

**AUSTIN CITY COUNCIL
MINUTES****REGULAR MEETING
THURSDAY AUGUST 19, 2010**

Invocation: Pastor Ed Calahan, Agape Baptist 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, August 19, 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 August 5, 2010.
The minutes from the regular Council meeting of August 5, 2010 were approved on consent on Mayor Pro Tem Martinez' motion, Council Member Spelman's second on a 7-0 vote.
2. Authorize negotiation and execution of an agreement with WINKLEY ENGINEERING, INC., for purchase of the approved construction plans for the South I-35 Water and Wastewater Infrastructure Improvements Program, Segment 10, Bradshaw Road at River Plantation Drive to end of future Pleasant Valley Road, 42-Inch Water Main in amount not to exceed \$325,000. Funding is available in the Fiscal Year 2009-2010 Capital Budget of the Austin Water Utility. This contract will be awarded in compliance with Chapter 2-9B of the City Code (Minority Owned and Women Owner Business Enterprise Procurement Program). Since this contract is for the completion of services provided through a Service Extension Reimbursement Agreement, no subcontracting opportunities were identified. Recommended by the Water and Wastewater Commission.
The motion authorizing the negotiation and execution of an agreement with Winkley Engineering, Inc. was approved on consent on Mayor Pro Tem Martinez' motion, Council Member Spelman's second on a 7-0 vote.

Item 3 was pulled for a roll call vote.

4. Approve an ordinance repealing and replacing Exhibits B and D of Ordinance No. 20100805-005A ordering the November 2, 2010 municipal election, to adopt changes to election day polling locations and early voting polling locations. Funding is contingent upon approval of appropriations for the Fiscal Year 2010-2011.

Ordinance No. 20100819-004 was approved on consent on Mayor Pro Tem Martinez' motion, Council Member Spelman's second on a 7-0 vote.

5. Approve a resolution declaring the City of Austin's official intent to reimburse itself from Contractual Obligations in the amount of \$7,750,000 related to the radio replacement project. \$7,750,000 in Contractual Obligations to be issued in August 2011 or later. Related to Item #26.
Resolution No. 20100819-005 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 G.U.Y. CONSTRUCTION, LLC., Avondale, Arizona, for the Dynamic Message Sign installation citywide in an amount not to exceed \$397,683.25. Funding is available in the Fiscal Year 2009-2010 Capital Budget of the Austin Transportation Department. Lowest bid of 5 bids received. This contract will be awarded in compliance with the requirements of 49 CFR Part 26 (Disadvantaged Business Enterprise Program) and Chapter 2-9A of the City Code (Minority Owned and Women Business Enterprise Procurement Program) by meeting the goal with 17.15% DBE subcontractor participation.
The motion authorizing the execution of a construction contract with G.U.Y. Construction, LLC. 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 SOUTHLAND/SJ LOUIS JOINT VENTURE, Fort Worth, TX for the South IH-35 Water and Wastewater Program, Onion Creek Wastewater Interceptor - Rinard to Slaughter in the amount of \$10,480,000, plus a \$1,048,000 contingency, for a total contract amount not to exceed \$11,528,000. Funding is available in the Fiscal Year 2009-2010 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) by meeting the goals with 7.29% MBE and 3.02% WBE subcontractor participation. Recommended by the Water and Wastewater Commission.
The motion authorizing the execution of a construction contract with Southland/SJ Louis Joint Venture was approved on consent on Mayor Pro Tem Martinez' motion, Council Member Spelman's second on a 7-0 vote.
8. Approve a resolution authorizing the City of Austin's participation in a Central Texas consortium applying for a Regional Sustainability Planning Grant from the U.S. Department of Housing and Urban Development for development of an analytical network of tools and models to be used in planning for a more sustainable region; support the development of regional activity centers; and improve regional collaboration.
Resolution No. 20100819-008 was approved on consent on Mayor Pro Tem Martinez' motion, Council Member Spelman's second on a 7-0 vote.

Items 9 and 10 were pulled for discussion.

11. Approve an ordinance to modify City Code Section 2-1-127 (Community Development Commission) relating to the City Council's responsibility for determining the geographic representation of the Community Development Commission and designating geographic areas and organizations in accordance with Section 2-1-127. Recommended by the Community Development Commission.
Ordinance 20100819-011 was approved on consent on Mayor Pro Tem Martinez' motion, Council Member Spelman's second on a 7-0 vote.

Item 12 was pulled for discussion.

13. Authorize negotiation and execution of a one year Interlocal Agreement with The Lady Bird Johnson Wildflower Center, an organized research unit of the University of Texas at Austin, for the for the development of a citywide Invasive Plant Species Management Plan with one 12-month extension in an amount not to exceed \$100,000. Funding is available in the Fiscal Year 2009-2010 Capital Budget of the Parks and Recreation Department.
The motion authorizing the negotiation and execution of an interlocal agreement with the Lady Bird Johnson Wildflower Center was approved on consent on Mayor Pro Tem Martinez' motion, Council Member Spelman's second on a 4-0 vote. Council Members Morrison, Riley and Spelman recused themselves.
14. Approve an ordinance amending the Fiscal Year 2009-2010 Parks and Recreation Department Capital Budget of Ordinance No. 20090914-003 to appropriate \$100,000 for the Citywide Invasive Species Management Plan. Funding is available from the Fiscal Year 2009-2010 Watershed Protection Department Operating Budget of Ordinance No. 20090914-002.
Ordinance No. 20100819-014 was approved on consent on Mayor Pro Tem Martinez' motion, Council Member Spelman's second on a 7-0 vote.
15. Authorize negotiation and execution of an Interlocal Agreement between the City of Austin and The Texas A&M University System, Texas Transportation Institute (TTI) for the performance of an evaluation as part of the Federal Motor Carrier Safety Administration High Priority Targeting Aggressive Cars and Trucks grant program in an amount not to exceed \$20,000. Funding is available from the 2010 Federal Motor Carrier Safety Administration TACT Education Grant in an amount not to exceed \$20,000.
The motion authorizing the negotiation and execution of an interlocal agreement between the City of Austin and the Texas A&M University System, Texas Transportation Institute (TTI) 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 application for and acceptance of \$105,057 in grant funds from the State of Texas, Governor's Office, Criminal Justice Division to purchase equipment and supplies and to allow forensics employees to work on an overtime basis to reduce casework backlogs. The project is entitled "Austin Police Department Coverdell Project." Funding is available from the State of Texas, Governor's Office, Criminal Justice Division for the grant period October 1, 2010 to June 30, 2011. A match is not required.
Resolution No. 20100819-016 was approved on consent on Mayor Pro Tem Martinez' motion, Council Member Spelman's second on a 7-0 vote.

Item 17 was pulled for discussion.

18. Authorize award and execution of two 24-month requirements service contracts with FURMANITE AMERICA, INC., La Porte, TX, and TEAM INDUSTRIAL SERVICES, INC., Corpus Christi, TX, for valve repair services at Austin Energy power plants in an estimated combined amount not to exceed \$400,000, with two 24-month extension options in an estimated combined amount not to exceed \$400,000 per extension option, for a total estimated combined contract amount not to exceed \$1,200,000. Funding in the amount of \$33,333 is available in the Fiscal Year 2009-2010 Operating Budget of Austin Energy. Funding for the remaining 22 months of the original contract period and extension options is contingent upon available funding in future budgets. Best two evaluated 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 Electric Utility Commission.
The motion authorizing the award and execution of two requirements service contracts with Furmanite America, Inc. and Team Industrial Services, Inc. was approved on consent on Mayor Pro Tem Martinez' motion, Council Member Spelman's second on a 7-0 vote.

19. Authorize award and execution of Amendment No. 2 to a contract with GE PACKAGED POWER INC., Houston, TX, for additional control software and technical services to complete the installation of two LM-6000 combustion turbine generators at Austin Energy's Sand Hill Energy Center in an estimated amount not to exceed \$154,257, for a revised total estimated contract amount not to exceed \$34,744,257. Funding in the amount of \$154,257 is available in the Fiscal Year 2009-2010 Capital Budget of Austin Energy. Contract Amendment. This contract will be awarded in compliance with Chapter 2-9D of the City Code (Minority Owned and Women Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation. Recommended by the Electric Utility Commission
The motion authorizing the award and execution of amendment number two to a contract with GE Packaged Power Inc. was approved on consent on Mayor Pro Tem Martinez' motion, Council Member Spelman's second on a 7-0 vote.
20. Authorize award and execution of a 24-month requirements supply contract with SOLAR WORLD CALIFORNIA, Camarillo, CA for the purchase of building-mounted solar photovoltaic modules in an estimated amount not to exceed \$2,035,065, with one 12-month extension option in an estimated amount not to exceed \$1,665,093, for a total estimated contract amount not to exceed \$3,700,158. Funding in the amount of \$90,000 is available in the Fiscal Year 2009-2010 Capital Budget of Austin Energy. Funding in the amount of \$173,900 is available in the Fiscal Year 2009-2010 Operating Budget Special Revenue fund of Austin Energy through a U.S. Department of Energy Grant. Funding for the remaining 23 months of the original contract period and extension option is contingent upon available funding in future budgets. Lowest bid of six bids received. This contract will be awarded in compliance with Chapter 2-9D of the City Code (Minority Owned and Women Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation. Recommended by the Electric Utility Commission and the Resource Management Commission.
The motion authorizing the award and execution of a requirements supply contract with Solar World California was approved on consent on Mayor Pro Tem Martinez' motion, Council Member Spelman's second on a 7-0 vote.
21. Authorize award and execution of Amendment No. 6 to an Interlocal Agreement with TEXAS ENGINEERING EXPERIMENT STATION, College Station, TX, to increase the contract for energy management services in an estimated amount not to exceed \$600,000, for a revised total estimated contract amount of \$1,800,000. Funding is available in the Fiscal Year 2009-2010 Austin Energy Operating Budget Special Revenue Fund. This Interlocal Agreement 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. Recommended by the Electric Utility Commission and by the Resource Management Commission.
The motion authorizing the award and execution of amendment number six to an interlocal agreement with Texas Engineering Experiment Station was approved on consent on Mayor Pro Tem Martinez' motion, Council Member Spelman's second on a 7-0 vote.
22. Authorize award and execution of a 24-month requirements supply contract with TEXAS ELECTRIC COOPERATIVES, Georgetown, TX, for shunt capacitor banks in an estimated amount not to exceed \$553,045, with three 12-month extension options in an estimated amount not to exceed \$276,523 per extension option, for a total estimated contract amount not to exceed \$1,382,614. Funding in the amount of \$46,087 is available in the Fiscal Year 2009-2010 Operating Budget of Austin Energy. Funding for the remaining 22 months of the original contract period and extension options is contingent upon available funding in future budgets. Lowest bid of five bids received. This contract will be awarded in compliance with Chapter 2-9D of the City Code (Minority Owned and Women Owned Business Enterprise

Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation. Recommended by the Electric Utility Commission.

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

23. Authorize award and execution of a 36-month requirements service contract with TEXAS BIRD SERVICES, DBA POWER PEST ELIMINATION, INC., Arlington, TX to provide migratory and stationary bird control and bird and bat removal services for the Austin Convention Center Department in an estimated amount not to exceed \$180,000, with three 12-month extension options in an estimated amount not to exceed \$60,000 for each extension option, for a total estimated contract amount not to exceed \$360,000. Funding in the amount of \$10,000 is available in the Fiscal Year 2009-2010 Operating Budget of the Austin Convention Center Department. Funding for the remaining 34 months of the original contract period and extension options is contingent upon available funding in future budgets. Best evaluated bid of four 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 Texas Bird Services, doing business as Power Pest Elimination, Inc. was approved on consent on Mayor Pro Tem Martinez' motion, Council Member Spelman's second on a 7-0 vote.**
24. Authorize award, negotiation, and execution of an 18-month requirements service contract with INDUSTRIAL ORGANIZATIONAL SOLUTIONS, INC, Westchester, IL to provide a Firefighter Employment Assessment Process in an estimated amount not to exceed \$117,935, with one 18-month extension option in an estimated amount not to exceed \$117,935, for a total estimated contract amount not to exceed \$235,870. Funding in the amount of \$13,104 is available in the Fiscal Year 2009-2010 Operating Budget of the Austin Fire Department. Funding for the remaining 16 months of the original contract period and extension options is contingent upon available funding in future budgets. Best evaluated proposal of eight 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. **The motion authorizing the award, negotiation and execution of a requirements service contract with Industrial Organizational Solutions, Inc. was approved on consent on Mayor Pro Tem Martinez' motion, Council Member Spelman's second on a 7-0 vote.**
25. Authorize award, negotiation, and execution of Amendment No. 3 to a contract through the State of Texas Department of Information Resources cooperative purchasing program with INTERNATIONAL BUSINESS MACHINES CORPORATION, Armonk, NY, for hardware and related maintenance to accommodate GIS Data for Maximo in an amount not to exceed \$74,717.43, for a revised total contract amount not to exceed \$671,658.19. Funding in the amount of \$74,717.43 is available in the Fiscal Year 2009-2010 Operating Budget of the Financial and Administrative Services Department, Communication and Technology Management. 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, negotiation and execution of amendment number three to a contract through the State of Texas Department of Information Resources cooperative purchasing program with International Business Machines Corporation was approved on consent on Mayor Pro Tem Martinez' motion, Council Member Spelman's second on a 7-0 vote.**
26. Authorize award, negotiation, and execution of a contract and a 60-month lease through the State of Texas Department of Information Resources cooperative purchasing program with MOTOROLA, INC.,

Austin, TX, for replacement radios in an amount not to exceed \$8,135,075.39 to be financed over the five-year period. Funding is contingent upon availability in future budgets. The first lease payment will be due in October 2011. 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). However, Motorola will subcontract with RZ Communications (MBE/MH) (3.13%). Related to Item #5.

The motion authorizing the award, negotiation and execution of a contract and a lease through the State of Texas Department of Information Resources cooperative purchasing program with Motorola, Inc. was approved on consent on Mayor Pro Tem Martinez' motion, Council Member Spelman's second on a 7-0 vote.

27. Authorize award and execution of a 17-month requirements supply contract through the U.S. Communities Government Purchasing Alliance with HERTZ EQUIPMENT RENTAL CORPORATION, Houston, TX, for the rental of heavy-duty, commercial, industrial, and construction equipment and vehicles in an estimated amount not to exceed \$300,000, with one 24-month extension option in an estimated amount not to exceed \$400,000, for a total estimated contract amount not to exceed \$700,000. Funding in the amount of \$35,295 is available in the Fiscal Year 2009-2010 Operating Budget of the Financial and Administrative Services Department, Fleet Services Fund. Funding for the remaining 15 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 supply contract through the U.S. Communities Government Purchasing Alliance with Hertz Equipment Rental Corporation was approved on consent on Mayor Pro Tem Martinez' motion, Council Member Spelman's second on a 7-0 vote.

Item 28 was pulled for discussion.

29. Authorize award, negotiation, and execution of a 24-month requirements service contract with THE HARTFORD LIFE AND ACCIDENT INSURANCE COMPANY, Simsbury, CT, to provide short-term disability and long-term disability insurance coverage in an estimated amount not to exceed \$3,979,000, with three 12-month extension options in estimated amounts not to exceed \$2,141,000 for the first extension option, \$2,310,000 for the second extension option, and \$2,497,000 for the third extension option, for a total estimated contract amount not to exceed \$10,927,000. Funding in the amount of \$1,456,000 is contingent upon the approval of the Fiscal Year 2010-2011 Operating Budget of the Employees Benefit Fund of the Human Resources Department. Funding for the remaining 15 months of the contract period and the extension options are 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. Best evaluated proposal of eight proposals received.

The motion authorizing the award, negotiation and execution of a requirements service contract with The Hartford Life and Accident Insurance Company was approved on consent on Mayor Pro Tem Martinez' motion, Council Member Spelman's second on a 7-0 vote.

30. Authorize award and execution of two 36-month requirements supply contracts for golf course accessories and supplies with GAIL'S FLAGS & GOLF COURSE ACCESSORIES, INC., Haltom City, TX., in an estimated amount not to exceed \$98,721, and JOHN DEERE LANDSCAPES, Cleveland, OH., in an estimated amount not to exceed \$98,817, with three 12-month extension options in an estimated amount not to exceed \$32,907 and \$32,939 respectively per extension option, for a total estimated

combined contract amount not to exceed \$395,076. Funding in the amount of \$10,975 is available in the Fiscal Year 2009-2010 Operating Budget of the Parks and Recreation Department. Funding for the remaining 34 months of the original contract period and extension options is contingent upon available funding in future budgets. Lowest two bids 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 two requirements supply contracts with Gail's Flags & Golf Course Accessories, Inc. and John Deere Landscapes was approved on consent on Mayor Pro Tem Martinez' motion, Council Member Spelman's second on a 7-0 vote.

31. Approve an ordinance amending Section 12-4-64(D) of the City Code to add a portion of William Cannon Drive to the table of speed limits having a maximum speed limit of 25 miles per hour during certain times for students attending Bedicheck Middle School; and provide for emergency passage.
Ordinance No. 20100819-031 was approved on consent on Mayor Pro Tem Martinez' motion, Council Member Spelman's second on a 7-0 vote.
32. 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 Spelman's second on a 7-0 vote.

Board/Nominee

Nominated by

Board of Adjustment

Heidi Goebel

Council Member Spelman

Waivers

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

Item 33 was pulled for discussion.

34. Approve an ordinance amending City Code Chapter 2-2 relating to campaign finance, to implement Ethics Review Commission recommendations regarding Section 2-2-14 (Disclosure of Compliance with Chapter) and Section 2-2-22 (Fundraising and Bundling by Intermediaries). (Mayor Pro Tem Mike Martinez Mayor Lee Leffingwell Council Member Randi Shade)
Ordinance No. 20100819-034 was approved on consent on Mayor Pro Tem Martinez' motion, Council Member Spelman's second on a 7-0 vote.
35. Approve a resolution directing the City Manager to work with the Austin Design Commission on recommendations for design guidelines for infrastructure projects commissioned by the City of Austin, including Austin Energy, the Austin Water Utility, and other city-owned enterprises. (Council Member Laura Morrison Council Member Chris Riley)
Resolution No. 20100819-035 was approved on consent on Mayor Pro Tem Martinez' motion, Council Member Spelman's second on a 7-0 vote.
36. Approve the waiver of certain fees and requirements for the Austin Chapter of the Hispanic Women's Network of Texas event that will be held September 9, 2010 at the Mexican-American Cultural Center (MACC). (Mayor Pro Tem Mike Martinez Council Member Chris Riley Mayor Lee Leffingwell)

The motion to approve the waiver of certain fees and requirements for the Austin Chapter of the Hispanic Women's Network of Texas was approved on consent on Mayor Pro Tem Martinez' motion, Council Member Spelman's second on a 7-0 vote.

37. Approve the reimbursement of certain fees for the Austin Alpha Foundation's Back to School Parade that will be held Sunday, August 22, 2010 beginning at the Delco Center and ending at Bartholomew Park. (Council Member Sheryl Cole Mayor Lee Leffingwell Council Member Randi Shade)
The motion to approve the reimbursement of certain fees for the Austin Alpha Foundation's Back to School Parade was approved on consent on Mayor Pro Tem Martinez' motion, Council Member Spelman's second on a 7-0 vote.

38. Set public hearings for the full purpose annexation of the following annexation areas: (1) Boulder Lane Area (approximately 18 acres in Travis County north of Boulder Lane at the intersection of Boulder Lane and Foundation Road); (2) Kruger Area (approximately 7 acres in Travis County at the northeast corner of the intersection of Dessau Road and Parmer Lane); (3) Oak Valley Road Area (approximately 18 acres in Travis County east of Old Manchaca Road at the intersection of Old Manchaca Road and Oak Valley Road); (4) The Ranch Apartments Area (approximately 10 acres in Williamson County east of Parmer Lane approximately 1,500 feet north of the intersection of State Highway 45 West and Parmer Lane); (5) Springwoods Outparcels Area (approximately 2 acres in Williamson County north of Pond Springs Road at the east of the intersection of Pond Springs Road and Sparkling Creek Drive, and north of the intersection of Pond Springs Road and Cahill Drive); (6) Waterford House Area (approximately 9 acres in Travis County east of IH 35 approximately one quarter mile east of the intersection of IH 35 and Brandt Road); (7) Bridges of Bear Creek Ph. 2 Sec. 2 (approximately 27 acres in Travis County west of the intersection of FM 1626 and Brodie Lane); (8) Pearson Place at Avery Ranch (approximately 195 acres in southern Williamson County south of Avery Ranch Boulevard at the intersection of Avery Ranch Boulevard and Double Eagle Pass); and (9) State Highway 45 at Parmer Lane (approximately 18 acres in Williamson County at the intersection of SH 45 and Parmer Lane). (Suggested dates and times: September 23, 2010, 4:00 p.m., Austin City Hall, 301 W. Second St. Austin, TX; and September 30, 2010, 4:00 p.m., at George Washington Carver Museum and Cultural Center, 1165 Angelina Street, Austin, TX).

The public hearings were set on consent for September 23, 2010 at 4:00 p.m., City Hall at 301 W. Second St, Austin, TX and September 30, 2010 at 4:00 p.m., George Washington Carver Museum and Cultural Center at 1165 Angelina Street, Austin, TX on Mayor Pro Tem Martinez' motion, Council Member Spelman's second on a 7-0 vote.

39. Set a public hearing to consider the Imagine Austin Comprehensive Plan Vision Statement and the inclusion of additional elements to be incorporated into the plan. (Suggested date and time: August 26, 2010, 4:00 p.m., at Austin City Hall, 301 W. Second Street, Austin, TX).
The public hearing was set on consent for August 26, 2010 at 4:00 p.m., City Hall at 301 W. Second St, Austin, TX on Mayor Pro Tem Martinez' motion, Council Member Spelman's second on a 7-0 vote.

Item 40 was pulled for action along with item 3.

41. Set a Public Hearing to receive public comment on the City of Austin Fiscal Year 2010-2011 Proposed Budget. (Suggested date and time: August 26, 2010, 4:00 p.m. at Austin City Hall, 301 W. Second Street, Austin, TX).
The public hearing was set on consent for August 26, 2010 at 4:00 p.m., City Hall at 301 W. Second St, Austin, TX on Mayor Pro Tem Martinez' motion, Council Member Spelman's second on a 7-0 vote.

82. Set a public hearing to consider an ordinance for floodplain variances requested by Mr. Alan Rhames of Axiom Engineers on behalf of the owner, M. Station Housing L.P., to develop a childcare services building and associated parking that encroach on the 25-year and 100-year floodplains of Boggy Creek. The property is located at 2918 East Martin Luther King Junior Boulevard. (Suggested date and time: August 26, 2010, 4:00 p.m. at Austin City Hall, 301 W. Second Street, Austin, TX). There is no unanticipated fiscal impact.

The public hearing was set on consent for August 26, 2010 at 4:00 p.m., City Hall at 301 W. Second St, Austin, TX on Mayor Pro Tem Martinez' motion, Council Member Spelman's second on a 7-0 vote.

Item 42 was a briefing item set for 10:30 a.m.

Items 43 through 47 were Executive Session items.

Items 48 through 61 were zoning items set for 2:00 p.m.

Items 62 through 81 were public hearing items set for 4:00 p.m.

DISCUSSION ITEMS

33. Approve an ordinance renaming the Mexican American Cultural Center the Emma S. Barrientos Mexican American Cultural Center, and waiving City Code Chapter 14. (Mayor Pro Tem Mike Martinez Council Member Sheryl Cole Mayor Lee Leffingwell)

Mayor Leffingwell turned the meeting over to Mayor Pro Tem Martinez.

Ordinance No. 20100819-033 was approved on Mayor Leffingwell's motion, Council Member Cole's second on a 7-0 vote.

Items 10 and 28 were acted on in a combined motion.

10. Approve an ordinance amending the Fiscal Year 2009-2010 Operating Budget General Fund, Budget Stabilization Reserve Fund of Ordinance No. 20090914-002 to increase Budget Stabilization Reserve Fund transfers to the General Fund (One-Time Critical) in the amount of \$330,000 and to increase the General Fund (One-Time Critical) appropriations by the same amount for the purchase of two ambulances. Funding in the amount of \$330,000 is available in the Fiscal Year 2009-2010 Amended Budget Stabilization Reserve Fund. Related to Item #28.

Ordinance 20100819-010 was approved on Council Member Riley's motion, Council Member Spelman's second on a 6-0 vote. Mayor Pro Tem Martinez was off the dais.

28. 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 two ambulances in an amount not to exceed \$330,000. Funding is available in the Fiscal Year 2009-2010 Amended General Fund (One-Time Critical). 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 #10.

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 Council Member Riley's motion, Council Member Spelman's second on a 6-0 vote. Mayor Pro Tem Martinez was off the dais.

3. Approve a resolution adopting a maximum proposed property (ad valorem) tax rate of 46.93 cents per \$100 taxable value that the City Council will consider for Fiscal Year 2010-2011; and setting the date that the Council will adopt the Fiscal Year 2010-2011 property (ad valorem) tax rate (suggested date is Wednesday, September 29, 2010 at 9:30 a.m.).

Resolution No. 20100819-003 adopting a maximum proposed property (ad valorem) tax rate the City Council will consider for Fiscal Year 2010-2011 of 46.93 cents per \$100 taxable value was approved on a roll call vote on Council Member Spelman's motion, Council Member Cole's second on a 6-0 vote. Mayor Pro Tem Martinez was off the dais.

The public hearing was set for Wednesday, September 29, 2010 at 9:30 a.m., City Hall at 301 W. Second St, Austin, TX on Council Member Cole's motion, Council Member Shade's second on a 6-0 vote. Mayor Pro Tem Martinez was off the dais.

40. Set Public Hearings on the proposed property (ad valorem) tax rate for Fiscal Year 2010-2011 (Suggested dates and times: September 13, 2010 at 9:30 a.m. and September 23, 2010 at 4:00 pm at Austin City Hall, 301 W. Second Street, Austin, TX).

The public hearings were set for September 13, 2010 at 9:30 a.m. and September 23, 2010 at 4:00 p.m., City Hall at 301 W. Second St, Austin, TX on Council Member Morrison's motion, Council Member Spelman's second on a 6-0 vote. Mayor Pro Tem Martinez was off the dais.

12. Approve a settlement related to Dan Huebner v. City of Austin, C-1-CV-08-009807, In the County Court of Travis County, Texas, County Court No. 1.

The motion to settle the above referenced lawsuit, by the City paying \$56,500 to Dan Huebner, was approved on Council Member Spelman's motion, Council Member Cole's second on a 6-0 vote. Mayor Pro Tem Martinez was off the dais. In exchange for this payment Mr. Huebner will dismiss his lawsuit against the City with prejudice and release the City from any claims that were or could have been asserted under the lawsuit.

17. Approve a resolution authorizing the execution of Amendment No. 2 to the Advance Funding Agreement between the City of Austin and the Texas Department of Transportation (TXDOT) regarding the Loop 360 Bicycle and Pedestrian Improvements Project to allow the use of American Recovery and Reinvestment Act (ARRA) funds for the Loop 360 Bicycle and Pedestrian Improvements Project.

Resolution No. 20100819-017 was approved on Council Member Riley's motion, Council Member Spelman's second on a 6-0 vote. Mayor Pro Tem Martinez was off the dais

BRIEFING

42. Austin Energy Rate Development Process

The presentation was made by Robert Goode, Interim General Manager for Austin Energy, and Mark Dreyfus, Director of Regulatory and Government Affairs for Austin Energy.

Mayor Leffingwell recessed the Council Meeting at 11:41 a.m.

Mayor Leffingwell called the Council Meeting back to order at 12:02 p.m.

CITIZEN COMMUNICATION: GENERAL

Ann Servin - City issues, educating you

Vicki Couch - City issues. She was not present when her name was called.

Jill Rowe - Jollyville Transmission Main

Joy Rowe - Jollyville Transmission Main and Canyon Vista Middle School

Zoe Rowe - Jollyville Transmission Main

Desmond D'Souza - Jollyville Transmission Mains - An Honest View of Alternatives

Ashley D'Souza - Spicewood Springs Shafts - From a Canyon Vista Middle School Child

Tami Kagy - WTP4 Jollyville Transmission Main and proposed shaft site

Ronnie Reefersed - Peace, freedom and fluoride

John Button - Corruption in the Animal Control Department and the Judicial System

Mayor Leffingwell recessed the Council Meeting to go into Executive Session at 12:32 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.

43. Discuss legal issues related to Emergency Responders for Equality, et al. v. Rhoda Mae Kerr, et al., Cause No. A-09-CA-886-LY, in the United States District Court, Western District of Texas, Austin Division (Private Consultation with Attorney - Section 551.071).
44. Discuss legal issues related to Harold Piatt v. City of Austin, et al, Cause No. A-07-CA-520LY in the United State District Court, Western District, Austin Division. (Private Consultation with Attorney - Section 551.071).
45. Discuss legal issues related to Nathaniel Sanders, Sr., et al. v. Leonardo Quintana and the City of Austin, No. A09-CA-00426 SS, In the United States District Court for the Western District of Texas, Austin Division (Private Consultation with Attorney - Section 551.071).
46. Discuss legal issues related to Save Our Springs Alliance, Inc., et al v. City of Austin, et al, Cause No. A-10-CA-561LY in the United State District Court, Western District, Austin Division (involves Water Treatment Plant #4) (Private Consultation with Attorney - Section 551.071).
47. Discuss legal issues related to Save Our Springs' Notice of Intent to Sue For Violations of the Endangered Species Act (involves Water Treatment Plant #4)(Private Consultation with Attorney - Section 551.071).

Executive Session ended and Mayor Leffingwell called the Council Meeting back to order at 2:54 p.m.

DISCUSSION ITEMS CONTINUED

9. Authorize negotiation and execution of a design agreement with Jim Isermann, of Palm Springs, CA, for the design of the Seaholm Substation Wall, Art in Public Places project, in an amount not to exceed \$144,000. Funding is available in the Fiscal Year 2009-2010 Capital Budget of Austin Energy. This contract will be awarded in compliance with Chapter 2-9B of the City Code (Minority Owned and Women Owned Business Enterprise Procurement Program for Professional Services) by meeting the

goals of: 7.45% MBE and 3.26% WBE subconsultant participation. Recommended by the Art in Public Places Panel and the Austin Arts Commission. To be reviewed by the Downtown Commission on August 18, 2010.

There was a motion made by Council Member Riley and seconded by Council Member Shade to authorize negotiation and execution of a design agreement with Nader Tehrani under the following terms:

- the design agreement should require that the design team consider including, to the extent possible, green elements both from a vegetative and environmentally conscious perspective as well as adherence to the urban guidelines for Austin.
- the design agreement should include a process for gathering input from stakeholders and review of the project by relevant boards and commissions.

Council Member Riley later withdrew his motion.

There was a substitute motion to authorize the negotiation and execution of a design agreement with Jim Isermann with the same amendments as shown above that was made by Council Member Morrison and seconded by Council Member Spelman. This motion failed on a vote of 1-6. Council Member Morrison voted aye.

This item was withdrawn on staff's recommendation on Council Member Riley's motion, Council Member Shade's second on a 7-0 vote. Staff was directed to post the item for the next agenda to allow Council flexibility in selecting the artist.

ZONING CONSENT ITEMS (HEARINGS CLOSED)

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

48. NP-2010-0026.01 - North Lamar Combined Neighborhood Plan - Tract 32 - Approve second reading of an ordinance amending the Austin Tomorrow Comprehensive Plan land use recommendations as they apply to the text and future land use map for the North Lamar Combined Neighborhood Plan for property known as 320 East Rundberg Lane. On July 29, 2010, City Council approved first reading of high-density single-family. Vote: 7-0. Applicant and Agent: City of Austin, Planning and Development Review Department. City Staff: Mark Walters, 974-7695, Jacob Browning, 974-7657, Greg Dutton, 974-3509. The second reading of the ordinance to change the designation on the future land use map (FLUM) to Mixed Use Commercial and Recreation and Open Space Use was approved on consent on Council Member Morrison's motion, Council Member Cole's second on a 7-0.
49. C14-2010-0048.01 - North Lamar Neighborhood Plan Combining District - Tract 32 - Approve second reading of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 320 E. Rundberg Lane from family residence (SF-3) district zoning, multi-family residence-low density (MF-2) district zoning, multi-family residence-medium density (MF-3) district zoning, limited office (LO) district zoning, community commercial (GR) district zoning, and community commercial-mixed use-conditional overlay (GR-MU-CO) combining district zoning to public-neighborhood plan (P-NP) combining district zoning, community commercial-mixed use-vertical mixed use-conditional overlay-neighborhood plan (GR-MU-V-CO-NP) combining district zoning, warehouse/limited office-conditional overlay-neighborhood plan (W/LO-CO-NP) combining district zoning, commercial services-vertical mixed use-conditional overlay-neighborhood plan (CS-V-CO-NP) combining district zoning. First reading approved on July 29, 2010. Vote: 7-0. Applicant and Agent: City of Austin, Planning and Development Review Department. City Staff: Mark Walters, 974-7695, Jacob Browning, 974-7657, Greg Dutton, 974-3509. The second reading of the ordinance for public-neighborhood plan (P-NP) combining district zoning, community commercial-mixed use-vertical mixed use-conditional overlay-neighborhood plan (GR-MU-V-CO-NP) combining district zoning, warehouse/limited office-conditional overlay-

neighborhood plan (W/LO-CO-NP) combining district zoning, and commercial services-vertical mixed use-conditional overlay-neighborhood plan (CS-V-CO-NP) combining district zoning was approved on consent on Council Member Morrison's motion, Council Member Cole's second on a 7-0.

ZONING CONSENT ITEMS (PUBLIC HEARINGS)

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

57. C14-2010-0019 - Walsh Tarlton and Loop 360 Project - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 2614 Walsh Tarlton Lane (Barton Creek Watershed - Barton Springs Zone) from community commercial (GR) district zoning and limited office (LO) district zoning to community commercial-mixed use (GR-MU) combining district zoning. Staff recommendation: To grant community commercial-mixed use (GR-MU) combining district zoning. Planning Commission Recommendation: To grant community commercial-mixed use (GR-MU) combining district zoning. Applicant: CRVI Loop 360, LP (Timothy Clark). Agent: Armbrust & Brown, L.L.P. (David Armbrust). City Staff: Stephen Rye 974-7604.
This item was postponed on consent to August 26, 2010 at the applicant's request on Council Member Spelman's motion, Council Member Cole's second on a 7-0 vote.
58. C14-2010-0069 - 904 San Antonio Street Rezone - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 904 San Antonio Street (Shoal Creek Watershed) from multi-family residence moderate-high density (MF-4) district zoning to downtown mixed use (DMU) district zoning. Staff Recommendation: To grant downtown mixed use-conditional overlay (DMU-CO) combining district zoning. Planning Commission Recommendation: To grant downtown mixed use-conditional overlay (DMU-CO) combining district zoning. Applicant: John C. Horton, III. Agent: Thrower Design (Ron Thrower). City Staff: Clark Patterson, 974-7691
The public hearing was closed and Ordinance No. 20100819-058 for downtown mixed use-conditional overlay (DMU-CO) combining district zoning was approved on consent on Council Member Spelman's motion, Council Member Cole's second on a 7-0 vote.
59. C14-2010-0079 - 3500 Speedway - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 3500 Speedway (Waller Creek Watershed) from multi-family residence limited density, historic, neighborhood conservation combining district, neighborhood plan (MF-1-H-NCCD-NP) combining district zoning to multi-family residence limited density-historic-neighborhood conservation combining district-neighborhood plan (MF-1-H-NCCD-NP) combining district zoning to change a condition of zoning. Staff Recommendation: To grant multi-family residence limited density-historic-neighborhood conservation combining district-neighborhood plan (MF-1-H-NCCD-NP) combining district zoning to change a condition of zoning. Planning Commission Recommendation: To grant multi-family residence limited density-historic-neighborhood conservation combining district-neighborhood plan (MF-1-H-NCCD-NP) combining district zoning to change a condition of zoning. Applicant: Pamela Morris. Agent: Karen McGraw Architect (Karen McGraw). City Staff: Clark Patterson, 974-7691
The public hearing was closed and Ordinance No. 20100819-059 for multi-family residence limited density-historic-neighborhood conservation combining district-neighborhood plan (MF-1-H-NCCD-NP) combining district zoning to change a condition of zoning was approved on consent on Council Member Spelman's motion, Council Member Cole's second on a 7-0 vote.

DISCUSSION ZONING ITEMS

61. C14H-2010-0016 - Callan-Boswell House - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 408 E. 33rd Street (Waller Creek Watershed) from family residence-neighborhood conservation combining district-neighborhood plan (SF-3-NCCD-NP) combining district zoning to family residence-historic landmark-neighborhood conservation combining district-neighborhood plan (SF-3-H-NCCD-NP) combining district zoning. Staff Recommendation: To deny family residence-historic landmark-neighborhood conservation combining district-neighborhood plan (SF-3-H-NCCD-NP) combining district zoning. Historic Landmark Commission Recommendation: To grant family residence-historic landmark-neighborhood conservation combining district-neighborhood plan (SF-3-H-NCCD-NP) combining district zoning. Planning Commission Recommendation: To deny family residence-historic landmark-neighborhood conservation combining district-neighborhood plan (SF-3-H-NCCD-NP) combining district zoning. Applicant: Historic Landmark Commission. Owners: Charles and Christine Boes. City Staff: Steve Sadowsky, 974-6454.
This item was postponed to August 26, 2010 on Council Member Cole's motion, Council Member Spelman's second on a 7-0 vote.
50. C14H-2010-0004 - Wupperman House - Approve third reading of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 506 Texas Avenue (Waller Creek Watershed) from family residence-conditional overlay-neighborhood plan (SF-3-CO-NP) combining district zoning to family residence-historic landmark-conditional overlay-neighborhood plan (SF-3-H-CO-NP) combining district zoning. Staff Recommendation: To grant family residence-historic landmark-conditional overlay-neighborhood plan (SF-3-H-CO-NP) combining district zoning. Historic Landmark Commission Recommendation: To grant family residence-historic landmark-conditional overlay-neighborhood plan (SF-3-H-CO-NP) combining district zoning. Planning Commission Recommendation: To grant family residence-historic landmark-conditional overlay-neighborhood plan (SF-3-H-CO-NP) combining district zoning. First and second readings approved June 24, 2010. Vote: 5-2 (Cole and Spelman off-dais). Applicants: Steven Dietz and Allison Gregory, owners. City Staff: Steve Sadowsky, Historic Preservation Office, Planning and Development Review Department, 974-6454.
Ordinance No. 20100819-050 for family residence-historic landmark-conditional overlay-neighborhood plan (SF-3-H-CO-NP) combining district zoning was approved on Council Member Morrison's motion, Council Member Spelman's second on a 6-1 vote. Council Member Shade voted nay.
51. C14H-2010-0005 - Jacob and Bertha Schmidt House - Approve third reading of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 712 Sparks Avenue (Waller Creek Watershed) from family residence-conditional overlay-neighborhood plan (SF-3-CO-NP) combining district zoning to family residence-historic landmark-conditional overlay-neighborhood plan (SF-3-H-CO-NP) combining district zoning. Staff Recommendation: To grant family residence-historic landmark-conditional overlay-neighborhood plan (SF-3-H-CO-NP) combining district zoning. Historic Landmark Commission Recommendation: To grant family residence-historic landmark-conditional overlay-neighborhood plan (SF-3-H-CO-NP) combining district zoning. Planning Commission Recommendation: To grant family residence-historic landmark-conditional overlay-neighborhood plan (SF-3-H-CO-NP) combining district zoning. First and second readings approved June 24, 2010. Vote: 5-2 (Cole and Spelman off-dais). Applicants: Robert P. and Edythe Schmidt Michel, owners. City Staff: Steve Sadowsky, Historic Preservation Office, Planning and Development Review Department, 974-6454
Ordinance No. 20100819-051 for family residence-historic landmark-conditional overlay-neighborhood plan (SF-3-H-CO-NP) combining district zoning was approved on Council Member Spelman's motion, Council Member Morrison's second on a 7-0 vote.
52. C14H-2010-0002 - Culberson House - Approve third reading of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 2504 Bridle Path (Johnson 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. First and second readings approved June 24, 2010. Vote: 5-2 (Cole and Spelman off-dais). Applicants: Gerald Torres and Frances Nash, owners. City Staff: Steve Sadowsky, Historic Preservation Office, Planning and Development Review Department, 974-6454.

Ordinance No. 20100819-052 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.

Mayor Leffingwell recessed the Council Meeting at 5:31 p.m.

LIVE MUSIC

Bruce James

PROCLAMATIONS

Proclamation -- Breastfeeding Awareness Month -- to be presented by Council Member Laura Morrison and to be accepted by Donna Sundstrom

Distinguished Service Award -- Eleanor McKinney -- to be presented by Mayor Lee Leffingwell and to be accepted by the honoree

Mayor Leffingwell called the Council Meeting back to order at 6:20 p.m.

Items 53-55 were acted on in a combined motion.

53. NP-2010-0027 - Central West Austin Combined Neighborhood Plan - Conduct a public hearing and consider an ordinance amending the Austin Tomorrow Comprehensive Plan by adopting the Central West Austin Combined Neighborhood Plan. The combined planning area is bounded to the north by 35th Street and 38th Street, to the south by Lady Bird Lake (west of MoPac) and 24th Street (east of Mopac), to the east by Lamar Boulevard, and to the west by Lady Bird Lake. Planning Commission Recommendation: To approve the land use recommendations in the Central West Austin Combined Neighborhood Plan. City Staff: Paul DiGiuseppe, 974-2865.

The motion to approve an amendment to the Central West Austin Combined Neighborhood Plan to approve the staff recommendation of more general language focusing on working cooperatively with all stakeholders and to remove the Brackenridge Tract from the future land use map (FLUM) and was approved on Council Member Cole's motion, Mayor Pro Tem Martinez' second on a 4-0 vote. Council Members Morrison, Riley and Spelman recused themselves. Mayor Leffingwell committed to continue to work with the stakeholders and the property owners on this tract with goal of preserving the historic and residential character of the neighborhood consistent with surrounding development, requiring buffering for diverse uses, and emphasizing environmental protection and sustainability standards

The public hearing was closed and the first reading of the ordinance adopting the Central West Austin Combined Neighborhood Plan, as recommended by the Planning Commission, with the following amendments, was approved on Council Member Morrison's motion, Council Member Shade's second on a 7-0 vote.

The motion to approve the wording in the plan for the Austin State School to read as follows was approved on Council Member Cole's motion, Council Member Spelman's second on a 7-0 vote. The wording should read, "The design of any redevelopment should be compact, mixed use, and walkable so that automobile trips are minimized. Redevelopment should result in harmonious residential development near the existing residential areas and concentrate the more intensive mixed use development toward the northeast corner of the tract at MoPac and 35th Street. Preserving significant amounts of public and private open space is encouraged."

The motion to approve the map and table for bicycle lanes in the Windsor Road Planning Area as proposed in the draft plan was approved on Council Member Riley's motion, Council Member Spelman's second on a 7-0 vote.

The motion to change the designation on the future land use map (FLUM) for 1014 W. 31st Street to Single-Family Use was approved on Council Member Morrison's motion, Mayor Pro Tem Martinez' second on a 7-0 vote.

The motion to change the designation on the future land use map (FLUM) for 2727 Exposition Boulevard to Neighborhood Commercial Use was approved on Council Member Spelman's motion Council Member Cole's second on a 7-0 vote.

The motion to change the designation on the future land use map (FLUM) for 2527, 2531, 2600 and 2601 Exposition Boulevard to Single-Family Use was approved on Council Member Morrison's motion, Council Member Spelman's second on a 7-0 vote.

The motion to change the designation on the future land use map (FLUM) for 2414 and 2417 Exposition Boulevard to Neighborhood Mixed Use was approved on Council Member Riley's motion, Council Member Spelman's second on a 7-0 vote.

The motion to change the designation on the future land use map (FLUM) for 1505 Forest Trail to Single-Family Use was approved on Council Member Spelman's motion, Council Member Cole's second on a 7-0 vote.

The motion to change the designation on the future land use map (FLUM) for 2506, 2508, and 2510 Quarry Road to Multi-Family Use was approved on Council Member Spelman's motion, Council Member Cole's second on a 5-2 vote. Those voting aye were: Mayor Pro Tem Martinez and Council Members Cole, Riley, Shade and Spelman. Those voting nay were: Mayor Leffingwell and Council Member Morrison.

The motion to change the designation on the future land use map (FLUM) for 1206 Norwalk Lane; 2508 and 2514 W. 12th Street; and 2507, 2509, and 2511 Quarry Road to Multi-Family Use was approved on Council Member Spelman's motion, Council Member Cole's second on a 5-2 vote. Those voting aye were: Mayor Pro Tem Martinez and Council Members Cole, Riley, Shade and Spelman. Those voting nay were: Mayor Leffingwell and Council Member Morrison.

The motion to change the designation on the future land use map (FLUM) for 1717, 1721, 1801, 1803, and 1805 W. 35th Street to Neighborhood Commercial Use was approved on Council Member Morrison's motion, Council Member Cole's second on a 7-0 vote.

The motion was made by Council Member Spelman and seconded by Council Member Riley to change the designation on the future land use map (FLUM) for 3215 Exposition Boulevard to Higher Density Single Family Use. This was later withdrawn by the maker of the motion.

A friendly amendment to the above motion was made by Council Member Morrison to limit the number of units to a maximum of 20 and add the following conditions: height limitation of 32 feet, setback of 75 feet from the property line along Exposition Boulevard; two stories and 32 feet; side wall articulation along the western face; no fence along exposition; and a 25 foot vegetative buffer from the sidewalk. The amendment was not accepted by the maker of the motion.

A substitute motion was made by Council Member Morrison and seconded by Council Member Shade to change the designation on the future land use map (FLUM) for 3215 Exposition Boulevard to Higher Density Single Family Use and to limit the maximum number of units to 20. However, Council Member Spelman withdrew his original motion, making this motion the main motion instead of a substitute motion.

A substitute motion to leave 3215 Exposition Boulevard out of the future land use map (FLUM) was approved on Mayor Pro Tem Martinez' motion, Council Member Spelman's second on a 5-2 vote. Those voting aye were: Mayor Leffingwell, Mayor Pro Tem Martinez and Council Members Cole, Riley and Spelman. Those voting nay were: Council Members Morrison and Shade.

54. C14-2010-0051 - Windsor Road Neighborhood Planning Area Rezoning - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as the Windsor Road Neighborhood Planning Area, generally bounded by West 35th Street and West 38th Street to the north, North Lamar Boulevard to the east, Windsor Road to the south and MoPac Expressway to the west (Johnson Creek, Shoal Creek Watersheds). The proposed zoning changes will create a Neighborhood Plan Combining District (NPCD) covering the entire area. The proposed zoning changes also implement the land use recommendations of the Central West Austin Combined Neighborhood Plan, NP-2010-0027, on 2 tracts of land (1.775 acres). Under the proposed Windsor Road NPCD, the following design tools are proposed to be applied area-wide: "parking placement and impervious cover restrictions" and "garage placement". Another design tool that could be approved by City Council is the "front porch setback" design tool. The following special use option is proposed to be applied area-wide: "small-lot amnesty". Other special use options that could be approved by City Council on a neighborhood-wide basis include: "cottage", urban home", "secondary apartment", and "corner store". Other special use options that could be approved by City Council on a parcel-specific basis include "residential infill", "neighborhood urban center", and "neighborhood mixed-use building". There is also a proposal to create more restrictions on front and side yard parking, and mobile food vending. The City Council may approve a zoning change to any of the following: rural residence (RR) district zoning; single family residence large lot (SF-1) district zoning; single family residence standard lot (SF-2) district zoning; family residence (SF-3) district zoning; single family residence small lot (SF-4A) district zoning; single family residence condominium site (SF-4B) district zoning; urban family residence (SF-5) district zoning; townhouse & condominium residence (SF-6) district zoning; multifamily residence limited density (MF-1) district zoning; multifamily residence low density (MF-2) district zoning; multifamily residence medium density (MF-3) district zoning; multifamily residence moderate-high density (MF-4) district zoning; multifamily residence high density (MF-5) district zoning; multifamily residence highest density (MF-6) district zoning; neighborhood office (NO) district zoning; limited office (LO) district zoning; general office (GO) district zoning; community recreation (CR) district zoning; neighborhood commercial (LR) district zoning; community commercial (GR) district zoning; warehouse/limited office (W/LO) district zoning; general commercial services (CS) district zoning; commercial-liquor sales (CS-1) district zoning; and public (P) district zoning. A conditional overlay (CO), historic landmark combining district (H), historic area combining district (HD), mixed use combining district overlay (MU), vertical mixed use building (V), or neighborhood plan combining district (NP) may also be added to these zoning base districts. Staff Recommendation: To approve rezonings that implement the land use recommendations of the Windsor Road Neighborhood Plan. Planning Commission Recommendation: To approve rezonings that implement the land use recommendations of the Windsor Road Neighborhood

Plan. Applicant: City of Austin. Agent: Planning and Development Review Department. City Staff: Paul DiGiuseppe, 974-2865. A valid petition has been filed on Tract1 in opposition to the request.

The public hearing was closed and the first reading of the ordinance rezoning property locally known as the Windsor Road Neighborhood Planning Area and implementing the land use recommendations of the Central West Austin Combined Neighborhood Plan, per the Planning Commission's recommendations, with the following amendments, was approved on Council Member Spelman's motion, Council Member Cole's second on a 5-0 vote. Mayor Pro Tem Martinez and Council Member Shade were off the dais.

The motion to rezone 1717, 1721, 1801, 1803, and 1805 W. 35th Street (Tract 1) to Limited Office – Neighborhood Plan (LO-NP) district zoning was approved on Council Member Morrison's motion, Council Member Cole's second on a 7-0 vote.

The motion to approve the small lot amnesty infill option for the Windsor Road Neighborhood Planning area was approved on Council Member Morrison's motion, Council Member Spelman's second on a 5-0 vote. Mayor Pro Tem Martinez' and Council Member Shade were off the dais.

The motion to include the following design tools for the Windsor Road Neighborhood Planning area – garage placement, impervious cover and parking placement restrictions -- was approved on Council Member Morrison's motion, Council Member Spelman's second on a 5-0 vote. Mayor Pro Tem Martinez and Council Member Shade were off the dais.

The motion to rezone 3402 Kerbey Lane (Tract 2) district zoning to Neighborhood Office – Neighborhood Plan (NO-NP) was approved on Council Member Spelman's motion, Council Member Cole's second on a 5-0 vote. Mayor Pro Tem Martinez and Council Member Shade were off the dais.

55. C14-2010-0052 - West Austin Neighborhood Group Planning Area Rezoning - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by zoning and rezoning property locally known as the West Austin Neighborhood Group Neighborhood Planning Area, generally bounded by West 35th Street to the north, MoPac Expressway to the east, Lady Bird Lake to the south and Lake Austin to the west (Johnson Creek, Lake Austin, Lady Bird Lake, Taylor Slough South, Taylor Slough North Watersheds). The proposed zoning changes will create a Neighborhood Plan Combining District (NPCD) covering the entire area. The proposed zoning changes also implement the land use recommendations of the Central West Austin Combined Neighborhood Plan, NP-2010-0027, on 14 tracts of land (18.37 acres). Under the proposed West Austin Neighborhood Group NPCD, the following design tools are proposed to be applied area-wide: "parking placement and impervious cover restrictions" and "garage placement". Another option that could be approved by City Council is the "front porch setback" design tool. The following special use option is proposed to be applied area-wide: "small-lot amnesty". Other special use options that could be approved by City Council on a neighborhood-wide basis include: "cottage", "urban home", "secondary apartment", and "corner store". Other special use options that could be approved by City Council on a parcel-specific basis include "residential infill", "neighborhood urban center", and "neighborhood mixed-use building". There is also a proposal to create more restrictions on front and side yard parking, and mobile food vending. The City Council may approve a zoning change to any of the following: rural residence (RR) district zoning; single family residence large lot (SF-1) district zoning; single family residence standard lot (SF-2) district zoning; family residence (SF-3) district zoning; single family residence small lot (SF-4A) district zoning; single family residence condominium site (SF-4B) district zoning; urban family residence (SF-5) district zoning; townhouse & condominium residence (SF-6) district zoning; multifamily residence limited density (MF-1) district zoning; multifamily residence low density (MF-2) district zoning; multifamily residence medium density (MF-3) district zoning; multifamily residence moderate-high density (MF-4) district zoning; multifamily residence high density (MF-5) district zoning; multifamily residence highest density (MF-6) district

zoning; neighborhood office (NO) district zoning; limited office (LO) district zoning; general office (GO) district zoning; community recreation (CR) district zoning, neighborhood commercial (LR) district zoning; community commercial (GR) district zoning; warehouse/limited office (W/LO) district zoning; general commercial services (CS) district zoning; commercial-liquor sales (CS-1) district zoning; and public (P) district zoning. A conditional overlay (CO), historic landmark combining district (H), historic area combining district (HD), mixed use combining district overlay (MU), vertical mixed use building (V), or neighborhood plan combining district (NP) may also be added to these zoning base districts. Staff Recommendation: To approve rezonings that implement the land use recommendations of the West Austin Neighborhood Group Neighborhood Plan. Planning Commission Recommendation: To approve rezonings that implement the land use recommendations of the West Austin Neighborhood Group Neighborhood Plan. Applicant: City of Austin. Agent: Planning and Development Review Department. City Staff: Paul DiGiuseppe, 974-2865.

The motion to close the public hearing and approve the first reading of the ordinance zoning and rezoning property in the West Austin Neighborhood Group Planning area, as recommended by the Planning Commission, with the following amendments, was approved on Council Member Cole's motion, Council Member Riley's second on a 5-0 vote. Mayor Pro Tem Martinez and Council Member Shade were off the dais.

There was a motion made by Council Member Spelman and seconded by Council Member Riley to zone and rezone 3215 Exposition Boulevard (Tract 101) to SF-6-NP. This was later withdrawn by the maker of the motion.

A friendly amendment to the above motion was made by Council Member Morrison to limit the number of units to a maximum of 20 and add the following conditions: height limitation of 32 feet, setback of 75 feet from the property line along Exposition Boulevard; two stories and 32 feet; side wall articulation along the western face; no fence along Exposition Boulevard; and a 25 foot vegetative buffer from the sidewalk. The amendment was not accepted by the maker of the motion.

A substitute motion was made by Council Member Morrison and seconded by Council Member Shade to zone and rezone 3215 Exposition Boulevard (Tract 101) to SF-6-NP and to limit the number of units to a maximum of 20. However, Council Member Spelman withdrew his original motion, making this motion the main motion instead of a substitute motion.

A substitute motion to leave the current zoning for 3215 Exposition Boulevard was approved on Mayor Pro Tem Martinez' motion, Council Member Spelman's second on a 5-2 vote. Those voting aye were: Mayor Leffingwell, Mayor Pro Tem Martinez and Council Members Cole, Riley and Spelman. Those voting nay were: Council Members Morrison and Shade.

The motion to approve the small lot amnesty infill option for the West Austin Neighborhood Group Planning area was approved on Council Member Riley's motion, Council Member Spelman's second on a 5-0 vote. Mayor Pro Tem Martinez and Council Member Shade were off the dais.

The motion to include the following design tools for the West Austin Neighborhood Planning area – garage placement, impervious cover and parking placement restrictions – was approved on Council Member Riley's motion, Council Member Spelman's second on a 5-0 vote. Council Members Shade and Cole were off the dais.

The motion to rezone 700 Hearn Street (Tract 104) to MF-3-CO-NP with a 35 feet height limit was approved on Council Member Morrison's motion, Council Member Spelman's second on a 5-0 vote. Council Members Cole and Shade were off the dais.

The motion to rezone 2309 Pruett Street (Tract 105) to SF-6-NP was approved on Council Member Morrison's motion, Mayor Pro Tem Martinez' second on a 5-0 vote. Council Members Cole and Shade were off the dais.

The motion to rezone 2310 W. 7th (Tract 106) to SF-3-NP was approved on Council Member Spelman's motion, Council Member Riley's second on a 5-0 vote. Council Members Cole and Shade were off the dais.

The motion to rezone 1504 Robinhood Trail (Tract 111) to NO-MU-NP was approved on Council Member Spelman's motion, Council Member Morrison's second on a 5-0 vote. Council Members Cole and Shade were off the dais.

56. C14-2010-0017 - Great Hills Country Club - Conduct a public hearing and approve second/third readings of an ordinance amending 25-2 of the Austin City Code by zoning and rezoning property locally known as 5914 Lost Horizon Drive (Bull Creek Watershed) from community commercial-conditional overlay (GR-CO) combining district zoning to community commercial-conditional overlay (GR-CO) combining district zoning to change a condition of zoning. First Reading approved on June 24, 2010. Vote: 5-2 (Riley and Morrison voted Nay). Applicant: Great Hills Golf Club of Austin, Inc. (Larry Harper). Agent: Randall Jones & Associates Engineering, Inc. (R. Brent Jones). City Staff: Sherri Sirwaitis, 974-3057.
The public hearing was closed and Ordinance No. 20100819-056 for community commercial-conditional overlay (GR-CO) combining district zoning to change a condition of zoning and including the following amendments was approved on Council Member Shade's motion, Mayor Pro Tem Martinez' second on a 6-1 vote. Council Member Morrison voted nay. The amendments were: provide a 22 foot setback unless the electrical manhole required reducing the size to twenty feet; allow for a 10:00 p.m. closing time; require a landscaped buffer on the west side and adjacent to the proposed new courts that was consistent with the City's GroGreen regulations..
60. C14H-2010-0006 - Castle Hill Local Historic District - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as approximately 39 acres developed with individual lots generally along Blanco and Baylor Streets and between 6th Street and 12th Streets (Please refer to the location map for more specific boundaries) from SF-3-NP, SF-3-H-NP, SF-4A-NP, SF-5-NP, P-H-NP, MF-3-NP, MF-4-NP, MF-4-H-NP, GO-NP, LO-NP, LO-MU-H-CO-NP, MF-5-CO-NP, CS-MU-CO-NP, CS-1-MU-CO-NP and CS-MU-V-CO-NP to SF-3-HD-NP, SF-3-H-HD-NP, SF-4A-HD-NP, SF-5-HD-NP, P-H-HD-NP, MF-3-HD-NP, MF-4-HD-NP, MF-4-H-HD-NP, GO-HD-NP, LO-HD-NP, LO-MU-H-HD-CO-NP, MF-5-CO-HD-NP, CS-MU-CO-HD-NP, CS-1-MU-CO-HD-NP, and CS-MU-V-CO-HD-NP. Staff Recommendation: To approve the Historic District overlay zoning with the exception of the eight tracts along the west side of Baylor Street from the beginning of Baylor Street north of the alley below West 10th Street proceeding north to West 12th Street along the northeast boundary of the proposed district. Historic Landmark Commission Recommendation: To approve the Historic District overlay zoning with the exception of the eight tracts along the west side of Baylor Street from the beginning of Baylor Street north of the alley below West 10th Street proceeding north to West 12th Street along the northeast boundary of the proposed district. To approve the Historic District zoning except for the nine structures on the northeast boundary of the proposed district. Planning Commission Recommendation: To approve the Historic District overlay zoning with the exception of the eight tracts along the west side of Baylor Street from the beginning of Baylor Street north of the alley below West 10th Street proceeding north to West 12th Street along the northeast boundary of the proposed district. Applicant: Castle Hill Local Historic District Nomination Team. City Staff: Susan Kirby, 974-3524.
The public hearing was closed and the first reading of the ordinance for Historic District overlay zoning with the exception of the eight tracts along the west side of Baylor Street from the beginning of Baylor Street north of the alley below West 10th Street proceeding north to West 12th Street along the northeast boundary of the proposed district was approved on Council Member Riley's

motion, Mayor Pro Tem Martinez' second on a 6-0 vote. Council Member Morrison recused herself.

The motion to waive the rules and allow Council to meet after 10 p.m. was approved on Council Member Cole's motion, Council Member Riley's second on a 6-0 vote. Council Member Morrison was off the dais.

PUBLIC HEARINGS AND POSSIBLE ACTION

62. Conduct a Public Hearing to receive public comment on the City of Austin Fiscal Year 2010-2011 Proposed Budget.

The motion to recess the public comment portion of the budget hearing was approved on Council Member Shade's motion, Council Member Cole's second on a 7-0 vote.

63. Conduct a public hearing on an appeal by Sabino and Lori Renteria of the Planning Commission's decision to approve a conditional use site plan, for a project located at 1711 E. Cesar Chavez, known as the Push Up Foundation.

The Mayor confirmed there were no issues of standing or requests for postponement before proceeding with the public hearing.

There was a motion made by Mayor Pro Tem Martinez and seconded by Council Member Shade to close the public hearing and uphold the appeal and deny the conditional use site plan.

The substitute motion was made by Council Member Cole and seconded by Council Member Spelman to deny the appeal and approve the conditional use site plan and direct staff to immediately close the business if it were found in violation failed on a vote of 3-4. Those voting aye were: Council Members Cole, Riley and Spelman. Those voting nay were: Mayor Leffingwell, Mayor Pro Tem Martinez', and Council Members Morrison and Shade.

The public hearing was closed, the appeal was upheld and the conditional use site plan denied on Mayor Pro Tem Martinez' motion, Council Member Shade's second on a 4-3 vote. Those voting aye were: Mayor Leffingwell, Mayor Pro Tem Martinez', and Council Members Morrison and Shade. Those voting nay were: Council Members Cole, Riley and Spelman.

64. Conduct a public hearing and consider an ordinance amending Chapter 25-2 of the City Code to create a new residential use, Conservation Single-Family Residential. Recommended by Planning Commission.

The public hearing was closed and Ordinance No. 20100819-064 with the following amendments was approved on Council Member Morrison's motion, Mayor Pro Tem Martinez' second on a 7-0 vote.

The amendments were:

Part 3, (E), would be amended by inserting the word "undisturbed" after the word preserved.

A new Part 3 (G) would be added to read "Impervious cover will be allocated among individual lots at the time of subdivision."

65. Conduct a public hearing and consider an ordinance amending City Code related to the processing of applications for historic landmark designation. Recommended by Historic Landmark Commission, Zoning and Platting Commission, and Planning Commission.

The public hearing was closed and Ordinance No. 20100819-065, with the following friendly amendments, was approved on Council Member Spelman's motion, Council Member Morrison's second on a 7-0 vote. The friendly amendments were accepted by the maker of the motion and

Council Member Spelman, who seconded the motion. The amendments from Council Member Shade were:

- strike the phrase “residential use properties” from sections A and B
- delete Part II, D
- amend Part II, section C to read, “limitations in subsections A and B of this section shall not apply to applications initiated by the Historical Landmark Commission in response to a request for a demolition or relocation permit.”

Items 66-81 were acted on in a combined motion. The ordinances were approved with the following amendments:

- Amend Part 3 of the ordinance to add new subsections (E) and (F) to read, “PART 3. A variance is granted from: (E) the requirement that the design and construction located in the flood hazard areas be in accordance with the American Society of Civil Engineers Manual 24 (Flood Resistant Design and Construction) prescribed in City Code Section 25-12-3, Building Code Section 1612.4 (Design and Construction); and (F) the requirement for documentation from a registered design professional prescribed in City Code Section 25-12-3, Building Code Section 1612.5 (Flood Hazard Documentation).”

Council noted the following factors were considered in amending the Fairview Neighborhood Floodplain Variances:

- These cases do not increase flood levels or cause adverse flooding on other properties.
- The development involved in these cases does not put other citizens or the current owners in harm’s way, since these homes are already in the floodplain and the development did not increase the footprint of the home.
- The development involved in these cases consists solely of one or two walls enclosing an existing garage or carport, which is not a substantial improvement to the houses.
- The houses, garages and carports in these cases were legally built before the area was in the floodplain.
- In most cases, the garage or carport enclosure appears to have been completed at a time before the area was in the floodplain – though without a building permit that cannot be documented.
- These cases deal with development completed up to 36 years ago and in most cases not by the current owner. The variances are considered the minimum necessary to provide relief from a minimum level of development.
- Granting variances from the professional certifications for these cases should not set a precedent for or suggest the lack of importance of these certifications for cases involved in proposed development in the floodplain.

Council gave the following direction to staff: Give the necessary time to help the homeowners come into full compliance with the other pending code issues. Explore how the limited amnesty program specified in the Land Development Code, 25-1-365 and the Building Code 1.2.4 can be amended or expanded to decriminalize or provide an affordable process whereby the Fairview Neighborhood and other similarly situated neighborhoods with long standing residential code violations may bring structures into compliance. Delay enforcement of existing violations to December 31, 2010 and explore ways to waive the elevation requirement.

66. Conduct a public hearing and consider an ordinance regarding floodplain variances requested by Mr. Craig Davis of SDP Properties, LLC, for an existing development that converted an attached garage into a habitable area at the single-family residence at 207 Heartwood Drive. This structure is in the 25-year and 100-year floodplains of Williamson Creek. There is no unanticipated fiscal impact. The public hearing was closed and Ordinance No. 20100819-066 with the amendments and directions stated above was approved on Mayor Pro Tem Martinez’ motion, Council Member Shade’s second on a 7-0 vote.

67. Conduct a public hearing and consider an ordinance regarding floodplain variances requested by Ms. Lydia Aguero for an existing development that converted an attached garage into a habitable area at the single-family residence at 212 Heartwood Drive. This structure is in the 25-year and 100-year floodplains of Williamson Creek. There is no unanticipated fiscal impact.
The public hearing was closed and Ordinance No. 20100819-067 with the amendments and directions stated above was approved on Mayor Pro Tem Martinez' motion, Council Member Shade's second on a 7-0 vote.
68. Conduct a public hearing and consider an ordinance regarding floodplain variances requested by Mr. Scott Harpst and Ms. Patricia Kirksey for an existing development that converted an attached garage into a habitable area at the single-family residence at 300 Heartwood Drive. This structure is in the 25-year and 100-year floodplains of Williamson Creek. There is no unanticipated fiscal impact.
The public hearing was closed and Ordinance No. 20100819-068 with the amendments and directions stated above was approved on Mayor Pro Tem Martinez' motion, Council Member Shade's second on a 7-0 vote.
69. Conduct a public hearing and consider an ordinance regarding floodplain variances requested by Mr. Rogelio Moreno for an existing development that converted an attached garage into a habitable area at the single-family residence at 301 Thistlewood Drive. This structure is in the 25-year and 100-year floodplains of Williamson Creek. There is no unanticipated fiscal impact.
The public hearing was closed and Ordinance No. 20100819-069 with the amendments and directions stated above was approved on Mayor Pro Tem Martinez' motion, Council Member Shade's second on a 7-0 vote.
70. Conduct a public hearing and consider an ordinance regarding floodplain variances requested by Ms. Jennifer Pierre Louis for an existing development that converted an attached garage into a habitable area at the single-family residence at 302 Heartwood Drive. This structure is in the 25-year and 100-year floodplains of Williamson Creek. There is no unanticipated fiscal impact.
The public hearing was closed and Ordinance No. 20100819-070 with the amendments and directions stated above was approved on Mayor Pro Tem Martinez' motion, Council Member Shade's second on a 7-0 vote.
71. Conduct a public hearing and consider an ordinance regarding floodplain variances requested by Mr. Ben Hartman and Mrs. Alice Hartman for an existing development that converted an attached garage into a habitable area at the single-family residence at 316 Heartwood Drive. This structure is in the 25-year and 100-year floodplains of Williamson Creek. There is no unanticipated fiscal impact.
The public hearing was closed and Ordinance No. 20100819-071 with the amendments and directions stated above was approved on Mayor Pro Tem Martinez' motion, Council Member Shade's second on a 7-0 vote.
72. Conduct a public hearing and consider an ordinance regarding floodplain variances requested by Mr. Robert Abeita for an existing development that converted an attached garage into a habitable area at the single-family residence at 317 Heartwood Drive. This structure is in the 25-year and 100-year floodplains of Williamson Creek. There is no unanticipated fiscal impact.
The public hearing was closed and Ordinance No. 20100819-072 with the amendments and directions stated above was approved on Mayor Pro Tem Martinez' motion, Council Member Shade's second on a 7-0 vote.
73. Conduct a public hearing and consider an ordinance regarding floodplain variances requested by Mr. Michael Kurko and Mrs. Mariana Kurko for an existing development that converted an attached garage

into a habitable area at the single-family residence at 324 Heartwood Drive. This structure is in the 25-year and 100-year floodplains of Williamson Creek. There is no unanticipated fiscal impact.

The public hearing was closed and Ordinance No. 20100819-073 with the amendments and directions stated above was approved on Mayor Pro Tem Martinez' motion, Council Member Shade's second on a 7-0 vote.

74. Conduct a public hearing and consider an ordinance regarding floodplain variances requested by Mr. Alfredo Hernandez for an existing development that converted an attached garage into a habitable area at the single-family residence at 326 Heartwood Drive. This structure is in the 25-year and 100-year floodplains of Williamson Creek. There is no unanticipated fiscal impact.
The public hearing was closed and Ordinance No. 20100819-074 with the amendments and directions stated above was approved on Mayor Pro Tem Martinez' motion, Council Member Shade's second on a 7-0 vote.
75. Conduct a public hearing and consider an ordinance regarding floodplain variances requested by Mr. Charles Haren and Mrs. Casta Calderon-Haren for an existing development that converted an attached garage into a habitable area at the single-family residence at 332 Heartwood Drive. This structure is in the 100-year floodplain of Williamson Creek. There is no unanticipated fiscal impact.
The public hearing was closed and Ordinance No. 20100819-075 with the amendments and directions stated above was approved on Mayor Pro Tem Martinez' motion, Council Member Shade's second on a 7-0 vote.
76. Conduct a public hearing and consider an ordinance regarding floodplain variances requested by Mr. George Mullins for an existing development that converted an attached garage into a habitable area at the single-family residence at 334 Heartwood Drive. This structure is in the 100-year floodplain of Williamson Creek. There is no unanticipated fiscal impact.
The public hearing was closed and Ordinance No. 20100819-076 with the amendments and directions stated above was approved on Mayor Pro Tem Martinez' motion, Council Member Shade's second on a 7-0 vote.
77. Conduct a public hearing and consider an ordinance regarding floodplain variances requested by Mr. George Mullins for an existing development that converted an attached garage into a habitable area at the single-family residence at 400 Heartwood Drive. This structure is in the 100-year floodplain of Williamson Creek. There is no unanticipated fiscal impact.
The public hearing was closed and Ordinance No. 20100819-077 with the amendments and directions stated above was approved on Mayor Pro Tem Martinez' motion, Council Member Shade's second on a 7-0 vote.
78. Conduct a public hearing and consider an ordinance regarding floodplain variances requested by Mr. John Anguiano and Mrs. Lupe Anguiano for an existing development that converted an attached garage into a habitable area at the single-family residence at 401 Heartwood Drive. This structure is in the 100-year floodplain of Williamson Creek. There is no unanticipated fiscal impact.
The public hearing was closed and Ordinance No. 20100819-078 with the amendments and directions stated above was approved on Mayor Pro Tem Martinez' motion, Council Member Shade's second on a 7-0 vote.
79. Conduct a public hearing and consider an ordinance regarding floodplain variances requested by Ms. Delores Alvarado for an existing development that converted an attached garage into a habitable area at the single-family residence at 405 Thistlewood Drive. This property is partially in the 100-year floodplain of Williamson Creek. There is no unanticipated fiscal impact.

The public hearing was closed and Ordinance No. 20100819-079 with the amendments and directions stated above was approved on Mayor Pro Tem Martinez' motion, Council Member Shade's second on a 7-0 vote.

80. Conduct a public hearing and consider an ordinance regarding floodplain variances requested by Mr. Efrain V. Avila for an existing development that converted an attached garage into a habitable area at the single-family residence at 306 Heartwood Drive. This structure is the 25-year and 100-year floodplains of Williamson Creek. There is no unanticipated fiscal impact.

The public hearing was closed and Ordinance No. 20100819-080 with the amendments and directions stated above was approved on Mayor Pro Tem Martinez' motion, Council Member Shade's second on a 7-0 vote. In addition to the amendments and directions stated above, change the designation from Part 3 subsection (E) to Part 3 subsection (G).

81. Conduct a public hearing and consider an ordinance regarding floodplain variances requested by Ms. Susie Otto for an existing development that converted an attached garage into a habitable area at the single-family residence at 318 Heartwood Drive. This structure is the 25-year and 100-year floodplains of Williamson Creek. There is no unanticipated fiscal impact.

The public hearing was closed and Ordinance No. 20100819-081 with the amendments and directions stated above was approved on Mayor Pro Tem Martinez' motion, Council Member Shade's second on a 7-0 vote.

Mayor Leffingwell adjourned the meeting at 12:44 a.m. without objection.

The minutes for the regular meeting of August 19, 2010 were approved on this the 26th day of August 2010 on Council Member Cole's motion, Spelman's second on a 7-0 vote.