

**AUSTIN CITY COUNCIL
MINUTES****REGULAR MEETING
THURSDAY, AUGUST 30, 2007**

Invocation: Deacon Donald Woods, St. Ignatius Catholic Church

The following represents the actions taken by the Austin City Council in the order they occurred during the meeting. While the minutes are not in sequential order, all agenda items were discussed. The City Council of Austin, Texas, convened in a regular meeting on Thursday, August 30, 2007 in the Council Chambers of City Hall, 301 West Second Street, Austin, Texas.

Mayor Wynn called the Council Meeting to order at 10:28 a.m.

The Mayor asked Council Members to report on upcoming agenda items:

Council Members Kim and McCracken announced there will be a presentation by staff on September 27, 2007 concerning the proposed 2005 panhandling ordinance and any additional amendments that may be needed. Council may schedule a public hearing during that meeting for citizen input. The discussion needs to focus on expanding safety zones for children and parents around schools, motorist safety, and the safety of panhandlers approaching vehicles

Council Member Martinez announced he will bring forth a plan for a campaign that would allow citizen contributions to social service and non-profit agencies to help the homeless population and provide information to the homeless on how to access the services they need.

CONSENT AGENDA

The following items were acted on by one motion. No separate discussion or action occurred on any of the items. The consent items were approved on Council Member Martinez' motion, Council Member Kim's second on a 7-0 vote.

1. Approval of the minutes of the Austin City Council from the regularly scheduled meeting of August 23, 2007.
The minutes from the meeting of August 23, 2007 were approved.
2. Approve execution of a 7-month lease with TWIN OAKS ASSOCIATES, LTD., Austin, TX, for an approximate seven-acre tract along Ben White Boulevard for continued use as a temporary laydown yard for equipment and materials associated with transmission circuit construction for an amount not to exceed \$70,000. Funding is available in the Fiscal Year 2006-2007 Capital Budget of Austin Energy. Recommended by the Electric Utility Commission.
The motion authorizing the execution of a lease with Twin Oaks Associates, Ltd. was approved.
3. Approve the issuance of a Letter of Intent for a rebate in the amount of \$95,533.43 to SOUTH AUSTIN MEDICAL CENTER, Austin, TX, for the installation of a solar photovoltaic system at their facility located at 2555 Western Trails Blvd. Funding is available in the Fiscal Year 2006-2007 Operating Budget

of Austin Energy in the Conservation Rebates and Incentives Fund. Recommended by the Resource Management Commission.

The motion authorizing the issuance of a letter of intent for a rebate in the amount of \$95,533.43 to South Austin Medical Center was approved.

4. Approve issuance of a rebate in the amount of \$114,530.40 to TRAMMEL CROW CO., Austin, TX, for the installation of high efficiency air conditioning equipment and a reflective roof coating at their Research Park Place office building located at 12515 Research Blvd. Funding is available in the Fiscal Year 2006-2007 Operating Budget of the Conservation Rebates and Incentive Budget of Austin Energy. Recommended by the Resource Management Commission and the Electric Utility Commission.
The motion authorizing the issuance of a rebate in the amount of \$114,530.40 to Trammel Crow Co. was approved.
5. Approve negotiation and execution of a 12-month Interlocal Agreement with the Texas Commission on Environmental Quality for the design and implementation of an ENERGY STAR(r) Appliance Replacement/Recycling Program for public housing properties owned by the Austin Housing Authority and households occupied by low-income customers in an amount not to exceed \$318,000. Funding is available from Texas Commission on Environmental Quality. Recommended by the Electric Utility Commission.
The motion authorizing the negotiation and execution of an interlocal agreement with the Texas Commission on Environmental Quality was approved.
6. Approve an ordinance amending the Fiscal Year 2006-2007 Operating Budget Ordinance #20060911-001 and appropriate \$318,000 provided through an Interlocal Agreement with the Texas Commission on Environmental Quality (TCEQ) for the design and implementation of an ENERGY STAR(r) Appliance Replacement/Recycling Program for public housing properties owned by the Austin Housing Authority and households occupied by low-income customers. Funding is available from the Texas Commission on Environmental Quality. Recommended by the Electric Utility Commission.
Ordinance No. 20070830-006 was approved.
7. Authorize execution of a construction contract with BLASTCO TEXAS INC., Houston, TX, for reservoir recoating and safety improvements in the amount of \$1,672,155 plus a \$121,455 contingency, for a total contract amount not to exceed \$1,793,610. Funding is available in the Fiscal Year 2006-2007 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) through the achievements of Good Faith Efforts of 10.58% MBE and 0.32% WBE subcontractor participation. Recommended by the Water and Wastewater Commission.
The motion authorizing the execution of a construction contract with Blastco Texas Inc. was approved.
8. Authorize execution of a construction contract with SOUTHWEST CORPORATION, Austin, TX, for the construction of concrete pad repairs and improvements to Hornsby Bend Biosolids Management Facility in the amount of \$1,044,238 plus a \$104,424 contingency, for a total contract amount not to exceed \$1,148,662. Funding is available in the Fiscal Year 2006-2007 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) through the achievements of Good Faith Efforts of 37.95% MBE and 2.32% WBE subcontractor participation. Recommended by Water and Wastewater Commission.
The motion authorizing the execution of a construction contract with Southwest Corporation was approved.

9. Approve the appointment of Assistant City Manager Rudy Garza to the Board of Directors of Austin-Bergstrom Landhost Enterprises, Inc.
The motion authorizing the appointment of Assistant City Manager Rudy Garza to the Board of Directors of Austin Bergstrom Landhost Enterprises, Inc. was approved.
10. Approve an ordinance amending the Fiscal Year 2006-07 Operating Budget General Fund, Budget Stabilization Fund of Ordinance No. 2006-0911-001 to increase Budget Stabilization Fund transfers to the General Fund (One-Time Critical) in the total amount of \$2,798,100; and increase the General Fund (One-Time Critical) appropriations by the same amount; and increase transfers out from the General Fund (One-Time Critical) to the Vehicle Acquisition Fund by \$1,974,100; and increasing appropriations to the Vehicle Acquisition Fund by the same amount for the purchase of E85 fuel police patrol sedans. Funding is available in the Fiscal Year 2006-2007 Amended Budget Stabilization Reserve Fund.
Ordinance No. 20070830-010 was approved.
11. Authorize negotiation and, upon City's receipt of grant funds, execution of an Interlocal agreement among the City, the Travis County Healthcare District and the University of Texas Medical Branch under which the City will purchase tubal ligation services from the University of Texas Medical Branch for eligible Austin Women's Hospital patients from September 1, 2007 through August 31, 2008, using grant funds awarded to the City by the Texas Department of State Health Services, in an amount not to exceed \$552,815. Funding in the amount of \$46,068 is available in the Fiscal Year 2006-2007 Operating Budget of the Community Care Services Department. Funding for the remaining 11 months of the contract period is contingent upon available funding in future budgets.
The motion authorizing the negotiation and upon City's receipt of grant funds, execution of an interlocal agreement among the City, the Travis County Healthcare District and the University of Texas Medical Branch was approved.
12. Authorize execution of the Fifth Amendment to the Interlocal Agreement between the City and the Travis County Healthcare District (District) to allow for increased payments to the City to fund additional services for the E-Merge Program in the amount of \$81,649 (\$16,329.80 per month for May 2007 through September 2007). The E-Merge Program integrates behavioral health counselors and psychiatrists into clinic medical teams to better address behavioral health issues affecting patients' physical health. Funding sufficient to satisfy all City obligations under the interlocal agreement will be available in the net transfer of funds from the Travis County Healthcare District to the City of Austin in Fiscal Year 2007-2008.
The motion authorizing the execution of the Fifth Amendment to the interlocal agreement between the City and the Travis County Healthcare District was approved.
13. Approve a resolution authorizing updates and changes to the Cultural Arts Funding Program Guidelines for Fiscal Year 2007-2008. Recommended by the Arts Commission.
Resolution No. 20070830-013 was approved.
14. Approve an ordinance on third reading to grant a non-emergency medical transfer franchise to Acadian Ambulance Service, Inc. under Chapter 10-2 of the City Code. Recommended by the Austin-Travis County EMS Advisory Board. Recommended by the Austin-Travis County EMS Advisory Board.
Ordinance No. 20070830-014 was approved.
15. Approve an ordinance authorizing acceptance of \$68,168 in grant funds from the TEXAS DEPARTMENT OF STATE HEALTH SERVICES (DSHS), TITLE V AND HEALTH RESOURCES DEVELOPMENT OFFICE, Austin, TX and amending the Fiscal Year 2006-2007 Health and Human Services Operating Budget Special Revenue Fund of Ordinance No. 20060911-001 to appropriate \$68,168 for a total grant amount of \$439,168 to provide a population-based intervention program to improve maternal and child health status in Austin/Travis County. Funding is available from the Texas

Department of State Health Services, Title V and Health Resources Development Office, Austin, TX. The grant period is September 1, 2007 through August 31, 2008. No City match is required.

Ordinance No. 20070830-015 was approved.

16. Approve an ordinance amending the Fiscal Year 2006-2007 Operating Budget, Library Department Special Revenue Fund, of Ordinance No. 20060911-001 to add a .50 full-time equivalent (FTE) position, resulting in a total of 6.0 full-time equivalent positions for the Interlibrary Loan Program funded by the Texas State Library and Archives Commission. Funding for this FTE increase is available in the amount of \$19,468 from the Texas State Library and Archives Commission. The grant period is September 1, 2007 through August 31, 2008.
Ordinance No. 20070830-016 was approved.
17. Approve an ordinance authorizing the acceptance of \$66,708 in grant funds from the Texas State Library and Archives Commission for a total grant amount of \$176,708 for the Loan Star Libraries Grant Program; and amend the Fiscal Year 2006-2007 Operating Budget Library Department Special Revenue Fund of Ordinance No. 20060911-001 to appropriate \$66,708 and to add a 1.00 full time equivalent position, resulting in a total of 2.00 full time equivalent positions for the Loan Star Libraries Grant Program. Funding is available in the amount of \$66,708 from the Texas State Library and Archives Commission. The grant period is September 1, 2007 through August 31, 2008.
Ordinance No. 20070830-017 was approved.
18. Authorize the negotiation and execution of an Interlocal Agreement with Austin Independent School District (A.I.S.D.) for the construction and use of a new tennis center on undeveloped City parkland adjoining the Gus Garcia Middle School on Johnny Morris Road.
The motion authorizing the negotiation and execution of an interlocal agreement with Austin Independent School District (A.I.S.D.) was approved.
19. Authorize negotiation and execution of an Interlocal Agreement with Austin Independent School District (AISD) for space on school premises for the City of Austin Eastside Story-Austin Police Department (APD) after-school program and summer camp in an amount not to exceed \$5,000 for the initial period of one (1) year with the option to renew for four successive one (1) year terms; total costs of the Agreement not to exceed \$25,000 if all renewal options are exercised. Funding in the amount of \$25,000 for the original contract period and extension options is contingent upon available funding in future budgets.
The motion authorizing the negotiation and execution of an interlocal agreement with Austin Independent School District (A.I.S.D.) was approved.
20. Approve a resolution authorizing the acquisition for the US 183-Springdale Road to Martin Luther King Jr. Boulevard Project of a water line easement of 0.138 acres (6,024 square feet) in the J. C. Tannehill League, being part of Lot 1 and Lot 2, First Resubdivision Tract No. 2, Bluestein Shopping Center; a water line easement of 0.393 acres (17,119 square feet) in the J. C. Tannehill League; a wastewater line easement of 0.171 acres (7,459 square feet) in the J.A.G. Brook Survey No. 28; and a temporary working space easement of 0.114 acres (4,976 square feet) in the J.A.G. Brook Survey No. 28, Travis County, Texas, from the Austin Independent School District, in an amount not to exceed \$89,390. Funding is available in the Fiscal Year 2006-2007 Capital Budget of the Austin Water Utility. Recommended by the Water and Wastewater Commission.
Resolution No. 20070830-020 was approved.
21. Authorize the negotiation and execution of a 60-month lease with the possibility of future extensions for approximately 7,000 square feet of office, storage and retail space for the Book Sales Program of the Austin Public Library Department, located at 8620 Burnet Road Suite 400, from ROCKWOOD VILLAGE PARTNERSHIP, LTD., Austin TX, in an amount not to exceed \$ \$707,560.88. Funding is

available in the Fiscal Year 2006-2007 Operating Budget of the Library Department. Funding for the lease term period is contingent upon available funding in future budgets.

The motion authorizing the negotiation and execution of a lease for the Book Sales Program of the Austin Public Library Department from Rockwood Village Partnership, Ltd. was approved.

22. Authorize negotiation and execution of lease renewals for approximately 22,171 square feet of office space for the Austin Police Department and Financial Services Department, located at 1106 Clayton Lane Suites 100E, 215E, 415E, 496E, 490E, 500E and 350W from TWIN TOWERS LTD. PARTNERSHIP, Austin TX, in an amount not to exceed \$72,492.22. Funding is available in the Fiscal Year 2006-2007 Operating Budget of the Austin Police Department. Funding for the remaining lease term period is contingent upon available funding in future budgets.
The motion authorizing the negotiation and execution of a lease renewal with Twin Towers LTD, Partnership was approved.
23. Authorize execution of a construction contract with BRH-GARVER CONSTRUCTION, LP, Houston, TX, for the Austin Clean Water Program: Manor/Comal/Rosewood Avenue Wastewater Improvements Project in the amount of \$9,539,449 plus a \$476,972.00 contingency, for a total contract amount not to exceed \$10,016,421. Funding is available in the Fiscal Year 2006-2007 Capital Budget of the Austin Water Utility. Lowest of five bids received. This contract will be awarded in compliance with Chapter 2-9A of the City Code (Minority-Owned and Women Owned Business Enterprise Procurement Program) by meeting the goals with 13.12% MBE and 65.86% WBE subcontractor participation. Recommended by the Water and Wastewater Commission.
The motion authorizing the execution of a construction contract with BRH Garver Construction, LP was approved.
24. Authorize execution of a construction contract with OSCAR RENDA CONTRACTING, INC., Roanoke, TX, for the Austin Clean Water Program: Govalle 4 - Waller Pedernales Area Wastewater Improvements Project in the amount of \$12,333,740 plus a \$616,687 contingency, for a total contract amount not to exceed \$12,950,427. Funding is available in the Fiscal Year 2006-2007 Capital Budget of the Austin Water Utility. Lowest of two 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 12.90% and 12.60% WBE subcontractor participation. Recommended by the Water and Wastewater Commission.
The motion authorizing the execution of a construction contract with Oscar Renda Contracting, Inc. was approved.
25. Authorize execution of a construction contract with JAY-REESE CONTRACTORS, INC., Austin, TX, for the Austin Clean Water Program: Govalle 5 - Wethersfield Hartford Wastewater Improvements Project in the amount of \$5,461,565.50 plus a \$273,078 contingency, for a total contract amount not to exceed \$5,734,643.50. Funding is available in the Fiscal Year 2006-2007 Capital Budget of the Austin Water Utility. Lowest bid of five 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 of 6.58% MBE and 2.83% WBE subcontractor participation. Recommended by the Water and Wastewater Commission.
The motion authorizing the execution of a construction contract with Jay Reese Contractors, Inc. was approved.
26. Authorize execution of change order #3 to the construction contract with MCLEAN CONSTRUCTION, LTD., Killeen, TX, for the Barton Hills Retrofit Project in the amount of \$66,700 for a total contract amount not to exceed \$1,044,286. Funding is available in the Fiscal Year 2006-2007 Capital Budget of the Watershed Protection and Development Review Department. This contract was awarded in

compliance with Chapter 2-9A of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program) by meeting the goals of the solicitation at the time the contract was awarded with 17.26% MBE and 5.14%WBE subcontractor participation to date including this change order.

The motion authorizing the execution of change order number 3 to the construction contract with McLean Construction, Ltd. was approved.

27. Authorize negotiation and execution of a professional services agreement with KLEINFELDER, Austin, TX, for engineering services for the 2007 Reservoir Recoating and Safety Improvement Project in an amount not to exceed \$800,000 over a four-year period or until funds are expended. Funding in the amount of \$200,000 is available in the Fiscal Year 2006-2007 Capital Budget of the Austin Water Utility. Additional funding is contingent upon available funding in future budgets. Best qualification statement of four statements received. This contract will be awarded in compliance with Chapter 2-9B of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program) by meeting the goals with 18% MBE and 15% WBE subconsultant participation. Recommended by the Water and Wastewater Commission.

The motion authorizing the negotiation and execution of a professional services agreement with Kleinfelder was approved.

28. Authorize negotiation and execution of an amendment to the professional services agreement with BROWN and ROOT, INC / ESPEY PADDEN, INC. JOINT VENTURE, Austin, TX, for Phase 2 (design/bid) and Phase 3 (construction management and warranty assistance) engineering services for the Waller Creek Tunnel Project, in the amount of \$26,900,000 plus a \$1,350,000 contingency, for a maximum contract amount not to exceed \$30,482,675.15. Funding in the amount of \$21,241,947 of unencumbered funds is available in the Capital Budget of the Watershed Protection and Development Review Department. The existing contract amount of \$2,232,675.15 has been encumbered. The balance of \$7,008,053 will be funded by bond interest and certificates of obligation. This contract was awarded in compliance with Chapter 2-9B of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program) by meeting the goals with 17.1% MBE and 14.3% WBE subconsultant participation to date.

The motion authorizing the negotiation and execution of an amendment to the professional services agreement with Brown and Root, Inc./Espey Padden, Inc. Joint Venture was approved.

29. Approve an ordinance authorizing the acceptance of \$480,000 in federal grant funds from the Texas Department of Transportation (TxDOT), and amending the Fiscal Year 2006-2007 Public Works Special Revenue Fund of Ordinance No. 20060911-001 and the Fiscal Year 2006-2007 Public Works Department Capital Budget of Ordinance No. 20060911-002 to appropriate \$480,000 for the construction of roadway and sidewalk improvements on Cesar Chavez Street between San Antonio and Brazos Streets including the conversion of Cesar Chavez Street from one-way to two-way traffic. The additional grant amount of \$480,000 will be provided by TxDOT. The required additional \$120,000 local match is available in the Fiscal Year 2006-2007 Capital Budget of the Public Works Department. The recommended improvements have been approved by the following Boards and Commissions: Urban Transportation Commission, Downtown Commission, Design Commission, Land and Facilities and the Parks Board.

Ordinance No. 20070830-029 was approved.

30. Approve a resolution authorizing the negotiation and execution of an amendment to the Interlocal Agreement between the City and the Texas Department of Transportation (TxDOT) to authorize acceptance of an additional \$480,000 in Federal Funds for the construction of roadway and sidewalk improvements on Cesar Chavez Street between San Antonio and Brazos Streets including the conversion of Cesar Chavez Street from one-way to two-way traffic. The additional grant amount of \$480,000 will be provided by TxDOT. The required additional \$120,000 local match is available in the Fiscal Year 2006-

2007 Capital Budget of the Public Works Department. TxDOT previously provided \$1,920,000 for the project. The recommended improvements have been approved by the following Boards and Commissions: Urban Transportation Commission, Downtown Commission, Design Commission, Land and Facilities and Parks Board.

Resolution No. 20070830-030 was approved.

31. Authorize the use of the Job Order Contracting method of contracting for facility construction as permitted by Subchapter H of Chapter 271 of the Texas Local Government Code to establish two Job Order Contracts for the minor repair and rehabilitation of City facilities. Recommended by the MBE/WBE and Small Business Council Subcommittee and the MBE/WBE and Small Business Advisory Committee.

The motion authorizing the use of the job order contracting method of contracting for facility construction to establish two job order contracts was approved.

32. Authorize the use of the Design/Build method for contracting for facility construction for the Sand Hill Energy Center 100-Megawatt Expansion Project as permitted by Subchapter H of Chapter 271 of the Texas Local Government Code. Recommended by the MBE/WBE and Small Business Council Subcommittee; the MBE/WBE and Small Business Advisory Committee; and, the Electric Utility Commission.

The motion authorizing the use of the design/build method for contracting for facility construction for the Sand Hill Energy Center was approved.

33. Approve an ordinance amending Section 12-4-63 of the City Code and Ordinance No. 20070809-004 to modify the school zone on South Congress Avenue for Fulmore Middle School and Travis Heights Elementary School; and provide for emergency passage. Funding in the amount of \$7,000 is available in the Fiscal Year 2006-2007 Operating Budget of the Public Works Department for the installation of necessary signs.

Ordinance No. 20070830-033 was approved.

34. Authorize award and execution of a contract through the TEXAS LOCAL GOVERNMENT PURCHASING COOPERATIVE (BUYBOARD) with PHILPOTT MOTORS, LTD, Nederland, TX for the purchase of 118 police patrol sedans in an amount not to exceed \$2,798,110. A budget amendment to fund this purchase is on the agenda as a related item. Cooperative Purchase. This contract will be awarded in compliance with Chapter 2-9D of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). This contract is a Cooperative Purchase; therefore, it is exempted under Chapter 252.022 of the Texas Government Code and no goals were established for this solicitation.

The motion authorizing the award and execution of a contract through the Texas Local Government Purchasing Cooperative (Buyboard) with Philpott Motors, Ltd. was approved.

35. Authorize award and execution of a 36-month requirements service contract with ALLIED WASTE/BFI WASTE SYSTEMS, OF TEXAS, Austin, TX for the management and disposal of industrial Class 2 non-hazardous and special waste in an estimated amount not to exceed \$350,895, with one 36-month extension option in an estimated amount not to exceed \$350,895 per extension option, for a total estimated contract amount not to exceed \$701,790. Funding in the amount of \$9,747 is available in Fiscal Year 2006-2007 Operating Budget of Austin Energy. Funding for the remaining 35 months of the original contract period and extension option 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.

The motion authorizing the award and execution of a requirements service contract with Allied Waste/BFI Waste Systems of Texas was approved.

36. Authorize award and execution of a 60-month contract with ALTEC INDUSTRIES, St. Joseph, MO, for the lease of truck-mounted aerial devices and digger derricks in an amount not to exceed \$1,902,475. Future funding is contingent upon available funding in future budgets. Best evaluated proposal of two 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 and execution of a contract with Altec Industries was approved.
37. Authorize award, negotiation, and execution of a 12-month requirements service contract with APPLIANCE RECYCLING CENTERS OF AMERICA, INC., Minneapolis, MN, to provide pickup and recycling services of old appliances, and delivery and installation of new appliances in an estimated amount not to exceed \$534,633, with three 12-month extension options in an estimated amount not exceed \$534,633 per extension option, for a total estimated contract amount not to exceed \$2,138,532. Funding in the amount of \$44,553 is available in the Fiscal Year 2006-2007 Operating Budget for Austin Energy. Funding for the remaining eleven months of the original contract period and extension options is contingent upon available funding in future budgets. Sole proposal received. This contract will be awarded in compliance with Chapter 2-9C of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation.
The motion authorizing the award, negotiation, and execution of a requirements service contract with Appliance Recycling Centers of America, Inc. was approved.
38. Authorize award, negotiation, and execution of a 12-month requirements service contract with LCG CONSULTING, Los Altos, California to procure licenses, databases, and interfaces for a nodal network market planning model in an estimated amount not to exceed \$246,000, with four 12-month extension options in an estimated amount not to exceed \$212,750 for the first extension option, \$220,500 for the second extension option, \$228,900 for the third extension option, and \$237,500 for the fourth extension option, for a total estimated contract amount not to exceed \$1,145,650. Funding in the amount of \$246,000 is available in the Fiscal Year 2006-2007 Approved Capital Budget. Funding for the extension options is contingent available funding in future budgets. Best evaluated proposal of two 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 LCG Consulting was approved.
39. Authorize award, negotiation, and execution of a 12-month requirements service contract with OPEN SYSTEMS INTERNATIONAL, INC., Minneapolis, MN, for the purchase of generation management system software, annual maintenance and support, and implementation in an estimated amount not to exceed \$795,000, with four 12-month extension options in an estimated amount not to exceed \$57,750 for the first extension option, \$60,638 for the second extension option, \$63,670 for the third extension option, and \$66,854 for the fourth extension option, for a total estimated contract amount not exceed \$1,043,912. Funding is available in the fiscal Year 2006-2007 Capital Budget for Austin Energy. Funding for the extension options is contingent upon available funding in future budgets. Sole proposal received. This purchase 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 Open Systems International, Inc. was approved.

40. Authorize award and execution of a 24-month requirements supply contract with CUSTOM APPAREL, L.L.C., Mount Freedom, NJ, for decade t-shirts in an estimated amount not to exceed \$113,788, with two 12-month extension options in an estimated amount not to exceed \$59,739 for the first extension option and \$62,726 for the second extension option, for a total estimated contract amount not to exceed \$236,253. Funding in the amount of \$4,741 is available in the Fiscal Year 2006-2007 Operating Budget of various City Departments. Funding for the remaining 23 months of the original contract period and extension options is contingent upon available funding in future budgets. Lowest bid of two bids received. This contract will be awarded in compliance with Chapter 2-9D of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation.
The motion authorizing the award and execution of a requirements supply contract with Custom Apparel L.L.C. was approved.
41. Authorize award and execution of a 12-month requirements service contract with SECURITY MANAGEMENT SERVICES, LLC, Austin, TX, for installation, expansion, and maintenance of the Integrated Security Management System (ISMS) for Austin Energy in an estimated amount not to exceed \$1,775,740, with four 12-month extension options in an estimated amount not to exceed \$1,816,800 for the first extension; \$1,860,120 for the second extension; \$1,905,492 for the third extension and \$1,951,200 for the fourth extension for a total estimated contract amount not to exceed \$9,309,352. Future funding is contingent upon available funding in future budgets. This contract will be awarded in accordance 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.
The motion authorizing the award and execution of a requirements service contract with Security Management Services, LLC was approved.
42. Authorize award and execution of a 12-month requirements supply contract with AIRGAS SPECIALTY PRODUCTS, Atlanta, GA, for the purchase of anhydrous ammonia for the Austin Water Utility in an estimated amount not to exceed \$202,200, with two 12-month extension options in an estimated amount not to exceed \$202,200 per extension option, for a total estimated contract amount not to exceed \$606,600. Funding in the amount of \$16,850 is available in the Fiscal Year 2006-2007 Operating Budget of the Austin Water Utility. Funding for the remaining eleven months of the original contract period and extension options is contingent upon available funding in future budgets. Sole bid received. This contract will be awarded in compliance with Chapter 2-9D of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore no goals were established for this solicitation. Recommended by the Water and Wastewater Commission.
The motion authorizing the award and execution of a requirements supply contract with Airgas Specialty Products was approved.
43. Authorize award and execution of a contract with ASHBROOK SIMON-HARTLEY, Houston, TX, for the reconditioning of two gravity belt thickeners for the Austin Water Utility in an amount not to exceed \$107,080. Funding is available in the Fiscal Year 2006-2007 Operating Budget of the Austin Water Utility. 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 procurement. Recommended by the Water and Wastewater Commission.
The motion authorizing the award and execution of a contract with Ashbrook Simon-Hartley was approved.

44. Approve award and execution of a 24-month requirements supply contract with HD SUPPLY WATERWORKS, Round Rock, TX, for the purchase of fire hydrant upper barrels and stems of various sizes for the Austin Water Utility in an estimated amount not to exceed \$375,621, with three 12-month extension options in an estimated amount not to exceed \$187,811 per extension option, for a total estimated contract amount not to exceed \$939,054. Funding in the amount of \$15,651 is available in the Fiscal Year 2006-2007 Operating Budget of the Austin Water Utility. Funding for the remaining twenty-three 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 Water and Wastewater Commission.
The motion authorizing the award and execution of a requirements supply contract with HD Supply Waterworks was approved.
45. Authorize award and execution of a contract with MACAULAY CONTROLS CO, Houston, TX, for the purchase of American Sigma flow meters for the Austin Water Utility in an amount not to exceed \$91,462.20. Funding is available in the Fiscal Year 2006-2007 Operating Budget of the Austin Water Utility. Sole Source. This contract will be awarded in compliance with Chapter 2-9D of the City Code (Minority Owned and Women Owned Business Enterprise Procurement Program) No subcontracting opportunities were identified; therefore, no goals were established for this solicitation. Recommended by the Water and Wastewater Commission.
The motion authorizing the award and execution of a contract with Macaulay Controls Co. was approved.
46. Authorize execution and award of a contract through the Texas Local Government Purchasing Cooperative (BuyBoard) with RENFRO EQUIPMENT & SUPPLY, Fort Worth, TX, for the purchase of sewer line inspection equipment for the Austin Water Utility in an amount not to exceed \$70,223. Funding is available in the Fiscal Year 2006-2007 Operating Budget of the Austin Water Utility. Cooperative Purchase. This contract will be awarded in compliance with Chapter 2-9D of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). This contract is a Cooperative Purchase; therefore, it is exempted under Chapter 252.022 of the Texas Local Government Code and no goals were established for this solicitation. Recommended by the Water and Wastewater Commission.
The motion authorizing the execution and award of a contract through the Texas Local Government Purchasing Cooperative (Buyboard) with Renfro Equipment and Supply was approved.
47. Authorize award and execution of a contract with VARIAN, INC., Walnut Creek, CA, for the purchase of an inductively coupled plasma-optical emission spectrometer for the Austin Water Utility in a total contract amount not to exceed \$86,432. Funding is available in the Fiscal Year 2006-2007 Operating Budget of the Austin Water Utility. Lowest bid of three bids received. This contract will be awarded in compliance with Chapter 2-9D of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore no goals were established for this solicitation. Recommended by the Water and Wastewater Commission.
The motion authorizing the award and execution of a contract with Varian, Inc., was approved.
48. Authorize award and execution of Amendment No. 10 to an interlocal agreement with TRAVIS COUNTY, Austin, TX, for the provision of sign language services, to increase the contract in an estimated amount not to exceed \$40,970 for each of the six remaining extension options, for a revised total estimated contract amount not to exceed \$1,081,537. Funding for the extension options is contingent upon available funding in future budgets. Contract Amendment. This contract was awarded in compliance

with Chapter 2-9C of the City Code (Minority-Owned and Women Owned Business Enterprise Procurement Program). This contract is an Interlocal Agreement; therefore, it is exempted under Chapter 252.022 of the Texas Local government Code and no goals were established for this solicitation.

The motion authorizing the award and execution of amendment number 10 to an interlocal agreement with Travis County was approved.

49. Authorize award and execution of a 36-month requirements service contract with LANGUAGE SERVICES ASSOCIATES, INC., Willow Grove, PA, for over-the-phone language interpretation services in an estimated amount not to exceed \$390,528, with three 12-month extension options in an estimated amount not to exceed \$130,176 per extension option, for a total estimated contract amount not to exceed \$781,056. Funding in the amount of \$8,640 is available in the Fiscal Year 2006-2007 Operating Budget of the Community Care Services Department. Funding in the amount of \$2,208 is available in the Fiscal Year 2006-2007 Operating Budget of the Health & Human Services Department. Funding for the remaining 35 months of the original contract period and extension options is contingent upon available funding in future budgets. Lowest bid of two bids received. This contract will be awarded in compliance with Chapter 2-9C 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 Language Services Associates, Inc. was approved.

50. Authorize award and execution of a 24-month interlocal agreement with AUSTIN COMMUNITY COLLEGE, Austin, TX, for the development and delivery of Accessing Capital Education training classes to small business owners and entrepreneurs for the Small Business Development Program in an amount not to exceed \$91,370. Funding in the amount of \$91,370 is available in the Fiscal Year 2006-2007 Operating Budget of the Economic Growth and Redevelopment Services Office. Interlocal Agreement. This contract will be awarded in compliance with Chapter 2-9C of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). This contract is an Interlocal Agreement; therefore, it is exempted under Chapter 252.022 of the Texas Local Government Code and no goals were established for this solicitation.

The motion authorizing the award and execution of an interlocal agreement with Austin Community College was approved.

51. Authorize award and execution of a contract through the U.S. Communities Government Purchasing Alliance with HAGEMEYER NORTH AMERICA, INC., Coppell, TX, for the purchase of gas masks and cartridges in an amount not to exceed \$49,990.60. Funding in the amount of \$49,990.60 is available in the Fiscal Year 2006-2007 Operating Budget of the Emergency Medical Services Department and will be reimbursed with a Fiscal Year 2006 U.S. Department of Homeland Security grant. This contract will be awarded in compliance with Chapter 2-9D of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). This contract is a Cooperative Purchase; therefore, it is exempted under Chapter 252.022 of the Texas Local Government Code and no goals were established for this solicitation.

The motion authorizing the award and execution of a contract through the U.S. Communities Government Purchasing Alliance with Hagemeyer North America, Inc. was approved.

52. Authorize award, negotiation, and execution of a 24-month requirements service contract with COMPLETE COMMUNICATIONS, INC. dba CO COM CABLING SERVICES (WBE/FR 40%), Austin, TX, for the purchase of voice and data cabling services in an estimated amount not to exceed \$6,234,400, with three 12-month extension options in an estimated amount not to exceed \$3,000,000 for each extension option, for a total estimated contract amount not to exceed \$15,234,400. Funding in the amount of \$300,000 is available in the Fiscal Year 2006-2007 Operating Budget of the Austin

Convention Center. Funding in the amount of \$50,000 is available in the Fiscal Year 2006-2007 Operating Budget of the Communications and Technology Management Department. Funding for the remaining 23 months of the original contract period and the extension options is contingent upon available funding in future budgets. Best evaluated proposal of six 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) by meeting the goals with 60% MBE and 0.00% WBE subcontractor participation.

This item was postponed to September 27, 2007.

53. Authorize award and execution of a contract with TRICO TOWER SERVICE, INC., Houston, TX, for the purchase and installation of Honeywell lighting markers on the Regional Radio System towers in an amount not to exceed \$164,611.10. Funding is available in the Fiscal Year 2006-2007 Operating Budget of the Communications & Technology Management Department. 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.

The motion authorizing the award and execution of a contract with Trico Tower Service, Inc. was approved.

54. Authorize award and execution of a 36-month requirements supply contract with AUSTEX AUTO PARTS, Austin, TX for automotive filters for light, medium, and heavy duty vehicles in an estimated amount not to exceed \$316,734, with three 12-month extension options in an estimated amount not to exceed \$110,857 for the first extension option, \$116,400 for the second extension option, and \$122,220 for the third extension option for a total estimated contract amount not to exceed \$666,211. Funding in the amount of \$8,798 is available in the Fiscal Year 2006-2007 Operating Budget of the Financial & Administrative Services Department, Fleet Management Fund. Funding for the remaining 35 months of the original contract period and extension options is contingent upon available funding in future budgets. Lowest bid of 11 bids received. This contract will be awarded in compliance with Chapter 2-9D of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation.

The motion authorizing the award and execution of a requirements supply contract with Austex Auto Parts was approved.

55. Authorize award and execution of a 36-month requirements supply contract with LONGHORN INTERNATIONAL TRUCKS, Austin, TX, for captive repair parts and repair services for Crane Carrier manufactured trucks in an estimated amount not to exceed \$600,000, with three 12-month extension options in an estimated amount not to exceed \$210,000 for the first extension option, \$220,500 for the second extension option, and \$231,525 for the third extension option, for a total estimated contract amount not to exceed \$1,262,025. Funding in the amount of \$16,667 is available in the Fiscal Year 2006-2007 Operating Budget of the Financial & Administrative Services Department, Fleet Management Fund. Funding for the remaining 35 months of the original contract period and extension options is contingent upon available funding in future budgets. Lowest bid of two bids received. This contract will be awarded in compliance with Chapter 2-9D of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation.

The motion authorizing the award and execution of a requirements supply contract with Longhorn International Trucks was approved.

56. Authorize award and execution of a 36-month requirements supply contract with RDO EQUIPMENT CO., Pflugerville, TX for captive repair parts and repair services for John Deere heavy equipment in an estimated amount not to exceed \$480,000, with three 12-month extension options in an estimated amount

not to exceed \$168,000 for the first extension option, \$176,400 for the second extension option, and \$185,220 for the third extension option, for a total estimated contract amount not to exceed \$1,009,620. Funding in the amount of \$13,333 is available in the Fiscal Year 2006-2007 Operating Budget of the Financial and Administrative Services Department, Fleet Management Fund. Funding for the remaining 35 months of the original contract period and extension options is contingent upon available funding in future budgets. Sole bid received. This contract will be awarded in compliance with Chapter 2-9D of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation. **The motion authorizing the award and execution of a requirements supply contract with RDO Equipment Co. was approved.**

57. Authorize award and execution of a 36-month requirements service contract with CIMS GLOBAL TECHNOLOGY SOLUTIONS, Huntsville, AL, for the purchase of tuberculosis case management software and hardware in an estimated amount not to exceed \$116,256, with four 12-month extension options in an estimated amount not to exceed \$60,000 per extension option, for an estimated total contract amount not to exceed \$356,256. Funding in the amount of \$67,256 is available in the 2006-2007 Capital Budget of the Communications and Technology Management Department. Funding for the remaining 35 months of the original contract period and extension options is contingent upon available funding in future budgets. Sole Source. This contract will be awarded in compliance with Chapter 2-9C 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 Cims Global Technology Solutions was approved.**
58. Authorize award and execution of a contract through the State of Texas Multiple Awards Schedule (TXMAS) with W.W. GRAINGER INC., Austin, TX for the purchase of personnel protective equipment for City of Austin emergency first responders in an amount not to exceed \$91,991.14. Funding is available in the 2005-2007 Public Health Preparedness and Response for Bioterrorism (PAN FLU) grant awarded to the Health and Human Services Department by the Texas Department of State Health Services (DSHS), Public Health Preparedness Section. Cooperative Purchase. This contract will be awarded in compliance with Chapter 2-9D of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). This contract is a Cooperative Purchase; therefore, it is exempted under Chapter 252.022 of the Texas Government Code and no goals were established for this solicitation. **The motion authorizing the award and execution of a contract through the State of Texas Multiple Awards Schedule with W.W. Grainger Inc. was approved.**
59. Authorize award, negotiation, and execution of a 16-month requirements service contract with LIFE INSURANCE COMPANY OF NORTH AMERICA, Philadelphia, PA for a group short-term and long-term disability insurance program in an estimated amount not to exceed \$2,287,000, with two 12-month extension options in an estimated amount not to exceed \$2,629,000 for the first extension option and \$3,024,000 for the second extension option, for a total estimated contract amount not to exceed \$7,940,000. Future funding is contingent upon available funding in future budgets. Best evaluated proposal of ten 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 Life Insurance Company of North America as approved.**
60. Authorize award, negotiation, and execution of a 16-month requirements service contract with SUPERIOR VISION SERVICES, INC., Rancho Cordova, CA for a group vision insurance program in an estimated amount not to exceed \$883,578, with two 12-month extension options in an estimated amount

not to exceed \$971,935 for the first extension option, and \$1,069,129 for the second extension option, for a total estimated contract amount not to exceed \$2,924,642. Future funding is contingent upon available funding in future budgets. Best evaluated proposal of nine 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 Superior Vision Services, Inc. was approved.

61. Authorize award, negotiation, and execution of a 24-month requirements service contract with TOWERS PERRIN, FORSTER & CROSBY, INC., Austin, TX for actuarial and benefit consulting services in an estimated amount not to exceed \$1,077,000, with two 12-month extension options in an estimated amount not to exceed \$538,500 per extension option, for a total estimated contract amount not to exceed \$2,154,000. Future funding is contingent upon available funding in future budgets. Best evaluated proposal of seven 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 Towers Perrin, Forster and Crosby, Inc. was approved.
62. Authorize award and execution of a 24-month requirements supply contract with GT DISTRIBUTORS, Austin, TX for the purchase of TASER(tm) electronic control devices, cartridges, and holsters for the Austin Police Department in an estimated amount not to exceed \$336,790, with two 12-month extension options in an estimated amount not to exceed \$168,395 per extension option, for a total estimated contract amount not to exceed \$673,580. Funding in the amount of \$14,033 is available in the 2006-2007 Operating Budget of the Austin Police Department. Funding for the remaining 23 months of the original contract period and extension options is contingent upon available funding in future budgets. Sole Source. This contract will be awarded in compliance with Chapter 2-9D of the City Code (Minority Owned and Woman-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation.
The motion authorizing the award and execution of a requirements supply contract with GT Distributors was approved.
63. Authorize award and execution of a 48-month service contract through the Texas Cooperative Purchasing Network with XEROX CORPORATION, Austin, TX, for the lease of multi-function document imaging machines in an amount not to exceed \$587,308.80. Future funding is contingent upon available funding in future budgets. Cooperative Purchase. This contract will be awarded in compliance with Chapter 2-9D of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). This contract is a Cooperative Purchase; therefore, it is exempted under Chapter 252.022 of the Texas Government Code and no goals were established for this solicitation.
The motion authorizing the award and execution of a service contract through the Texas Cooperative Purchasing Network with Xerox Corporation was approved.
64. Authorize award and execution of a 12-month requirements service contract with INTERSTATE BARRICADES & MARKING, Pearland, TX, for roadway striping for the Public Works Department for a total contract amount not to exceed \$1,072,157. Funding in the amount of \$89,347 is available in the Fiscal Year 2006-2007 Capital Budget of the Public Works Department. Funding for the remaining 11 months of the contract period is contingent upon available funding in future budgets. Lowest bid of two bids received. This contract will be awarded in compliance with Chapter 2-9C of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program.) No subcontracting opportunities were identified; therefore, no goals were established for this solicitation.

The motion authorizing the award and execution of a requirements service contract with Interstate Barricades and Marking was approved.

65. Authorize award and execution of two contracts through the Texas Local Government Purchasing Cooperative (BuyBoard) with EQUIPMENT SOUTHWEST, Irving, TX, for the purchase of one side-loading recycling collection body in an amount not to exceed \$92,110.99; and LONGHORN INTERNATIONAL TRUCKS, LTD, Austin, TX for the purchase of one truck cab & chassis in an amount not to exceed \$119,245. Funding is available in the Fiscal Year 2006-2007 Capital Budget of the Solid Waste Services Department. This contract will be awarded in compliance with Chapter 2-9D of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). This contract is a Cooperative Purchase; therefore, it is exempted under Chapter 252.022 of the Texas Local Government Code and no goals were established for this solicitation.

The motion authorizing the award and execution of two contracts through the Texas Local Government Purchasing Cooperative (BuyBoard) with Equipment Southwest was approved.

66. Authorize execution of a 36-month requirements supply contract with ACT PIPE & SUPPLY, Pflugerville, TX, for inlet lids, manhole covers, rings, and grates in an estimated amount not to exceed \$198,289, with three 12-month extension options in an estimated amount not to exceed \$66,097 per extension option, for a total estimated contract amount not to exceed \$396,580. Funding in the amount of \$5,508 is available in the Fiscal Year 2006-2007 Operating Budget of the Watershed Protection and Development Review Department. Funding for the remaining 35 months of the original contract period and extension options is contingent upon available funding in future budgets. Lowest bid of four bids received. This contract will be awarded in compliance with Chapter 2-9D of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No Subcontracting opportunities were identified; therefore, no goals were established for this solicitation.

The motion authorizing the execution of a requirements supply contract with Act Pipe and Supply was approved.

67. Approve an ordinance on second reading only granting a franchise to Atmos Energy Corporation to provide natural gas distribution services. Estimated annual franchise fee revenue in the amount of \$500,000 is anticipated under new franchise agreement. Recommended by the Council Committee for Emerging Technology and Telecommunications.

The second reading of the ordinance granting a franchise to Atmos Energy Corporation was approved.

Item 68 was pulled for discussion.

69. Authorize negotiation and execution of a 36-month Interlocal Agreement with Texas Agricultural Experiment Station (TAES), of the Texas A&M University for the time and expertise of TAES engineers and staff to develop additional water quality modeling capabilities in a cooperative project with City of Austin staff for an amount not to exceed \$150,000 with a 12-month extension option, for a total amount not to exceed \$150,000. Funding in the amount of \$20,000 is available in the Fiscal Year 2006-2007 Operating Budget of the Watershed Protection and Development Review Department. The balance is contingent upon available funding in future budgets.

The motion authorizing the negotiation and execution of an interlocal agreement with Texas Agricultural Experiment Station of the Texas A&M University was approved.

70. Approve appointments to citizen board and commissions, to Council subcommittees and other intergovernmental bodies and removal and replacement of members.

The following appointments were made:

<u>Board/ Appointee</u>	<u>Consensus/ Council Nominee</u>	<u>Appointment/ Reappointment</u>
<u>Families and Children Task Force</u>		
Al Beavers	Consensus	Appointment
Cathy Echols	Consensus	Appointment
Kara Garst	Consensus	Appointment
Lou Gerard	Consensus	Appointment
Greg Keyes	Consensus	Appointment
Saundra Kirk	Consensus	Appointment
Rhonda Paver	Consensus	Appointment
Jennifer Peters	Consensus	Appointment
Thuy Phan	Consensus	Appointment
Robert Schneider	Consensus	Appointment
Marcelo Tafoya	Consensus	Appointment
Kathie Tovo	Consensus	Appointment
Laura Warren	Consensus	Appointment
Heather Way	Consensus	Appointment

Parks and Recreation Board

Jeb Boyt	Mayor Pro Tem Dunkerley's	Reappointment
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Planning Commission

Dave Sullivan	Council Member Leffingwell's	Reappointment
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Water and Wastewater Commission

Mike Warner	Council Member Leffingwell's	Reappointment
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71. Approve an ordinance amending Ordinance No. 20070621-097 relating to the Families and Children Task Force. (Council Member Jennifer Kim Mayor Pro Tem Betty Dunkerley Council Member Sheryl Cole)
Ordinance No. 20070830-071 was approved.
72. Set a public hearing to consider an ordinance amending City Code Sections 9-4-13 and 12-1-27 related to solicitation. (Suggested dates and times: September 27, 2007, at 6:00 p.m. at Austin City Hall, 301 W. Second Street, Austin, TX.) (Council Member Jennifer Kim Council Member Brewster McCracken)
This item was withdrawn.
73. Approve waiver of fees and requirements under Chapter 14 of the Code, and authorize payment of certain costs for the Fiesta de Independencia Foundation's 2007 Fiesta de Independencia Celebration to be held at Waterloo Park on September 15, 2007. (Mayor Will Wynn Mayor Pro Tem Betty Dunkerley Council Member Mike Martinez)
The motion approving the waiver of fees and requirements under Chapter 14 of the Code and authorizing payment of certain costs for the Fiesta de Independencia Foundation's 2007 Fiesta de Independencia Celebration was approved.
74. Set public hearings for the full purpose annexation of the following annexation areas: (1) Barton Creek Greenbelt Area (Approximately 33 acres in Travis County at the southeast corner of Loop 360 and Loop 1); (2) Walnut Creek Parkland Area (Approximately 136 acres in Travis County south of Old Manor Road and west of Daffan Lane); (3) Michener Storage Facility Area (Approximately 20 acres in Travis County west of Harris Branch Parkway and north of Parmer Lane); (4) Morningside Area (Approximately 23 acres in southern Travis County east of Manchaca Road at the intersection of Manchaca Road and

Becca Road); (5) Rancho Alto V Area (Approximately 10 acres in southern Travis County south of Frate Barker Road and west of Rancho Alto Road); and (6)Vaught Ranch Area (Approximately 100 acres in Travis County south of FM 2222 east of the intersection of FM 2222 and Vaught Ranch Road). (Suggested dates and times: October 11, 2007, at 6:00 p.m. and October 18, 2007, at 6:00 p.m. at Austin City Hall, 301 W. Second Street, Austin, TX.)

The public hearings were set for October 11 and 18, 2007, at 6:00 p.m., Austin City Hall, at 301 West Second Street, Austin, Texas.

75. Set a public hearing to consider an amendment to Chapter 25-2 to create the North Burnet/Gateway zoning overlay district and establish associated regulations. (Suggested date and time: October 18, 2007, 4:00 p.m., Austin City Hall, 301 W. Second Street, Austin, TX.)

The public hearing was set for October 18, 2007, 4:00 p.m., Austin City Hall, at 301 West Second Street, Austin, Texas.

76. Set a public hearing to consider an ordinance amending the Austin Tomorrow Comprehensive Plan by adopting the North Burnet/Gateway 2035 Master Plan. The Master Plan will serve as the Combined Neighborhood Plan for the area bounded by Metric Boulevard on the east, US 183 on the south and west, and Braker Lane, MoPac, and Walnut Creek on the north and northwest. (Suggested date and time: October 18, 2007 at 4:00 p.m., Austin City Hall, 301 W. Second Street, Austin). To be reviewed by Planning Commission on September 25, 2007.

The public hearing was set for October 18, 2007, at 4:00 p.m., Austin City Hall, at 301 W. Second Street, Austin.

Item 77 was a briefing item set for 10:30 a.m.

Items 78 through 80 were Executive Session items.

Items 81 through 83 were Bond Sale items set for 2:00 p.m.

Item 84 was a Briefing item set for 2:00 p.m.

Items 85 and 86 were zoning items set for 4:00 p.m.

Items 87 through 96 were Public Hearing items set for 6:00 p.m.

DISCUSSIONITEM

68. Approve issuance of a Street Event Permit for the "3rd Annual Austin Bat Festival," a fee paid event in the 100 block of South Congress Avenue (on the Ann W. Richards Congress Avenue Bridge), for a fundraising event. The event is scheduled to begin September 1, 2007 at 2:00 p.m. and extend through September 2 at 10:30 p.m.

The motion authorizing the issuance of a street event permit for the "3rd Annual Austin Bat Festival" was approved on Council Member Martinez' motion, Council Member Cole's second on a 7-0 vote. Direction was given to staff to review the ordinance particularly concerning the timing of Council's approval of these events when street closures are involved.

BRIEFING

77. Presentation of the Barton Springs Pool Master Plan.

The presentation was made by Warren Struss, Director of Parks and Recreations Department and Al Godfrey, AIA, Limbacher and Godfrey Architects;

CITIZEN COMMUNICATIONS: GENERAL

Paul Robbins - City Issues

Richard H. Halpin - Return on Investment in Austin's Young Adults.

Carmen Rodriguez - Investing in Austin's Youth

Lee Cooke - Youth Works

Jorge D. Guerra - Support of Southwest Key

Gus Garcia spoke for Suzanna Almanza – Support Southwest Key

Ed Kline spoke for Juan Sanchez – Support for Southwest Key Programs

Mary Harris - Support of Southwest Key

Brian Beaulieu spoke for Catherine Pena - Support of Southwest Key Programs

G. Pena - Discuss City budget, lack of accountability from City staff, and problems with the 911 system and crime. He was not present when his name was called.

Mayor Wynn recessed the Council Meeting to go into Executive Session at 1:04 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.

78. Discuss legal issues related to establishing a property damage fund within Austin Water Utility to reimburse Austin Water Utility customers who experience water or wastewater damage. (Private Consultation with Attorney - Section 551.071)
79. Discuss personnel matters related to the search for a new City Manager (Personnel Matters - Section 551.074).
This item was withdrawn.
80. Discuss legal issues related to the search for a new City Manager. (Private Consultations with Attorney - Section 551.071).
This item was withdrawn.

Executive Session ended and Mayor Wynn called the Council Meeting back to order at 2:23 p.m.

BOND SALES

81. Approve an ordinance authorizing the issuance of \$97,525,000 City of Austin, Texas, Public Improvement Bonds, Series 2007, and all related documents.

Funding of \$9,363,875 in the first year debt service requirement and \$400 estimated annual administration fee for the paying agent/registrar for the proposed bond sale is included in the 2007-2008 Proposed Operating Budget of the General Obligation Debt Service Fund. Recommended by the Audit and Finance Committee.

Ordinance No. 20070830-081 was approved on Council Member Leffingwell's motion, Council Member Cole's second on a 7-0 vote.

82. Approve an ordinance authorizing the issuance of \$9,755,000 City of Austin, Texas, Public Property Finance Contractual Obligations, Series 2007, and all related documents.

Funding of \$731,392 in the first year debt service requirement and \$400 estimated annual administration fee for the paying agent/registrar for the proposed contractual obligation sale is included in the 2007-2008 Proposed Operating Budget of the General Obligation Debt Service Fund. Recommended by the Audit and Finance Committee.

Ordinance No. 20070830-082 was approved on Council Member Leffingwell's motion, Council Member Cole's second on a 7-0 vote.

83. Approve an ordinance authorizing the issuance of \$3,820,000 City of Austin, Texas, Certificates of Obligation, Series 2007, and all related documents.

Funding of \$325,100 in the first year debt service requirement and \$400 estimated annual administration fee for the paying agent/registrar for the proposed Certificate of Obligation sale is included in the 2007-2008 Proposed Operating Budget of the General Obligation Debt Service Fund. Recommended by the Audit and Finance Committee.

Ordinance No. 20070830-083 was approved on Council Member Leffingwell's motion, Council Member Cole's second on a 7-0 vote.

BRIEFING

84. Presentation of the City of Austin Fiscal Year 2007-2008 Proposed Budget for the following Departments: the Neighborhood Planning and Zoning Department; Watershed Protection and Development Review Department; Public Works Department; Austin Water Utility; Austin Energy; and the Economic Growth and Redevelopment Services Office.

The presentation was made by Laura Huffman, Assistant City Manager; Joe Ramos, Assistant Director of Public Works Department; Perwez Moheet, Acting Director of Austin Water Utility; Juan Garza, General Manager of Austin Energy; Victoria Li, Director of Watershed Protection and Development Review; Greg Guernsey, Director of Neighborhood Planning and Zoning Department; Joe Holt, Chairman of Greater Austin Economic Development Corporation; and Sue Edwards, Director of Economic Growth and Redevelopment Services.

BOARD OF DIRECTORS MEETING OF AUSTIN HOUSING FINANCE CORPORATION.

Mayor Wynn called the Board of Director's Meeting of the Austin Housing Finance Corporation to order at 5:24 p.m. See separate minutes.

LIVE MUSIC

Linton Mancilla

PROCLAMATIONS

Proclamation -- RIF Read-a-thon -- to be presented by Mayor Will Wynn and to be accepted by Bryan Wayt

Proclamation -- International Literacy Day -- to be presented by Mayor Will Wynn and to be accepted by Meg Poag

Proclamation -- Grand Opening of the Mexican American Cultural Center -- to be presented by Mayor Will Wynn and to be accepted by Warren Struss

Proclamation -- A Day of Preparation and Remembrance of 9/11 -- to be presented by Council Member Mike Martinez and to be accepted by Jack Drummond

Mayor Wynn called the Council Meeting back to order at 6:43 p.m.

ZONING CONSENT ITEMS

The following zoning items were acted on by one motion. No separate discussion or action occurred on any of the items. The public hearings were closed and consent items were approved on Council Member Leffingwell's motion, Council Member McCracken's second on a 6-0 vote. Council Member Kim was off the dais.

85. C14-07-0005 - Thaxton 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 southwest corner of Thaxton Road and Panadero Drive (Onion Creek Watershed) from interim-single-family-standard lot (SF-2) district zoning and family residence (SF-3) district zoning to community commercial (GR) district zoning. Staff Recommendation: Pending. Zoning and Platting Commission Recommendation: To be reviewed on September 4, 2007. Applicant: RKS Texas Investments, L.P. (Rick Sheldon). Agent: Thrower Design (Ron Thrower). City Staff: Wendy Rhoades, 974-7719.

This item was postponed to September 27, 2007 at the staff's request.

86. C14H-06-0044 - Leonidas W. Payne, Jr. House - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 2104 Pearl Street (Shoal Creek Watershed) from multi-family residence-moderate-high density-neighborhood plan (MF-4-NP) combining district zoning to multi-family residence-moderate-high density-historic-neighborhood plan (MF-4-H-NP) combining district zoning. Staff Recommendation: To grant multi-family residence-moderate-high density-historic-neighborhood plan MF-4-H-NP) combining district zoning. Historic Landmark Commission Recommendation: To grant multi-family residence-moderate-high density-historic-neighborhood plan (MF-4-H-NP) combining district zoning. Planning Commission Recommendation: To grant multi-family residence-moderate-high density-historic-neighborhood plan (MF-4-H-NP) combining district zoning. Applicant: Historic Landmark Commission. City Staff: Steve Sadowsky, 974-6454.

This item was postponed to September 27, 2007 at the staff's request.

PUBLIC HEARINGS AND POSSIBLE ACTIONS

93. Conduct a public hearing to receive comments on the City of Austin Fiscal Year 2007 - 2008 Proposed Budget and set the date for adoption of the Proposed Budget for September 10, September 11, or September 12, 2007.

The public hearing was closed on Council Member Martinez' motion, Council Member Leffingwell's second on a 5-0 vote. Council Members Kim and McCracken were off the dais.

The date for the adoption of the City of Austin Fiscal Year 2007-2008 proposed budget was set for September 10, 2007, or if needed September 11, 2007, or if needed September 12, 2007 on Council

Member Martinez' motion, Council Member Cole's second on a 5-0 vote. Council Members Kim and McCracken were off the dais.

91. Conduct a public hearing and consider approving or denying an appeal by Karen McGraw of the Planning Commission's decision to approve a conditional use permit for off-site parking for a restaurant (general) use, located at 4119 Guadalupe Street (Site Plan Number: SP-2007-0243T). Conditional Use Permit approved by the Planning Commission.
The public hearing was closed and the appeal was denied on Council Member Martinez' motion, Mayor Wynn's second on a 7-0 vote.
90. Conduct a public hearing and consider adoption of an ordinance granting floodplain variances requested by Mr. Robert E. Mebane to allow construction of an addition to a single-family residence at 700 Park Boulevard in the 100-year floodplain of Waller Creek and to waive the requirement to dedicate drainage easement to the full limit of the 100-year floodplain, thereby excluding the footprint of the existing and proposed structure.
The public hearing was closed and Ordinance No. 20070830-090 was approved on Council Member McCracken's motion, Mayor Pro Tem Dunkerley's second on a 7-0 vote.
87. Conduct a public hearing for the full purpose annexation of the Thaxton Place Annexation Area (Approximately 31 acres in southern Travis County south of the intersection of Thaxton Road and Salt Springs Drive.)
The public hearing was closed on Council Member Leffingwell's motion, Mayor Pro Tem Dunkerley's second on a 7-0 vote.
88. Conduct a public hearing for the full purpose annexation of the Watersedge Annexation Area (Approximately 985 acres in southeastern Travis County at the northwest corner of the intersection of State Highway 71 East and Doctor Scott Drive.)
The public hearing was closed on Council Member Cole's motion, Mayor Pro Tem Dunkerley's second on a 7-0 vote.
89. Conduct a public hearing and consider an amendment to Chapter 25-2, Subchapter F: Residential Design and Compatibility Standards (the "McMansion Ordinance") of the City Code to authorize the Residential Design and Compatibility Commission to waive or modify the side wall articulation requirement. Recommended by the Planning Commission.
The public hearing was closed and Ordinance No. 20070830-089 was approved on emergency passage, making it effective immediately, on Council Member McCracken's motion, Council Member Kim's second on a 7-0 vote.
92. Conduct a public hearing to receive comments on the proposed ad valorem tax rate for Fiscal Year 2007-2008.
The public hearing was closed on Council Member Martinez' motion, Mayor Pro Tem Dunkerley's second on a 7-0 vote.
94. Conduct a public hearing to receive public comment on the proposed rate and fee changes for the Solid Waste Services Department as part of the Fiscal Year 2007-2008 Proposed Budget. No fiscal impact.
The public hearing was closed on Council Member Leffingwell's motion, Council Member Martinez' second on a 7-0 vote.
95. Conduct a public hearing to receive public comment on the proposed rate and fee changes for the Austin Water Utility as part of the Fiscal Year 2007-2008 Proposed Budget. No fiscal impact.

The public hearing was closed on Council Member McCracken's motion, Council Member Kim's second on a 7-0 vote.

96. Conduct a public hearing to receive public comment regarding the update of the City of Austin Water and Wastewater Impact Fee Land Use Assumptions and Capital Improvement Plan (CIP), including the Impact Fee Service Area amendments and proposed changes to the Water and Wastewater Impact Fees to be charged by the City. Recommended by the Water and Wastewater Commission; and the Impact Fee Advisory Committee.

The public hearing was closed on Council Member Leffingwell's motion, Council Member Martinez' second on a 7-0 vote.

Mayor Wynn adjourned the meeting at 8:49 p.m. without objection.

The minutes for the Regular Meeting of August 30, 2007 were approved on this the 27th day of September, 2007 on Council Member Martinez' motion, Council Member McCracken's second on a 6-0 vote. Mayor Pro Tem Dunkerley was off the dais.