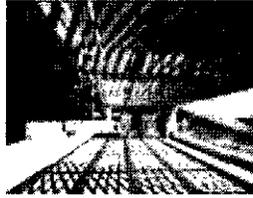
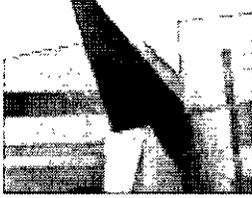


AGENDA



Thursday, August 20, 2009

The Austin City Council will convene at 10:00 AM on
Thursday, August 20, 2009 at Austin City Hall
301 W. Second Street, Austin, TX

AUSTIN CITY CLERK
POSTING: DATE/TIME
2009 AUG 14 PM 5 06



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

Rev. Donald Gelles, Hyde Park Church of Christ

10:00 AM -- City Council Convenes

Approval of Minutes

1. Approve the Minutes of the Austin City Council August 5, 2009 Special Called and August 6, 2009 regular meetings.

Austin Water Utility

2. Approve an ordinance authorizing the application for and acceptance of State and Tribal Assistance Grant funds in the amounts of \$286,000 (Phase I) and \$291,000 (Phase II) from the United States Environmental Protection Agency (EPA); and amending the Fiscal Year 2008-2009 Austin Water Utility Operating Budget Special Revenue Fund of Ordinance No. 20080908-002 to appropriate \$577,000 for activities associated with the mitigation of Sanitary Sewer Overflows. Funding is available from the United States EPA. A 45% local match requirement of \$260,000 will be provided through authorized expenditures associated with the corrective actions of Sanitary Sewer Overflows. Grant funding along with the matching funds are used to rehabilitate deteriorated facilities and all contracts are processed by the Contract & Land Management Department through competitive bidding. Recommended by Water & Wastewater Commission.

Aviation

3. Approve negotiation of a lease with ABIA Retail Development Venture, L.L.C., Austin, Texas for a tract of approximately 13 acres of land at Austin-Bergstrom International Airport to develop for commercial retail uses. A lease, if agreed to, will be a revenue generating contract. Recommended by the Austin Airport Advisory Commission.

Communications and Technology Management

4. Authorize the negotiation and execution of two Interlocal Agreements between the City and the Capital Area Council of Governments (CAPCOG) related to the City's participation in the enhanced 9-1-1 emergency telephone system as follows: CAPCOG reimbursement in an amount not less than \$458,523 to the City for maintenance of the 9-1-1 database on a county-wide basis for a 12-month term with one renewal option for 12-months in an amount not less than \$440,523, for a total contract amount of \$899,046; and, CAPCOG reimbursement in an amount not less than \$7,000 to the City to maintain the CAPCOG Public Service Answering Points (PSAP), upgrade equipment, and train personnel to participate in the enhanced 9-1-1 emergency telephone system in the ten-county CAPCOG region, with one renewal option for 12 months in an amount not less than \$7,000, for a total contract amount not less than \$14,000. Reimbursements from CAPCOG in the amount of \$899,046 for the enhanced 9-1-1 emergency telephone system and \$14,000 for maintenance of the CAPCOG PSAP are anticipated in Fiscal Years 2009-2011.

Contract and Land Management

5. Authorize execution of a construction contract with PIKE ELECTRIC, INC, Mount Airy, NC, for the Control Building Installation at Austin Energy's Koenig Lane Substation, in an amount not to exceed \$107,886.50. Funding is available in the Fiscal Year 2008-2009 Capital Budget of Austin Energy. Lowest bid of four (4) bids received. This contract will be awarded in compliance with Chapter 2-9A of the City Code (Minority Owned and Women Owned Business Enterprise Procurement Program) through the achievements of Good Faith Efforts. Recommended by the Electric Utility Commission.
6. Authorize execution of a construction contract with YANTIS COMPANY, San Antonio, TX, for Remain Over Night (RON) Apron, Phase 1 in the amount of \$5,939,273.25 plus a \$593,927.33 contingency, for a total contract amount not to exceed \$6,533,200.58. Funding is available in the Fiscal Year 2008-2009 Capital Budget of the Aviation Department. Lowest compliant bid of eight (8) bids received. This contract will be awarded in compliance with the requirements of 49 CFR Part 26 (Disadvantaged Business Enterprise Program) and Chapter 2-9A of the City Code (Minority Owned and Women Owned Business Enterprise Procurement Program) by meeting the goal with 28.87% DBE subcontractor participation. Recommended by the Austin Airport Advisory Commission.
7. Authorize execution of Change Order #8 to the construction contract with LAUGHLIN-THYSSEN, INC, Houston, TX, for the ACWP Govalle 1 - South 2nd Street Wastewater Improvements Project in the amount of \$844,581.37, for a total contract amount not to exceed \$10,599,869.57. Funding is available in the Fiscal Year 2008-2009 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 13.48% MBE and 7.32% WBE subcontractor participation to date including this change order. Recommended by the Water and Wastewater Commission.
8. Authorize execution of a construction contract with BRH-GARVER CONSTRUCTION, L.P., Houston, TX, for the Elroy Transmission Main project in the amount of \$2,166,285 plus a \$108,715 contingency, for a total contract amount not to exceed \$2,275,000. Funding is available in the Fiscal Year 2008-2009 Capital Budget of the Austin Water Utility. Lowest bid of nine (9) 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 8.00% MBE and 18.04%

WBE subcontractor participation. Recommended by the Water and Wastewater Commission.

9. Authorize execution of a construction contract with LAUGHLIN-THYSSEN, INC., Houston, TX, for the WRI Central Phase 3A Red River to UT Reclaimed Transmission Main in the amount of \$7,498,841.45 plus a \$525,158.55 contingency, for a total contract amount not to exceed \$8,024,000. Funding is available in the Fiscal Year 2008-2009 Capital Budget of the Austin Water Utility. Lowest bid of ten (10) 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 9.08% MBE and 47.80% WBE subcontractor participation. Recommended by the Water and Wastewater Commission.
10. Authorize execution of a construction contract with MAC, INC, Austin, TX, for the Solid Waste Services Vehicle & Equipment Truck Scale Station in the amount of \$136,460. Funding is available in the Fiscal Year 2008-2009 Capital Budget of the Solid Waste Services Department. Lower of two (2) bids received. This contract will be awarded in compliance with Chapter 2-9A of the City Code (Minority Owned and Women Owned Business Enterprise Procurement Program) by meeting the goals with 6.59% MBE and 0.49% WBE participation. Recommended by the Solid Waste Advisory Commission.
11. Authorize negotiation and execution of a professional services agreement with LOCKWOOD, ANDREWS & NEWNAM, INC., Austin, TX, for design, bid, and construction phase services for the East Bouldin-Euclid-Wilson Storm Drain Improvements project, in an amount not to exceed \$900,000. Funding is available in the Fiscal Year 2008-2009 Capital Budget of the Watershed Protection and Development Review Department. Best qualification statement of fourteen (14) 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 16.00% MBE and 17.00% WBE subcontractor participation.
12. Authorize negotiation and execution of a professional services agreement with FACILITY ENGINEERING ASSOCIATES, P.C., Dallas, TX, for Leadership in Energy and Environmental Design in Existing Buildings (LEED EB) consulting services for the Austin Convention Center in an amount not to exceed \$900,000. Funding is available in the Fiscal Year 2008-2009 Operating Budget of the Austin Convention Center. Best qualification statement of fourteen (14) 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 15.8% MBE and 15.8% WBE subcontractor participation.

Convention Center

13. Authorize the execution of a co-sponsorship agreement between the City and the Capital of Texas Public Telecommunications Council, KLRU TV-18/Austin, to sponsor Austin City Limits concert series, from October 1, 2008 to September 31, 2011, in an amount not to exceed \$225,000 annually, for a total contract amount not to exceed \$675,000. Future years funding is contingent upon future year's budgets.

Health and Human Services

14. Approve an ordinance accepting \$15,908 in grant funds from the U.S. Department of Health and Human Services, Health Resources and Services Administration, and amending the Fiscal Year 2008-2009 Health and Human Services Department Operating Budget Special Revenue Fund of Ordinance No.

20080908-002 to appropriate \$15,908 for the Ryan White Part C HIV Early Intervention Services Grant Program. Funding is available from the Department of Health and Human Services Health Resources and Services Administration. The grant period is from January 1, 2009 through December 31, 2009. No City match is required.

Planning and Development Review

15. Approve a resolution to create a Comprehensive Plan Citizen's Advisory Task Force to assist in the Comprehensive Planning process. Recommended by Planning Commission.

Public Works

16. Authorize negotiation and execution of an Interlocal Agreement between the City of Austin and the Texas Department of Transportation for construction of sidewalk improvements along Plains Trail from South Meadows Drive to Kramer Lane as approved through the 2007 Safe Routes to School Program; approve an ordinance amending the Fiscal Year 2008-2009 Public Works Department Special Revenue Fund of Ordinance No. 20080908-002 to appropriate \$557,800 in grants funds and amending the Fiscal Year 2008-2009 Public Works Department Capital Budget of Ordinance No. 20080908-003 to appropriate \$557,800 from the Public Works Department Special Revenue Fund; and authorize acceptance of a Safe Routes to School Program Grant in the amount of \$557,800. The total grant amount of \$557,800 will be provided by the Texas Department of Transportation. This grant does not require any local match.

Purchasing Office

17. Authorize award and execution of a 24-month requirements supply contract with ACT PIPE & SUPPLY, Pflugerville, TX for the purchase of cast iron manhole covers and rings for Austin Energy in an estimated amount not to exceed \$145,898, with two 12-month extension options in an estimated amount not to exceed \$72,949 per extension option, for a total estimated contract amount not to exceed \$291,796. Funding in the amount of \$6,079 is available in the Fiscal Year 2008-2009 Operating Budget of Austin Energy. 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 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 Electric Utility Commission.
18. Authorize award, negotiation, and execution of a contract with ALLTECH ENGINEERING CORPORATION, Mendota Heights, MN for the restoration, reconditioning, and installation of a spare gate for the Longhorn Dam in an amount not to exceed \$386,363. Funding is available in the Fiscal Year 2008-2009 Operating Budget of Austin Energy. 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) through the achievements of Good Faith Efforts with 6.73% MBE and 22.00% WBE subcontractor participation. Recommended by the Electric Utility Commission.
19. Authorize award and execution of two contracts with: GRANDE TRUCK CENTER, San Antonio, TX for the purchase of four 36-foot truck-mounted aerial devices in an amount not to exceed \$369,968, and LONGHORN INTERNATIONAL TRUCKS, LTD, Austin, TX for the purchase of one 40-foot truck-mounted

overcenter aerial device and one 55-foot truck-mounted overcenter aerial device in an amount not to exceed \$345,469. Funding in the amount of \$715,437 is available in the Fiscal Year 2008-2009 Capital Budget of Austin Energy. Lowest bids of four bids received. These contracts 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. To be reviewed by the Electric Utility Commission on August 17, 2009.

20. Authorize award and execution of Amendment No. 2 to a contract with HPI, LLC, Houston, TX to increase the contract amount for the upgrade of the gas turbine controls at Decker Creek Power Station in an amount not to exceed \$156,000, for a revised total estimated contract amount not to exceed \$1,933,269. Funding is available in the Fiscal Year 2008-2009 Capital Budget of Austin Energy. Contract Amendment. This contract will be awarded in compliance with Chapter 2-9D of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation. Recommended by the Electric Utility Commission.
21. Authorize award and execution of a 12-month requirements supply contract with POWER SUPPLY, Austin, TX for 3-phase distribution reclosers for Austin Energy in an estimated amount not to exceed \$188,250, with three 12-month extension options in an estimated amount not to exceed \$188,250 per extension option, for a total estimated contract amount not to exceed \$753,000. Funding in the amount of \$188,250 is available in the Fiscal Year 2008-2009 Capital Budget of the Austin Energy Department. Funding for the extension options is contingent upon available funding in future budgets. Lowest bid meeting specification of six bids received. This contract will be awarded in compliance with Chapter 2-9D of the City Code (Minority Owned and Women Owned Business Enterprise Procurement Program) No subcontracting opportunities were identified; therefore, no goals were established for this solicitation. Recommended by the Electric Utility Commission.
22. Authorize award and execution of a contract with SKANETZKY ENGINEERING LLC, Austin, TX to supply 420 solar photovoltaic modules in an amount not to exceed \$249,900. Funding in the amount of \$8,344 is available in the Fiscal Year 2008-2009 Operating Budget for Austin Energy. Funding in the amount of \$241,556 is available in the Fiscal Year 2008-2009 Capital Budget for Austin Energy. Lowest bid of four bids received. This contract will be awarded in compliance with Chapter 2-9D of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation. Recommended by the Electric Utility Commission.
23. Authorize award and execution of a 12-month requirements service contract with TECHLINE, INC., Austin, TX for rebuilding network protectors in Austin Energy's downtown electrical network in an estimated amount not to exceed \$872,364, with three 12-month extension options in an estimated amount not to exceed \$872,364 per extension option, for a total estimated contract amount not to exceed \$3,489,456. Funding in the amount of \$72,697 is available in the Fiscal Year 2008-2009 Operating Budget of Austin Energy. Funding for the remaining 11 months of the original contract period and extension options is contingent upon available funding in future budgets. Lowest bid meeting specification of three bids received. This contract will be awarded in compliance with Chapter 2-9C of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation. Recommended by the Electric Utility

Commission.

24. Authorize award, negotiation, and execution of a 12-month requirements supply contract with ZONAR SYSTEMS INC., Seattle, WA, for the purchase of truck-mounted hardware and access to a web based electronic vehicle maintenance inspection reporting system for Austin Energy, in an estimated amount not to exceed \$83,483, with four 12-month extension options for access to the web based system in an estimated amount not to exceed \$25,000 per extension option, for a total estimated contract amount not to exceed \$183,483. Funding in the amount for \$83,483 is available in the Fiscal Year 2008-2009 Operating Budget of Austin Energy. Funding for the extension options is contingent upon approval of future budgets. Sole Source. This contract will be awarded in compliance with Chapter 2-9D of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program) No subcontracting opportunities were identified; therefore, no goals were established for this solicitation. Recommended by the Electric Utility Commission.
25. Authorize award and execution of a requirements service contract with ASHBROOK SIMON-HARTLEY OPERATIONS, LP, Houston, TX for the repair of two belt presses for the Austin Water Utility in a total estimated amount not to exceed \$495,903. Funding is available in the Fiscal Year 2008-2009 Operating Budget of the Austin Water Utility. Lowest bid of two 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 Water and Wastewater Commission.
26. Approve ratification of a contract with BENITEZ CONSTRUCTION INC. (MBE/MH), Manor, TX for the emergency repair of a 54-inch water transmission main for the Austin Water Utility for a total contract in an amount not to exceed \$61,256. Funding is available in the Fiscal Year 2008-2009 Operating Budget of the Austin Water Utility. Emergency Purchase. This contract will be awarded in compliance with Chapter 2-9C of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore no goals were established for this contract. Recommended by the Water and Wastewater Commission.
27. Authorize award and execution of a 24-month requirements supply contract with FJ TURNER COMPANY, Raleigh, NC, for manhole extension rings in an estimated amount not to exceed \$227,500, with two 12-month extension options in an amount not to exceed \$113,750 per extension option, for a total estimated contract amount not to exceed \$455,000. Funding in the amount of \$9,479 is available in the Fiscal Year 2008-2009 Operating Budget of the Austin Water Utility. 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 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.
28. Authorize award and execution of a contract through the Texas Multiple Award Schedule (TXMAS) with JOHNSON CONTROLS, INC., Austin, TX, for the purchase and installation of a boiler for the Austin Water Utility in an amount not to exceed \$150,000. Funding is available in the Fiscal Year 2008-2009 Operating Budget of the Austin Water Utility. This contract will be awarded in compliance with Chapter 2-9D of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). This contract is a

Cooperative Purchase; therefore, it is exempted under Chapter 791 of the Texas Local Government Code and no goals were established for this solicitation. However, the contractor has agreed to subcontract with Mechanical & Process Systems (MBE) - \$75,000. Recommended by Water and Wastewater Commission.

29. Authorize award and execution of a contract through the Texas Multiple Award Schedule (TXMAS) with JOHNSON CONTROLS, INC., Austin, TX, for the purchase and installation of a chiller for the Austin Water Utility in an amount not to exceed \$70,950. Funding is available in the Fiscal Year 2008-2009 Operating Budget of the Austin Water Utility. This contract will be awarded in compliance with Chapter 2-9D of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). This contract is a Cooperative Purchase; therefore, it is exempted under Chapter 791 of the Texas Local Government Code and no goals were established for this solicitation. However, the contractor has agreed to subcontract with the following companies: Mechanical and Process Systems (MBE)-\$5,000; J S Electric, Inc. (WBE)-\$1,900. Recommended by the Water and Wastewater Commission.
30. Authorize award and execution of a 24-month requirements supply contract with KINLOCH EQUIPMENT AND SUPPLY, INC., Arlington, TX for hi-pressure hoses and couplings in an estimated amount not to exceed \$114,376, with two 12-month extension options in an estimated amount not to exceed \$57,188 per extension option, for a total estimated contract amount not to exceed \$228,752. Funding in the amount of \$4,766 is available in the Fiscal Year 2008-2009 Operating Budget of the Austin Water Utility. 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 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 Wastewater Commission.
31. Authorize award and execution of a contract with PIATRA, INC., Austin, TX, in an amount not to exceed \$253,393.50 for the purchase and installation of fencing within the Balcones Canyonlands Preserve for the Austin Water Utility. Funding is available in the Fiscal Year 2008-2009 Wildland Conservation Fund of the Austin Water Utility. Lowest bid of three bids received. This contract will be awarded in compliance with Chapter 2-9C of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore no goals were established for this solicitation. Recommended by the Water and Wastewater Commission.
32. Authorize award and execution of a contract with SIEMENS WATER TECHNOLOGIES, Vineland, NJ, for the purchase of three sodium hypochlorite generation systems for the Austin Water Utility in an amount of \$243,509. Funding is available in the Fiscal Year 2008-2009 Operating Budget of the Austin Water Utility. Lowest bid meeting specifications of two bids received. This contract will be awarded in compliance with Chapter 2-9D of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation. Recommended by the Water and Wastewater Commission.
33. Authorize award and execution of four contracts through the Houston-Galveston Area Council of Governments (HGAC) with: B&C BODY COMPANY., Irving, TX for the purchase of three hydraulic pusher trailers in an amount not to exceed \$207,081; COOPER EQUIPMENT COMPANY, San Antonio, TX for the

purchase of one self-propelled paver and three street sweepers in an amount not to exceed \$778,493; SANTEX TRUCK CENTERS LTD., San Antonio, TX for the purchase of nine dump trucks, 10 truck tractors, one truck-mounted knuckleboom loader, two service trucks, three water service trucks, and three underground line body trucks in an amount not to exceed \$2,788,238; and VOLVO CONSTRUCTION EQUIPMENT SERVICES Houston, TX for the purchase of one trailer-mounted generator in an amount not to exceed \$88,206. Funding in the amount of \$398,118 is available in the Fiscal Year 2008-2009 Capital Budget of Austin Energy. Funding in the amount of \$1,031,086 is available in the Fiscal Year 2008-2009 Capital Budget of the Austin Water Utility. Funding in the amount of \$941,182 is available in the Fiscal Year 2008-2009 Capital Budget of the Public Works Department. Funding in the amount of \$1,011,445 is available in the Fiscal Year 2008-2009 Capital Budget of the Solid Waste Services Department. Funding in the amount of \$480,187 is available in the Fiscal Year 2008-2009 Capital Budget of the Watershed Protection and Development Review Department. These contracts will be awarded in compliance with Chapter 2-9D of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). These contracts are Cooperative Purchases, therefore, they are exempted under Chapter 791 of the Texas Local Government Code and no goals were established for this solicitation. Recommended by the Water and Wastewater Commission.

34. Authorize award and execution of a contract through the Texas Multiple Award Schedule (TXMAS) with BRUNSWICK COMMERCIAL & GOVERNMENT PRODUCTS, INC., Edgewater, FL, for the purchase of a fire/rescue boat in an amount not to exceed \$125,988. Funding is available in the Fiscal Year 2008-2009 Vehicle Acquisition Fund. This contract will be awarded in compliance with Chapter 2-9D of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). This contract is a Cooperative Purchase; therefore, it is exempted under Chapter 791 of the Texas Local Government Code and no goals were established for this solicitation.
35. 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 32 medium-duty and four light-duty vehicles in an amount not to exceed \$2,005,218. Funding in the amount of \$135,544 is available in the Fiscal Year 2008-2009 Vehicle Acquisition Fund. Funding in the amount of \$57,690 is available in the Fiscal Year 2008-2009 Operating Budget of the Building Services Division of the Financial and Administrative Services Department. Funding in the amount of \$86,811 is available in the Fiscal Year 2008-2009 Operating Budget of the Aviation Department. Funding in the amount of \$588,485 is available in the Fiscal Year 2008-2009 Capital Budget of Austin Energy. Funding in the amount of \$493,559 is available in the Fiscal Year 2008-2009 Capital Budget of the Austin Water Utility. Funding in the amount of \$386,451.56 is available in the Fiscal Year 2008-2009 Capital Budget of the Public Works Department. Funding in the amount of \$151,291 is available in the Fiscal Year 2008-2009 Capital Budget of the Solid Waste Services Department. Funding in the amount of \$105,386 is available in the Fiscal Year 2008-2009 Capital Budget of the Watershed Protection and Development Review 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 791 of the Texas Local Government Code and no goals were established for this solicitation. Recommended by the Water and Wastewater Commission.
36. Authorize award and execution of six contracts through the Texas Local Government Purchasing Cooperative (BuyBoard) with: RDO EQUIPMENT CO., Pflugerville, TX for the purchase of three articulated wheeled loaders, 10 tractor/loader/backhoes, two skid steer loaders, and two hydraulic excavators

in an amount not to exceed \$1,899,996.76; VERMEER OF TEXAS, Round Rock, TX for the purchase of one tub grinder in an amount not to exceed \$626,650; TYMCO INTERNATIONAL, LTD, Waco, TX for the purchase of one street sweeper in an amount not to exceed \$79,397.50; COOPER EQUIPMENT CO., San Antonio, TX for the purchase of three low bed equipment trailers and one motor grader in an amount not to exceed \$351,116.90; KINLOCH EQUIPMENT & SUPPLY, INC., Arlington, TX for the purchase of two street sweepers in an amount not to exceed \$324,660; and HOLT CAT, Austin, TX for the purchase of one articulated wheeled loader in an amount not to exceed \$300,010. Funding in the amount of \$79,397.50 is available in the Fiscal Year 2008-2009 Operating Budget of the Aviation Department. Funding in the amount of \$72,081 is available in the Fiscal Year 2008-2009 Capital Budget of Austin Energy. Funding in the amount of \$1,144,916 is available in the Fiscal Year 2008-2009 Capital Budget of the Austin Water Utility. Funding in the amount of \$29,250 is available in the Fiscal Year 2008-2009 Vehicle Acquisition Fund. Funding in the amount of \$858,674.90 is available in the Fiscal Year 2008-2009 Capital Budget of the Street & Bridge Division of the Public Works Department. Funding in the amount of \$926,660 is available in the Fiscal Year 2008-2009 Capital Budget of the Solid Waste Services Department. Funding in the amount of \$470,851.76 is available in the Fiscal Year 2008-2009 Capital Budget of the Watershed Protection & Development Review Department. These contracts will be awarded in compliance with Chapter 2-9D of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). These contracts are Cooperative Purchases; therefore, they are exempted under Chapter 791 of the Texas Local Government Code and no goals were established for this solicitation. Recommended by the Water and Wastewater Commission.

37. Authorize award and execution of a 36-month requirements supply contract with WEBBERVILLE PROPANE, INC., Manor, TX to provide liquid petroleum gas (LPG/propane) motor fuel in an estimated amount not to exceed \$2,317,000, with three 12-month extension options in estimated amounts not to exceed \$931,700 for the first extension option, \$1,024,870 for second extension option, and \$1,127,357 for the third extension option, for a total estimated contract amount not to exceed \$5,400,927. Funding in the amount of \$58,333 is available in the Fiscal Year 2008-2009 Operating Budget of the Financial and Administrative Services Department, Fleet Fund. Funding for the remaining 35 months of the original contract period and extension options is contingent upon available funding in future budgets Best evaluated 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.
38. Authorize award and execution of a 16-month requirements supply contract through the U.S. Communities Government Purchasing Alliance with THE HOME DEPOT U.S.A., Atlanta GA, to purchase building supplies and small tools in an estimated amount not to exceed \$933,328, with three 12-month extension options in an estimated amount not exceed \$700,000 per extension option, for a total estimated contract amount not to exceed \$3,033,328. Funding in the amount of \$58,333 is available in the 2008-2009 Operating Budget of various City departments. Funding for the remaining 15 months of the original contract period and extension options is contingent upon available funding in future budgets. This contract will be awarded in compliance with Chapter 2-9D of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). 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 contract. Recommended by the Water and Wastewater Commission.

Transportation

39. Authorize the City Manager to submit an application for the Transportation Investment Generating Economic Recovery (TIGER) Grant Program to the United States Department of Transportation (USDOT) for competitive funding for transportation projects. If approved, the total grant amount being requested will be provided by the United States Department of Transportation (USDOT). Criteria for developing projects were presented to the Comprehensive Planning and Transportation Committee (CPTC), Council subcommittee, on Monday August 3, 2009.

Item(s) from Council

40. Approve appointments and certain related waivers to citizen boards and commissions, to Council subcommittees and other intergovernmental bodies and removal and replacement of members.
41. Approve a resolution directing the City Manager to work with and provide resources for the Recycling Ordinance Reform Sub-committee of the Solid Waste Advisory Commission to assist the Sub-committee as it considers revisions to the commercial and multi-family recycling ordinance; and directing the City Manager and Sub-committee to report to City Council. (Mayor Lee Leffingwell, Mayor Pro Tem Mike Martinez and Council Member William Spelman)
42. Approve a resolution directing the city manager to initiate changes to council meeting procedures, including any necessary code amendment. (Mayor Lee Leffingwell and Mayor Pro Tem Mike Martinez)
43. Approve a resolution directing the City Manager to process the necessary code amendments to clarify that a Neighborhood Planning Contact Team may be an interested party for purposes of administrative appeals. (Council Member Laura Morrison, Council Member Chris Riley and Council Member Randi Shade)
44. Approve the waiver of certain fees under City Code Chapter 14-8 and authorize the reimbursement of certain costs for the City co-sponsored Austin Symphony Concert and Fireworks 2009 event by the Austin Symphony Orchestra which was held on July 4, 2009 at Auditorium Shores. (Mayor Lee Leffingwell and Council Member Randi Shade)

Item(s) to Set Public Hearing(s)

45. Set Public Hearings for the full purpose annexation of the following annexation areas: (1) Ferguson Lane – Brown Lane Annexation Area (approximately 22 acres in eastern Travis County east of Brown Lane and west of Ferguson Lane approximately 875 feet north of the intersection of Ferguson Lane and Brown Lane); (2) Northwest Hills Ranch Annexation Area (approximately 20 acres in northern Travis County east of D K Ranch Road approximately 275 feet south of the intersection of D K Ranch Road and Texas Plume Road); (3) Reserve at Westhill Annexation Area (approximately 7 acres in northern Travis County at the northwest corner of the intersection of Yaupon Drive and Texas Plume Road); (4) Shaw Lane Quarry Annexation Area (Approximately 172 acres in eastern Travis County approximately 2,225 feet south of the intersection of McKinney Falls Parkway and Shaw Lane). Suggested dates and times: September 24, 2009 at 6:00 p.m., and October 1, 2009 at 6:00 p.m., Austin City Hall, 301 W. Second Street, Austin, TX)
46. Set a Public Hearing to receive public input on the proposed rate and fee

changes for the Solid Waste Services Department as part of the Fiscal Year 2009-2010 Proposed Budget. (Suggested date and time August 27, 2009, 6:00 pm at Austin City Hall, 301 W. Second Street, Austin, TX.)

10:30 AM -- Morning Briefings

47. Update on the City's Drought Contingency Plan

12:00 PM -- Citizen Communications: General

Gus Peña – 1.To speak about the City Budget. Fully fund all youth and senior citizen programs and summer job programs for the youth 2.Please fully fund social service agencies. The need is great with this recession and downturn of the economy 3.Please support and appreciate our military veterans who are fighting for our safety and our freedom. Veterans need jobs, job training, PTSD treatment, mental health treatment, reentry counseling, affordable housing 4.Please continue to expand youth programs to keep our youth active, positive, productive and out of trouble.

Ronnie Gjemre – Peace and freedom

Paul Robbins – City issues

Robert G. MacDonald – Protection of Homeless. Power street light poles with new solar sails

Linda Greene – ADA and CDC say fluoride is bad for babies

Rae Nadler-Olenick – Water fluoridation

Robert L. Thomas – Unfair labor and industrial relations at the Rosewood Park and Recreation Center

CarolAnneRose Kennedy – LUCILLE : HER STORY...? KENNY ROGERS! WHERE WERE YOU WHEN I NEEDED YOU!

Carol Torgrimson – City code as social contract

Sylvia Orozco – To support staff positions at the Mexican American Cultural Center in the new education wing of the new building. Education programs are very much needed in the community

Executive Session

48. Discuss legal issues related to Cause No. D-1-GN-07-001790; Archer-Western Contractors, Ltd., an Illinois Limited Partnership v. City of Austin, Texas; In the 201st Judicial District Court of Travis County, Texas (concerns Ulrich Water Treatment Plant). (Private Consultation with Attorney - Section 551.071).

2:00 PM -- Briefings

49. Responsible Hospitality Institute presentation

4:00 PM -- Zoning Ordinances / Restrictive Covenants (HEARINGS CLOSED)

50. C14-2009-0044 - The Fault - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 8002 Research Boulevard Southbound (Little Walnut Creek Watershed) from general commercial services-mixed use-neighborhood plan (CS-MU-NP) combining district zoning to commercial-liquor sales-mixed use-neighborhood plan (CS-1-MU-NP) combining district zoning. First reading approved on July 23, 2009. Vote: 4-3 (Morrison, Riley and Shade voted Nay). Applicant: Anderson Retail, Ltd. (Jim Cotton). Agent: Alice Glasco Consulting (Alice Glasco). City Staff: Sherri Sirwaitis, 974-3057.
51. C14-2009-0053 - Animal Trustee CC St. John's Avenue - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 7205 Cameron Road (Fort Branch Watershed) from family residence (SF-3) district zoning to neighborhood commercial-conditional overlay (LR-CO) combining district zoning with conditions. First reading approved on July 23, 2009. Vote: 7-0. Applicant and Agent: Graves Dougherty Hearon and Moody (Michael Whellan). City Staff: Joi Harden, 974-2122.

4:00 PM -- Zoning and Neighborhood Plan Amendments (Public Hearings and Possible Action)

- 52 PH. C14-2009-0030 - Beal #1 - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 1503 West Avenue (Shoal Creek Watershed) from family residence-historic landmark (SF-3-H) combining district zoning to limited office-mixed use-historic landmark (LO-MU-H) combining district zoning. Staff Recommendation: To grant limited office-mixed use-historic landmark (LO-MU-H) combining district zoning. Planning Commission Recommendation: To deny limited office-mixed use-historic landmark (LO-MU-H). Applicant: D. Linette Beal-Stubbs. Agent: Bennett Consulting (Jim Bennett). Neighborhood Planning and Zoning Department. City Staff: Clark Patterson, 974-7691.
- 53 PH. C14-2009-0059 - Texas Association of Nurse Anesthetists - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 888 Banister Lane (West Bouldin Creek Watershed) from family residence (SF-3) district zoning to limited office-mixed use-conditional overlay (LO-MU-CO) combining district zoning. Staff Recommendation: To grant limited office-mixed use-conditional overlay (LO-MU-CO) combining district zoning. Planning Commission Recommendation: To grant limited office-mixed use-conditional overlay (LO-MU-CO) combining district zoning. Applicant: Texas Association of Nurse Anesthetists (Janet H. Morrow). Agent: Jackson Walker, LLP (Katherine Loayza). City Staff: Stephen

Rye, 974-7604.

- 54 PH. C14H-2009-0006 – Walter E. and Janet Long House - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 1 Green Lanes (Shoal Creek Watershed) from family residence (SF-3) district zoning to family residence-historic landmark (SF-3-H) combining district zoning. Staff recommendation: To grant family residence-historic landmark (SF-3-H) combining district zoning. Historic Landmark Commission Recommendation: To grant family residence-historic landmark (SF-3-H) combining district zoning. Planning Commission Recommendation: Forwarded to Council without a recommendation. Applicant: Historic Landmark Commission. City Staff: Steve Sadowsky, 974-6454.
- 55 PH. C14-85-339(RCA) - East Yager Lane Restrictive Covenant Amendment - Conduct a public hearing to approve a restrictive covenant amendment for the property located at 400-900 Block of East Yager Lane (Walnut Creek Watershed). Staff Recommendation: To approve amendment of the restrictive covenant. Zoning and Platting Commission Recommendation: To approve amendment of the restrictive covenant. Applicant: Armbrust & Brown, L.L.P. (Amanda Morrow). Agent: Allen Samuels Realty (Jeff Wooley); Solo Star Realty, Inc. (John McCormack); Burton Landing L.L.C. (Robert S. Peed Jr.); and Austin Korean Presbyterian Church. City Staff: Joi Harden, 974-2122.
- 56 PH. C14-2008-0193 - 500 Block of VFW and Yager Lane 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 500 Block of VFW Road (Walnut Creek Watershed) from multi-family residence-low density (MF-2) district zoning; limited office (LO) district zoning and neighborhood commercial (LR) district zoning to townhouse and condominium residence (SF-6) district zoning. Staff Recommendation: To grant townhouse and condominium residence (SF-6) district zoning. Zoning and Platting Commission Recommendation: To grant townhouse and condominium residence-conditional overlay (SF-6-CO) combining district zoning. Applicant: Armbrust & Brown, L.L.P. (Amanda Morrow). Agent: Solo Star Realty, Inc. (John McCormack and John Gilbert.) City Staff: Joi Harden, 974-2122.
- 57 PH. NPA-2009-0020.01 – SoFi Plaza - Conduct a public hearing and approve an ordinance amending Ordinance No. 20050818-Z001, the South Congress Combined Neighborhood Plan, an element of the Austin Tomorrow Comprehensive Plan, to change the land use designation on the future land use map (FLUM) from single family to commercial for the property located at 511 Normandy Street (Williamson Creek Watershed). Staff Recommendation: To deny commercial land use designation. Planning Commission Recommendation: To be reviewed on September 8, 2009.. Applicant: Tanvir Siddiqui. City Staff: Maureen Meredith, 974-2695.
- 58 PH. C14-2009-0028 - SoFi Plaza - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 511 Normandy Street (Williamson Creek Watershed) from family residence-neighborhood plan (SF-3-NP) combining district zoning to general commercial services-mixed use-neighborhood plan (CS-MU-NP) combining district zoning. Staff Recommendation: To deny general commercial services-mixed use-neighborhood plan (CS-MU-NP) combining district zoning. Planning Commission Recommendation: To be reviewed on September 8, 2009. Applicant and Agent: Tanvir Siddiqui. City Staff: Stephen Rye, 974-7604.

5:30 PM -- Live Music

nelo

5:30 PM -- Proclamations

Certificates of Appreciation -- Employees who facilitated the Dollars & Sense Initiative -- to be presented by Mayor Lee Leffingwell and City Manager Marc Ott and to be accepted by the honorees

Public Hearings and Possible Actions

- 59 PH. Conduct a Public Hearing authorizing the use of approximately 4,616 square feet permanent drainage easement and approximately 5,713 square feet temporary working space area, to construct, use, maintain, repair, and replace a stormdrain line and appurtenances for construction of a portion of the E. 7th Street Drainage Improvement Project - Northwestern to Pleasant Valley through dedicated parkland known as Parque Zaragoza Park in accordance with Sec. 26.001 et seq. of the Texas Parks and Wildlife Code. All costs associated with construction, as well as any parkland restoration will be paid by requester. Recommended by the Parks and Recreation Board.
- 60 PH. Conduct a Public Hearing and consider an ordinance amending Sections 25-7-153 and 30-4-153 relating to maintenance of flood detention basins and appurtenances and amending Sections 25-8-231 and 30-5-231 relating to maintenance and inspection of water quality controls. Reviewed by the Environmental Board. Recommended by the Planning Commission.
- 61 PH. Conduct a Public Hearing and consider an ordinance amending Chapter 25-9 of the Austin City Code relating to water and wastewater service extension requests. There is no unanticipated fiscal impact. Recommended by the Planning Commission. Recommended by the Water and Wastewater Commission.
- 62 PH. Conduct a public hearing and consider an ordinance amending the pricing of GreenChoice® Batch 6 in Schedule A of Ordinance No. 20080908-006. To be reviewed by the Electric Utility Commission on August 17, 2009.
- 63 PH. Conduct a Public Hearing and consider an ordinance regarding a proposal from Atmos Energy Corporation, Mid-Tex Division to increase customer gas rates.
- 64 PH. Conduct a Public Hearing and consider an appeal by Elda Bruciaga of a decision to approve the renewal of an Outdoor Music Venue Permit for ATX Sports Bar located at 1504 East 6th Street.
- 65 PH. Conduct a Public Hearing to receive public comment on the addition of a Transmission Service Adjustment Rider to the Electric Rate Schedule of Austin Energy as part of the Fiscal Year 2009-2010 Proposed Budget. To be reviewed by the Electric Utility Commission on August 24, 2009.
- 66 PH. Conduct a Public Hearing on a proposed Strategic Partnership Agreement between the City of Austin and River Place Municipal Utility District (approximately 1,040 acres located on River Place Boulevard and Big View Drive, approximately one mile south of FM 2222 in Travis County).
- 67 PH. Conduct a Public Hearing to receive public comment on the City of Austin Fiscal Year 2009-2010 Proposed Budget.

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.

2009 Austin City Council Meeting Dates

MEETINGS	CANCELED DATES
	January 1, 2009 January 8, 2009
January 15, 2009	January 22, 2009
January 29, 2009	February 5, 2009
February 12, 2009	February 19, 2009
February 26, 2009	
March 5, 2009	
March 12, 2009	March 19, 2009
March 26, 2009	
April 2, 2009	April 9, 2009 April 16, 2009
April 23, 2009	
April 30, 2009	May 7, 2009
May 14, 2009	
May 21, 2009	May 28, 2009 June 4, 2009
June 11, 2009	
June 18, 2009	June 25, 2009 July 2, 2009 July 9, 2009 July 16, 2009
July 23, 2009	July 30, 2009
August 6, 2009	August 13, 2009
August 20, 2009	
August 27, 2009	September 3, 2009 September 10, 2009
September 14, 15 and 16, 2009 (Budget Readings)	September 17, 2009
September 24, 2009	
October 1, 2009	October 8, 2009
October 15, 2009	
October 22, 2009	October 29, 2009
November 5, 2009	November 12, 2009
November 19, 2009	November 26, 2009 December 3, 2009
December 10, 2009	
December 17, 2009	December 24, 2009 December 31, 2009