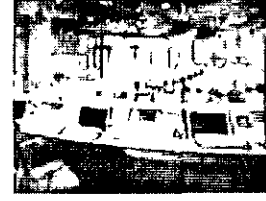


# AGENDA



**Thursday, October 28, 2010**

The Austin City Council will convene at 10:00 AM on  
Thursday, October 28, 2010 at the  
301 W. Second Street, Austin, TX

AUSTIN CITY CLERK  
RECEIVED

2010 OCT 22 PM 5 04



Mayor Lee Leffingwell  
Mayor Pro Tem Mike Martinez  
Council Member Chris Riley, Place 1  
Council Member Randi Shade, Place 3  
Council Member Laura Morrison, Place 4  
Council Member William Spelman, Place 5  
Council Member Sheryl Cole, Place 6

For meeting information, contact the City Clerk, 974-2210

*The City Council will go into a closed session under Chapter 551 of the Texas Government Code to receive advice from legal counsel, to discuss matters of land acquisition, to discuss personnel matters, to discuss or take action on a "competitive matter" of Austin Energy as provided for under Section 551.086, or for other reasons permitted by law as specifically listed on this agenda. If necessary, the City Council may go into a closed session as permitted by law regarding any item on this agenda.*

### **Reading and Action on Consent Agenda**

#### **Action on the Following:**

#### **Ordinances / Resolutions / Motions -**

**All of the following items may be acted upon by one motion. No separate discussion or action on any of the items is necessary unless desired by a Council Member.**

### **9:55 AM -- Invocation**

APD Senior Chaplain Rick Randall, Pastor, Austin Cornerstone Church

### **10:00 AM -- City Council Convenes**

#### **Approval of Minutes**

1. Approve the minutes of the Austin City Council regular meeting of October 14, 2010.

#### **Austin Water Utility**

2. Approve a resolution authorizing extension of the fee schedule for participation under the Balcones Canyonlands Conservation Plan – Shared Vision through September 30, 2011. This action does not require budget allocation or funding. Recommended by the Water and Wastewater Commission.

#### **Contract and Land Management**

3. Authorize the negotiation and execution of a purchase agreement for the fee simple acquisition of 13.291 acres out of Lot 1, Block A, Chipman Subdivision in Travis County, Texas, located at 10900 RR 2222 from JAMES A. CHIPMAN, SR. AND MINNIE JO CHIPMAN, TRUSTEES OF THE JAMES A. CHIPMAN, SR. AND MINNIE JO CHIPMAN REVOCABLE LIVING TRUST DATED SEPT. 21, 1999 AND TOMMY JOE PULATIE for the Jollyville Water Transmission Main and the Forest Ridge Water Transmission Main Projects, in an amount not to exceed \$2,240,000. Funding is available in the Fiscal Year 2010-2011 Capital Budget of the Austin Water Utility Department.
4. Approve a resolution authorizing the filing of eminent domain proceedings for the South IH-35 Water and Wastewater Infrastructure Improvements Program Project to acquire electric easements of 0.766 acre, 0.525 acre, and 0.192 acre; access easements of 0.2246 acre, and 2.092 acre; ; a waterline easement of 1.273 acres; a subterranean wastewater easement of 0.076 acre; wastewater easements of 0.230 acre and 0.438 acre; a temporary ingress and egress easement of 0.882 acre; a temporary working space and staging area and material storage site easement of 1.974 acres; and a temporary working space easement of 0.317 acre out of and a part of a called 166.598 Acre Tract or Parcel of land in the Santiago Del Valle Grant, Abstract No. 24, in Travis County, Texas, in the amount of \$196,630. The owners of the needed property interests are David A. Brewer and Billie J. Figer, co-trustees, Curtis B. Figer and spouse, Billie Jo Figer, Michael G. Figer, Donald K. Figer, Betsy A. Lambeth, Keith H. Harmon and Bonnie Harmon, Trustees of the Harmon Family Trust established by Trust Agreement dated

November 3, 1999, and Billie Jo Figer, individually. The property is located at 9104 Bluff Springs Road, Austin, Travis County, Texas. Funding is included in the Fiscal Year 2010-2011 Capital Budget of the Austin Water Utility.

5. Approve a resolution authorizing the filing of eminent domain proceedings for the South IH-35 Water/Wastewater Program to acquire a 15,582 square foot permanent waterline easement out of the Santiago Del Valle Grant, Abstract No. 24, Travis County, Texas, in the amount of \$2,254.00. The owner of the needed property interests is NAJIB WEHBE. The property is located south of Derby Downs Drive, Austin, Travis County, Texas. Funding is included in the Fiscal Year 2010-2011 Capital Budget of the Austin Water Utility.
6. Authorize execution of a construction contract with TEXAS STERLING CONSTRUCTION CO., San Antonio, TX for the Shoal Creek Allandale Storm Drain Improvements project for a total amount of \$5,496,960.05 plus a \$549,696.00 contingency, for a total contract amount not to exceed \$6,046,656.05. Funding in the amount of \$5,602,595 is available in the Fiscal Year 2010-2011 Capital Budget of the Watershed Protection Department. Funding in the amount of \$477,061 is available in the Fiscal Year 2010-2011 Capital Budget of the Austin Water Utility. Lowest bid of 7 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 10.72% MBE and 3.15% WBE subcontractor participation. Recommended by the Water and Wastewater Commission.
7. Authorize execution of Change Order #3 to the construction contract with CENTRAL ROAD AND UTILITY, LTD., Austin, TX, (MBE/MH 45.81%) for Water Treatment Plant 4 Bullick Hollow Roadway Improvements in the amount of \$36,911.26, for a total contract amount not to exceed \$987,704.70. Funding is available in the Fiscal Year 2010-2011 Capital Budget of the Austin Water Utility. This contract will be awarded in compliance with Chapter 2-9A of the City Code (Minority Owned and Women Owned Business Enterprise Procurement Program) with 66.38% MBE and 14.52% WBE subcontractor participation to date including this change order. Recommended by the Water and Wastewater Commission.
8. Authorize execution of a construction contract with SMITH CONTRACTING COMPANY, INC., Austin, TX for the Carsonhill Water Rehabilitation Project in an amount not to exceed \$324,153 plus a \$16,208 contingency, for a total contract amount not to exceed \$340,361. Funding is available in the Fiscal Year 2010-2011 Capital Budget of the Austin Water Utility. Lowest bid of 6 bids received. This contract will be awarded in compliance with Chapter 2-9A of the City Code (Minority Owned and Women Owned Business Enterprise Procurement Program) by meeting the goals with 8.30% MBE and 2.13% WBE subcontractor participation. Recommended by the Water and Wastewater Commission.
9. Authorize execution of a construction contract with SANTA CLARA CONSTRUCTION, LTD. (MBE/MH 84.99%), Austin, TX for the North Austin Wastewater Overflow Abatement Project in the amount of \$843,740 plus a \$42,187 contingency, for a total contract amount not to exceed \$885,927. Funding is available in the Fiscal Year 2010-2011 Capital Budget of the Austin Water Utility. Lowest bid of 7 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 84.99% MBE prime participation and 3.95% MBE and 4.15% WBE subcontractor participation. Recommended by the Water and Wastewater Commission.
10. Authorize execution of a construction contract with TEXAS ROOFING COMPANY, L.P., Round Rock, TX for Spicewood Springs Pump Station Re-roof, AC Replacement and Ventilation Improvements in an amount not to exceed \$193,600. Funding is available in the Fiscal Year 2010-2011 Capital Budget of the Austin Water Utility. Lowest bid of 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 12.81% MBE and 4.85% WBE subcontractor participation. Recommended by the Water and Wastewater Commission.

11. Authorize execution of a construction contract with MAC INC., Austin, TX for the Ullrich Basin Structural Repairs Project in an amount not to exceed \$189,000. Funding is available in the Fiscal Year 2010-2011 Capital Budget of the Austin Water Utility. Lowest bid of 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 Program) through achievements of Good Faith Efforts with 0.80% MBE and 1.29% WBE subcontractor participation. Recommended by the Water and Wastewater Commission.
12. Authorize execution of a construction contract with L.D. TEBBEN CO. INC., Austin, TX, through the Local Government Purchasing Cooperative for the Ullrich Water Treatment Plant Roof Improvements 2010 project in the amount of \$680,926 plus a \$34,000 contingency, for a total contract amount not to exceed \$714,926. Funding is available in the Fiscal Year 2010-2011 Capital Budget of Austin Water Utility. Cooperative Purchase through the LOCAL PURCHASING COOPORATIVE BUY BOARD. L.D. Tebben Co. Inc. is an approved vendor/contractor through the competitive procurement process authorized by Texas Statute, Local Government Code, Chapter 271, Subchapter F. This contract will be awarded in compliance with Chapter 2-9A of the City Code (Minority Owned and Women Owned Business Enterprise Procurement Program). This contract is a Cooperative Purchase; therefore, it is exempted under Chapter 791 of the Texas Local Government Code and no goals were established for this solicitation, however, 10.65% MBE and 6.21% WBE subcontractor participation has been met.
13. Authorize execution of Change Order #4 to the construction contract with CASH CONSTRUCTION COMPANY INC., Pflugerville, Texas for the Lady Bird Lake / East 4th Street Storm Drain Improvements project in the amount of \$700,521.50 for a total contract amount not to exceed \$6,789,757.10. Funding in the amount of \$460,861.50 is available in the Fiscal Year 2010-2011 Capital budget of the Austin Water Utility. Funding in the amount of \$239,660 is available in the Fiscal Year 2010-2011 Capital Budget of the Watershed Protection Department. This contract will be awarded in compliance with Chapter 2-9A of the City Code (Minority Owned and Women Owned Business Enterprise Procurement Program) with 5.45% MBE and 1.73% WBE subcontractor participation to date including this change order. Recommended by the Water and Wastewater Commission.
14. Authorize negotiation and execution of Supplemental Amendment #1 to the Professional Services Agreement with BURY + PARTNERS, INC., Austin, TX for engineering services for the South IH-35 Water and Wastewater Infrastructure Improvements Program, Segment 1, IH-35 from Slaughter Lane to Slaughter Creek, 36-Inch Water Main in the amount of \$42,947.50, for a total contract amount not to exceed \$83,009.45. Funding is available in the Fiscal Year 2010-2011 Capital Budget of the Austin Water Utility. The original contract was awarded in compliance with Chapter 2-9B of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). This contract was originally awarded through Administrative Authority; therefore was exempt from establishing MBE and WBE goals and no subcontracting opportunities were identified. Recommended by the Water and Wastewater Commission.

#### **Office of Emergency Management**

15. Approve a resolution adopting the City of Austin Hazard Mitigation Action Plan Update.

#### **Parks and Recreation**

16. Authorize the Parks and Recreation Department to issue a lifetime swim pass for Barton Springs Pool to Patty Curtis.
17. Authorize the negotiation and execution of an Interlocal Agreement between the City of Austin and Austin Independent School District for the use of the South Austin Recreation Center to conduct the Go Project.

## Planning and Development Review

18. Approve an ordinance for full purpose annexation of the Boulder Lane Area (approximately 18 acres in Travis County north of Boulder Lane at the intersection of Boulder Lane and Foundation Road); and waive animal enclosure distance requirements in City Code Section 3-2-14 for ten years in the annexed area. Funding necessary to provide general governmental services to this tract is available in the budgets of the departments which will provide the services.
19. Approve an ordinance for full purpose annexation of the Bridges of Bear Creek Ph. 2 Sec. 2 Area (approximately 28 acres in Travis County west of the intersection of FM 1626 and Brodie Lane); establish an I-SF-2 interim zoning designation for portions of the annexed area; and waive zoning application fees for property within the annexed area for a period of one year from the effective date of annexation. Funding necessary to provide general governmental services to this tract is available in the budgets of the departments which will provide the services.
20. Approve an ordinance for full purpose annexation of the Kruger Area (approximately 7 acres in Travis County at the northeast corner of the intersection of Dessau Road and Parmer Lane). Funding necessary to provide general governmental services to this tract is available in the budgets of the departments which will provide the services.
21. Approve an ordinance for full purpose annexation of the Pearson Place at Avery Ranch Area (approximately 196 acres in southern Williamson County south of Avery Ranch Boulevard at the intersection of Avery Ranch Boulevard and Double Eagle Pass). Funding necessary to provide general governmental services to this tract is available in the budgets of the departments which will provide the services.
22. Approve an ordinance for full purpose annexation of 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). Funding necessary to provide general governmental services to this tract is available in the budgets of the departments which will provide the services.
23. Approve an ordinance for the full purpose annexation of State Highway 45 at Parmer Lane (approximately 18 acres in Williamson County at the intersection of SH 45 and Parmer Lane). Funding necessary to provide general governmental services to this tract is available in the budgets of the departments which will provide the services.
24. Approve an ordinance for full purpose annexation of the Springwoods Outparcels Area (approximately 2 acres in Williamson County north of Pond Springs Road east of the intersection of Pond Springs Road and Sparkling Creek Drive, and north of the intersection of Pond Springs Road and Cahill Drive). Funding necessary to provide general governmental services to this tract is available in the budgets of the departments which will provide the services.
25. Approve an ordinance for full purpose annexation of the 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). Funding necessary to provide general governmental services to this tract is available in the budgets of the department which will provide the services.
26. Approve an ordinance for full purpose annexation of the 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). Funding necessary to provide general governmental services to this tract is available in the budgets of the departments which will provide the services.
27. Approve second/third readings of an ordinance to annex the Springwoods Municipal Utility District (MUD) Annexation Area for full purposes in accordance with a Strategic Partnership Agreement (SPA) between the City of Austin and Springwoods MUD (approximately 468 acres located east of Pond Springs Road and west of Parmer Lane on both the north and south sides of Anderson Mill Road in Williamson County). Funding

necessary to provide general governmental services to this tract is available in the budgets of the department which will provide the services. Related to Items #28 & 29.

28. Approve second/third readings of an ordinance to annex the Springwoods Municipal Utility District (MUD) Annexation Area for limited purposes in accordance with a Strategic Partnership Agreement (SPA) between the City of Austin and Springwoods MUD (approximately 468 acres located east of Pond Springs Road and west of Parmer Lane on both the north and south sides of Anderson Mill Road in Williamson County). Funding necessary to provide general governmental services to this tract is available in the budgets of the department which will provide the services. Related to Items #27 & 29.
29. Approve second/third readings of an ordinance for the full purpose annexation of the Springwoods Non-MUD Municipal Annexation Plan Area (approximately 354 acres located in Williamson County between Pond Springs Road and Parmer Lane in the north and south sides of Anderson Mill Road). Funding necessary to provide general governmental services to this tract is available in the budgets of the departments which will provide the services. Related to Items #27 & 28.

#### **Police**

30. Approve an ordinance accepting \$144,628 in grant funds from the State of Texas, Governor's Office, Criminal Justice Division; and amending the Fiscal Year 2010-2011 Police Department Operating Budget Special Revenue Fund of Ordinance No. 20100913-002 to appropriate \$144,628 to purchase equipment and related supplies for the Austin Police Clandestine Lab Response Team. Funding is available from the State of Texas, Governor's Office, Criminal Justice Division for the grant period September 1, 2010 to September 30, 2011. A match is not required.
31. Authorize negotiation and execution of an agreement between the City of Austin and the Center for Child Protection, in the amount of \$99,396, to fund reimbursement for two family advocate positions to provide enhanced interview and support services related to child protection. Funding in the amount of \$99,396 is available in the Fiscal Year 2010-2011 Operating Budget of the Austin Police Department.

#### **Public Works**

32. Approve a resolution to authorize execution of an Advance Funding Agreement between the City of Austin and the Texas Department of Transportation (TXDOT) regarding award of Transportation Enhancement Funds to construct bicycle lanes and associated improvements citywide. Funding is available in the Fiscal Year 2010-2011 Operating Budget of the Public Works Department.

#### **Purchasing Office**

33. Authorize award, negotiation, and execution of a 12-month requirements service contract with CREATIVE CONSUMER RESEARCH, INC., Stafford, TX, or one of the other qualified bidders to RFQ No. GGU0005, to provide marketing research service studies in an estimated amount not to exceed \$300,000, with four 12-month extension options in an estimated amount not to exceed \$300,000 per extension option, for a total estimated contract amount not to exceed \$1,500,000. Funding in the amount of \$275,000 is included in the Fiscal Year 2010-2011 Operating Budget of Austin Energy. Funding for the remaining one month of the original contract period and extension options is contingent upon available funding in future budgets. Best evaluated proposal of three proposals received. This contract will be awarded in compliance with Chapter 2-9C of the City Code (Minority Owned and Women Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation. Recommended by the Electric Utility Commission.

34. Authorize award and execution of a 12-month requirements service contract with HAVERFIELD AVIATION, INC., Gettysburg, PA for aerial maintenance services for Austin Energy in an estimated amount not to exceed \$144,724, with three 12-month extension options in an estimated amount not to exceed \$144,724 per extension option, for a total estimated contract amount not to exceed \$578,896. Funding in the amount of \$132,664 is available in the Fiscal Year 2010-2011 Operating Budget of Austin Energy. Funding for the remaining one month of the original contract period and extension options is contingent upon available funding in future budgets. Sole bid received. This contract will be awarded in compliance with Chapter 2-9C of the City Code (Minority Owned and Women Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation. Recommended by the Electric Utility Commission.
35. Authorize award, negotiation, and execution of Amendment No. 3 to a contract with MOTOROLA INC., Shalimar, FL, for a software upgrade, additional licenses, implementation, support, and hosting services for the existing Customer Service Request system and to replace the remaining two 12-month extension options with one 36-month extension option in an amount not to exceed \$1,792,006, with two additional 12-month extension options in an amount not to exceed \$336,744 per extension option, for a total revised contract amount not to exceed \$2,627,212. Funding in the amount of \$950,000 is available in the Fiscal Year 2010-2011 Capital Budget of Austin Energy. Funding in the amount of \$168,518 is available in the Fiscal Year 2010-2011 Operating Budget of Austin Energy. Funding for the remaining 24 months of the 36-month extension option and the two 12-month extension options is contingent upon available funding in future budgets. This contract will be awarded in compliance with Chapter 2-9C of the City Code (Minority Owned and Women Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this contract. However, Motorola agreed to a voluntary Good Faith Effort to achieve a goal of 7.05% MBE participation and 0.00% WBE participation. Recommended by the Electric Utility Commission.
36. Authorize award and execution of a 12-month requirements service contract with AUSTIN CIRCLE OF THEATERS, Austin TX, to provide cultural tourism marketing and promotional support in an estimated amount not to exceed \$40,000, with four additional 12-month extension options in an estimated amount not to exceed \$40,000 per extension option, for a total estimated contract amount not to exceed \$200,000. Funding in the amount of \$40,000 is available in the Fiscal Year 2010-2011 Operating Budget of the Economic Growth and Redevelopment Services Office. Funding for the extension options is contingent upon available funding in future budgets. Sole Source. 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.
37. Authorize award, negotiation, and execution of a 12-month contract with ACS GOVERNMENT SOLUTIONS INC. (ACS), Lexington, KY, for software support, upgrades, and maintenance of the Banner Human Resources Management System (Banner) software in an amount not to exceed \$119,194.82, with four 12 month extension options in amounts not to exceed \$125,154.55 for the first extension option, \$131,412.27 for the second extension option, \$137,982.89 for the third extension option and \$144,882.03 for the fourth extension option, for a total contract amount not to exceed \$658,626.56. Funding in the amount of \$119,194.82 is available in the Fiscal Year 2010-2011 Operating Budget of the Financial and Administrative Services Department, Controller's Office. Funding for the extension options is contingent upon available funding in future budgets. Sole Source. 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.
38. Authorize award and execution of a 36-month requirements service contract with GRATEFUL THREADS, Austin, TX or one of the other qualified bidders of the IFB-BV No. CEA0008, to provide upholstery repair services for vehicles and equipment in an

estimated amount not to exceed \$258,440, with three 12-month extension options in estimated amounts not to exceed \$122,688 for the first extension option, \$147,226 for the second extension option, and \$176,671 for the third extension option, for a total estimated contract amount not to exceed \$705,025. Funding in the amount of \$65,083 is available in the Fiscal Year 2010-2011 Operating Budget of the Financial and Administrative Services Department, Fleet Fund. Funding for the remaining 25 months of the original contract period and extension options is contingent upon available funding in future budgets. Best evaluated bid meeting specifications 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.

39. Authorize execution of an Interlocal Agreement between the City and Travis County, providing for financial cooperation to facilitate the City and County's participation in a feasibility study conducted by the National Center for Arts and Technology with the City contributing \$25,000 to the effort. This is a reimbursement of the Fiscal Year 2009-2010 Operating Budget of the Management Services Department. 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.

#### **Small & Minority Business Resources**

40. Approve an ordinance repealing and replacing Chapter 2-9B of the City Code, the City's Minority-Owned and Women-Owned Business Enterprise Procurement Program for Professional Services. Recommended by the MBE/WBE Small Business Advisory Committee and Small Business Council Subcommittee.
41. Approve an ordinance repealing and replacing Chapter 2-9A of the City Code, the City's Minority-Owned and Women-Owned Business Enterprise Procurement Program for Construction. Recommended by the MBE/WBE Small Business Advisory Committee and Small Business Council Subcommittee.
42. Approve an ordinance repealing and replacing Chapter 2-9C of the City Code, the City's Minority-Owned and Women-Owned Business Enterprise Procurement Program for Non-Professional Services. Recommended by the MBE/WBE Small Business Advisory Committee and Small Business Council Subcommittee.
43. Approve an ordinance repealing and replacing Chapter 2-9D of the City Code, the City's Minority-Owned and Women-Owned Business Enterprise Procurement Program for Commodities. Recommended by the MBE/WBE Small Business Advisory Committee and Small Business Council Subcommittee.

#### **Item(s) from Council**

44. Approve appointments and certain related waivers to citizen boards and commissions, to Council subcommittees and other intergovernmental bodies and removal and replacement of members.
45. Approve an ordinance waiving certain temporary vending permit fees for the 12th Annual Green Corn Project's Fundraiser which was held on Sunday, October 24, 2010 at Boggy Creek Farm. (Council Member Laura Morrison, Council Member Sheryl Cole and Mayor Pro Tem Mike Martinez)
46. Approve an ordinance amending City Code Section 10-3-1(B)(10) (Temporary Food Establishment) to allow the issuance of temporary food establishment permits to vendors at Farmer's Markets. (Mayor Pro Tem Mike Martinez, Council Member Chris Riley and Council Member Sheryl Cole)



47. Approve an ordinance related to the compensation for the municipal court judges. (Council Member William Spelman, Mayor Pro Tem Mike Martinez and Mayor Lee Leffingwell)
48. Approve the waiver of certain additional fees under City Code Chapter 14-8 for the City co-sponsored 2010 Veteran's Day Parade with Travis County Veterans Service Office, which is to be held on November 11, 2010 taking place from the Ann Richards Congress Avenue Bridge to the Capitol Building. (Mayor Lee Leffingwell, Mayor Pro Tem Mike Martinez and Council Member Randi Shade)
49. Approve the waiver of certain fees and requirements for the 2010 Hallmark Speakers Series event, Women Living in Poverty: The Need for New Solutions, sponsored by the Young Women's Christian Association (YWCA) of Greater Austin which is to be held Friday, November 12, 2010 at the George Washington Carver Museum and Cultural Center. (Mayor Pro Tem Mike Martinez, Council Member Chris Riley and Council Member Sheryl Cole)
50. Approve the waiver of certain fees and requirements for the 2010 Susan G. Komen Race for the Cure which is to be held on Sunday, November 7, 2010 at the Domain in North Austin. (Council Member Randi Shade, Council Member Laura Morrison and Council Member Sheryl Cole)

#### **Item(s) to Set Public Hearing(s)**

51. Set a public hearing to consider an ordinance amending Ordinance No. 20071018-008 to recognize other local incentives and economic development tools available to qualifying enterprise zone projects. (Suggested date and time: November 4, 2010, 4:00 p.m., at Austin City Hall, 301 W. Second Street, Austin, TX).

#### **10:30 AM -- Morning Briefings**

52. Green Roof Policy Recommendations

#### **12:00 PM -- Citizen Communications: General**

Rob Seidenberg – Central East Austin

Paul Aviña – 30 year plan

Robert L. Thomas – Labor and industrial relations at the Rosewood park and recreation center

Morris Priest – City County State issues and City role in government

Glen Nessel – Caesar Chavez

John Bush - Agenda 21 Sustainable Development and freedomadvocates.org

Stoney Williams - Dia de los Muertos Fireworks

Allen Roddy - Lake Austin clean up

Johnette Mason - City municipalities

Carolannerose Kennedy – Homeless funerals

## **2:00 PM -- Zoning Ordinances / Restrictive Covenants (HEARINGS CLOSED)**

53. NPA-2009-0016.01 – Leija Villa - Approve second/third readings of an ordinance amending Ordinance No. 20030327-12, the Govalle/Johnston Terrace Neighborhood Plan, an element of the Austin Tomorrow Comprehensive Plan, to change the land use designation on the future land use map (FLUM) on property locally known as 3306 East 5th Street (Colorado River Watershed) from Commercial and Single Family (a portion of) land use to Mixed Use land use. Staff Recommendation: To grant Mixed Use land use designation. Planning Commission Recommendation: To grant Mixed Use land use designation. Approved on March 23, 2010. Vote 8 to 0, with Commissioner Ben DeLeon absent. The Lunaire Group, L.P. (Dr. Graciela Leija). Cuatro Consultants, Ltd. (Hugo Elizondo, Jr. P.E.). City Staff: Maureen Meredith, 974-2695.
54. C14-2010-0014 – Leija Villa – Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 3306 East 5th Street (Boggy Creek Watershed) from community commercial-neighborhood plan (GR-NP) combining district zoning and family residence-neighborhood plan (SF-3-NP) combining district zoning to community commercial-mixed use-conditional overlay-neighborhood plan (GR-MU-CO-NP) combining zoning district for Tract 1 and family residence-conditional overlay-neighborhood plan (SF-3-CO-NP) combining zoning district for Tract 2. On April 29, 2010, City Council approved first reading of community commercial-mixed use-conditional overlay-neighborhood plan (GR-MU-CO-NP) combining zoning district for Tract 1 and family residence-conditional overlay-neighborhood plan (SF-3-CO-NP) combining zoning district for Tract 2. Vote: 7-0. Applicant: The Lunaire Group, LP (Dr. Graciela Leija). Agent: Cuatro Consultants, Ltd. (Hugo Elizondo, Jr., P.E.). City Staff: Joi Harden, 974-2122.
55. C14-2010-0035 1800 Nueces – Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as the 1800 Nueces (Shoal Creek Watershed) from general office (GO) district zoning to downtown mixed use-conditional overlay (DMU-CO) combining district zoning. First reading approved June 24, 2010. Vote 7-0. Applicant and Agent: Coore & Crenshaw (Scott Sayers) City Staff: Clark Patterson, 974-7691.

## **2:00 PM -- Zoning and Neighborhood Plan Amendments (Public Hearings and Possible Action)**

- 56 PH. NPA-2009-0019.02 – Mitchell Hyde Park Rezone/NPA- Conduct a public hearing and approve an ordinance amending Ordinance No. 20040826-056 the Central Austin Combined Neighborhood Plan, an element of the Austin Tomorrow Comprehensive Plan, to change the land use designation on the future land use map (FLUM) on property locally known as 209 E. 38th Street (Waller Creek Watershed) from Single Family to Multifamily land use. Staff Recommendation: To deny Multifamily land use designation. Planning Commission Recommendation: To deny Multifamily land use designation. Applicant: Jason Mitchell. Agent: Vincent Gerard & Associates (Vincent Gerard). City Staff: Maureen Meredith, 974-2695.
- 57 PH. C14-2010-0024 – Mitchell Hyde Park Re-Zone – Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 209 E 38th Street (Waller Creek Watershed) from family residence-neighborhood conservation combining district-neighborhood plan (SF-3-NCCD-NP) combining district zoning to multifamily residence, limited density-neighborhood conservation combining district-neighborhood plan-conditional overlay (MF-1-NCCD-NP-CO) combining district zoning. Staff Recommendation: To deny multifamily residence, limited density-neighborhood conservation combining district-neighborhood plan-conditional overlay (MF-1-NCCD-NP-CO) combining district zoning. Planning Commission Recommendation: To deny multifamily residence, limited density-neighborhood conservation combining district-neighborhood plan-conditional overlay (MF-1-NCCD-NP-

CO) combining district zoning. Applicant: Jason Mitchell. Agent: Vincent Gerard & Associates (Vincent Gerard). City Staff: Clark Patterson, 974-7691.

- 58 PH. C14-2010-0034 - Stonegate Two - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 2500 West William Cannon Drive (Williamson Creek Watershed) from limited office-conditional overlay (LO-CO) combining district zoning to limited office-conditional overlay (LO-CO) combining district zoning, to change a condition of zoning with conditions. Staff Recommendation: To grant limited office-conditional overlay (LO-CO) combining district zoning, to change a condition of zoning with conditions. Zoning and Platting Commission Recommendation: To grant limited office-conditional overlay (LO-CO) combining district zoning, to change a condition of zoning with conditions. Owner/Applicant: KC 1 Stonegate L.P. (John P. "Sean" Cummings, Jr.). Agent: Jim Bennett Consulting (Jim Bennett). City Staff: Wendy Rhoades, 974-7719.
- 59 PH. C14-2010-0038 - Rezoning 1.56 Acres at Manchaca Road - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by zoning property locally known as 11410 Manchaca Road (Slaughter Creek Watershed) from interim-rural residence (I-RR) district zoning to community commercial-conditional overlay (GR-CO) combining district zoning. Staff Recommendation: To grant community commercial-conditional overlay (GR-CO) combining district zoning. Zoning and Platting Commission Recommendation: To grant community commercial-conditional overlay (GR-CO) combining district zoning. Owner/Applicant: THG Holdings LC (Guy Oliver). Agent: Brown McCarroll LLP (Nikelle S. Meade). City Staff: Wendy Rhoades, 974-7719.
- 60 PH. C14-2010-0152 - M & S Project #2 - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 10601 North FM 620 Road (Lake Travis Watershed) from neighborhood commercial-conditional overlay (LR-CO) combining district zoning to commercial-liquor sales-conditional overlay (CS-1-CO) combining district zoning. Staff Recommendation: To grant commercial-liquor sales-conditional overlay (CS-1-CO) combining district zoning. Zoning and Platting Commission Recommendation: To grant commercial-liquor sales-conditional overlay (CS-1-CO) combining district zoning. Applicant: Mao Chhay. Agent: Alice Glasco Consulting (Alice Glasco). City Staff: Sherri Sirwaitis, 974-3057.
- 61 PH. C14-2010-0118 - 1901 South Lamar Boulevard - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 1901 South Lamar Boulevard (West Bouldin Creek Watershed) from general commercial services (CS) district zoning to commercial-liquor sales (CS-1) district zoning. Staff Recommendation: To grant commercial-liquor sales (CS-1) district zoning. Planning Commission Recommendation: To grant commercial-liquor sales (CS-1) district zoning. Applicant: Columbine Properties, Inc. (William Tamminga). Agent: Hajjar Sutherland & Kelly LLP (Kareem Hajjar). City Staff: Stephen Rye 974-7604.
- 62 PH. C14-2010-0078 - 601 W. 17th Street Rezoning - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 601 W. 17th Street (Shoal Creek Watershed) from general office (GO) 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: Dunham Law Firm (Paul Dunham) Agent: Lenworth Consulting (Nash Gonzales). City Staff: Clark Patterson, 974-7691.
- 63 PH. C14-2010-0101 - Shoal Creek Blvd. - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 1808 Vance Circle (Shoal Creek Watershed) from family residence (SF-3) district zoning to general office (GO) district zoning. Staff Recommendation: To deny general office (GO) district zoning. Planning Commission Recommendation: To be reviewed on October 26, 2010. Applicant: Reynaldo Ortiz. Agent: J Valera Engineering (Juan Valera). City Staff: Clark Patterson, 974-7691.
- 64 C14-2010-0102 - Greenshores Annexation Zoning #1 - Conduct a public hearing and

- PH. approve an ordinance amending Chapter 25-2 of the Austin City Code by zoning property locally known as Greenshores Subdivision @ Pearce Road and Oak Shores (Connors Creek, Hog Pen Creek, Lake Austin Watersheds) from interim-single family residence large lot (I-SF-1) district zoning and interim-rural residence (I-RR) district zoning to single family residence large lot (SF-1) district zoning for Tracts 1 and 2, rural residence (RR) district zoning for Tract 3 and public (P) district zoning for Tracts 4 and 5. Staff Recommendation: To grant single family residence large lot (SF-1) district zoning for Tracts 1 and 2, rural residence (RR) district zoning for Tract 3 and public (P) district zoning for Tracts 4 and 5. Zoning and Platting Commission Recommendation: To grant single family residence large lot (SF-1) district zoning for Tracts 1 and 2, rural residence (RR) district zoning for Tract 3 and public (P) district zoning for Tracts 4 and 5. Applicant/Agent: City of Austin (Clark Patterson). City Staff: Clark Patterson, 974-7691.
- 65 PH. C14-2010-0103 – Greenshores Annexation Zoning #2 – Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by zoning property locally known as Greenshores Subdivision at Pearce Road, Lazy River and Oak Shores (Connors Creek, Hog Pen Creek, Lake Austin Watersheds) from interim-single family residence large lot (I-SF-1) district zoning and interim-rural residence (I-RR) district zoning to single family residence large lot (SF-1) district zoning for Tract 1, rural residence (RR) district zoning for Tract 2 and public (P) district zoning for Tract 3. Staff Recommendation: To grant single family residence large lot (SF-1) district zoning for Tract 1, rural residence (RR) district zoning for Tract 2 and public (P) district zoning for Tract 3. Zoning and Platting Commission Recommendation: To grant single family residence large lot (SF-1) district zoning for Tract 1, rural residence (RR) district zoning for Tract 2 and public (P) district zoning for Tract 3. Applicant/Agent: City of Austin (Clark Patterson). City Staff: Clark Patterson, 974-7691.
- 66 PH. C14-2010-0104 – Greenshores Annexation Zoning #3 – Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by zoning property locally known as Greenshores Subdivision at Pearce Road and Turnbuoy (Connors Creek, Hog Pen Creek, Lake Austin Watersheds) from interim-single family residence large lot (I-SF-1) district zoning and interim-rural residence (I-RR) district zoning to single family residence large lot (SF-1) district zoning for Tract 1, rural residence (RR) district zoning for Tract 2 and public (P) district zoning for Tract 3. Staff Recommendation: To grant single family residence large lot (SF-1) district zoning for Tract 1, rural residence (RR) district zoning for Tract 2 and public (P) district zoning for Tract 3. Zoning and Platting Commission Recommendation: To be reviewed on November 2, 2010. Applicant/Agent: City of Austin (Clark Patterson). City Staff: Clark Patterson, 974-7691.
- 67 PH. C14-2010-0105 – Greenshores Annexation Zoning #4 – Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by zoning property locally known as Greenshores Subdivision @ Pearce Road, Oak Shores, Pappy's Way, Malibu Cove, Barefoot Cove and Greenshores Drive (Connors Creek, Hog Pen Creek, Lake Austin Watersheds) from interim-single family residence large lot (I-SF-1) district zoning, interim-rural residence (I-RR) district zoning, interim-lake Austin residence (I-LA) district zoning, lake austin residence (LA) district zoning and family residence (SF-3) district zoning to single family residence large lot (SF-1) district zoning for Tracts 1-7, 9 and 11-13, rural residence (RR) district zoning for Tract 14, lake austin residence (LA) district zoning for Tract 10 and public (P) district zoning for Tract 8. Staff Recommendation: To grant single family residence large lot (SF-1) district zoning for Tracts 1-7, 9 and 11-13, rural residence (RR) district zoning for Tract 14, lake austin residence (LA) district zoning for Tract 10 and public (P) district zoning for Tract 8. Zoning and Platting Commission Recommendation: To grant single family residence large lot (SF-1) district zoning for Tracts 1-9, rural residence (RR) district zoning for Tract 10, lake austin residence (LA) district zoning for Tract 11 and public (P) district zoning for Tract 12. Applicant/Agent: City of Austin (Clark Patterson). City Staff: Clark Patterson, 974-7691.
- 68 PH. C14-2010-0106 – Greenshores Annexation Zoning #5 – Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by zoning

property locally known as Greenshores Subdivision @ Pappy's Way and Turnbouy Drive (Connors Creek, Hog Pen Creek, Lake Austin Watersheds) from interim-single family residence large lot (I-SF-1) district zoning to single family residence large lot (SF-1) district zoning. Staff Recommendation: To grant single family residence large lot (SF-1) district zoning. Zoning and Platting Commission Recommendation: To grant single family residence large lot (SF-1) district zoning. Applicant/Agent: City of Austin (Clark Patterson). City Staff: Clark Patterson, 974-7691.

- 69 PH. C14-2010-0107 – Greenshores Annexation Zoning #6 – Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by zoning property locally known as Greenshores Subdivision @ Pearce Road and Greenshores Drive (Connors Creek, Hog Pen Creek, Lake Austin Watersheds) from interim-single family residence large lot (I-SF-1) district zoning and interim-rural residence (I-RR) district zoning to single family residence large lot (SF-1) district zoning for Tracts 1 and 4 and rural residence (RR) district zoning for Tracts 2 and 3. Staff Recommendation: To grant single family residence large lot (SF-1) district zoning for Tracts 1 and 4 and rural residence (RR) district zoning for Tracts 2 and 3. Zoning and Platting Commission Recommendation: To grant single family residence large lot (SF-1) district zoning for Tract 1 and rural residence (RR) district zoning for Tracts 2 and 3. Applicant/Agent: City of Austin (Clark Patterson). City Staff: Clark Patterson, 974-7691.
- 70 PH. C14-2010-0108 – Greenshores Annexation Zoning #7 – Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by zoning property locally known as Greenshores Subdivision @ Robinson Road (Connors Creek, Hog Pen Creek, Lake Austin Watersheds) from interim-lake austin residence (I-LA) district zoning to lake austin residence (LA) district zoning. Staff Recommendation: To grant lake austin residence (LA) district zoning. Zoning and Platting Commission Recommendation: To grant lake austin residence (LA) district zoning. Applicant/Agent: City of Austin (Clark Patterson). City Staff: Clark Patterson, 974-7691.
- 71 PH. C14-2010-0109 – Greenshores Annexation Zoning #8 – Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by zoning property locally known as Greenshores Subdivision at Smoky Ridge & Frijolita (Connors Creek, Hog Pen Creek, Lake Austin Watersheds) from interim-single family residence large lot (I-SF-1) district zoning and interim-lake austin residence (I-LA) district zoning to single family residence large lot (SF-1) district zoning for Tract 1 and lake austin residence (LA) district zoning for Tract 2. Staff Recommendation: To grant single family residence large lot (SF-1) district zoning for Tract 1 and lake austin residence (LA) district zoning for Tract 2. Zoning and Platting Commission Recommendation: To grant single family residence large lot (SF-1) district zoning for Tract 1 and lake austin residence (LA) district zoning for Tract 2. Applicant/Agent: City of Austin (Clark Patterson). City Staff: Clark Patterson, 974-7691.
- 72 PH. C14-2010-0110 – Greenshores Annexation Zoning #9 – Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by zoning property locally known as Greenshores Subdivision @ Pearce Road & Ski Shores Terrece (Connors Creek, Hog Pen Creek, Lake Austin Watersheds) from interim-lake austin residence (I-LA) district zoning to lake austin residence (LA) district zoning. Staff Recommendation: To grant lake austin residence (LA) district zoning. Zoning and Platting Commission Recommendation: To grant lake austin residence (LA) district zoning. Applicant/Agent: City of Austin (Clark Patterson). City Staff: Clark Patterson, 974-7691.

### **3:00 PM -- ABIA Development Corporation Board of Directors Meeting**

The Mayor will recess the City Council meeting to conduct a Board of Directors' Meeting of the ABIA Development Corporation. Following adjournment of the ABIA Development Corporation meeting the City Council will re-convene..(The agenda is temporarily located at <http://www.ci.austin.tx.us/edims/document.cfm?id=130485>)

#### **4:00 PM -- Public Hearings and Possible Actions**

- 73 PH. Conduct a public hearing and consider an ordinance amending the Electric Rate Schedule contained in Ordinance No. 20100913-004 to include primary service customers as eligible customers under the Coincident Load Special Contract Rider, eliminate the need for a written contract under the Independent School Districts Time-of-Use tariff, and extend the low-income fuel charge under the Residential Service Tariff beyond its current expiration date of March 1, 2011. There is no unanticipated fiscal impact. Recommended by the Electric Utility Commission.
- 74 PH. Conduct a public hearing and consider an appeal by Albert Stowell regarding the decision to renew an Outdoor Music Venue permit for The Allan House, located at 1104 San Antonio Street.
- 75 PH. Conduct a public hearing and consider an ordinance amending City Code Chapter 25-2, Subchapter C, Article 13 relating to docks, bulkheads and shoreline access; amending section 25-2-1006 relating to screening; amending section 25-5-2 relating to site plan exemptions; amending section 25-5-3 relating to small projects; and amending section 25-8-92 relating to Critical Water Quality Zone Boundaries. There is no unanticipated fiscal impact. Recommended by Planning Commission, Environmental Board, and Parks Board.

#### **5:30 PM -- Live Music**

Austin Lyric Opera

#### **5:30 PM -- Proclamations**

Proclamation -- Opera Stampede -- to be presented by Mayor Lee Leffingwell and to be accepted by Cis Myers


Proclamation -- National Weatherization Day -- to be presented by Mayor Lee Leffingwell and to be accepted by Fred Yebra


Proclamation -- Austin Baptist Chapel "Angel House" Soup Kitchen's 25th Anniversary -- to be presented by Mayor Lee Leffingwell and to be accepted by Lewis Aven

Proclamation -- People's Community Clinic 40th Birthday Celebration -- to be presented by Council Member Laura Morrison and to be accepted by Margaret Henkels

Proclamation -- Domestic Violence Awareness Month -- to be presented by Council Member Randi Shade and to be accepted by Julia Spann

#### **Adjourn**

 *The City of Austin is committed to compliance with the Americans with Disabilities Act. Reasonable modifications and equal access to communications will be provided upon request.*

 *For assistance please call 974-2210 OR 974-2445 TDD.*

A person may request a Spanish language interpreter be made available by contacting the Office of the City Clerk not later than twenty-four hours before the scheduled time of the item on which the person wishes to speak. Please call 974-2210 in advance or inform the City Clerk's staff present at the council meeting.

Cualquier persona puede solicitar servicios de intérprete en español comunicándose con la oficina del Secretario/a Municipal a no más tardar de veinte y cuatro horas antes de la hora determinada para el asunto sobre el cual la persona desea comentar. Por favor llame al 974-2210 con anticipo o informe al personal del Secretario/a Municipal presente en la sesión del Consejo.

## 2010 Austin City Council Meeting Dates

Meetings	Cancelled Dates
June 24, 2010	
	July 1, 2010
	July 8, 2010
	July 15, 2010
	July 22, 2010
July 28, 2010 (Budget Work Session)	
July 29, 2010	
August 4, 2010 (Budget Work Session)	
August 5, 2010	
	August 12, 2010
August 18, 2010 (Budget Work Session)	
August 19, 2010	
August 25, 2010 (Budget Work Session)	
August 26, 2010	
	September 2, 2010
	September 9, 2010
September 13,14,15, 2010 (Budget Readings)	
	September 16, 2010
September 23, 2010	
September 30, 2010	
	October 7, 2010
October 14, 2010	
	October 21, 2010
October 28, 2010	
November 4, 2010	
	November 11, 2010
November 18, 2010	
	November 25, 2010
	December 2, 2010
December 9, 2010	
December 16, 2010	
	December 23, 2010
	December 30, 2010