AUSTIN CITY COUNCIL

AGENDA






Thursday, November 10, 2011
The Austin City Council will convene at 10:00 AM on
Thursday, November 10, 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

The Rev. Merrill Wade, Rector, St. Matthew's Episcopal Church

10:00 AM – City Council Convenes

Consent

Approval of Minutes

1. Approve the minutes of the Austin City Council work session of November 1, 2011 and regular meeting of November 3, 2011.

Austin Energy

2. Approve an ordinance authorizing acceptance of $600,000 in American Recovery and Reinvestment Act (ARRA) grant funds from the U.S. Department of Energy (DOE) through the Texas Department of Housing and Community Affairs (TDHCA) as the administering agency, and amending the Fiscal Year 2011-2012 Austin Energy Operating Budget Special Revenue Fund of Ordinance No. 201110912-005 to appropriate $600,000 for weatherization of homes for low-income, elderly, and disabled customers within Austin Energy's service area. Related to item #56.

Austin Water Utility

3. Authorize negotiation and execution of an agreement to purchase the Lower Colorado River Authority's Glenlake Water System in an amount not to exceed $1,994,000.

Contract Management

4. Authorize execution of a construction contract with PRUDENT TECHNOLOGIES, INC. DBA PRUDENT CONSTRUCTION SERVICES, INC., San Antonio, TX for Loop 360 Landfill Remediation in the amount of $1,146,768 plus a $114,676 contingency, for a total contract amount not to exceed $1,261,444.

5. Authorize execution of a construction contract with AUSTIN FILTER SYSTEMS, INC., Austin, TX for the Walnut Creek-Outfall Bank Erosion Phase II Project, in the amount of $1,260,662.20, plus a $63,000 contingency, for a total contract amount not to exceed $1,323,662.20.

6. Authorize execution of a construction contract with ADVANTAGE USAA, INC., Spring Branch, TX for the Webberville Service Center Roof Improvements 2011 project in the amount of $290,000 plus a $14,500 contingency, for a total contract amount not to exceed $304,500.

7. Authorize execution of a construction contract with G. HYATT CONSTRUCTION, INC., Austin, TX, for the McBeth Recreation Center Main Building Interior Remodel and HVAC Improvements project in the amount of $314,000 plus a $15,700 contingency, for a total contract amount not to exceed $329,700.

8. Authorize execution of change order #5 to the construction contract with McLEAN CONSTRUCTION, LTD., Killeen TX for the Blunn Creek - Long Bow Storm Drain Improvements in the amount of $90,000, for a total contract amount not to exceed $3,458,446.40.

9. Authorize negotiation and execution of Amendment No. 2-A to the Design-Build Agreement with CHASCO CONSTRUCTORS, LTD., L.L.P., Round Rock, TX for a Guaranteed Maximum Price for the Deep Eddy Work Package of the PARD Aquatics Facilities Improvements project, in the amount of $1,987,165 plus a $50,000 Owner contingency, for a total amendment not to exceed of $2,037,165.

10. Authorize negotiation and execution of professional services agreements with the following three (3) staff recommended firms (or one of the other qualified responders): CORGAN ASSOCIATES, INC., Dallas, TX; R.W. ARMSTRONG & ASSOCIATES, INC., Austin, TX; and REYNOLDS, SMITH AND HILLS, INC., Austin, TX for Professional Services for the 2012 Austin-Bergstrom International Airport (ABIA) Architectural and Engineering Services Rotation List for a period of two years or until financial authorization is expended, with a total amount not to exceed $7,500,000 divided among the 3 firms.

Economic Growth and Redevelopment Services

11. Approve an ordinance setting the assessment rate and approving a proposed 2012 assessment roll for the Austin Downtown Public Improvement District (PID). Related to Items 12 & 74.

12. Approve a resolution adopting the Austin Downtown Public Improvement District (PID) Service Plan and Budget for 2012-2013. Related to items 11 & 74.

13. Approve an ordinance setting the assessment rate and proposed 2012 assessment roll for the E. 6th Street Public Improvement District (PID). Related to Items 14 & 73.

14. Approve a resolution adopting the E. 6th Street Public Improvement District (PID) Service Plan and Budget for 2012. Related to Items 13 & 73.

Health and Human Services

15. Authorize negotiation and execution of Amendment No. 1 to the Agreement with the ENDING COMMUNITY HOMELESSNESS COALITION, INC., Austin, TX, to increase funding for Homeless Management Information System program management and extend the contract period from April 1, 2012 to September 30, 2012, said amendments being in an amount not to exceed $82,000, for a total contract amount not to exceed $117,000, with two 12-month renewal options in an amount not to exceed $100,000 per option, for a total contract amount not to exceed $317,000.

16. Approve an ordinance authorizing acceptance of $15,312 in grant funds from the TEXAS DEPARTMENT OF STATE HEALTH SERVICES, Infectious Disease Intervention and Control Branch; and amending the Fiscal Year 2011-2012 Health and Human Services Department Operating Budget Special Revenue Fund (Ordinance No. 20110912-005) by appropriating $15,312 for the Refugee Health Screening Program to provide refugee health screening.

17. Approve an ordinance authorizing the acceptance of $88,598 in grant funds from the TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS, HOMELESS HOUSING AND SERVICES PROGRAM; and amending the Fiscal Year 2011-2012 Health and Human Services Department Operating Budget Special Revenue Fund of (Ordinance No. 20110912-005) to appropriate $88,598 for the delivery of homeless services.

18. Authorize negotiation and execution of Amendment No. 5 to a social services contract with LEADERSHIP ENRICHMENT ARTS PROGRAM for youth enrichment and leadership services for a six-month term beginning October 1, 2011 through March 31, 2012, in an amount not to exceed $16,068 for a total agreement amount not to exceed $112,479.

19. Authorize negotiation and execution of a contract with SICKLE CELL ANEMIA ASSOCIATION OF AUSTIN, MARC THOMAS CHAPTER, for the provision of services to clients with sickle cell disease, their families, and at-risk populations, for a 12-month term beginning October 1, 2011, in an amount not to exceed $32,241, with three 12-month renewal options, each in an amount not to exceed $32,241, for a total contract amount not to exceed $128,964.

Law

20. Authorize negotiation and execution of an amendment to a legal services agreement with Akin Gump Strauss Hauer & Feld, LLP, for services relating to Austin Energy wind power purchase agreements in the amount of $52,000, for a total contract amount not to exceed $104,000.

Municipal Court

21. Approve a resolution adopting ethical and training standards for juvenile case managers employed by the City of Austin's Municipal Court, providing for implementation of the standards, and providing for periodic review to ensure implementation of the standards.

Office of Real Estate Services

22. Approve an ordinance authorizing the City Manager to execute a temporary license

agreement with Austin Pets Alive (APA) permitting APA to temporarily occupy and operate the Town Lake Animal Center, located at 1156 West Cesar Chavez, Austin, Texas, for a period of 12 months with one 6-month extension option while the City transitions its animal shelter operations to the new Austin Animal Center, and waiving Chapter 14-11 (Use of Right-of-Way), Article 1, Division 3, Sections 14-11-42 and 14-11-43 for purposes of the the temporary license agreement with APA.

23. Authorize the negotiation and execution of a month-to-month lease renewal with funding authorization for up to twelve months, for up to 125 parking spaces for employees of the Faulk Central Library and the Austin History Center of the Austin Public Library Department, located at 800 Lavaca, with TRAVIS COUNTY in an amount not to exceed $150,000.

24. Authorize the negotiation and execution of all documents and instruments necessary or desirable to sell approximately 1,194 square feet of land located between 2212 and 2214 Toulouse Lane in Austin, Travis County, Texas, to adjacent land owners NELISA AND DEAN HEDDIN. The City of Austin acquired the subject parcel through the annexation of the Tanglewood Forest Municipal Utility District in 1997. The parcel will be sold through a Deed Without Warranty for $4,021.

Planning and Development Review

25. Approve an ordinance on second and third readings 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.

Police

26. Approve an ordinance accepting $221,002 in grant funds from the U.S. Department of Justice, National Institute of Justice, Bulletproof Vest Partnership; and amending the Fiscal Year 2011-2012 Police Department Operating Budget Special Revenue Fund (Ordinance No. 20110912-005) to appropriate $221,002 for the Austin Police Department project entitled APD Bulletproof Vest Partnership.

Public Works

27. Approve an ordinance authorizing negotiation and execution of an Advance Funding Agreement and any related documents between the City of Austin and the Texas Department of Transportation for award of $10,200 in Traffic Safety Funds to purchase, assemble and distribute bicycle lights to increase public information and education efforts on bicycle safety; accepting grant funds in the amount of $10,200 from Texas Department of Transportation; amending the Fiscal Year 2011-2012 Public Works Department Operating Budget Special Revenue Fund (Ordinance No. 20110912-005) to appropriate $10,200; and amending the Public Works Department Capital Budget (Ordinance No. 20110912-006) to transfer in and appropriate $10,200 from the Public Works Department Operating Budget Special Revenue Fund.

Purchasing Office

28. Approve ratification of a contract with FSTI, INC., Austin, TX for an emergency purchase of bulk liquid chlorine for the Austin Water Utility (AWU) for a total contract amount not to exceed $162,000.

29. Authorize award and execution of a contract through the Texas Local Government Purchasing Cooperative (BuyBoard) with SAN ANTONIO AMBULANCE SALES, San Antonio, TX, for the purchase of five ambulances in an amount not to exceed $811,260.

30. Authorize award and execution of a contract through the Houston-Galveston Area Council of Governments Cooperative Purchasing Program (HGAC) with NATIONAL BUS SALES & LEASING, INC., Marietta, GA for the purchase of ten new passenger shuttle-buses for the Austin Bergstrom International Airport in an amount not to exceed $819,387.20.

31. Authorize award and execution of a contract through the Texas Local Government Purchasing Cooperative (BuyBoard) with SIDDONS FIRE APPARATUS, INC., Manor, TX, for the purchase of three triple-combination pumper fire-trucks and one platform quint fire-truck in an amount not to exceed $2,337,638.

32. Authorize award and execution of Amendment No. 1 to a contract with CAPITOL SCIENTIFIC INC., dba CAP - Austin, Austin, TX, for forensic chemistry supplies to extend the contract for two 12-month extension options in an amount not to exceed $40,617 per extension option, for a revised total estimated contract amount not to exceed $162,468.

33. Authorize award and execution of a 36-month requirements supply contract with HORIBA JOBIN YVON INC., Edison, NJ, SIRCHIE ACQUISITION COMPANY LLC, Youngsville, NC, and TRI-TECH INC., Southport, NC to provide forensic supplies in an estimated amount not to exceed $184,576 each and combined, with three 12-month extension options in estimated amounts not to exceed $74,221 each and combined for the first extension option, $81,643 each and combined for the second extension option, and $89,807 each and combined for the third extension option, for a total estimated contract amount not to exceed $430,247 each and combined.

34. Authorize award and execution of Amendment No. 1 to a contract with PROFESSIONALS CHOICE DIRECT MARKETING, dba PETEDGE, Beverly, MA for the purchase of pet supplies for the Town Lake Animal Center to extend the contract for one 12-month period in an amount not to exceed $26,165, with two additional 12-month extension options in an amount not to exceed $26,165 per option, for a revised total estimated contract amount not to exceed $156,990.

35. Authorize award and execution of a 36-month requirements supply contract with LAW ENFORCEMENT TARGETS, INC., Blaine, MN to provide police targets and target backers in an estimated amount not to exceed $66,077, with three 12-month extension options in estimated amounts not to exceed $24,264 for the first extension option, $25,478 for the second extension option, and $26,751 for the third extension option, for a total estimated contract amount not to exceed $142,570.

36. Authorize award and execution of Amendment No. 15 to an interlocal agreement with

TEXAS DEPARTMENT OF MOTOR VEHICLES, Austin, TX, for access to vehicle ownership information in an estimated amount not to exceed $10,000 per year, and the authorization to make payments, as appropriate, in subsequent years in an amount not to exceed $10,000 per year.

37. Authorize award and execution of a 36-month requirements supply contract with SIRCHIE ACQUISITION COMPANY LLC, dba SIRCHIE FINGER PRINT LABORATORIES, Youngsville, NC to provide sexual assualt evidence kits in an estimated amount not to exceed $69,510, with three 12-month extension options in estimated amounts not to exceed $27,951 for the first extension option, $30,747 for the second extension option, and $33,821 for the third extension option for a total estimated contract amount not to exceed $162,029.

38. Authorize award, negotiation, and execution of a 12-month service agreement contract with TOWERS WATSON PENNSYLVANIA INC (TOWERS WATSON), Austin, TX or one of the other qualified proposers to RFP JSD0110 to provide actuarial and consulting services for the Human Resources Department's Employee Benefits Program in an estimated contract amount not to exceed $563,000 with five one-year extension options in estimated amounts not to exceed $540,000, $533,000, $546,000, $618,000, and $639,000 per extension option respectively, for a total estimated contract amount not to exceed $3,439,000.

39. Authorize award and execution of Amendment No. 1 to a contract with FLINTCO INC., Austin, TX, to increase the contract amount for foundation redesign services of a thermal energy storage tank in an amount not to exceed $107,584, for a revised total estimated contract amount not to exceed $644,584.

40. Authorize award and execution of a contract through THE COOPERATIVE PURCHASING NETWORK (TCPN) with KELLOGG BROWN & ROOT, INC., Austin, TX, for the installation of a solar photovoltaic system at the City of Austin's George Washington Carver Museum and Library in an estimated amount not to exceed $346,410.

41. Approve ratification of Amendment No. 13 to the 12-month requirements service contract with ASPLUNDH TREE EXPERT CO, Corpus Christi, TX for transmission utility line clearance services for Austin Energy to increase the current amount of the contract in an estimated amount not to exceed $290,000, for a revised estimated contract amount not to exceed $7,872,229.

42. Authorize award, negotiation, and execution of a 36-month agreement with one, 24-month extension with CAR2GO, N.A., LLC, Austin, TX and ZIPCAR, INC., Cambridge MA, to provide a membership-based car sharing service at no cost to the City.

43. Authorize award and execution of a 36-month requirements supply contract with BADGER METER, INC., Milwaukee, WI for the purchase of various types and sizes of water meters for the Austin Water Utility in an estimated amount not to exceed $665,122, with two 12-month extension options in an estimated amount not to exceed $221,707 per extension option, for a total estimated contract amount not to exceed $1,108,538, and with MUELLER SYSTEMS, INC., Cleveland, NC in an estimated amount not to exceed $1,724,434, with two 12-month extension options in an estimated amount not to exceed $574,811 per extension option, for a total estimated

contract amount not to exceed $2,874,058.

44. Authorize award and execution of a 36-month requirements supply contract with TECHLINE PIPE, Hutto, Texas, for the purchase of gate valves for the Austin Water Utility in an estimated amount not to exceed $61,949.46, with three 12-month extension options in an estimated amount not to exceed $20,649.82 per extension option, for a total estimated contract amount not to exceed $123,898.92.

45. Authorize award and execution of Amendment No. 2 to a contract with HD SUPPLY WATERWORKS, Round Rock, TX, for air release valves for the Austin Water Utility, to extend the contract for one 12-month period in an estimated amount not to exceed $30,000 with one additional 12-month extension option in an estimated amount not to exceed $30,000, for a revised total estimated amount not to exceed $139,485.

46. Authorize award and execution of a 36-month requirements service contract with SOUTHWASTE DISPOSAL, LLC, Pflugerville, TX, to provide emergency response for sludge and sewage pumping, hauling, and disposal services for the Austin Water Utility in an estimated amount not to exceed $1,200,000, with three 12-month extension options in an estimated amount not to exceed $400,000 per extension option, for a total estimated contract amount not to exceed $2,400,000.

47. Authorize award and execution of a contract with WATERS TECHNOLOGIES CORPORATION, Milford, MA for the purchase of an Ultra Performance Liquid Chromatograph-Mass Spectrometer Instrument for the Austin Police Department in an amount not to exceed $185,000.

48. Authorize award and execution of a 36-month requirements supply contract with AAA FIRE & SAFETY EQUIPMENT CO., INC., Austin, TX for the purchase of fire hoses and fire hydrant upper barrels for the Austin Water Utility in an estimated amount not to exceed $934,713, with three 12-month extension options in an estimated amount not to exceed $311,571 per extension option, for a total estimated contract amount not to exceed $1,869,427.

49. Authorize award and execution of a contract with HUMBLE EQUIPMENT CO., INC., Ruston, LA for runway texturing services for the Austin-Bergstrom International Airport in an amount not to exceed $95,400.

50. Authorize award and execution of Amendment No. 2 to a contract with TEXAS EXCAVATION SAFETY SYSTEM, Dallas, TX, for services of a call center to notify the Watershed Protection Department before excavation near its lines to extend the contract for one 12-month period in an estimated amount not to exceed $14,000, with one additional 12-month extension option in an estimated amount not to exceed $14,000, for a total revised contract amount not to exceed $84,000.

51. Authorize award and execution of Amendment No. 2 to a contract with TAS ENVIRONMENTAL SERVICES L.P., Ft. Worth, TX, for disposal and destruction of hazardous chemicals and materials to extend the contract for one 12-month extension option in an amount not to exceed $15,999, for a revised total estimated contract amount not to exceed $63,996.

52. Approve an ordinance amending Chapter 2-7, Article 6 of the City Code relating to anti-lobbying and procurement.

53. Authorize award, negotiation, and execution of a 5-year revenue concession contract with AUSTIN ROWING CLUB, Austin, TX, to RFP No. CB30017, for the management and operation of a boathouse on Lady Bird Lake with an estimated revenue of $732,713 and one 2-year option with an estimated revenue of $489,599 for a total estimated revenue of $1,222,312.

54. Authorize award and execution of a contract with SARTIN SERVICES, INC., High Point, NC for the purchase of one medical ambulance bus in an amount not to exceed $386,326.33.

55. Authorize award, negotiation, and execution of a 12-month contract with INFOR GLOBAL SOLUTIONS, INC. for the purchase of Infor/Hansen and Infor/EAM software maintenance, support, services, future licenses and training in an amount not to exceed $808,193, with four extension options in an estimated amount not to exceed $887,737 for the first option, $864,107 for the second option, $610,822 for the third option and $464,273 for the fourth option for a total estimated contract amount not to exceed $3,635,132. The not-to-exceed amount for each year includes a 15 % contingency.

56. Authorize award, negotiation and execution of Amendment No. 4 to nine requirements service contracts with A-PLUS ENERGY MANAGEMENT & A/C, Austin, TX; AMERICAN CONSERVATION & AIR, Austin, TX; APPLE ENERGY GROUP, LLC, Austin, TX; ATS ENGINEERING & INSPECTORS, Austin, TX; CITY CONSERVATION, Austin, TX; MCCULLOUGH HEATING & AIR CONDITIONING, INC., Austin, TX; STANDARD RENEWABLE ENERGY, Austin, TX; THE INSTITUTE FOR BUILDING TECHNOLOGY AND SAFETY, Herndon, VA; and THE NELROD COMPANY, Fort Worth, TX, to increase the contract for weatherization test in audit services in an estimated combined amount not to exceed $144,151, for a revised estimated combined contract amount not to exceed $922,500. Related to item #2.

Transportation

57. Approve an ordinance to amend Section 12-4-64 (D) of the City Code to establish a maximum speed limit of 40 miles per hour on Anderson Mill Road from RM 620 to 575 feet east of Morris Road.

58. Approve an ordinance to amend Section 12-4-64 (D) of the City Code to establish a maximum speed limit of 40 miles per hour on Center Ridge Drive from IH 35 East Frontage Road to McCallen Pass.

59. Approve an ordinance to amend Section 12-4-64 (D) of the City Code to establish a maximum speed limit of 40 miles per hour on Canyon Ridge Drive from IH 35 (North) East Frontage Road to Tech Ridge Boulevard.

60. Approve an ordinance to amend Section 12-4-64 (D) of the City Code to establish a maximum speed limit of 40 miles per hour on Center Line Pass from Center Ridge Drive to Howard Lane.

61. Approve an ordinance to amend Section 12-4-64 (D) of the City Code to establish a maximum speed limit of 40 miles per hour on Balcones Drive from North Hills Drive

to Northland Drive (RM 2222).

62. Approve an ordinance to amend Section 12-4-64 (D) of the City Code to establish a maximum speed limit of 45 miles per hour on Wells Branch Parkway from FM 1825 to 155 feet east of Heatherwilde Boulevard (45 mph).

63. Approve an ordinance amending Section 12-4-64 (D) of the City Code to modify existing speed limits on RM 2222.

64. Approve waiver of the certain closure notice requirements that allow affected individuals and neighborhood associations to object to street closure under City Code Chapter 14-8 for the Livestrong Austin Marathon and Half Marathon, to be held on Sunday, February 19, 2012, between 3:00 a.m. and 5:00 p.m.

65. Approve a resolution authorizing execution of an Advance Funding Agreement between the City of Austin and the Texas Department of Transportation (TxDOT) approving the payment of $400,000 from the City to TxDOT for construction costs related to intersection improvements at RM 620 and RM 2222.

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 an ordinance waiving certain fees under City Code Chapter 10-3-64 for the Edible Austin Eat Drink Local Week Local Food Holiday Gift Fair sponsored by Edible Austin which is to be held on Wednesday, December 7, 2011 at the Domain II.
(Notes: SPONSOR: Council Member Mike Martinez CO 1: Council Member Laura Morrison CO 2: Council Member Chris Riley)

68. Approve a resolution directing the City Manager to work with Central Texas Bee Rescue, relevant City departments and community stakeholders to identify those elements in the City code of ordinances which may result in furthering the decline of honeybees and recommend to Council code amendments within 45 days.
(Notes: SPONSOR: Council Member Mike Martinez CO 1: Council Member Chris Riley)

69. Approve a resolution directing the City Manager to prepare recommendations and provide funding strategies for an interlocal agreement with Austin Travis County Integral Care (ATCIC) in order to support additional mental health services from ATCIC.
(Notes: SPONSOR: Council Member Laura Morrison CO 1: Council Member Mike Martinez)

70. Approve the waiver of certain fees and requirements under City Code Chapter 14-8 for the Dell Children's Gala 2012 which is to be held on Saturday, January 28, 2012 at the Austin Convention Center.
(Notes: SPONSOR: Council Member Chris Riley CO 1: Mayor Lee Leffingwell CO 2: Council Member Mike Martinez)

Item(s) to Set Public Hearing(s)

71. Set a public hearing to consider a resolution approving the use of approximately 600 square feet for permanent sidewalk purposes and approximately 2,200 square feet for temporary workspace purposes in connection with the construction, use, maintenance, repair, and replacement of a sidewalk that is a portion of the Group 10 ADA Sidewalk Improvements – Brodie Lane Project through a dedicated scientific area that is part of the Austin Water Utility's Water Quality Protection Lands known as Lot 7, Block "A", Mission Bethany Subdivision, in accordance with Sec. 26.001 et seq. of the Texas Parks and Wildlife Code. (Suggested date and time, December 8, 2011, 4:00 p.m. at Austin City Hall, 301 W. Second Street, Austin, TX.)

72. Set a public hearing to consider a request by The Market on Collier, located at 1700 South Lamar Blvd, Suite 230, for a waiver from the distance requirement of City Code Section 4-9-4(A) which requires a minimum of 300 feet between a business that sells alcoholic beverages and a church. (Suggested date and time: December 8, 2011, 4:00 p.m. at Austin City Hall, 301 W. Second St., Austin, TX.)

73. Set a public hearing on the E. 6th Street Public Improvement District (PID) 2012 assessments. (Suggested date and time: December 8, 2011, 4:00p.m., at Austin City Hall, 301 W. Second Street, Austin, TX). Related to Items 13 & 14.

74. Set a public hearing on the Austin Downtown Public Improvement District (PID) 2012 assessments. (Suggested date and time: December 8, 2011, 4:00 p. m., at Austin City Hall, 301 W. Second Street, Austin, TX). Related to Items 11 & 12.

75. Set a public hearing to consider the use of approximately 31,861 square feet temporary access route for the decommissioning and demolition of the Holly Street Power Plant (CIP ID 7718.001) through dedicated parkland known as Metz Park, in accordance with Sec. 26.001 et seq. of the Texas Parks and Wildlife Code. (Suggested date and time, December 8, 2011 at 4:00 p.m. at Austin City Hall, 301 W. Second Street, Austin, TX.)

76. Set a public hearing to consider an ordinance amending the GreenChoice® Energy Rider in Ordinance No. 20110912-007 to extend the Batch 6 subscription expiration date to December 31, 2021. (Suggested date and time: December 8, 2011, 4:00 p.m. at Austin City Hall, 301 W. Second Street, Austin, TX).

Non-Consent

10:30 AM - Morning Briefings

77. Austin Resource Recovery Master Plan briefing.

78. Presentation by ETC Institute on the results of the 2011 City of Austin Survey.

12:00 PM - Citizen Communications: General

Dr. Laura Pressley- The dangers of fluoridation

Darcy Bloom- Fluoridation Nation

Velia Urrutia- Carport for 11/15 Austin Highlands Boulevard

Jim Wittliff- Carport for 11/15 Austin Highlands Boulevard

Jeremiah Duke- Valet parking

Anthony Walker- TBD

BABS KELLEY WARREN- The poisons in our water (drinking water, swimming water and water skiing water). Your children & grandchildren are going to pay for your lack of motivation to eliminate poisons from our water.

Angela Williamston- Cultural Arts Department discrimination issues

Heather Fazio- Airport security

Chris Self- Utility bill- reduction of printing costs

Executive Session

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

80. Discuss legal issues related to construction of the Turner Roberts Recreation Center (private consultation with legal counsel pursuant to Section 551.071 of the Government Code).

81. Discuss legal issues related to Austin Lifecare, Inc. v City of Austin et al. Cause No. 1:11-CV-875-LY & Roman Catholic Diocese of Austin, et al. v City of Austin et al. Cause No. 1:11-CV-00876-LY; In the U.S. District Court - Western District of Texas (Austin Division) (private consultation with legal counsel pursuant to Section 551.071 of the Government Code).

82. Discuss legal issues related to City of Austin v. Trudy's Texas Star, Inc., d/b/a South Congress Cafe, Cause No. D-1-GV-05-004526, In the 201st Judicial District Court of Travis County, Texas (private consultation with legal counsel pursuant to Section 551.071 of the Government Code).

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

83. C14-2011-0049 – Pioneer Hill – Approve third reading of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 9900-10324 Dessau Road (Lake Creek Watershed) from traditional neighborhood district (TND) zoning to multi-family residence-limited density-conditional overlay (MF-1-CO) combining district zoning for Tract 1, townhouse and condominium residence-conditional overlay (SF-6-CO) combining district zoning for Tract 2, multi-family residence-medium density-conditional overlay (MF-3-CO) combining district zoning for Tract 3, community commercial-conditional overlay (GR-CO) combining district zoning for Tract 4, and limited industrial service-conditional overlay (LI-CO) combining district zoning for Tracts 5A and 5B, with conditions. First Reading approved with conditions on August 4, 2011. Vote: 7-0. Second Reading approved with additional conditions on September 22, 2011. Vote: 5-0, Council Members Martinez and Spelman-off the dais. Owner/Applicant: Continental Homes of Texas,

LP/D.R. Horton (Richard N. Maier); Estate of Fred Morse (Scott Morse). Agent: Alice Glasco Consulting (Alice Glasco). City Staff: Sherri Sirwaitis, 974-3057.

84. C14-2011-0110 –Parmer Lane Luxury Apartments – Approve second and third reading of an ordinance amending Chapter 25-2 of the Austin City Code by zoning property locally known as 5922 ½ Parmer Lane (Walnut Creek Watershed) from interim-rural residence (I-RR) district zoning to multi-family residence-moderate-high density (MF-4) district zoning. On November 3, 2011, the City Council approved 1st reading of multi-family residence-moderate-high density-conditional overlay (MF-4-CO) combining district, zoning, with additional conditions. Vote: 7-0. Owner/Applicant: Robinson Land Limited Partnership, Et Al (John Oscar Robinson). Agent: Bury & Partners, Inc. (Megan Wanek). City Staff: Sherri Sirwaitis, 974-3057.

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

85. NPA-2011-0008.01 – 2935 MLK– Conduct a public hearing and approve an ordinance amending Ordinance No. 20011129-67, the Rosewood 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 2935 East Martin Luther King, Jr. Boulevard (Boggy Creek Watershed) from Single Family to Mixed Use land use. Staff Recommendation: To grant Mixed Use land use. Planning Commission Recommendation: To grant Mixed Use land use. Owner/Applicant: Noble Capital, L.L.C. Agent: Grady E. Collins. City Staff: Maureen Meredith, 974-2695.

86. C14-2011-0084 – Noble Capital LLC – Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 2935 East Martin Luther King, Jr. Boulevard (Boggy Creek Watershed) from family residence-neighborhood plan (SF-3-NP) combining district zoning to neighborhood commercial-mixed use-neighborhood plan (LR-MU-NP) combining district zoning. Staff Recommendation: To grant neighborhood commercial-mixed use-neighborhood plan (LR-MU-NP) combining district zoning. Planning Commission Recommendation: To grant neighborhood commercial-mixed use-neighborhood plan (LR-MU-NP) combining district zoning. Applicant: Noble Capital Servicing, LLC (Jordan Newman). Agent: Noble Capital Servicing, LLC (Minka Anderson). City Staff: Stephen Rye, 974-7604.

87. NPA-2011-0019.01 – Helms Condominiums – Conduct a public hearing and approve an ordinance amending Ordinance No. 20040826-056, the Central Austin Combined Neighborhood Plan, an element of the Austin Tomorrow Comprehensive Plan, to change the land use designation on the future land use map (FLUM) on property locally known as 201 East 34th Street and 3307 Helms Street (Waller Creek Watershed) from Single Family Use to Higher-Density Single Family land use. Staff Recommendation: Pending. Planning Commission Recommendation: To be reviewed on December 13, 2011. Applicant/Owner: Zod Bozorgmehr, Valarie Bauhofer & John White. Agent: Douglas Gibbins. City Staff: Maureen Meredith, 974-2695.

88. C14-2011-0016 – Helms Condominiums – Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 201 East 34th Street and 3307 Helms Street (Waller Creek Watershed) from family residence-neighborhood plan (SF-3-NP) combining district zoning to single family residence small lot-neighborhood plan (SF-4A-NP) combining district zoning.

Staff Recommendation: Pending. Planning Commission Recommendation: To be reviewed on December 13, 2011. Applicant: Farzad Bozogrmehr. Agent: Douglas Gibbins. City Staff: Clark Patterson, 974-7691.

89. NPA-2011-0019.02 – 3208 Red River – Conduct a public hearing and approve an ordinance amending Ordinance No. 20040826-056, the Central Austin Combined Neighborhood Plan, an element of the Austin Tomorrow Comprehensive Plan, to change the land use designation on the future land use map (FLUM) on property locally known as 3208 Red River Street (Waller Creek Watershed) from Mixed Use/Office to Mixed Use land use. Staff Recommendation: To grant the change in the FLUM to Mixed Use. Planning Commission Recommendation: To grant the change in the FLUM to Mixed Use. Applicant/Owner: River Holdings, L.T.D. (Gerald Kucera). Agent: Metcalfe Williams, L.L.P. (Michele Rogerson Lynch). City Staff: Maureen Meredith, 974-2695.

90. C14-2011-0101 – 3208 Red River – Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 3208 Red River Street (Waller Creek Watershed) from general office-mixed use-conditional overlay-neighborhood plan (GO-MU-CO-NP) combining district zoning to community commercial-mixed use-conditional overlay-neighborhood plan (GR-MU-CO-NP) combining district zoning. Staff Recommendation: To grant community commercial-mixed use-conditional overlay-neighborhood plan (GR-MU-CO-NP) combining district zoning. Planning Commission Recommendation: To grant community commercial, mixed use, conditional overlay, neighborhood plan (GR-MU-CO-NP) combining district zoning. Applicant: River Holdings, Ltd. (Gerald Kucera). Agent: Metcalfe Williams, L.L.P. (Michele Rogerson Lynch). City Staff: Clark Patterson, 974-7691.

91. C814-95-0002.10 – Four Points Centre PUD 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 7013 and 7318 ½ River Place Boulevard, 11120 and 11034 Four Points Drive (Bull 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 planned unit development (PUD) district zoning, with conditions. Zoning and Platting Commission Recommendation: To grant planned unit development (PUD) zoning, with additional conditions. Owner/Applicant: New TPG-Four Points, L.P. (Tom Paradise). City Staff: Sherri Sirwaitis, 974-3057.

92. C814-2009-0139.02 – Bull Creek PUD Amendment #2 – Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by zoning and rezoning property locally known as 4909 FM 2222 (Bull Creek Watershed; Lake Austin Watershed) from planned unit development (PUD) and interim-lake austin (I-LA) district zoning to planned unit development (PUD) district zoning. Staff Recommendation: To grant planned unit development (PUD) district zoning. Zoning and Platting Commission Recommendation: To be reviewed on November 15, 2011. Applicant: Booth Family Living Trust (David Booth). Agent: Armbrust & Brown, L.L.P. (David Armbrust). City Staff: Clark Patterson, 974-7691.

93. C14-97-0102(RCT) – Dreyfus Rezoning – Conduct a public hearing to approve termination of a restrictive covenant for the property locally known as 1901 North Lamar Boulevard (Shoal Creek Watershed). Staff Recommendation: To terminate the

restrictive covenant. Planning Commission Recommendation: To terminate the restrictive covenant. Applicant: Dreyfus Antiques Brocante (George Dreyfus). Agent: Armbrust & Brown, L.L.P. (Lynn Ann Carley). City Staff: Clark Patterson, 974-7691.

94. C14-2011-0100 – Dreyfus Rezoning – Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 1901 North Lamar Boulevard (Shoal Creek Watershed) from neighborhood commercial-conditional overlay-neighborhood plan (LR-CO-NP) combining district zoning to neighborhood commercial-conditional overlay-neighborhood plan (LR-CO-NP) combining district zoning, to change a condition of zoning. Staff Recommendation: To grant neighborhood commercial-conditional overlay-neighborhood plan (LR-CO-NP) combining district zoning, to change a condition of zoning. Planning Commission Recommendation: To grant neighborhood commercial-conditional overlay-neighborhood plan (LR-CO-NP) combining district zoning to change a condition of zoning.. Applicant: Dreyfus Antiques Brocante (George Dreyfus). Agent: Armbrust & Brown, L.L.P. (Lynn Ann Carley). City Staff: Clark Patterson, 974-7691.

95. C14-2011-0050 – Burnet-Kramer Rezoning – Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 11205 and 11301 Burnet Road (Walnut Creek Watershed; Shoal Creek Watershed) from North Burnet/Gateway-Transit Oriented Development (NBG-TOD) district zoning to North Burnet/Gateway-Commercial Mixed Use (NBG-CMU) district zoning. Staff Recommendation: To grant North Burnet/Gateway-Commercial Mixed Use (NBG-CMU) district zoning, with conditions. Zoning and Platting Commission Recommendation: To grant North Burnet/Gateway-Commercial Mixed Use (NBG-CMU) district zoning, with conditions. Owner/Applicant: IBM Corporation. Agent: Armbrust & Brown, PLLC (Richard T. Suttle, Jr.). City Staff: Sherri Sirwaitis, 974-3057.

96. C14-2011-0075 – NYOS Charter School Inc. – Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 820 West Yager Lane (Walnut Creek Watershed) from limited industrial service (LI) district zoning to general commercial services (CS) district zoning. Staff Recommendation: To grant general commercial services-conditional overlay (CS-CO) combining district zoning, with conditions. Zoning and Platting Commission Recommendation: To grant general commercial services-conditional overlay (CS-CO) combining district zoning, with conditions. Owner/Applicant: NYOS Charter School Inc. (Kathleen Zimmermann). City Staff: Sherri Sirwaitis, 974-3057.

97. C14-2011-0079 – Wallen/Gamboa – Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 2315 East 8th Street (Shoal Creek Watershed) from family residence-neighborhood plan (SF-3-NP) combining district zoning to general office-neighborhood plan (GO-NP) combining district zoning. Staff Recommendation: To deny general office-neighborhood plan (GO-NP) combining district zoning. Planning Commission Recommendation: To grant general office-conditional overlay-neighborhood plan (GO-CO-NP) combining district zoning. Applicant: Rolling RDR Properties (Rick Wallen). Agent: Jim Bennett Consulting (Jim Bennett). City Staff: Clark Patterson, 974-7691.

98. C14-2011-0098 – San Gabriel Liquor – Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally

known as 2408 San Gabriel Street (Waller Creek Watershed) from neighborhood commercial-neighborhood plan (LR-NP) combining district zoning to commercial liquor sales-neighborhood plan (CS-1-NP) combining district zoning. Staff Recommendation: To grant commercial liquor sales-neighborhood plan (CS-1-NP) combining district zoning. Planning Commission Recommendation: To forward to the City Council without a recommendation.. Applicant: Yates Living Trust, Koya Holdings & Louis Kowalski. Agent: The Faust Group (Bill Faust). City Staff: Clark Patterson, 974-7691.

99. C14-2011-0109 – Lamar Development – Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by zoning property locally known as 4527 North Lamar Boulevard (Waller Creek Watershed) from unzoned (UNZ) to multi-family residence-highest density (MF-6) district zoning. Staff Recommendation: To grant multi-family residence-highest density (MF-6) district zoning. Zoning and Platting Commission Recommendation: To grant multi-family residence-highest density (MF-6) district zoning. Applicant: State of Texas (Hal Croft). Agent: Brown McCarroll, L.L.P. (Nikelle Meade). City Staff: Clark Patterson, 974-7691.

100. C14-2011-0112 – 6607 CS-1 – Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 6607 North IH 35 Service Road Northbound (Tannehill Branch Watershed; Buttermilk Creek Watershed) from general commercial services (CS) district zoning to commercial-liquor sales-conditional overlay (CS-1-CO) combining district zoning. Staff Recommendation: To grant commercial-liquor sales-conditional overlay (CS-1-CO) combining district zoning. Planning Commission Recommendation: To grant commercial-liquor sales-conditional overlay (CS-1-CO) combining district zoning. Owner/Applicant: WC 6607 North IH 35, LP (Nate Paul). Agent: Jim Bennett Consulting (Jim Bennett). City Staff: Wendy Rhoades, 974-7719.

101. C14-2011-0113 – The Grand Hotel at Waller Creek – Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 608 E. Cesar Chavez Street (Town Lake Watershed) from central business district (CBD) district zoning to central business district-central urban redevelopment district (CBD-CURE) combining district zoning. Staff Recommendation: To approve central business district-central urban redevelopment district (CBD-CURE) combining district zoning. Planning Commission Recommendation: To grant central business district-central urban redevelopment district-conditional overlay (CBD-CURE-CO) combining district zoning. Applicant: Manchester Texas Financial Group (Doug Manchester) Agent: Winstead, P.C. (Michele Haussmann). City Staff: Clark Patterson, 974-7691.

102. C14-2011-0117 – Crestview Station Residential – Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 950 Banyon Street (Waller Creek Watershed) from transit oriented development-neighborhood plan (TOD-NP) combining district zoning to transit oriented development-neighborhood plan (TOD-NP) combining district zoning to change a condition of zoning. Staff Recommendation: To approve transit oriented development-neighborhood plan (TOD-NP) combining district zoning to change a condition of zoning. Planning Commission Recommendation: To grant transit oriented development-neighborhood plan (TOD-NP) combining district zoning to change a condition of zoning. Applicant: Continental Homes (Richard Maier) Agent: Alice Glasco Consulting (Alice Glasco). City Staff: Clark Patterson, 974-7691.

4:00 PM - Public Hearings and Possible Actions

103. Conduct a public hearing for the full purpose annexation of the Northridge Park Section 2 (approximately 97 acres in Travis County at the northeast corner of the intersection of Manor Road and Old Manor Road).

104. Conduct a public hearing for the full purpose annexation of the Burleson-Felter (approximately 97 acres in Travis County south of Burleson Road approximately 1,100 feet west of the intersection of Burleson Road and McKinney Falls Parkway).

105. Conduct a public hearing for the full purpose annexation of the Ribelin Ranch Preserve (approximately 542 acres in Travis County north of FM 2222 approximately 900 feet north of the intersection of FM 2222 and McNeil Drive).

106. Conduct a public hearing in accordance with Section 26.001 et seq. of the Texas Parks and Wildlife Code and consider a resolution authorizing the use of the Town Lake Animal Center site at 1156 West Cesar Chavez, Austin, Texas, which is located on dedicated parkland known as Lamar Beach at Town Lake Park, for animal adoption purposes in connection with the City of Austin's No Kill Implementation Plan, for a period not to exceed 18 months.

107. Conduct a public hearing and consider an ordinance amending City Code Chapter 25-2 to amend the Limited Office (LO) base zoning district to make the Personal Services land use a conditional use in this district.

5:30 PM - Live Music

Rebecca Loebe

5:30 PM - Proclamations

Proclamation -- National Hospice and Palliative Care Month -- to be presented by Mayor Lee Leffingwell and to be accepted by Dr. Philip Woodall

Proclamation -- American Cancer Society's Great American Smoke Out -- to be presented by Mayor Lee Leffingwell and to be accepted by Carlos Rivera

Proclamation -- Pancreatic Cancer Awareness Month -- to be presented by Mayor Lee Leffingwell and to be accepted by Greg Petrosewicz

Proclamation -- Veterans Day -- to be presented by Mayor Lee Leffingwell and to be accepted by representatives of the 23rd Marines from Camp Mabry and the VFW

Certificate of Appreciation -- Mosak -- to be presented by Council Member Mike Martinez and to be accepted by Monique Threadgill

Certificate of Congratulations -- Austin Energy for Green Building Award -- to be presented by Council Member Chris Riley and to be accepted by Richard Morgan

Distinguished Service Awards -- Green Roof Advisory Group -- to be presented by

Council Member Chris Riley and to be accepted by the honorees

Proclamation -- Omega Psi Phi Fraternity's 100th Anniversary -- to be presented by Mayor Pro Tem Sheryl Cole and to be accepted by Jimmy Earl

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.