AUSTIN CITY COUNCIL

AGENDA






Thursday, May 26, 2011
The Austin City Council will convene at 10:00 AM on
Thursday, May 26, 2011 at Austin City Hall
301 W. Second Street, Austin, TX

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

Chaplain Stephen Vaughn, Texas Army National Guard

10:00 AM – City Council Convenes

Consent

Approval of Minutes

1. Approve the minutes of the Austin City Council special called meeting of May 10, 2011 and regular meeting of May 12, 2011.

Austin Energy

2. Approve a resolution governing the process for commission review of proposed revisions to Austin Energy electric rates and addressing cost allocation methodologies.

Austin Water Utility

3. Adopt an ordinance consenting to the annexation of approximately 64 acres into Travis County Water Control and Improvement District No. 10 (WCID No. 10) for the provision of water service and allowing out-of-district service to and future annexation of one single-family residential property; and waiving Article 2 of Chapter 25-9 of the City Code.

4. Approve a Resolution authorizing the application for State and Tribal Assistance Grant funds in the amount of $485,000, from the United States Environmental Protection Agency for activities associated with the mitigation of Sanitary Sewer Overflows.

City Clerk

5. Approve an ordinance ordering a runoff election to be held in the City of Austin on June 18, 2011 to elect the Council Member to Place 3, making provision for the conduct of the election, making provision for the oath of office, and declaring an emergency.

Communications and Technology Management

6. Authorize negotiation and execution of an Interlocal Agreement with the University of Texas, with automatic renewal annually unless terminated pursuant to the terms of the agreement, for the City's Wireless Communication Services Division ("WCSD") to perform and bill UT at the City's current rates for installation, maintenance, and repair of the University's mobile and portable two-way radios, mobile data computers, in-vehicle video/audio systems, sirens, light bars, antennas, and related equipment.

Contract and Land Management

7. Authorize negotiation and execution of Amendment No. A-2 (Long Lead, Civil Structural and Main [Interior] Work Components) to the Construction Manager at Risk Agreement with DPR CONSTRUCTION, INC., Austin, TX, for the Austin Energy System Control Center Project in the amount of $58,152,220. The total Guaranteed Maximum Price ("GMP") including all Work Components of the Agreement is $60,390,710. In addition to the previously approved Owner's contingency of $46,000, an additional $1,500,000 is requested for a not-to-exceed authorization amount of $61,936,710.

8. Authorize execution of a construction contract with MUNIZ CONCRETE AND CONTRACTING, INC. (MBE/MH - 70.88%), Austin, TX for ADA Sidewalk & Ramp Improvements 2011 Group 12 City Wide in the amount of $2,493,455.20 plus a $249,345.52 contingency, for a total contract amount not to exceed $2,742,800.72.

9. Authorize execution of a construction contract with AUSTIN ENGINEERING CO., Inc. Austin, TX for the Service to Annexed Areas 2222 Frontage Water and Wastewater Project in the amount of $246,580 plus a $24,658 contingency, for a total contract amount not to exceed $271,238.

10. Authorize execution of a construction contract with RS ELLIS, INC. dba SOUTHWEST CORPORATION, Austin, TX for a Control House to serve the future Webberville Solar Switchyard in a total contract amount not to exceed $123,231.

11. Authorize execution of a construction contract with MCLEAN CONSTRUCTION, INC., Killeen, TX for the Airport at Chesterfield Wastewater Improvements in an amount of $5,832,036 plus a $291,602 contingency for a total amount not to exceed $6,123,638.

12. Authorize execution of Change Order # 1 to the construction contract with AARON CONCRETE CONTRACTORS, LP, Austin, TX for the Group 11 Reconstruction and Utility Adjustments for the Burleson Road Heights and Santa Monica Park Subdivisions Phase 2 Project in the amount of $455,086.48, for a total contract amount not to exceed $2,275,436.01.

13. Authorize execution of Change Order #4 to the construction contract with MCLEAN CONSTRUCTION INC., Killeen, TX, for Group 32-Thirty Second Street Reconstruction and Utility Adjustment Project from Duval Street to Red River Street, in the amount of $173,373, for a total contract amount not to exceed $1,936,125.

14. Authorize execution of Change Order #5 to the construction contract with PRISM DEVELOPMENT, INC., Austin, TX (MBE/MH-35.94%) for the BMX and Skate

Park at Austin Recreation Center in the amount of $104,315.86, for a total contract amount not to exceed $1,177,587.86.

15. Authorize negotiation and execution of an amendment to the professional services agreement with the following two firms: REYNOLDS SMITH AND HILLS, INC., Austin, TX and SUNLAND GROUP (WBE/FW), Austin, TX for architectural and engineering services for the ABIA Architectural & Engineering Rotation List 2009-2012 for the years 2011 through 2012 or until available funding authorization is expended, in the amount of $1,500,000 in additional authorization, for a total not to exceed amount of $4,500,000 for this rotation list. This additional authorization will be distributed as follows: $750,000 will be allocated to REYNOLDS SMITH AND HILLS, INC and $750,000 will be allocated to SUNLAND GROUP.

16. Authorize negotiation and execution of an amendment to the professional services agreement with CAS CONSULTING & SERVICES, INC. (MBE/MA - 42.85%), Austin, TX for engineering services for Airport at Chesterfield Wastewater Improvements in the amount of $92,961, for a total contract amount not to exceed $1,072,961.

17. Authorize negotiation and execution of an amendment to the professional services agreement with CARTER & BURGESS, INC., Austin, TX, for additional services including public outreach, revision of permitting, bid and construction documents, surveying services, bid phase support, construction phase support and extended warranty services for the Boardwalk Trail at Lady Bird Lake in the amount of $990,000, for a total contract amount not to exceed $3,030,000.

18. Authorize negotiation and execution of an amendment to the professional services agreement with CASABELLA ARCHITECTS (MBE/MH - 69.16%), Austin, TX, for architectural services for sign design and a parking study for the Emma S. Barrientos Mexican American Cultural Center in the amount of $69,959, for a total contract amount not to exceed $2,653,659.

Economic Growth and Redevelopment Services

19. Approve the sale by Catellus Austin, LLC of a 4.46 acre parcel along Mueller Boulevard between 51st Street and Barbara Jordan Boulevard to the Austin Independent School District to be used for the construction of a Performing Arts Center.

20. Authorize negotiation and execution of a design and commission agreement with Reginald Charles Adams for the African American Cultural and Heritage Facility Art in Public Places project in an amount not to exceed $65,000.

Health and Human Services

21. Approve an ordinance amending the Fiscal Year 2010-2011 Sustainability Fund (Ordinance No. 20100913-002) to transfer $685,000 to the Health and Human Services Department (HHSD) Capital Budget (Ordinance No. 20100913-003); and amending the HHSD Capital Budget to appropriate $685,000 for repairs and improvements to the Austin Resource Center for the Homeless.

Law

22. Approve a settlement agreement in Louis Olivier and Karen Hayden v. City of Austin, Tri Tech Software Systems and Versaterm U.S. Corp; Docket No. D-1-GN-10-004352; in the 345th Judicial District Court of Travis Co., Texas.

23. Authorize negotiation and execution of a legal services agreement with Fulbright & Jaworski, L.L.P., for legal advice and representation relating to public improvement district (PID) bonds for the Whisper Valley and Indian Hills development projects, for a total contract amount not to exceed $175,000.

24. Approve a resolution adopting districting criteria.

25. Approve a resolution adopting districting guidelines.

Neighborhood Housing and Community Development

26. Approve a resolution authorizing the application for grant funding of up to $2,500,000 from the United States Department of Housing and Urban Development Lead Hazard Reduction Demonstration Program for the City's LeadSmart Program.

27. Approve a resolution authorizing the application for grant funding of up to $2,000,000 from the United States Department of Housing and Urban Development Office of Healthy Homes and Lead Hazard Control for the Healthy Homes Production Program.

Office of Emergency Management

28. Execute Interlocal Agreements between the City of Austin and Galveston County and the City of Galveston relating to the short-term sheltering of hurricane evacuees.

Parks and Recreation

29. Approve naming of the new Chestnut House, located at 1183 Chestnut Avenue, as the Britton, Durst, Howard and Spence Building.

Planning and Development Review

30. Approve an amendment to Resolution No. 20110428-013, Exhibit A, related to the Memorandum of Understanding between the City of Austin and the Waller Creek Conservancy.

Public Works

31. Authorize negotiation and execution of an agreement between the City of Austin and THE TRAIL FOUNDATION, a Texas non-profit corporation, for a contribution of $3 million towards the City's Boardwalk Trail at Lady Bird Lake project.

Purchasing Office

32. Authorize award, negotiation and execution of a contract with ALLKIOSK, Mesa, AZ, the only qualified offeror, for the purchase of two bill payment terminals for Austin Energy in an estimated amount not to exceed $250,000.

33. Authorize award and execution of Amendment No. 1 to a contract with ALTIVIA CORPORATION, Houston, TX for the purchase of sodium hypochlorite for Austin Energy power plants, to exercise the first 12-month extension option in an estimated not to exceed $33,470, with two additional 12-month extension options in an estimated amount not to exceed $33,470 each, for a revised total estimated contract amount not to exceed $167,350.

34. Authorize award, negotiation and execution of a 12-month requirements service contract with APPLEONE EMPLOYMENT SERVICES, Austin, TX, or one of the other qualified offerors to RFP No. TVN0014REBID for temporary staffing services for the Citywide Austin 3-1-1 Information Contact Center and the Utility Contact Center, in an estimated amount not to exceed $4,500,000 with four 12-month extension options in an estimated amount not to exceed $4,500,000 per extension option, for an estimated total contract amount not to exceed $22,500,000.

35. Authorize award and execution of Amendment No. 4 to a contract with BABCOCK & WILCOX POWER GENERATION GROUP, INC., Hatfield, PA, for the maintenance and support of the Data Acquisition and Handling Systems (DAHS) associated with the continuous emissions monitoring systems at Decker Creek Power Station and Sand Hill Energy Center to exercise the second 12-month extension option in an estimated amount not to exceed $47,177 and to add five additional 12-month extension options in an amount not to exceed $33,062 per extension option for a revised total contract amount not to exceed $264,834.

36. Authorize award and execution of a 12-month requirements supply contract with POWER SUPPLY, INC., Austin, TX for the purchase of 138 kV Potential Transformers for Austin Energy in an estimated amount not to exceed $197,400, with four 12-month extension options in an estimated amount not to exceed $197,400 per extension option, for a total estimated contract amount not to exceed $987,000.

37. Authorize award, negotiation, and execution of a purchase contract with SMITH POWER PRODUCTS, INC., Houston, TX, for the purchase of an engine generator for the Hornsby Bend Biosolids Management Plant in an estimated amount not to exceed $1,227,225, with the option for a 96-month service and maintenance contract for this generator in an estimated amount not to exceed $1,563,200, for a total estimated contract amount not to exceed $2,790,425.

38. Authorize award and execution of Amendment No. 1 to a contract with AIRPORT LIGHTING SYSTEMS, INC., Grapevine, TX for airfield lamps to provide funding in the amount not to exceed $49,000 for the third 12-month period of the initial 36-month contract, with three 12-month extension options in an amount not to exceed $49,000 per extension option, for a revised total contract amount not to exceed $294,000.

39. Authorize award and execution of Amendment No. 2 to a contract with APPLIED INDUSTRIAL TECHNOLOGIES, Austin, TX for HVAC belts motors and pumps for the Aviation Department to provide funding in the amount not to exceed $34,848 for the third 12-month period of the initial 36-month contract, with three 12-month extension options in an amount not to exceed $34,848 per extension option, for a revised total contract amount not to exceed $214,088.

40. Authorize award and execution of Amendment No. 3 to a contract with ASSOCIATED TIME & PARKING CONTROLS, INC., Austin, TX for repairs and parts for the parking revenue control equipment at the Austin-Bergstrom International Airport, to increase the contract for the final 12-month period of the initial 48-month contract in an amount not to exceed $60,000, with three additional 12-month extension options in an amount not to exceed $60,000 per extension option, for a total contract amount not to exceed $450,000.

41. Authorize award and execution of Amendment No. 1 to a contract with AUSTIN ARMATURE WORKS LP, Buda, TX, for HVAC belts, motors and pumps for the Aviation Department to provide funding in the amount not to exceed $50,295 for the third 12-month period of the initial 36-month contract, with three additional 12-month extension options in an amount not to exceed $50,295 per extension option, for a revised total contract amount not to exceed $301,770.

42. Authorize award and execution of Amendment No.2 to a contract with FUSION SERVICES LTD dba AUTO GATE, Austin, TX for maintenance and repair of perimeter gates at ABIA to extend the contract for one 12-month period in the amount not to exceed $49,000 with one additional 12-month extension option in an amount not to exceed $49,000, for a revised total contract amount not to exceed $245,000.

43. Authorize award and execution of Amendment No. 2 to a contract with GSE HOLDINGS, INC. dba J&B AVIATION SERVICES, INC., Vacaville, CA for ground power cables and end connectors for the Aviation Department to provide funding in the amount no to exceed $49,000 for the third 12-month period of the initial 36-month contract, with two additional 12-month extension options in an amount not to exceed $49,000 per extension, for a total contract amount not to exceed $245,000.

44. Authorize award and execution of Amendment No. 1 to a contract with LIQUID ENVIRONMENTAL SOLUTIONS OF TEXAS LP, Austin, TX for grease trap and car wash rack maintenance services for the Aviation Department to provide funding in the amount not to exceed $12,266 for the third 12-month period of the initial 36-month contract, with three additional 12-month extension options in an amount not to exceed $12,266 per extension option, for a revised total contract amount not to exceed $73,596.

45. Authorize award and execution of Amendment No. 3 an administrative increase to a contract with SIEMENS INDUSTRY, INC., Austin, TX for replacement parts for the baggage handling system to provide funding for the third 12-month period of the initial 36-month contract, with two additional 12-month extension options in an amount not to exceed $52,000 per extension option, for a total contract amount not to exceed $260,000. Siemens Industry, Inc. is the sole source provider for these parts.

46. Authorize award and execution of Amendment No. 2 to the contract with IMAGEWEAR UNIFORMS, Westminster, SC, for the purchase of work uniforms for the Austin Convention Center Department, to extend the contract for one additional 12-month period in an amount not to exceed $34,045, for a total estimated contract amount not to exceed $102,135.

47. Authorize award and execution of a 12-month contract with the CODE FOR AMERICA FELLOWSHIP PROGRAM, SAN FRANCISCO, CA, for programming services related to the AustinGO project in an amount not to exceed $150,000.

48. Authorize award, negotiation, and execution of a 36-month contract with INNOVYZE, INC., Arcadia, CA, for additional licenses and software maintenance and support for InfoWorks and InfoWater software in an amount not to exceed $253,306.84. Innovyze, Inc. is the sole source provider for these products and services.

49. Authorize award and execution of a contract through the Texas Local Government Purchasing Cooperative (BuyBoard) with SNF, INC. dba BRAND FX Ft. Worth, TX, for the purchase of one brush truck in an amount not to exceed $100,000.

50. Authorize award and execution of a contract through the Houston-Galveston Area Council of Governments Cooperative Purchasing Program (HGAC) with FREEWAY FORD, Houston, TX, for the purchase of one Emergency Medical Services (EMS) command vehicle in an amount not to exceed $120,225.

51. Authorize award and execution of a 29-month requirements contract through the Texas Local Government Purchasing Cooperative (BUYBOARD) with SOIL EXPRESS, Prosper, TX, and GAMETIME/TOTAL RECREATION PRODUCTS, INC.,Cypress, TX, for engineered wood fiber mulch for the Parks and Recreation Department, in an amount not to exceed $855,000.

52. Authorize award and execution of Amendment No. 3 to a 36-month contract with THE WHITLOCK GROUP, Austin, TX, for maintenance of audio/visual equipment at City Hall in an amount not to exceed $6,420 and to increase the three 12-month extension options in an amount not to exceed $6,420 per extension option, for a revised total contract amount not to exceed $617,440.

53. Authorize award and execution of Amendment No. 2 to a contract with: FALCON INSURANCE AGENCY, Austin, TX for liability and physical damage insurance coverage for helicopters and airplanes, to exercise option year two in the amount not to exceed $48,810 with three additional 12-month extension options in an amount not to exceed $52,500 each. The base year amount was $42,260 and option year one was $46,486, for a total contract amount not to exceed $295,056.

54. Authorize award and execution of Amendment No. 2 to exercise the first of three 12-month extension options of a requirements service contract with PROGRESSIVE ENVIRONMENTAL SERVICES, INC., Eastland, TX., for the purchase of rapid response remediation services in an estimated amount not to exceed $48,600 with two 12-month extension option in an estimated amount not to exceed $48,600 per extension option, for a total revised contract amount not to exceed $291,600.

55. Authorize award and execution of Amendment No. 2 to a contract with PILLER INC., Middletown, NY, for uninterruptible power supply maintenance, to exercise the second 12-month extension option in an amount not to exceed $22,869 and to add three additional 12-month extension options in amounts not to exceed $24,012.45 for the first additional extension option, $25,213.07 for the second additional extension option, and $26,473.73 for the third additional extension option, for a revised total contract amount not to exceed $138,258.25.

56. Authorize award and execution of Amendment No. 2 to a contract with CLIFFORD POWER SYSTEMS, INC., Austin, TX for inspection and maintenance of emergency and standby power systems to provide funding in the amount not to exceed $34,414 for

the second and third 12-month periods of the initial 36-month extension period, with one additional 36-month extension option in an amount not to exceed $103,242, for a total contract amount not to exceed $269,643.

57. Authorize award and execution of Amendment No. 1 to exercise the first of three extension options of a requirements supply agreement with KBS ELECTRICAL DISTRIBUTORS INC., Austin, TX, for the purchase of insecticides for various city departments in an estimated amount not to exceed $17,446 with two extension option in the amount of $17,446 per extension option, for a total contract amount not to exceed $104,676.

58. Authorize award and execution of a 60-month requirements service contract with EMERSON NETWORK POWER, LEIBERT SERVICES, INC., Westerville, OH for maintenance and replacement parts for ABIA's baggage handling and security sytems, in an estimated amount not to exceed $107,106 with five 12-month extension options in estimated amounts not to exceed $23,380 for the first extension option, $24,149 for the second extension option, $24,957 for the third extension option, $25,805 for the fourth extension option, and $26,695 for the fifth extension option for a total estimated contract amount not to exceed $232,092. Emerson Network Power, Leibert Services, Inc. is the sole source provided for these services and products.

59. Authorize award and execution of Amendment No. 2 to a contract with ARTHUR W. BELL dba KIL-A-BUG PROFESSIONAL PEST CONTROL, Austin, TX for pest control services to provide funding in the amount of $27,696 for the final 12-month period of the initial 36-month contract, with three 12-month extension options in an amount not to exceed $27,696 per extension option, for a revised total contract amount not to exceed $167,541.

60. Authorize award and execution of Amendment No. 1 to a contract with NUNN ELECTRIC SUPPLY dba Border States Electric Supply, Austin, TX for airfield lamps to provide funding in the amount not to exceed $49,000 for the third 12-month period of the initial 36-month contract, with three additional 12-month extension options in an amount not to exceed $49,000 per extension option, for a revised total contract amount not to exceed $294,000.

61. Authorize award and execution of Amendment No. 1 to a contract with NUNN ELECTRIC SUPPLY dba Border States Electric Supply, Austin, TX for airfield lamps to provide funding in the amount not to exceed $49,000 for the third 12-month period of the initial 36-month contract, with three additional 12-month extension options in an amount not to exceed $49,000 per extension option, for a revised total contract amount not to exceed $294,000.

62. Authorize award and execution of Amendment No. 1 to a contract with GENESIS LAMP CORPORATION, Painesville, OH for airfield lamps to provide funding in the amount not to exceed $49,000 for the third 12-month period of the initial 36-month contract, with three additional 12-month extension options in an amount not to exceed $49,000 per extension option, for a revised total contract amount not to exceed $294,000.

63. Authorize award and execution of Amendment No. 1 to a contract with: COMMUNICATION SERVICES FOR THE DEAF, INC., Austin, TX for sign language services for the hearing impaired for the Neighborhood Housing Community

Development, to exercise the first extension option in the amount not to exceed $14,250, and add one 12-month extension option in an amount not to exceed $14,250, for a total contract amount not to exceed $71,250.

Transportation

64. Approve an ordinance accepting $499,915 from the Texas Department of Transportation in Federal Earmark Funding for the purchase and installation of travel time and traffic count sensors at various locations throughout the city of Austin; amending the Fiscal Year 2010-2011 Austin Transportation Department Operating Budget Special Revenue Fund (Ordinance No. 20100913-002) to appropriate $499,915 in Federal Earmark Funds; and amending the Fiscal Year 2010-2011 Austin Transportation Department Capital Budget (Ordinance No. 20100913-003) to transfer in $499,915 from the Austin Transportation Department Operating Budget Special Revenue Fund for traffic signals.

65. Approve an ordinance accepting funds in the amount of $285,000 from Capital Metropolitan Transportation Authority to be used to provide the priority operation of traffic signals for buses being operated on a Bus Rapid Transit route to improve travel time; amending the Fiscal Year 2010-2011 Austin Transportation Department Operating Budget Special Revenue Fund (Ordinance No. 20100913-002) to appropriate $285,000; and amending the Fiscal Year 2010-2011 Austin Transportation Department Capital Budget (Ordinance No. 20100913-003) to transfer in and appropriate $285,000 from the Austin Transportation Department Operating Budget Special Revenue Fund for traffic signals.

66. Approve a resolution authorizing negotiation and execution of an Advance Funding Agreement with the Texas Department of Transportation for award of $499,915 in Federal Earmark Funding for the purchase and installation of travel time and traffic count sensors at various locations throughout the City of Austin.
(Notes: Related to Item #67.)

67. Approve a resolution authorizing the negotiation and execution of an Interlocal Cooperation Agreement with the Capital Metropolitan Transportation Authority (CMTA) to accept up to $285,000 from CMTA to be used to provide for priority operation of traffic signals for buses operated on a Bus Rapid Transit (BRT) route, which will improve their travel time and schedule reliability.
(Notes: Related to Item #66.)

Treasury Office

68. Approve an ordinance authorizing three Letter of Credit and Reimbursement Agreements between the City of Austin, JPMorgan, KBC Bank, and Royal Bank of Canada related to the $248,350,000 currently outstanding City of Austin, Airport System Variable Rate Revenue Refunding Bonds, Series 2005, and approve and authorize all necessary documents and fees relating to these Letter of Credit Agreements.

69. Authorize negotiation and execution of a professional underwriting agreement with Piper Jaffray & Co. as the underwriter in connection with the issuance of the proposed City of Austin, Texas Public Improvement District Special Assessment Revenue Bonds, Series 2011 (Whisper Valley Project) and the City of Austin, Texas Public Improvement

District Special Assessment Revenue Bonds, Series 2011 (Indian Hills Project).

Watershed Protection Department

70. Authorize negotiation and execution of Amendment No. 7 to an Interlocal Agreement with the University of North Texas for a native vegetation restoration project to be conducted in Lake Austin and Lady Bird Lake for prevention of invasive riparian plant growth in an amount not to exceed $30,000, for a revised contract amount not to exceed $525,000.

71. Approve an ordinance authorizing the acceptance of additional grant funds in the amount of $755,679 from the Office of the Governor, Division of Emergency Management; and amending the 2010-2011 Watershed Protection Department Operating Budget Special Revenue Fund (Ordinance No. 20100913-002) to appropriate $755,679 to the DR-1791-016 Hurricane Ike Hazard Mitigation Grant Program for the buyout and demolition of four additional single family houses in the floodplain of Williamson Creek near the intersection of West Gate Boulevard and Cherry Creek Drive. Up to $755,679 is available in Federal Emergency Management Agency funding. Local matching funds are required to cover 25% of the program's cost.

Item(s) from Council

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

73. Approve a resolution directing the City Manager to begin operation of a free cell phone waiting area on the grounds of Austin-Bergstrom International Airport no later than January 1, 2012.
(Notes: SPONSOR: Mayor Lee Leffingwell CO 1: Mayor Pro Tem Mike Martinez CO 2: Council Member Randi Shade)

74. Approve a resolution authorizing the City Manager to take necessary steps, including legal action, to protect the interests of the citizens of Austin as it relates to state and federal redistricting legislation.
(Notes: SPONSOR: Mayor Lee Leffingwell CO 1: Mayor Pro Tem Mike Martinez CO 2: Council Member Randi Shade)

75. Approve a resolution directing the City Manager to prepare a budget amendment for transfer of funds from the Sustainability Fund and the General Fund to the Health and Human Services Department for services for at-risk youth.
(Notes: SPONSOR: Council Member Laura Morrison CO 1: Council Member Sheryl Cole)

76. Approve a resolution initiating amendments to City Code Title 25 and Chapter 11-1 and directing the City Manager to develop an ordinance, make recommendations, and take other actions relating to the City's historic preservation program.

Item(s) to Set Public Hearing(s)

77. Set a public hearing to consider an ordinance amending Chapters 25-1 and 25-2 of the

City Code to modify requirements for open space (C20-2010-020). (Suggested date and time: June 23, 2011, 4:00 p.m. at Austin City Hall, 301 W. Second Street, Austin, TX.)

78. Set a public hearing to consider an ordinance amending City Code Chapter 30-2 (Subdivision Requirements) to add a new Section 30-2-287 requiring residential plats in the extra-territorial jurisdiction of Travis County to include a consumer protection notice alerting homebuyers that minimal land use regulations apply outside the city limits. (Suggested date and time: June 23, 2011, 4:00 p.m. at Austin City Hall, 301 W. Second Street, Austin, TX.)

Non-Consent

10:30 AM - Morning Briefings

79. Mueller update

12:00 PM - Citizen Communications: General

Steven Jackobs – Long term job training

Philip Greene - Water fluoridation

Gus Peña - 1. Memorial Day is a day to remember all military personnel who lost their lives in combat in defense of our country. Please show your appreciation for those who died and for their families who lost their loved ones. 2. You all will have the day off but many of us veterans will not have the day off. 3. Please call the Governor, Lt. Governor, Speaker of the House and all State Reps and Senators to tap into the Rainy Day fund once more for 2012, 2013 budget. Housing, Jobs, Senior Citizen programs, Truancy, Drop out prevention, Healthcare, Education, Social Service, Mental Health treatment funding is needed. 4. A societies worth is measured by its treatment of the less fortunate.

Eric Holloway – Anti-lobbying ordinance and citizen's participation

Darcy Bloom - Water fluoridation

Mary Ellen Pietruszynski – Workforce education

Sarah Stollak – Title 25 ordinance regarding art production and sales

Jessica Ybarra – Health and Human Services proposal

Hugh Mayfield - Environmental issues

Tamara Vannoy - Grant process for health and human services

Executive Session

80. Discuss legal issues relating to State Farm Lloyds As Subrogee Of Don Rip Miller, II, et. al vs. City Of Austin/Austin Energy; cause No. D-1-GN-09-001061; in the 261st

Judicial District Court of Travis Co., Texas; (private consultation with legal counsel pursuant to Section 551.071 of the Government Code).

81. Discuss legal issues related to a Texas Open Meetings Act complaint, associated requests made under the Public Information Act and the retention of records (Private consultation with legal counsel pursuant to Section 551.071 of the Government Code).

82. Discuss legal issues relating to districting and proposed city charter amendments (Private consultation with legal counsel pursuant to Section 551.071 of the Government Code).

83. Evaluate the performance of and consider the compensation and benefits for the City Clerk (Personnel Matters Section 551.074)

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

84. NPA-2010-0012.01 – 2001 & 2005 Chicon Street– Conduct a public hearing and approve an ordinance amending Ordinance No. 20020801-91, the Upper Boggy Creek Neighborhood Plan, an element of the Austin Tomorrow Comprehensive Plan, to change the land use designation on the future land use map (FLUM) on property locally known as 2001 and 2005 Chicon Street (Boggy Creek Watershed) from Single Family to Mixed Use/Office land use. Staff Recommendation: Pending. Planning Commission Recommendation: To be reviewed on May 24, 2011. Owner/Applicant: Youth and Family Alliance, dba LifeWorks. Agent: Youth and Family Alliance, dba LifeWorks. (Mitch Weynand, Chief Operating Officer). City Staff: Maureen Meredith, 974-2695.

85. C14-2010-0127 – LifeWorks East Central – Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 2001 and 2005 Chicon Street (Boggy Creek Watershed) from family residence-neighborhood plan (SF-3-NP) combining district zoning to limited office-mixed use-conditional overlay-neighborhood plan (LO-MU-CO-NP) combining district zoning. Staff Recommendation: Pending. Planning Commission Recommendation: To be reviewed on May 24, 2011. Applicant: Youth and Family Alliance, dba LifeWorks (Susan McDowell). Agent: Youth and Family Alliance, dba LifeWorks (Mitch Weynand). City Staff: Joi Harden, 974-2122.

86. NPA-2010-0012.02 – 2007 Chicon Street – Conduct a public hearing and approve an ordinance amending Ordinance No. 20020801-91, the Upper Boggy Creek Neighborhood Plan, an element of the Austin Tomorrow Comprehensive Plan, to change the land use designation on the future land use map (FLUM) on property locally known as 2007 Chicon Street (Boggy Creek Watershed) from Single Family to Mixed Use/Office land use. Staff Recommendation: Pending. Planning Commission Recommendation: To be reviewed on May 24, 2011. Owner/Applicant: Youth and Family Alliance dba LifeWorks. Agent: Youth and Family Alliance dba LifeWorks. (Mitch Weynand, Chief Operating Officer). City Staff: Maureen Meredith, 974-2695.

87. C14-2010-0136 – LifeWorks East Central – Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 2007 Chicon Street (Boggy Creek Watershed) from family residence-neighborhood plan (SF-3-NP) combining district zoning to limited office-mixed use-conditional overlay-neighborhood plan (LO-MU-CO-NP) combining district zoning.

Staff Recommendation: Pending. Planning Commission Recommendation: To be reviewed on May 24, 2011. Applicant: Youth and Family Alliance, dba LifeWorks (Susan McDowell). Agent: Youth and Family Alliance, dba LifeWorks (Mitch Weynand). City Staff: Joi Harden, 974-2122.

88. NPA-2011-0005.01 – Riverside Gardens – Conduct a public hearing and approve an ordinance amending Ordinance No. 20010927-05, the Montopolis Neighborhood Plan, an element of the Austin Tomorrow Comprehensive Plan, to change the land use designation on the future land use map (FLUM) on property locally known as 6716 East Riverside Drive (Carson Creek Watershed) from Commercial land use to Multifamily land use on Tract 1. Staff Recommendation: To grant the change in FLUM to Higher Density Single Family land use on Tracts 1 and 2. Planning Commission Recommendation: To grant the change in FLUM to Higher Density Single Family land use on Tracts 1 and 2. Owner/Applicant: Equity Secured Capital, L.P. (Vincent M. DiMare, Jr.). Agent: Carlson, Brigance & Doering, Inc. (Charles R. Brigance, Jr., P.E.). Maureen Meredith, 974-2695.

89. C14-2010-0204 – Riverside Gardens – Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 6716 East Riverside Drive (Carson Creek Watershed) from multifamily residence medium density - neighborhood plan (MF-3-NP) combining district zoning and general commercial services - neighborhood plan (CS-NP) combining district zoning to single family residence small lot - neighborhood plan (SF-4A-NP) combining district zoning. Staff Recommendation: To approve single family residence small lot - neighborhood plan (SF-4A-NP) combining district zoning. Planning Commission Recommendation: To approve single family residence small lot - neighborhood plan (SF-4A-NP) combining district zoning. Owner/Applicant: Equity Secured Capital, L.P. (Vincent M. DiMare, Jr.). Agent: Carlson, Brigance & Doering, Inc. (Charles Brigance). City Staff: Stephen Rye, 974-7604.

90. C14-2011-0013 – MU-14 Investments – Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 4807 North Quinlan Park Road (Bear Creek West Watershed) from neighborhood commercial-conditional overlay (LR-CO) combining district zoning and limited office-conditional overlay (LO-CO) combining district zoning to community commercial (GR) district zoning. Staff Recommendation: To grant community commercial-conditional overlay (GR-CO) combining district zoning. Zoning and Platting Commission Recommendation: To grant community commercial-conditional overlay (GR-CO) combining district zoning. Applicant: MU-14 Investments, Ltd. (James Plasek). Agent: Crocker Consultants (Sarah Crocker). City Staff: Clark Patterson, 974-7691.

91. C14-2011-0020 – Andrew A. Bergad – Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 1100 East 8th Street (Waller Creek Watershed) from limited office-historic landmark-neighborhood plan (LO-H-NP) combining district zoning to family residence-historic landmark-neighborhood plan (SF-3-H-NP) combining district zoning. Staff Recommendation: To grant family residence-historic landmark-neighborhood plan (SF-3-H-NP) combining district zoning. Planning Commission Recommendation: To grant family residence-historic landmark-neighborhood plan (SF-3-H-NP) combining district zoning. Applicant and Agent: Andrew A. Bergad. City Staff: Joi Harden, 974-2122.

92. C14-2011-0024 – Chestnut – Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 1709 Miriam Avenue (Boggy Creek Watershed) from transit-oriented development-neighborhood plan-conditional overlay (TOD-NP-CO) combining district zoning to transit-oriented development-neighborhood plan-conditional overlay (TOD-NP-CO) combining district zoning, to change a condition of zoning. Staff Recommendation: To grant transit-oriented development-neighborhood plan-conditional overlay (TOD-NP-CO) combining district zoning, to change a condition of zoning. Planning Commission Recommendation: To grant transit-oriented development-neighborhood plan-conditional overlay (TOD-NP-CO) combining district zoning, to change a condition of zoning. Applicant: Freehaven Development (Tom Patton). Agent: FNA Land & Development (Justin Henry). City Staff: Joi Harden, 974-2122.

93. C14-2010-0199 – C G & S Corral – Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 402 Corral Lane (South Boggy Creek Watershed) from single family residence standard lot (SF-2) district zoning to general commercial services-mixed use-conditional overlay (CS-MU-CO) combining district zoning. Staff Recommendation: To deny general commercial services-mixed use-conditional overlay (CS-MU-CO) combining district zoning. Zoning and Platting Commission Recommendation: To grant general commercial services-mixed use-conditional overlay (CS-MU-CO) combining district zoning. Owner/Applicant: C G & S Construction, Inc. (C. Wm. "Billy" Guerrero). Agent: Jim Bennett Consulting (Jim Bennett). City Staff: Wendy Rhoades, 974-7719. A valid petition has been filed in opposition to this rezoning request.

94. C14-91-0015(RCA) – Champion Commercial Development – Conduct a public hearing and approve a restrictive covenant amendment for property locally known as 5617 RM 2222 (West Bull Creek Watershed) to amend a portion of the Restrictive Covenant in order to allow left turn access into the site from westbound RM 2222. Staff Recommendation: To grant an amendment to a portion of the Restrictive Covenant in order to allow left turn access into the site from westbound RM 2222. Zoning and Platting Commission Recommendation: To forward the case to City Council without a recommendation. Owner/Applicant: Champion Assets, Ltd. (Josie Champion). Agent: Graves, Dougherty, Hearon & Moody, P.C. (Michael Whellan). City Staff: Clark Patterson, 974-7691.

4:00 PM - Public Hearings and Possible Actions

95. Conduct a public hearing and consider an ordinance that amends City Code Chapter 9-3, relating to juvenile day and night time curfews, and continues and readopts City Code Chapter 9-3.

96. Conduct a public hearing to consider an appeal by Betty Trent of a decision by the Residential Design and Compatibility Commission (RDCC) denying a 5% increase in the maximum floor-to-area ratio allowed under the McMansion restrictions in City Code Chapter 25-2 (Zoning), for a proposed two-story duplex with an attached garage located at 2822 Wooldridge Drive

97. Conduct a public hearing and consider an ordinance regarding Texas Gas Service's proposal to increase customer gas rates.

98. Conduct a public hearing and consider an ordinance amending Title 2 and Title 25 of the City Code to authorize special exceptions and fee waivers for longstanding code violations that do not threaten public safety or negatively impact surrounding properties.

5:30 PM - Live Music

David Ramirez

5:30 PM - Proclamations

Proclamation -- Internal Auditors Week -- to be presented by Mayor Lee Leffingwell and to be accepted by Marcus Horton

Proclamation -- Storm Ready Austin -- to be presented by Mayor Lee Leffingwell and to be accepted by Candice Wade

Proclamation -- Employee Safety Month -- to be presented by Mayor Lee Leffingwell and to be accepted by Shelley Buchman and members of the Employee Safety Association

Proclamation -- Take Heart Austin Day -- to be presented by Mayor Lee Leffingwell and to be accepted by Dr. Paul Hinchey

Certificate of Congratulations -- Beverly Silas for Woman of the Year Award -- to be presented by Council Member Sheryl Cole and to be accepted by the honoree

Certificate of Congratulations -- Sinclair Black for FAIA Community Service Award -- to be presented by Council Member Sheryl Cole and to be accepted by the honoree

Proclamation -- St. John's Community Center's 10th Anniversary -- to be presented by Council Member Sheryl Cole and to be accepted by Noalie Watson

Certificates of Congratulations -- Bike Poster Contest Winners -- to be presented by Council Member Chris Riley and to be accepted by the honorees

Certificate of Appreciation -- UT School of Architecture and their work on the Airport Boulevard Corridor -- to be presented by Council Member Riley and to be accepted by Nichole Wiedemann

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.