AUSTIN CITY COUNCIL

AGENDA






Thursday, August 25, 2011
The Austin City Council will convene at 10:00 AM on
Thursday, August 25, 2011 at Austin City Hall
301 W. Second Street, Austin, TX

Mayor Lee Leffingwell
Mayor Pro Tem Sheryl Cole
Council Member Chris Riley, Place 1
Council Member Mike Martinez, Place 2
Council Member Kathie Tovo, Place 3
Council Member Laura Morrison, Place 4
Council Member William Spelman, Place 5

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

Peg Syverson, Resident Teacher and Director, Appamada Buddhist Center

10:00 AM – City Council Convenes

Consent

Approval of Minutes

1. Approve the minutes of the Austin City Council work session of August 16, 2011, budget work session of August 17, 2011, and regular meeting of August 18, 2011.

Austin Energy

2. Authorize negotiation of a power purchase agreement with MAP Royalty Inc., Palo Alto, CA, for a term of up to twenty-five years for up to 91 megawatts of wind-generated electricity in an estimated amount of $13,000,000 per year, for an estimated total contract amount of $325,000,000.

3. Authorize negotiation of a power purchase agreement with Duke Energy Generation Services, Houston, TX, for a term of up to twenty-five years for up to 200 megawatts of wind-generated electricity in an estimated amount of $32,800,000 per year, for an estimated total contract amount of $820,000,000.

4. Approve issuance of a rebate to Data Foundry (Texas 1) for the installation of energy efficient equipment in an amount not to exceed $61,180.85.

5. Approve issuance of a rebate to Round Rock ISD - Westwood High School for the installation of energy efficient equipment in an amount not to exceed $73,451.40.

Austin Water Utility

6. Approve a resolution appointing five new individuals to the stakeholders' group of the Executive Management Committee of the Austin-LCRA Water Partnership in

accordance with the Supplemental Water Supply Agreement between City of Austin and LCRA.

Contract and Land Management

7. Authorize execution of a construction contract with PROTA, INC., (MBE/FH-61.69%) Austin, TX for the Walnut Creek Basin Odor and Corrosion Improvements Project in the amount of $1,062,000 plus a $106,200 contingency, for a total contract amount not to exceed $1,168,200.

8. Authorize execution of change order #8 to the construction contract with LAUGHLIN-THYSSEN, INC., Houston, TX, for the South I-35 W/WW Program Segment 1 - Slaughter Lane to Slaughter Creek, 36-Inch Water Main project in the amount of $33,000, for a total contract amount not to exceed $2,241,043.30.

Economic Growth and Redevelopment Services

9. Approve an application and related resolution for submission to the Capital Area Texas Sustainability (CATS) Consortium for selection of an official Demonstration Site for the Sustainable Places Project.

10. Approve a resolution inducting the following honourees into the 2011 Austin Music Memorial: Sims Ellison, Carroll DesChamps "Champ" Hood, Walter Hyatt, Keith Ferguson, Dolores Fariss, Benjamin Leo "B.L." Joyce, Thomas James "TJ" McFarland, Randy "Biscuit" Turner, Raymond Guerrero Donley, and Gloria Jean Brown-Manor.

Health and Human Services

11. Authorize the negotiation and execution of four contracts with three providers, all for one-year terms beginning on September 1, 2011, for juvenile crime prevention services under the 78744 Youth of Promise Initiative Community Youth Development Program. The contracts are with MEXIC-ARTE MUSEUM, in an amount not to exceed $45,900, with two 12-month renewal options, in an amount not to exceed $45,900 per renewal term for a total contract amount not to exceed $137,700; THEATRE ACTION PROJECT, in an amount not to exceed $49,346.94, with two 12-month renewal options, in an amount not to exceed $49,346.94 per renewal term for a total contract amount not to exceed $148,040.82; WORKER'S ASSISTANCE PROGRAM, in an amount not to exceed $40,000, with two 12-month renewal options, in an amount not to exceed $40,000 per renewal term, for a total contract amount not to exceed $120,000, and WORKER'S ASSISTANCE PROGRAM, in an amount not to exceed $28,926.69, with two 12-month renewal options, in an amount not to exceed $28,926.69 per renewal term, for a total contract amount not to exceed $86,780.07.

12. Authorize negotiation and execution of Amendment No.1 to the Agreement for Social Services with THE SALVATION ARMY, INC., to increase funding to provide for replacement of the air conditioning system, telephone system and plumbing repairs at the Women and Children's Shelter, in an amount to not to exceed $263,000 for a total contract amount not to exceed $4,901,466.

13. Authorize negotiation and execution of Amendment No. 2 to the social services contract between the City of Austin and Caritas of Austin for the Best Single Source

Program to provide funding for rent, utility assistance, and training to prevent homelessness in an amount not to exceed $131,650 for a total contract amount not to exceed $994,559.

Law

14. Approve a settlement of claims with Rodman LLC, Pacific Indemnity Company, and Traveler's Insurance Company, in connection with construction of Robert Mueller Municipal Airport, Section 5, Phases 1 and 2.

15. Approve a settlement in Sir Smith v. Leonardo Quintana and City of Austin, Case No. A-10-CA-778-SS; In the U.S. District Court for the Western District of Texas, Austin Division

16. Authorize an amendment to the legal services agreement with Boulette & Golden L.L.P. to provide legal services to the City related to Emergency Responders for Equality, et al v. Rhoda Mae Kerr, et al., Cause No. A 09 CA 886 LY; In the U.S. District Court for the Western District of Texas, Austin Division. The amendment is in the amount of $148,000 for a total contract amount not to exceed $200,000.

17. Approve a settlement in Emergency Responders for Equality, et al v. Rhoda Mae Kerr, et al., No. A 09 CA 886 LY, In the U.S. District Court for the Western District of Texas, Austin Division.

18. Approve an offer of judgment in Emergency Responders for Equality, et al v. Rhoda Mae Kerr, et al., No. A 09 CA 886 LY, In the U.S. District Court for the Western District of Texas, Austin Division.

Neighborhood Housing and Community Development

19. Approve a resolution authorizing the City Manager to apply for grant funding up to $3,000,000 from the U.S. Department of Housing and Urban Development, Office of Sustainable Housing and Communities, for the Fiscal Year 2011 Community Challenge Planning Grant Program to assist in developing the City-owned tract known as Colony Park.

Office of Real Estate Services

20. Authorize the negotiation and execution of a 60-month lease for approximately 2,482 square feet of office space for use by the Health and Human Services Department for the Community Transformation Program office, located at 1106 Clayton Lane, Suite 490W, Austin, Texas, from TWIN TOWERS LTD. PARTNERSHIP, in an amount not to exceed $224,975.

21. Approve a resolution authorizing the filing of eminent domain proceedings for the Airport at Chesterfield Wastewater Improvement Project to acquire approximately 986 square feet of land for a wastewater line easement, out of the Thomas J. Chambers Survey, Abstract No. 7, Travis County, Texas, being out of a portion of Pampa Drive vacated per City of Austin Ordinance # 680314-C, and Lot 4, Block 7, Silverton Heights, a subdivision of record in Volume 4, Page 77 of the Plat Records of Travis County, Texas in the amount of $3,205. The owner of the necessary property interests

is 502 PAMPA, LLC, A TEXAS LIMITED LIABILITY COMPANY. The property is located at 6801 Airport Boulevard, Austin, Travis County, Texas.

22. Approve a resolution authorizing the filing of eminent domain proceedings for the Ridgelea Storm Drainage Improvements Project for 1,213 square feet of land, more or less, for a permanent drainage easement out of Lot 39 and the north half of Lot 40, Ridgelea, a subdivision of record in Book 4, Page 258, Plat Records, Travis County, Texas, in the amount of $34,989. The owner of the needed property interests is JOHNN ROBERT HENDERSON. The property is located at 3911 Idlewild Road, Austin, Travis County, Texas.

23. Approve a resolution authorizing the filing of eminent domain proceedings for the East Bouldin – Euclid – Wilson Storm Drain Improvements Project for 6,336 square feet of land for permanent storm sewer easements; 15,973 square feet of land for temporary access easements; and 7,261 square feet of land for a temporary work space, staging area and material storage site easement, all being out of Lot 1 and Lot 2, HEB/Congress and Oltorf Subdivision No. 2, a subdivision of record in Book 98, Page 203-204 Plat Records, Travis County, Texas, in the amount of $184,123. The owner of the needed property interests is HEB GROCERY COMPANY, LP. The property is located at 2400 South Congress, Austin, Travis County, Texas.

24. Approve a resolution authorizing the filing of eminent domain proceedings for the Harris Branch Interceptor Lower B Project for 12,384 square feet of land for a 50-foot wide permanent wastewater easement out of land situated in the Josiah Willbarger Survey No. 42, Abstract No. 794 Travis County, Texas, being out of a remainder of called 25.00-acre tract of land, described as Tract Two, in Travis County, Texas, in the amount of $1,704. The owners of the necessary property interests are CHARLES W. ALFF – INDEPENDENT EXECUTOR OF THE ESTATE OF EUNICE REID ALFF, DECEASED (WILLIAMSON COUNTY PROBATE CAUSE NO. 11-0314 CP4) AND CHARLES W. ALFF - TRUSTEE OF THE WILLIAM C. ALFF EXEMPT TRUST CREATED UNDER THE LAST WILL AND TESTAMENT OF WILLIAM C. ALFF, DECEASED, PROBATE CAUSE NO. 15424, COUNTY COURT OF LAW NO. 2, WILLIAMSON COUNTY, TEXAS. The property is located off Hill Lane, on the east side of SH 130, 0.4 mile north of Parmer Lane, in northeast Austin, Travis County, Texas 78653.

25. Approve a resolution authorizing the filing of eminent domain proceedings for the Harris Branch Interceptor Lower B Project for a 7.482-acre tract of land for a 50-foot wide permanent wastewater easement in the James Manor Survey No. 40 Abstract No. 546, the James Gilleland Survey No. 41 Abstract No. 305 and the Josiah Wilbarger Survey No. 42, Abstract No. 794 in Travis County, Texas being out of a called 232.03-acre tract of land, described as First Tract, in the amount of $382,950. The owner of the needed property interests is THE BUTLER FAMILY PARTNERSHIP, LTD., A TEXAS LIMITED PARTNERSHIP. The property is located off of East Parmer Lane, at the northeast corner of the intersection of U.S. HWY 290 and Parmer Lane in Austin, Travis County, Texas 78753.

26. Authorize the negotiation and execution of all documents and instruments necessary or desirable to purchase in fee simple a drainage easement totaling approximately 0.0715 acres out of Lot 40 and Lot 41, Ridgelea, a subdivision of record in Book 4 Page 258 Plat Records, Travis County, Texas, in Austin, Travis County, Texas, located at 3907 Idlewild Road from JUNE N. REESE for the Ridgelea Storm Drain Improvements

Project, in an amount not to exceed $89,823.

27. Approve a resolution authorizing the filing of eminent domain proceedings for the Harris Branch Interceptor Lower A Project for an approximate 28,402 square foot tract of land for a permanent wastewater easement, being out of and a part of the Mariquita Castro Survey No. 50, Abstract No. 160, in Travis County, Texas, in the amount of $9,941. The owner of the needed property interests is ETON MEADOWS, LP, A TEXAS LIMITED PARTNERSHIP. The property is located along the north line of Parmer Lane, approximately midway between Harris Branch Parkway and SH-I30, in Austin, Travis County, Texas 78653.

28. Approve a resolution authorizing the filing of eminent domain proceedings for the Harris Branch Interceptor Lower A Project for approximately 3.074 total acres of land for a permanent wastewater easement, being out of and a part of the Mariquita Castro Survey No. 50, Abstract No. 160 and the Josiah Wilbarger Survey No. 42, Abstract No. 794, in Travis County, Texas, in the amount of $43,040. The owners of the needed property interests are JPMORGAN CHASE BANK, AS TRUSTEE OF THE FREDERIC CLARKE MORSE, JR. EXEMPT FAMILY TRUST; AND SCOTT NOTLEY MORSE AND FREDERIC CLARKE MORSE, III, AS SUCCESSOR CO-INDEPENDENT EXECUTORS OF THE ESTATE OF FREDERIC CLARKE MORSE, SR. The property is located off Boyce Lane, along the north line of Parmer Lane, several lots west of SH-I30, in Austin, Travis County, Texas 78653.

29. Authorize the negotiation and execution of a 60-month lease with one (1) five (5) year renewal option for 3,152 square feet of office space located at 4029 S. Capital of Texas Highway, Suite 111 from BRODIE OAKS CENTER, LTD. for the Economic Growth and Redevelopment Services Office's Small Business Development Program in an amount not to exceed $346,720.

30. Approve a resolution authorizing the filing of eminent domain proceedings for the Harris Branch Interceptor Lower A Project for approximately 2.010 acres of land for a permanent wastewater easement, being out of and a part of the Mariquita Castro Survey No. 50, Abstract No. 160 and the Josiah Wilbarger Survey No. 42, Abstract No. 794, in Travis County, Texas, in the amount of $113,536. The owner of the needed property interests is TRAFALGAR I, L.P., A TEXAS LIMITED PARTNERSHIP. The property is located off Gregg Manor Road, several lots north of Parmer Lane at the dead-end of Hill Lane and one lot west of SH-130, in Austin, Travis County, Texas 78653.

31. Approve a resolution authorizing the filing of eminent domain proceedings for the Harris Branch Interceptor Lower A Project for 33,417 square feet of land for a permanent wastewater easement out of and a part of the Josiah Willbarger Survey No. 42, Abstract No. 794, in Travis County, Texas, same being a portion of the remainder of Tract Two, a 25.00 acre tract of land, in Travis County, Texas, in the amount of $6,136. The owners of the necessary property interests are CHARLES W. ALFF - INDEPENDENT EXECUTOR OF THE ESTATE OF EUNICE REID ALFF, DECEASED (WILLIAMSON COUNTY PROBATE CAUSE NO. 11-0314 CP4) AND CHARLES W. ALFF – TRUSTEE OF THE WILLIAM C. ALFF EXEMPT TRUST CREATED UNDER THE LAST WILL AND TESTAMENT OF WILLIAM C. ALFF, DECEASED, PROBATE CAUSE NO. 15424, COUNTY COURT OF LAW NO. 2, WILLIAMSON COUNTY, TEXAS. The property is located off Hill Lane, on the west side of SH 130, and 0.4 mile north of Parmer Lane, in northeast

Austin, Travis County, Texas 78653.

Parks and Recreation

32. Authorize negotiation and execution of a one-year Interlocal Agreement between the City of Austin and the University of Texas at Austin, for performance of hydrodynamic flow modeling of Barton Springs Pool, with two 12-month extensions for $89,460 for the first year, $88,130 for the second year, if extended, and $94,767 for the third year, if extended, for a total amount not to exceed $272,357. Funding in the amount of $89,460 is available in the Fiscal Year 2011-2012 Operating Budget of the Parks and Recreation Department. Funding for extension options is contingent upon funding in future budgets.

Purchasing Office

33. Authorize award, negotiation, and execution of Amendment No. 2 to a contract with ZOLL DATA SYSTEMS, Broomfield, CO, to add maintenance and support for the Zoll RescueNet billing system for the Emergency Medical Services Department in an amount not to exceed $10,907.08 and to increase the five 12-month extension options in an amount not to exceed $26,177 per extension option, for a revised total contract amount not to exceed $737,539.96.

34. Authorize award and execution of Amendment No. 4 to a contract with SPANISH LANGUAGE INSTRUCTION, Austin, TX, for Spanish oral proficiency testing for the Public Safety Departments to exercise the second 12-month extension option period in an amount not to exceed $37,540 and to authorize one additional 12-month extension option in an amount not to exceed $37,540, for a revised total estimated contract amount not to exceed $225,240.

35. Authorize award and execution of a 36-month requirements supply contract with SSI EMERGENCY EQUIPMENT, INC., Denver, CO to provide rope rescue equipment for the Austin Fire Department in an estimated amount not to exceed $60,000, with three 12-month extension options in estimated amounts not to exceed $20,000 per extension option, for a total estimated contract amount not to exceed $120,000.

36. Authorize award and execution of a 36-month requirements supply contract with GT DISTRIBUTORS, INC., Austin, TX to provide tasers for the Austin Police Department in a total estimated contract amount not to exceed $600,000. GT Distributors, Inc. is the sole source provider for these products.

37. Authorize award and execution of a 36-month requirements supply contract with STRYKER SALES CORPORATION, Portage, MI to provide ambulance stretchers, supplies, and repair services for the Emergency Medical Services Department in an estimated amount not to exceed $1,102,849 with three 12-month extension options in estimated amounts not to exceed $443,472 for the first extension option, $487,819 for the second extension option, and $536,601 for the third extension option, for a total estimated contract amount not to exceed $2,570,741. Stryker Sales Corporation is the sole source provider for these products.

38. Authorize award and execution of Amendment No.1, to add funding for the third year of the initial 36-month requirements contract with EMBLEMS, INC., Asheville, NC, for emblems and patches in an estimated amount not to exceed $28,140.45 for a total

$84,421.35 and to authorize three 12-month extension option in the amount of $28,140.45 per extension option, for a total revised contract amount not to exceed $168,842.27.

39. Authorize award and execution of a 36-month requirements supply contract with BOUNDTREE MEDICAL, LLC, Dublin, OH to provide airway kits for the Emergency Medical Services Department in an estimated amount not to exceed $279,985 with three 12-month extension options in estimated amounts not to exceed $132,916 for the first extension option, $159,499 for the second extension option, and $191,399 for the third extension option, for a total estimated contract amount not to exceed $763,799. Boundtree Medical, LLC is the sole source provider for these products.

40. Authorize award, negotiation, and execution of a 24-month contract through the State of Texas Department of Information Resources cooperative purchasing program with INSIGHT PUBLIC SECTOR, INC., Tempe, AZ, for the purchase, installation, integration, testing, and maintenance of Panasonic digital vehicular video systems in an amount not to exceed $3,117,575.87.

41. Authorize award and execution of Amendment No. 2 to a contract with NOLES PEST SERVICES, LLC., Georgetown, TX for pest control services for the Austin Convention Center Department to extend the contract for one 12-month period in an amount not to exceed $13,240, and authorize one additional 12-month extension option in an amount not to exceed $13,240, for a revised total estimated contract amount not to exceed $79,445.

42. Authorize award and execution of a 58-month requirements service agreement through the State of Texas Department of Information Resources (DIR) cooperative purchasing program with AT&T CORP., Dallas, TX for long distance telephone service and further authorize execution of Exhibit H to the TEX-AN NG Community Technology Services Agreement between the City, AT&T CORP., and DIR to facilitate direct payment for long distance telephone services to DIR in an estimated amount not to exceed $1,750,000, with five 12-month extension options in an estimated amount not to exceed $350,000 per extension option for a total estimated contract amount not to exceed $3,500,000.

43. Authorize award and execution of a 58-month requirements service agreement through the State of Texas Department of Information Resources (DIR) cooperative purchasing program with AT&T CORP., Dallas, TX, for local telephone and data services in an estimated amount not to exceed $17,500,000, with five 12-month extension options in an estimated amount not to exceed $3,500,000 per extension option, for a total estimated contract amount not to exceed $35,000,000.

44. Authorize award, negotiation and execution of a 24-month requirements service contract with FERCAM GROUP (MBE/MH), Humble, TX, and TERRACON CONSULTANTS, INC., Austin, TX, or one of the other qualified responders to RFP DKC0025 for inspection, monitoring abatement planning and remediation of asbestos and lead-based paint at Austin Energy facilities in an estimated amount not to exceed $500,000 each and combined, with two 24-month extension options in an estimated contract amount not to exceed $500,000 each and combined per extension option, for a total estimated contract amount not to exceed $1,500,000 each and combined.

45. Authorize award and execution of a 36-month requirements supply agreement with SWARCO REFLEX, INC., Mexia, TX to provide glass beads for reflective painting of roadways and airfield markings at the Austin-Bergstrom International Airport in an amount not to exceed $287,528, with two 12-month extension options in and estimated amount not to exceed $95,843 per extension option, for a total estimated contract amount not to exceed $479,215.

46. Authorize award and execution of a 36-month service agreement with OZARK UNDERGROUND LABORATORY, INC., Protem, Missouri, to provide spill plan dye study of the Barton Springs segment of the Edwards Aquifer in an amount not to exceed $289,195 with three 12-month extension options in an amount not to exceed $96,398.33 per extension for a total contract amount not to exceed $578,389.98. Ozark Underground Laboratory, Inc. is the sole source provider for these services.

47. Authorize award, negotiation and execution of a 36-month requirements service and supply contract with EATON CORPORATION, Raleigh, NC, for the purchase of UPS batteries including an extended warranty and service agreement for Austin Energy in an estimated amount not to exceed $135,890.

48. Authorize award and execution of a 36-month requirements service contract with CAD & GRAPHIC SUPPLY, INC., Carrollton, TX for maintenance, repair, and supplies for HP plotters in an estimated amount not to exceed $78,813, with three 12-month extension options in estimated amounts not to exceed $28,941 for the first extension option, $30,388 for the second extension option, and $31,907 for the third extension option, for a total estimated contract amount not to exceed $170,049.

49. Authorize an increase to a contract amount with T-C BARTON SPRINGS LLC, Austin, TX, for the existing (2001) lease of office space at 811 Barton Springs Road in an estimated amount not to exceed $390,000, for a total revised contract amount not to exceed $7,312,265.

50. Authorize award, negotiation and execution of an amendment No. 6 to a requirements service contract with DOBLE ENGINEERING COMPANY, Watertown, MA for the lease of oil analysis equipment, software and consulting services for Austin Energy to authorize an additional five 12-month extension options in an estimated not to exceed $59,238 per extension option, for a total estimated amount not to exceed $568,782.

51. Authorize award and execution of Amendment No. 2 to a contract with CLARITAS INC., San Diego, CA for Customer Segmentation Data services for Austin Energy to exercise the second 12-month extension option in an estimated amount not to exceed $18,995, with two additional 12-month extension options in an estimated amount not to exceed $18,995 per extension option and to authorize three additional 12-month extension options in an amount not to exceed $18,995 per extension option, for a revised total estimated contract amount not to exceed $170,955.

52. Authorize award and execution of a contract with MCBAIN SYSTEMS, Simi Valley, CA for the purchase of a Leica comparison microscope for the Austin Police Department in an amount not to exceed $80,000. McBain Systems is the single source provider for this product.

53. Authorize award, negotiation and execution of Amendment No. 3 to a contract with the STATE of TEXAS DEPARTMENT OF INFORMATION RESOURCES (DIR),

with ADJACENT TECHNOLOGIES, Austin, TX, to increase the contract for software upgrade, implementation and to extend support services including technical training, annual support and maintenance services for Austin Energy's existing IBM FileNet software, a document management and tracking system, for an estimated amount not to exceed $920,000; and to add four 12-month extension options in an amount not to exceed $962,000 for the third extension option, $912,000 for the fourth extension option, $908,200 for the fifth extension option and $808,200 for the sixth extension option, for a total revised contract amount not to exceed $6,440,400.

54. Authorize award, negotiation, and execution of Amendment No. 5 to a contract with SUMMUS INDUSTRIES, INC., (MBE/MB) Sugarland, TX, for additional Microsoft licenses in an amount not to exceed $435,849.77 for a revised total contract amount not to exceed $15,597,435.27.

55. Authorize award and execution of a contract through the TEXAS MULTIPLE AWARD SCHEDULE (TXMAS) cooperative purchasing program with JOHNSON CONTROLS., INC., Austin, TX, for the purchase and installation of two new high efficiency chillers at the Givens Recreation Center and the Conley-Guerrero Senior Center in an estimated amount not to exceed $141,135.

56. Authorize award and execution of Amendment No. 2 to a contract with DIGITAL INSPECTIONS, Corvallis, OR, for the maintenance and support of Austin Energy's CASCADE database software to exercise the second 12-month extension option in an estimated amount not to exceed $20,277, authorize award of the two remaining 12-month extension options in an estimated amount not to exceed $20,277 per extension option and to authorize five additional 12-month extension options in an amount not to exceed $20,277 per extension option, for a revised total contract amount not to exceed $202,767.

57. Authorize award and execution of a 36-month requirements supply contract with BRUGG CABLES, LLC, Rome, GA, for the purchase of optical power ground wire cable for Austin Energy in an estimated amount not to exceed $753,450, with three 12-month extension options in an estimated amount not to exceed $251,150 per extension option, for a total estimated contract amount not to exceed $1,506,900.

58. Authorize award, negotiation and execution of a 12-month requirements service contract with KORTERRA INCORPORATED, Chanhassen, MN, for the purchase of Application Service Provider (ASP) hosting services for damage prevention services for Austin Energy in an estimated amount not to exceed $50,000, with four 12-month extension options in an estimated amount not to exceed $50,000 per extension option, for a total estimated contract amount not to exceed $250,000.

59. Authorize award and execution of Amendment No. 1, to a contract with PITNEY BOWES PRESORT MAILING SERVICES, DBA PSI GROUP, INC., Austin, TX, for presort/barcode mailing services, to add funding for the second 12-month extension option in an estimated amount not to exceed $20,000 for a total revised contract amount not to exceed $80,000.

60. Authorize award, negotiation, and execution of a 15-month contract with VERMONT SYSTEMS, INC., Essex Junction, VT, or one of the other qualified offerors to RFP No. MSO0048REBID, to provide parks and recreation automated management software and hardware in an amount not to exceed $323,675, with four 12-month

extension options for hosting services and support in an amount not to exceed $73,083 per extension option, for a total contract amount not to exceed $616,007.

61. Authorize negotiation and execution of Amendment No. 1 to an Interlocal Agreement with the Capital Area Council of Governments (CAPCOG) for aerial laser measurement services for high-resolution elevation data and contours through an existing contract between CAPCOG and Sanborn Map Company, Inc. to extend the interlocal agreement for twelve months and to increase the interlocal agreement in an amount not to exceed $100,000 for a total agreement amount not to exceed $450,000.

62. Authorize award and execution of 12-month supply agreements through the State of Texas Procurement and Support Services Cooperative Purchasing Program (TPASS) Cooperative Purchasing with XEROX CORPORATION, Austin, TX and CANON USA, INC., Austin, TX, for the rental of multi-function document imaging machines that expire over the next 12 months for various City departments, including copy charges and related services for a total estimated amount not to exceed $829,086.

Telecommunications and Regulatory Affairs

63. Approve third reading of an ordinance granting a franchise agreement to Bluebonnet Electric Cooperative ("BEC") for use of the City's rights of way for placing facilities or equipment to provide electric utility services within BEC's certificated area.

Transportation

64. Approve an ordinance amending Section 12-4-64 (D) of the City Code to delete a portion of West 5th Street from the table of streets as a school zone with a maximum speed limit of 25 miles per hour.

Treasury Office

65. Approve a resolution expressing the City's consent, as required by Internal Revenue Code Section 147(f), to Northeast Higher Education Facilities Finance Corporation's loan to American CAN in an amount not to exceed $2,400,000 to (i) refinance the acquisition, construction and renovations of a school building located at 2406 Rosewood Avenue, Austin, TX 78702 and (ii) pay certain expenses in connection with the issuance of the Loans.

Item(s) from Council

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

67. Approve a resolution supporting the 5th Street Mexican American Heritage Corridor. (Notes: SPONSOR: Council Member Mike Martinez CO 1: Mayor Lee Leffingwell CO 2: Council Member Chris Riley)

68. Approve a resolution directing the City Manager to conduct an update of the 2001 Music Study, 2004 Film and Visual Media Study, 2005 Cultural Arts Update, and 2006 Entertainment Software/Digital Media Software (Gaming) Study.

(Notes: SPONSOR: Mayor Lee Leffingwell CO 1: Council Member Mike Martinez CO 2: Council Member Chris Riley)

69. Authorize negotiation and execution of an interlocal agreement with the University of Texas for assignment of three AmeriCorps VISTA members to the City of Austin.
(Notes: SPONSOR: Mayor Lee Leffingwell CO 1: Council Member Laura Morrison)

70. Approve a resolution affirming the City Council's support for the Barton Springs Pool Master Plan and directing the City Manager to ensure expeditious completion of plan projects underway; to work with and receive input from community groups in order to complete plan projects; and to consider including the Plan for additional funding in the next bond election.
(Notes: SPONSOR: Council Member Mike Martinez CO 1: Council Member Chris Riley)

71. Approve a resolution directing the City Manager to research and create a Latino Artist Incubator Program at the Emma S. Barrientos Mexican American Cultural Center, to research and consider for such program specified elements, and to report back to Council in 90 days with a funding and implementation plan.
(Notes: SPONSOR: Council Member Mike Martinez CO 1: Council Member Chris Riley)

72. Approve a resolution directing the City Manager to prepare and implement community outreach efforts in conjunction with World Food Day scheduled for October 24, 2011 in order to increase awareness of World Day.
(Notes: SPONSOR: Council Member Mike Martinez CO 1: Council Member Kathie Tovo)

73. Approve a resolution directing the City Manager to fund various programs from the Music Loan Program Fund and provide an accounting of the Downtown Venue Relocation Program and return to Council in 90 days.
(Notes: SPONSOR: Council Member Mike Martinez CO 1: Mayor Lee Leffingwell)

74. Approve a resolution expressing the City of Austin's support for Workforce Solutions' proposed Veterans Resource Center and related grant application to the Texas Veterans Commission.
(Notes: SPONSOR: Mayor Lee Leffingwell CO 1: Council Member Kathie Tovo)

75. Approve the waiver of the requirements that allow affected individuals and neighborhood associations to oppose a street closure under City Code Chapter 14-8 for the revised route for the Susan G. Komen Race for the Cure event sponsored by the Austin affiliate of the Susan G. Komen Breast Cancer Foundation, Inc., which is to be held on Sunday, November 13, 2011.
(Notes: SPONSOR: Council Member Chris Riley CO 1: Council Member Laura Morrison CO 2: Council Member Kathie Tovo)

76. Approve the waiver of certain fees and requirements and authorize payment of certain costs for the City co-sponsored Austin PRIDE Parade and 5K run sponsored by Austin Pride Foundation, which is to be held on September 10, 2011, beginning at Riverside and South 1st Street and moving through downtown Austin.

(Notes: SPONSOR: Council Member Laura Morrison CO 1: Mayor Pro Tem Sheryl Cole CO 2: Council Member William Spelman)

77. Approve the reimbursement of certain fees for the 4th annual Austin Back to School Parade which was held Sunday, August 21, 2011 beginning at the Delco Center and ending at Bartholomew Park.
(Notes: SPONSOR: Mayor Pro Tem Sheryl Cole CO 1: Mayor Lee Leffingwell CO 2: Council Member Kathie Tovo)

78. Approve a resolution relating to the compensation and benefits for the City Manager.
(Notes: SPONSOR: Mayor Lee Leffingwell CO 1: Council Member Chris Riley CO 2: Council Member Kathie Tovo)

79. Approve a resolution relating to the compensation and benefits for the City Auditor.
(Notes: SPONSOR: Mayor Lee Leffingwell CO 1: Council Member Chris Riley CO 2: Council Member Kathie Tovo)

80. Approve a resolution relating to the compensation and benefits for the City Clerk.
(Notes: SPONSOR: Mayor Lee Leffingwell CO 1: Council Member Chris Riley CO 2: Council Member Kathie Tovo)

81. Approve an ordinance relating to the compensation and benefits for the Municipal Court Clerk.
(Notes: SPONSOR: Mayor Lee Leffingwell CO 1: Council Member Chris Riley CO 2: Council Member Kathie Tovo)

82. Approve a resolution directing the City Manager to execute a legal settlement related to Nataniel Sanders, Sr., et al. v. Leonardo Quintana and the City of Austin, No. A09-CA-00426 SS, in the United States District Court for the Western District of Texas, Austin Division, in the amount of $750,000.
(Notes: SPONSOR: Mayor Pro Tem Sheryl Cole CO 1: Council Member Laura Morrison CO 2: Council Member Kathie Tovo)

Item(s) to Set Public Hearing(s)

83. Set a public hearing to consider an ordinance to amend the City Code to establish requirements for residential garage sales and tours and to clarify requirements relating to art production on residential property. (Suggested date and time: September 22, 2011, 4:00 p.m. at Austin City Hall, 301 W. Second Street, Austin, TX).

Non-Consent

10:30 AM - Morning Briefings

84. Resource Management Commission water conservation and reuse briefing

85. Presentation and discussion regarding options and related administration costs for a May or November 2012 election.

12:00 PM - Citizen Communications: General

Laura Presley- The dangers of fluoridation

Rae Nadler-Olenick- Water fluoridation

John Scottish - Fluoride in Water.

Darcy Bloom - Fluoridation.

Stacey D. Hopp- Flouride in Austins water

Executive Session

86. Discuss legal issues related to the claims with Rodman LLC, Pacific Indemnity Company, and Traveler's Insurance Company, in connection with construction of Robert Mueller Municipal Airport Section 5, Phases 1 and 2. (Private consultation with legal counsel pursuant to Section 551.071 of the Government Code).

87. Discuss legal issues related to Open Government matters (Private consultation with legal counsel pursuant to Section 551.071 of the Government Code).

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

89. Discuss legal issues related to the Deputy City Clerk position. (Private consultation with legal counsel pursuant to Section 551.071 of the Government Code).

90. Discuss the employment, duties, and compensation and benefits for the City Manager, the City Auditor, the City Clerk and the Municipal Court Clerk (Personnel Matters pursuant to Section 551.074 of the Government code).

2:00 PM Discussion and Possible Action on Bond Sales

91. Approve an ordinance authorizing the issuance of $78,090,000 City of Austin Public Improvement Bonds, Series 2011A, and all related documents, and approve related fees. These bonds are being issued to provide funding relating to reimbursement resolutions previously approved by Council for 2006 and 2010 bond election projects. The funds will be used as described in the Council-approved bond sale schedule for infrastructure, including streets and signals, watershed protection, parks and recreation projects, cultural arts facilities, central library, and public safety facilities.

92. Approve an ordinance authorizing the issuance of $8,450,000 in City of Austin Public Improvement Bonds, Taxable Series 2011B, and all related documents, and approve related fees. The funding is for reimbursement resolutions that have already been approved by Council and the funds will be used for Affordable Housing projects approved by the Austin voters in the 2006 bond election.

93. Approve an ordinance authorizing the issuance of $51,150,000 in City of Austin Certificates of Obligation, Series 2011, and all related documents, and approve related fees. These funds will be used for environmental remediation projects, transportation projects, street improvements, and the Waller Creek Tunnel Project.

94. Approve an ordinance authorizing the issuance of $26,725,000 in City of Austin, Texas, Public Property Finance Contractual Obligations, Series 2011, related documents, and approve related fees. Contractual obligations will be used to finance the purchase of equipment for Communications & Technology Management, Police, Public Works, Transportation, Solid Waste Services, and Austin Water Utility. The financing of this equipment is consistent with the Financial Policies for the non-voter approved debt listed in Attachment A as back-up to this request for Council action.

95. Approve an ordinance authorizing the issuance of City of Austin Public Improvement Refunding Bonds, Series 2011A, in an amount not to exceed $125,000,000, by March 30, 2012 in accordance with the parameters set out in the ordinance, authorizing related documents, and approving related fees. These funds will be used to refund certain older refunding bonds, Public Improvement Bonds, Certificates of Obligation, and HUD Section 108 loan for the Austin Resource Center for the Homeless. Refunding these obligations is intended to result in present value savings exceeding the City's target guideline of 4.25%. .

96. Approve an ordinance authorizing the issuance of City of Austin, Public Improvement Refunding Bonds, Taxable Series 2011B, in an amount not to exceed $3,500,000 in accordance with the parameters set out in the ordinance, and all related documents, and approving related fees. These funds will be used to refund a HUD Section 108 loan for the Millennium Youth Center (formerly the Central City Entertainment Center). When combined with the Series 2011A Refunding Bonds, refunding these obligations is intended to result in present value savings exceeding the City's target guideline of 4.25%.

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

97. C14-2011-0006 - 701 & 711 West 7th St. Rezoning - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 701 & 711 West 7th Street (Shoal Creek Watershed) from general office (GO) and community commercial (GR) district zoning to central business district-conditional overlay (CBD-CO) combining district zoning. First reading approved on July 28, 2011. Vote: 5-2. Applicant: LOWA, Ltd. (Daryl Kunik) Agent: Thrower Design (Ron Thrower) City Staff: Clark Patterson, 974-7691.

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

98. NPA-2011-0001.01 – Studio 141 – Conduct a public hearing and approve an ordinance amending Ordinance No. 980827-B, the Dawson 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 141 West Oltorf Street (East Bouldin Creek Watershed) from single family use to mixed use or mixed use/office land use. Staff Recommendation: Not recommended. Planning Commission Recommendation: At the request of the applicant, the case has been withdrawn. Owner/Applicant: Kathleen A. Pixley. City Staff: Maureen Meredith, 974-2695.

99. C14-2011-0015 - Studio 141 - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 141 West Oltorf Street (East Bouldin Creek Watershed) from family residence-neighborhood plan (SF-3-NP) combining district zoning to general office-mixed use-

conditional overlay-neighborhood plan (GO-MU-CO-NP) combining district zoning. Staff Recommendation: To deny general office-mixed use-conditional overlay-neighborhood plan (GO-MU-CO-NP) combining district zoning. Planning Commission Recommendation: At the request of the applicant, the case has been withdrawn. Owner/Applicant: Kathleen Pixley. City Staff: Stephen Rye, 974-7604.

100. C14-95-0129.01 – Expo Center Section II – Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 5805 Burleson Road (Williamson Creek Watershed) from limited industrial service-planned development area-neighborhood plan (LI-PDA-NP) combining district zoning to limited industrial service-planned development area-neighborhood plan (LI-PDA-NP) combining district zoning to change a condition of zoning. Staff Recommendation: To grant limited industrial service-planned development area-neighborhood plan (LI-PDA-NP) combining district zoning to change a condition of zoning. Planning Commission Recommendation: To grant limited industrial service-planned development area-neighborhood plan (LI-PDA-NP) combining district zoning to change a condition of zoning. Owner/Applicant: Expo Partners III, Ltd. c/o Trammel Crow Company (James H. Matoushek). Agent: Carlson, Brigance & Doering, Inc. (Charles R. Brigance, Jr.). City Staff: Wendy Rhoades, 974-7719.

101. C14-2011-0066 – Creekside – Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 5616 South 1st Street (Williamson Creek Watershed) from community commercial-conditional overlay (GR-CO) combining district zoning to townhouse and condominium residence-conditional overlay (SF-6-CO) combining district zoning. Staff Recommendation: To grant townhouse and condominium residence-conditional overlay (SF-6-CO) combining district zoning. Zoning and Platting Commission Recommendation: To be reviewed on September 20, 2011. Owner/Applicant: Equilibrium Development (Brad Schubert). Agent: PSW Homes (Ryan Diepenbrock). City Staff: Wendy Rhoades, 974-7719.

102. C14-2011-0070 – Bergstrom Duplex Rezoning – Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 2508 Mitchell Lane (Slaughter Creek Watershed) from development reserve (DR) district zoning and single family residence-standard lot (SF-2) district zoning to family residence-conditional overlay (SF-3-CO) combining district zoning. Staff Recommendation: To grant family residence-conditional overlay (SF-3-CO) combining district zoning. Zoning and Platting Commission Recommendation: To grant family residence-conditional overlay (SF-3-CO) combining district zoning. Owner/Applicant: Cara Griswold. Agent: Land Answers, Inc. (Jim Wittliff). City Staff: Wendy Rhoades, 974-7719.

103. C14-2011-0060 – West Gibson Commercial – Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 108 West Gibson Street (East Bouldin Creek Watershed) from general commercial services-mixed use-vertical mixed use building-conditional overlay-neighborhood plan (CS-MU-V-CO-NP) combining district zoning to general commercial services-mixed use-vertical mixed use building-conditional overlay-neighborhood plan (CS-MU-V-CO-NP) combining district zoning. Staff Recommendation: To grant general commercial services-mixed use-vertical mixed use building-conditional overlay-neighborhood plan (CS-MU-V-CO-NP) combining district zoning. Planning Commission Recommendation: To grant general commercial services-

mixed use-vertical mixed use building-conditional overlay-neighborhood plan (CS-MU-V-CO-NP) combining district zoning. Applicant: SC Investors, LLC. (Peter Barlin). Agent: Alice Glasco Consulting (Alice Glasco). City Staff: Stephen Rye, 974-7604.

104. C814-2008-0136.01 – North Austin Medical Centre Planned Unit Development Amendment #1 – Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 12221 North Mo-Pac Expressway Northbound and 2311-2511 Park Bend Drive (Walnut Creek Watershed) from planned unit development (PUD) district zoning to planned unit development (PUD) district zoning, to change a condition of zoning. Staff Recommendation: To grant the 1st amendment of the North Austin Medical Centre PUD. Zoning and Platting Commission Recommendation: To be reviewed on September 6, 2011. Owner/Applicant: St. David's Healthcare Partnership L.P., LLP (Malcolm Bellsie). Agent: City of Austin-Parks and Recreation Department (Chris Yanez), Coats Rose Yale Ryman & Lee, P.C. (John M. Joseph). Staff: Sherri Sirwaitis, 974-3057.

105. C814-96-0003.10 – Pioneer Crossing Planned Unit Development Amendment #10 – Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 2400-2700 Block of East Parmer Lane (Harris Branch Watershed) from planned unit development (PUD) district zoning to planned unit development (PUD) district zoning, to change a condition of zoning. Staff Recommendation: To grant the 10th amendment of the Pioneer Crossing PUD. Zoning and Platting Commission Recommendation: To grant PUD zoning, with conditions. Owner/Applicant: Air Products and Chemicals, Inc. (Susan O. Reber). Agent: Alice Glasco Consulting (Alice Glasco). Staff: Sherri Sirwaitis, 974-3057.

106. C14-2011-0058 – 707 West Ave. Rezoning – Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 705, 707, 709, 711 West Avenue & 710 West 7th Street (Shoal Creek Watershed) from general office (GO) district zoning to general commercial services (CS) district zoning. Staff Recommendation: To grant general commercial services-conditional overlay (CS-CO) combining district zoning. Planning Commission Recommendation: To grant general commercial services-conditional overlay (CS-CO) combining district zoning. Applicant: Cirrus Logic (Thurman Case). Agent: Armbrust and Brown, P.L.L.C. (Richard Suttle) City Staff: Clark Patterson, 974-7691. A valid petition has be file in opposition to this rezoning request.

107. C14-2011-0078 - Serra Residence - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 1610-1612 Meghan Lane from family residence (SF-3) and general commercial services (CS) district zoning to family residence (SF-3) district zoning. Staff Recommendation: To approve family residence (SF-3) district zoning. Planning Commission recommendation: To approve family residence (SF-3) district zoning. Applicant: Jeff and Deanna Serra. Agent: Land Answers, Inc. (Jim Wittliff). City Staff: Stephen Rye 974-7604.

4:00 PM - Public Hearings and Possible Actions

108. Conduct a public hearing to receive public comment on the proposed rate and fee changes for the Austin Water Utility as part of the Fiscal Year 2011-2012 Proposed Budget.

109. Conduct a public hearing and consider an ordinance regarding floodplain variances requested by Shoal Creek Walk, Ltd., owner of a commercial parking lot at 835 W. 6th Street, which is in the 25-year and 100-year floodplains of Shoal Creek.

110. Conduct a public hearing to receive public comment on the Solid Waste Services proposed rate and fee changes as part of the Fiscal Year 2011-2012 Proposed Budget.

111. Conduct a public hearing and consider a resolution authorizing the use of approximately 20,688 square feet for permanent drainage purposes, approximately 7,731 square feet for temporary access purposes, and approximately 36,345 square feet for a temporary workspace, staging area and material storage site in connection with the construction, use, maintenance, repair and replacement of a storm drain line and appurtenances for a portion of the East Bouldin - Euclid/Wilson Storm Drain Improvements project (CIP ID 5789.035) through dedicated parkland known as Gillis Park (in accordance with Sec. 26.001 et seq. of the Texas Parks and Wildlife Code.)

112. Conduct a public hearing and consider an ordinance regarding a proposal from Atmos Energy Corporation to increase customer gas rates.

113. Conduct a Public Hearing to receive public comment on the City of Austin Fiscal Year 2011-2012 Proposed Budget.

114. Conduct a public hearing on the proposed property (ad valorem) tax rate for Fiscal Year 2011-2012.

115. MP-2011-0003 Conduct a public hearing and consider an ordinance amending the Austin Tomorrow Comprehensive Plan by adopting the Downtown Austin Plan, directing the City Manager to process code amendments recommended in the Downtown Austin Plan, and initiating re-zonings of properties as recommended in the Downtown Austin Plan. The planning area includes properties bounded approximately by Interstate 35 to the east, the west side of Lamar Blvd. to the west, Lady Bird Lake to the south and Martin Luther King Jr. Blvd. to the north.

5:30 PM - Live Music

Marcia Ball and Friends

5:30 PM - Proclamations

Tribute recognizing Austin as The Live Music Capital of the World for 20 Years

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.