

The public hearing was set for March 25, 2010 at 4:00 p.m., City Hall at 301 W. Second Street, Austin, TX on consent on Mayor Pro Tem Martinez' motion, Council Member Morrison's second on a 7-0 vote.

66. Set a public hearing to receive citizen input on community needs for the annual Action Plan for Fiscal Year 2010-2011, required by the U.S. Department of Housing and Urban Development; and the Community Development 2010-2011 Program as required by Texas Local Government Code Chapter 373. (Suggested date and time: March 11, 2010, 4:00 p.m., at Austin City Hall, 301 W. Second Street, Austin, TX).

The public hearing was set for March 11, 2010 at 4:00 p.m., City Hall at 301 W. Second Street, Austin, TX on consent on Mayor Pro Tem Martinez' motion, Council Member Morrison's second on a 7-0 vote.

Items 67 and 68 were briefing items set for 10:30 a.m

Item 69 was an Executive Session item.

Items 70 through 75 were zoning items set for 2:00 p.m.

Items 76 through 80 were public hearing items set for 4:00 p.m.

DISCUSSION ITEMS

26. Authorize negotiation and execution of an amendment to the professional services agreement with BLACK & VEATCH CORPORATION, Austin, TX, for engineering services for the design phase of the Jollyville Transmission Main from Water Treatment Plant 4 project, in the amount of \$6,000,000, for a total contract amount not to exceed \$10,500,000. Funding is available Fiscal Year 2009-2010 Capital Budget of the Austin Water Utility. This contract will be awarded in compliance with Chapter 2-9B of the City Code (Minority Owned and Women Owned Business Enterprise Procurement Program) with 16.50% MBE and 14.50% WBE subconsultant 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 Black & Veatch Corporation was approved on Mayor Pro Tem Martinez' motion, Council Member Cole's second on a 4-3 vote. Those voting aye were: Mayor Leffingwell, Mayor Pro Tem Martinez and Council Members Cole and Shade. Those voting nay were: Council Members Morrison, Riley, and Spelman.

29. Approve negotiation and execution of an Interlocal Agreement with TRAVIS COUNTY for child visitation and exchange services for a seven-month term beginning March 1, 2010, in an amount not to exceed \$28,467. Funding is available in the Fiscal Year 2009-2010 Operating Budget of the Health and Human Services Department. The term of the Agreement is March 1, 2010 through September 30, 2010. **The motion authorizing the negotiation and execution of an interlocal agreement with Travis County was approved on Council Member Shade's motion, Mayor Pro Tem Martinez' second on a 7-0 vote**

30. Authorize execution of an Interlocal Agreement with the AUSTIN INDEPENDENT SCHOOL DISTRICT to provide certain health screenings and health education to students at Pearce Middle School

and LBJ High School for a seven-month term beginning March, 1, 2010, with three 12-month renewal options.

The motion authorizing the execution of an interlocal agreement with the Austin Independent School District was approved on Council Member Spelman's motion, Council Member Shade's second on a 7-0 vote.

BRIEFINGS

67. Briefing on Needs for Austin's Homeless and Near-Homeless Population
The presentation was made by David Lurie, Director of Health Department.
68. Transportation System briefing
The presentation was made by Robert Goode, Assistant City Manager, and Rob Spillar, Director of Transportation Department. Direction was given to staff to make as clear as possible to the voters the numbers and the impact of issuing the bonds.

CITIZEN COMMUNICATION: GENERAL

Linda Greene - Fluoride free Austin needs your help

Walter Olenick - Water fluoridation

Valerie Romness - Homelessness

Jake Stewart - Climate protection petition and generation plant endorsement

Colin Clark - Water

Pastor Essie Barnes - False arrest and statute of limitation She was not present when her name was called.

Ronnie Reefersseed - Peace and freedom generally speaking

Paul Robbins - City issues

CarolAnneRose Kennedy - BLACK CHRIST.MASS

Nailah Sankofa - African arts and cultural programming in East Austin

Mayor Leffingwell recessed the Council Meeting to go into Executive Session at 12:42 p.m.

EXECUTIVE SESSION

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

The Mayor announced that Council would discuss item number 50 on the regular agenda during Executive Session.

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

Executive Session ended and Mayor Leffingwell called the Council Meeting back to order at 2:17 p.m.

DISCUSSION ITEMS CONTINUED

32. Approve a settlement related to Cause No. D-1-GN-08-003669, Rodriguez Barr, Inc. d/b/a The Barr Company v. City of Austin, in the 201st Judicial District of Travis County, Texas.

The motion to approve a settlement related to Rodriguez Barr, Inc. doing business as the Barr Company v. City of Austin was approved with the following terms on Mayor Pro Tem Martinez' motion, Council Member Spelman's second on a 7-0 vote.

The terms of the settlement agreement were:

- The provisions were to pay \$290,000 to the Barr Company as follows: \$174,350 from the ADA sidewalk fund and \$115,650 from the City's Liability Reserve fund.
- The City will issue a check jointly to the Barr Company and Central Texas Barricades in the amount of \$19,265.05 which will come from the ADA project funds.
- In exchange of the funds the plaintiff will dismiss the case with prejudice and there will be a mutual release of both parties.

50. Approve the execution of a restated and amended contract with Mid-America Recycling, L.L.C. dba Greenstar for the transport, processing, and sale of commingled recycling material for a 36-month term with estimated revenue of \$7,661,354 and estimated processing and transportation expenditures in an amount not to exceed \$14,782,935 and four (4) 6-month extension options related to the completion of the City's proposed single-stream material recovery facility, with estimated revenue of \$1,322,317 and estimated processing and transportation expenditures in an amount not to exceed \$2,640,319 per extension option, for a total contract not to exceed \$12,393,589. Funding is available in the Fiscal Year 2009 Operating Budget through an end of year accounting accrual and in the Fiscal Year 2010 Operating Budget of the Solid Waste Services Department.

This item was postponed to March 25, 2010 so the Solid Waste Advisory Commission can review the contract on Council Member Shade's motion, Council Member Morrison's second on a 7-0 vote.

52. Approve an ordinance adopting taximeter rates of fare, establishing three zones for basic rates of fare, repealing Ordinance 050210-12, and amending section 13-2-371 of the City Code relating to the taxicab fuel surcharge. Recommended by the Urban Transportation Commission.

There was a motion from Mayor Pro Tem Martinez that was seconded by Council Member Riley to approve the ordinance. Council Member Riley directed staff to make sure the ordinance clearly reflected that buildings on both sides of the boundary streets are subject to the fares.

There was a friendly amendment by Council Member Shade to amend the ordinance by adding one dollar to the maximum rate for each zone shown on page two of six of the ordinance. This was not accepted by the maker of the motion.

There was a substitute motion from Council Member Shade to amend the ordinance by adding one dollar to the maximum rate for each zone shown on page two of six of the ordinance. Council Member Morrison seconded this motion.

Council Member Spelman offered an amendment to delete Part 3 of the ordinance and renumber the remaining sections; however, the City Attorney explained that under Roberts Rules this would be an amendment to the main motion and that Council was required to vote on the substitute motion first.

Council Member Shade changed her substitute motion to amend the ordinance by deleting Parts 3, 4 and 5 of the ordinance. Council Member Morrison seconded this change. This passed on a 6-1 vote with Mayor Pro Tem Martinez voting nay.

ZONING ITEM

70. C14-2008-0123 - Bennett Tract - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by zoning and rezoning property locally known as 7309 South IH 35 Service Road Northbound (South Boggy Creek; Onion Creek Watersheds) from interim-rural residence (I-RR) district zoning and community commercial (GR) district zoning to general commercial services-mixed use-conditional overlay (CS-MU-CO) combining district zoning with conditions. First reading approved on January 28, 2010. Vote: 7-0. South Austin I-35 Associates c/o Bennett Realty Group (Delbert C. Bennett). Big Red Dog Engineering/Consulting (Will Schnier). Wendy Rhoades, 974-7719.
This item was postponed to March 11, 2010 at the staff's request on Council Members Spelman's motion, Council Member Morrison's second on a 7-0 vote.

ZONING CONSENT ITEMS

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

71. C14-72-015(RCA) - 1517 E. Anderson Lane Restrictive Covenant Amendment - Conduct a public hearing to approve a restrictive covenant amendment for the property located at 1517 East Anderson Lane (Buttermilk Creek Watershed). Staff Recommendation: To grant the restrictive covenant amendment. Planning Commission Recommendation: To deny the restrictive covenant amendment. Applicant/Owner: ZIF Holdings, Inc. (Iniyat Fidai). Agent: DCI Permitting and Land Consulting (David Cancialosi). City Staff: Joi Harden, 974-2122
This item was postponed on consent to March 25, 2010 at the staff's request on Council Member Spelman's motion, Council Member Riley's second on a 7-0 vote.
72. C14-2009-0110 - American Adventure - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 13505 North F.M. 620 Road (Lake Creek Watershed) from community commercial-conditional overlay (GR-CO) combining district zoning to community commercial (GR) district zoning. Staff Recommendation: To grant community commercial (GR) district zoning. Zoning and Platting Commission Recommendation: To grant community commercial-conditional overlay (GR-CO) combining district zoning. Applicant: Hamid Zarafshani / American Adventure RV Rentals, LLC. Agent: Shaw Hamilton Consultants (Shaw Hamilton). City Staff: Sherri Sirwaitis, 974-3057.
The public hearing was closed and the first reading of the ordinance for community commercial-conditional overlay (GR-CO) combining district zoning was approved on consent on Council Member Spelman's motion, Council Member Riley's second on a 7-0 vote.
73. C14-2009-0155 - Villa Court - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 3505 Villa Court (West Bouldin Creek Watershed) from family residence (SF-3) district zoning to townhouse and condominium residence-conditional overlay (SF-6-CO) combining district zoning. Staff Recommendation: To grant townhouse and condominium residence-conditional overlay (SF-6-CO) combining district zoning. Planning Commission Recommendation: To grant townhouse and condominium residence-conditional overlay (SF-6-CO) combining district zoning. Applicant: 11 NCREO, LLC (Jadon Newman). Agent: PSW Real Estate (Ryan Diepenbrock). City Staff: Stephen Rye 974-7604.

The public hearing was closed and Ordinance No. 20100225-073 for townhouse and condominium residence-conditional overlay (SF-6-CO) combining district zoning was approved on consent on Council Member Spelman's motion, Council Member Riley's second on a 7-0 vote.

74. C14-2009-0157 - Albert Road - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 7201-7207 Albert Road and 1305-1407 Matthews Lane (South Boggy Creek; Williamson Creek Watersheds) from single family residence large lot-conditional overlay (SF-1-CO) combining district zoning to single family residence standard lot (SF-2) district zoning. Staff Recommendation: To grant single family residence standard lot-conditional overlay (SF-2-CO) combining district zoning. Zoning and Platting Commission Recommendation: To deny single family residence-standard lot (SF-2) district zoning. Owner/Applicant: Stone Properties (Jacqueline P. Stone). Agent: Austin Civil Engineering, Inc. (Brent Hammond). City Staff: Wendy Rhoades, 974-7719.

This item was postponed on consent to April 8, 2010 at the applicant's request on Council Member Spelman's motion, Council Member Riley's second on a 7-0 vote.

75. C14-2009-0158 - 7211 Albert Road - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 7211 Albert Road (South Boggy Creek; Williamson Creek Watersheds) from development reserve (DR) district zoning to single family residence large lot (SF-1) district zoning. Staff Recommendation: To grant single family residence standard lot (SF-2) district zoning. Zoning and Platting Commission Recommendation: To grant single-family residence-large lot (SF-1) district zoning. Owner/Applicant: Chester C. Young. Agent: Damon Young. City Staff: Wendy Rhoades, 974-7719.

The public hearing was closed and Ordinance No. 20100225-075 for single-family residence-large lot (SF-1) district zoning was approved on consent on Council Member Spelman's motion, Council Member Riley's second on a 7-0 vote.

Mayor Leffingwell recessed the Council Meeting at 3:58 p.m.

Mayor Leffingwell called the Council Meeting back to order at 4:04 p.m.

PUBLIC HEARINGS AND POSSIBLE ACTION

77. Conduct a public hearing and consider an appeal by North University Neighborhood Planning Team regarding the decision to approve an Outdoor Music Venue Permit for Little Woodrow's, located at 2610 Guadalupe.

This item was postponed to March 11, 2010 per the staff's request on Council Member Cole's motion, Council Member Morrison's second on a 6-0 vote. Council Member Spelman was off the dais.

76. Conduct a public hearing and consider an appeal by the River Bluff Neighborhood Association of a decision to approve an Outdoor Music Venue permit for Sustainable Waves, located at 4822 E. Cesar Chavez.

The Mayor asked if there was anyone who wanted to raise the issue of standing on this matter. Noting there was no one, he instructed staff to provide background information and proceeded with the public hearing. The public hearing was closed and the appeal was approved on Council Member Shade's motion, Mayor Pro Tem Martinez' second on a 7-0 vote.

Mayor Leffingwell recessed the Council Meeting at 5:30 p.m.

LIVE MUSIC

Tje Austin

PRACLAMATIONS

Distinguished Service Award -- Roger Duncan -- to be presented by Mayor Lee Leffingwell and City Manager Marc Ott and to be accepted by the honoree

Proclamation -- Celebrate Urban Birds Day -- to be presented by Mayor Lee Leffingwell and to be accepted by Valarie Bristol

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

Community Service Awards -- Black History Month Honorees -- to be presented by Council Member Sheryl Cole and to be accepted by Marvin Douglas, Betty Washington and Dr. and Mrs. Audrey Mackey

Mayor Leffingwell called the Council Meeting back to order at 6:28 p.m.

78. Conduct a public hearing and consider an ordinance amending the Austin Tomorrow Comprehensive Plan by adopting the East Riverside Corridor Master Plan. The planning area includes properties within approximately one-quarter to one-half mile on the north and south sides of East Riverside Drive, bounded by Interstate 35 on the west and Highway 71 on the east. Recommended by Planning Commission.
The public hearing was closed and Ordinance No. 20100225-078 was approved with the staff's recommendation on Council Member Cole's motion, Council Member Spelman's second on a 7-0 vote. Additional direction in terms of the compatibility standards was given to staff to analyze the necessary densities needed to achieve transit, including light rail, in conjunction with the economic feasibility study for light rail currently being contemplated along the corridor, and how current compatibility standards might impact this. Should compatibility standards need to be adjusted to achieve such density, work with community stakeholders on amendments to compatibility standards that will continue to provide adequate protection to the single-family neighborhood. Similar to what was done with Transit Oriented Development (TOD), if there are any adjustments to current compatibility standards, they would be considered essentially bonus densities and be done in exchange or in consideration of community benefits. Regarding single-family areas, determine what impact it has on the density and whether or not there is a need to make those urban residential as opposed to neighborhood residential to achieve the numbers and provide Council with this information.
79. Conduct a public hearing and consider an ordinance amending Chapter 25-2, Subchapter E, of the City Code to reclassify East Riverside Drive between Pleasant Valley Road and Highway 71 from an Urban Roadway to a Core Transit Corridor. Recommended by Planning Commission.
The public hearing was closed and Ordinance No. 20100225-079 was approved on Mayor Pro Tem Martinez' motion, Council Member Riley's second on a 7-0 vote.
80. Conduct a public hearing to receive public comment on the City's spending priorities for affordable housing using General Obligation Bonds and federal funds.
The public hearing was closed on Council Member Shade's motion, Mayor Pro Tem Martinez' second on a 7-0 vote.

Mayor Leffingwell called the meeting back to order and adjourned at 10:01 p.m. without objection.

The minutes for the regular meeting of February 25, 2010 were approved on this the 11th day of March 2010 on Mayor Pro Tem Martinez' motion, Council Member Shade's second on a 6-0 vote. Council Member Cole was off the dais.