



## **AUSTIN CITY COUNCIL WORK SESSION**

**Tuesday, August 27, 2013**

The Austin City Council will convene at 9:00 AM on  
Tuesday, August 27, 2013 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 may go into a closed session as permitted by the Texas Open Meetings Act, (Chapter 551 of the Texas Government Code) regarding any item on this agenda.*

**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.**

**9:00 AM – City Council Convenes**

- A. Pre-Selected Agenda Items
- B. Council Discussion
- C. Council Items of Interest
- D. Briefings
- E. Executive Session
  - E.1 Discuss legal issues relating to the November 2013 election (Private consultation with legal counsel - Section 551.071 of the Government Code.)

**Consent**

**Approval of Minutes**

1. Approve the minutes of the Austin City Council budget work session of August 14, 2013, special called of August 19, 2013, work session of August 20, 2013, special called of August 21, 2013 and regular meeting of August 22, 2013, .

**Animal Services Office**

2. Approve an ordinance amending City Code Section 3-1-21 (Impound Facilities) to establish the City's role as designated caretaker of impounded animals.
3. Approve an ordinance authorizing acceptance of \$295 in grant funds from the TEXAS DEPARTMENT OF STATE HEALTH SERVICES, ZOONOSIS BRANCH, and amending the Fiscal Year 2012-2013 Animal Services Office Operating Budget Special Revenue Fund (Ordinance No. 20120910-001) to appropriate \$295 to conduct spay and neuter activities.

**Austin Energy**

4. Approve issuance of a rebate to Seton Healthcare for the installation of energy efficient equipment at its facility, Seton Medical Center Austin, 1201 West 38th Street, in an amount not to exceed \$70,029.

5. Authorize negotiation and execution of an agreement with Cinemark USA Inc., to provide a performance-based incentive for the generation of solar energy at its facility located at 9900 South IH 35, for an estimated \$35,821 per year, for a total amount not to exceed \$358,210 over a 10-year period.
6. Authorize negotiation and execution of an agreement with Congregation Beth Israel, to provide a performance-based incentive for the generation of solar energy at its facility located at 3901 Shoal Creek Blvd., for an estimated \$6,309 per year, for a total amount not to exceed \$63,090 over a 10-year period.
7. Authorize negotiation and execution of an agreement with Whole Foods Market, to provide a performance-based incentive for the generation of solar energy at its facility located at 11920 Domain Drive, for an estimated \$31,172 per year, for a total amount not to exceed \$311,720 over a 10-year period.
8. Authorize the negotiation and execution of a Developer Agency Agreement with TC Green Water Master Developer, LLC, for design and construction of chilled water utilities to serve planned facilities in the Green Water Treatment Plant Redevelopment Project, in an amount not to exceed \$69,960 for design phase services.
9. Authorize negotiation and execution of a nine-month lease agreement with Girard Diversified Interests for approximately 4,500 square feet located at 318 East 5th Street to support construction and installation of chilled water transmission piping by Austin Energy, in an amount not to exceed \$112,500, with two three-month extension options, in the amount of \$80,000 for the first extension option and \$45,000 for the second extension option, for a total amount not to exceed \$237,500.

#### **Austin Water Utility**

10. Authorize negotiation and execution of a two-year interlocal agreement between the University of Texas at Austin and the City of Austin for consulting services regarding potential pathways for reducing energy consumption and energy-related costs by the Austin Water Utility for a total amount not to exceed \$50,000.

#### **Building Services**

11. Authorize execution of a construction contract with MECHANICAL & PROCESS SYSTEMS, LLC. for the HVAC replacement project at the public access television facility in an amount not to exceed \$127,770.

#### **Contract Management**

12. Authorize negotiation and execution of a professional services agreement with CAROLLO ENGINEERS, INC., or one of the other qualified

responders to RFQ Solicitation No. CLMP130, to provide engineering services for the South Austin Regional Wastewater Treatment Plant Blower Improvement Project in an amount not to exceed \$2,500,000.

( Notes: This contract will be awarded in compliance with City Code Chapter 2-9B (Minority-Owned and Women-Owned Business Enterprise Procurement Program) by meeting the goals with 16.00% MBE and 16.00% WBE subconsultant participation. )

13. Authorize the use of the competitive sealed proposal method for construction of emergency power and building improvements to the Information System Building 7355 at the Austin-Bergstrom International Airport, in accordance with the Texas Government Code.
14. Authorize the use of the Competitive Sealed Proposal method for improvements related to the J.J. Seabrook Stream Restoration, Rain Garden, and Urban Trail Project in accordance with Government Code, Chapter 2267, Subchapter D.
15. Authorize negotiation and execution of an amendment to the professional services agreement with COTERA + REED ARCHITECTS to provide architectural services through 2011 through 2013, or until financial authorization is expended, to complete the design of the joint Park Ranger and Park Police Headquarters, in the amount of \$338,000 for a total contract amount not to exceed amount of \$6,168,000.  
( Notes: This contract was awarded in compliance with City Code Chapter 2-9B (Minority Owned and Women Owned Business Enterprise Procurement Program) with 18.82% MBE and 22.08% WBE subconsultant participation to date. )
16. Authorize negotiation and execution of an amendment to the professional services agreement with URS CORPORATION for engineering services for the Austin Urban Rail NEPA Environmental Services Project in the amount of \$800,000, for a total contract amount not to exceed \$1,553,000.  
( Notes: This contract was awarded in compliance with the requirements of 49 CFR Part 26 (Disadvantaged Business Enterprise Program) and City Code Chapter 2-9B (Minority-Owned and Women-Owned Business Enterprise Procurement Program) with 50.09% DBE subconsultant participation to date. )
17. Authorize negotiation and execution of an amendment to the professional services agreement with ALAN PLUMMER ASSOCIATES, INC. for general watershed engineering services for the 2007 General Watershed Continuing Engineering Services Rotation List – PA070000039, for a total contract amount not to exceed \$250,000.  
( Notes: This contract was awarded in compliance with City Code Chapter 2-9B (Minority-Owned and Women-Owned Business Enterprise Procurement Program) with 25.12% MBE and 7.04% WBE subconsultant participation to date. )

18. Authorize negotiation and execution of amendments to the professional services agreement with the following three firms: MWM DESIGNGROUP, INC.; LARSON, BURNS & SMITH, INC.; and HDR/CLAUNCH & MILLER for architectural and engineering services for park renovations and improvements for the Park Development Rotation List 2007-2010, for the years 2013 through 2014 or until financial authorization is expended, in the amount of \$270,000 in additional authorization, for a total contract amount not to exceed amount of \$1,770,000.  
( Notes: This contract was awarded in compliance with City Code Chapter 2-9B (Minority-Owned and Women-Owned Business Enterprise Procurement Program) with 16.50% MBE and 14.20% WBE subconsultant participation to date. )
19. Authorize negotiation and execution of an amendment to the professional services agreement with AUSTIN URBAN RAIL PARTNERS for engineering services for the Austin Urban Rail Preliminary Engineering Study project in the amount of \$275,000, for a total contract amount not to exceed \$1,327,000.  
( Notes: This contract was awarded in compliance with City Code Chapter 2-9B (Minority-Owned and Women-Owned Business Enterprise Procurement Program) with 1.26% MBE and 15.38% WBE subconsultant participation to date. )
20. Authorize execution of a change order to the construction contract with MATOUS CONSTRUCTORS, LTD., for the Hornsby Bend Biosolids Management Plant Digester Improvements and Sustainability Project for an additional contingency amount of \$131,000, for a total contract amount not to exceed \$28,528,710.  
( Notes: This contract was awarded in compliance with City Code Chapter 2-9A (Minority-Owned and Women-Owned Business Enterprise Procurement Program) with 10.24% MBE and 0.14% WBE subcontractor participation to date. )
21. Authorize execution of a construction contract with MECHANICAL AND PROCESS SYSTEMS LLC for construction and installation of chilled water piping and associated equipment in Austin Energy's district cooling plants and customers' mechanical rooms, in the amount of \$3,953,797.13, with an optional two-year extension, for a total contract amount not to exceed \$7,907,592.26.  
( Notes: This contract will be awarded in compliance with City Code Chapter 2-9A (Minority Owned and Women Owned Business Enterprise Procurement Program) by meeting the goals with 61.12% MBE prime participation; 0.13% MBE and 1.56% WBE subcontractor participation. )
22. Authorize execution of a construction contract with PRISM DEVELOPMENT INC. for the Mary Moore Searight Metropolitan Park Parking Lot Re-Bid in an amount not to exceed \$100,663.50, plus a 5%

contingency of \$5,033 for a total contract amount not to exceed \$105,696.50. ( Notes: This contract will be awarded in compliance with City Code Chapter 2-9A (Minority-Owned and Women-Owned Business Enterprise Procurement Program) through the achievement of Good Faith Efforts with 52.60% prime participation; 46.10%MBE and 1.31%WBE subcontractor participation. )

### **Economic Growth and Redevelopment Services**

23. Authorize negotiation and execution of a design agreement with Michael Singer Inc., in an amount not to exceed \$85,000, for artwork for the consolidated rental car facility at Austin-Bergstrom International Airport.
24. Authorize negotiation and execution of an amendment to the design and commission agreement with Electroland LLC for \$37,000 to address changes to the scope of work on the IH35 Makeover Project for a total contract amount not to exceed \$65,000.
25. Authorize negotiation and execution of a temporary artwork loan agreement with The Center for Women and Their Work for an artwork installation to be located in Lady Bird Lake between the Lamar and Pflugler Bridges and along the Ann and Roy Butler Trail.
26. Approve a resolution authorizing the City Manager to accept a U.S. Department of Housing and Urban Development award of \$8,000,000 under Section 108 of the Housing and Community Development Act of 1974, as amended, in order to increase financing for the Family Business Loan Program. Related to Item #27.
27. Approve an ordinance authorizing acceptance of \$8,000,000 in funds from the U.S. Department of Housing and Urban Development Section 108 Loan Guarantee Assistance Program and amending the Fiscal Year 2012-2013 Economic Growth and Redevelopment Services Office Operating Budget Special Revenue Fund (Ordinance No. 20120910-001) to appropriate \$8,000,000 for the Family Business Loan Program. Related to Item #26.

### **Fire**

28. Approve an ordinance authorizing acceptance of \$202,080 in Assistance to Firefighters Grant funds from the Federal Emergency Management Agency and amending the Fiscal Year 2012-2013 Austin Fire Department Operating Budget Special Revenue Fund (Ordinance No. 20120910-001) to appropriate \$202,080 to assist the department with a comprehensive home safety campaign.

### **Health and Human Services**

29. Authorize negotiation and execution of Amendment No. 1 to increase the

contract amount under the U.S. Department of Housing and Urban Development Housing Opportunities for Persons with AIDS grant with Project Transitions, Inc. for HIV-related housing services in an amount not to exceed \$2,967 for a twelve month period October 1, 2012 to September 30, 2013 for total contract amount not to exceed \$1,506,802.

30. Approve an ordinance authorizing acceptance of \$2,186 in grant funds from the U.S. Department of Housing and Urban Development; and amending the Fiscal Year 2012-2013 Health and Human Services Department Operating Budget Special Revenue Fund (Ordinance No. 20120910-001) to appropriate \$2,186 for the Housing Opportunities for Persons with AIDS services program that provides rental, mortgage, utility and supportive services to people with the human immunodeficiency virus.
31. Approve negotiation and execution of a contract with Austin Travis County Mental Health Mental Retardation Center dba Austin Travis County Integral Care to provide mental and behavioral health and substance abuse treatment to homeless individuals for a twelve-month term beginning on September 30, 2013 and ending on September 29, 2014, in an amount not to exceed \$250,000, with two one-year extension options, for a total contract amount not to exceed \$750,000.
32. Approve negotiation and execution of Amendment No. 3 to the 12-month contract with FRONT STEPS, INC. for operation and maintenance at the Austin Resource Center for the Homeless for an increase in an amount not to exceed \$90,000 for a total 12-month contract amount not to exceed \$2,356,813.29 for the period of October 1, 2012 through September 30, 2013.

#### **Law**

33. Approve a settlement in SOAH Docket No. 582-09-1617 TCEQ Docket No. 2008-1858-MWD, Application of Jeremiah Venture, LP for a new TLAP permit No. WQ0014785001. Related to Item #88.

#### **Library**

34. Approve an ordinance amending the Fiscal Year 2012-2013 Austin Public Library Capital Budget (Ordinance No. 20120910-002) to appropriate \$232,300 for a radio frequency identification system. Related to Item #56.

#### **Neighborhood Housing and Community Development**

35. Approve a resolution authorizing the Director of Neighborhood Housing and Community Development to submit a funding application to the Texas Department of Housing and Community Affairs for its Housing Trust Fund 2014-2015 "Amy Young Barrier Removal Program," and if the funding application is approved, to authorize negotiation and execution of an

agreement to participate and receive grant funding through reimbursements in an amount not to exceed \$440,000.

### **Office of Real Estate Services**

36. Approve an ordinance authorizing the negotiation and execution of all documents or instruments necessary, including an interlocal agreement between the City and the Board of Regents of the University of Texas System ("University"), to vacate a 2.828 acre tract of land out of Red River Street, to the University in exchange for a 2.270 acre tract of land constructed by the University as a realignment off Red River Street.

### **Parks and Recreation**

37. Authorize negotiation and execution of an interlocal agreement between the City of Austin and the Austin Independent School District for the use of specified space at Barbara Jordan Elementary School to conduct an Austin Parks and Recreation Department After-school Program.

### **Planning and Development Review**

38. Approve an ordinance amending Ordinance No. 20121108-035 to correct the legal description for the Dessau Business Park annexation area.
39. Approve second and third reading of an ordinance adopting site-specific amendments to City Code Chapter 25-8, Article 12 (Save Our Springs Initiative) and variances to City Code Sections 25-8-281, 25-8-483, and 25-8-65 for property generally located at 3712 Ben Garza Lane; and waiving City Code Section 25-1-502. This action concerns land located in the Barton Springs Zone.

### **Purchasing Office**

40. Authorize award and execution of a 24-month requirements service contract with AUSTIN FREE-NET, to provide viable opportunities for citizens to use computers and the Internet in an amount not to exceed \$395,488, with three 12-month extension options in an amount not to exceed \$197,744 per extension option, for a total contract amount not to exceed \$988,720. ( Notes: This contract will be awarded in compliance with City Code Chapter 2-9C (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation. )
41. Authorize award and execution of a 12 month requirements service contract with 3M LIBRARY SYSTEMS, for the maintenance and repair of 3M equipment for the Austin Public Library Department in an amount not to exceed \$77,133, with four 12-month extension options in an amount not to exceed \$121,565 for the first extension option, \$168,997 for the second



extension option, \$220,417 for the third extension option and \$276,009 for the fourth extension option, for a total contract amount not to exceed \$865,121.

( Notes: This contract will be awarded in compliance with City Code Chapter 2-9C (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this contract. )

42. Authorize award and execution of a contract with POWER SUPPLY INC., for the purchase of 15kV circuit breakers for Austin Energy in an amount not to exceed \$327,085.

( Notes: This contract will be awarded in compliance with City Code Chapter 2-9D (Minority-Owned and Women-Owned Business Enterprise Procurement Program) No subcontracting opportunities were identified; therefore, no goals were established for this contract. )

43. Authorize award and execution of a 36-month requirements service contract with TURBOMECA USA, INC., to provide by the hour maintenance for the Arrius 2F helicopter engine in the amount not to exceed \$340,280, with three 12-month extension options in an amount not to exceed \$113,427 per extension option, for a total contract amount not to exceed \$680,559.

( Notes: This contract will be awarded in compliance with City Code Chapter 2-9D (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation. )

44. Authorize award and execution of a 36-month requirements service contract with PEST MANAGEMENT INC., to provide pest and termite control services in an amount not to exceed \$326,394, with three 12-month extension options in an amount not to exceed \$108,798 per extension option, for a total contract amount not to exceed \$652,788.

( Notes: This contract will be awarded in compliance with City Code Chapter 2-9C (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation. )

45. Authorize award and execution of Amendment No. 1 to a contract with SOLIX, INC. for administrator services related to the qualification and automatic enrollment for Austin Energy's Utility Discount Program, to increase the contract amount for the current contract period in an amount not to exceed \$61,433, and the three remaining extensions in an amount not to exceed \$112,620 each, for a revised total contract amount not to exceed \$1,975,083.

( Notes: This contract was awarded in compliance with City Code Chapter 2-9C (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation. )

46. Authorize award, negotiation and execution of a 36-month service contract with BENTLEY SYSTEMS INC, for an enterprise license for various engineering software products for Public Works, Austin Water, Planning and Development Review, Watershed Protection and Communications and Technology Management in an amount not to exceed \$92,370 for year 1, \$102,633 for year 2 and \$114,037 for year 3 for a total contract amount not to exceed \$309,040.  
( Notes: This contract will be awarded in compliance with City Code Chapter 2-9D (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this contract. )
47. Authorize award, negotiation and execution of a 24-month requirements service contract with HEARTLAND SERVICES INC., for repair of Mobile Data Computers (Panasonic Toughbooks) and Video Cameras in an amount not to exceed \$200,000 with three 12-month extension options in an amount not to exceed \$100,000 per extension option, for a total contract amount not to exceed \$500,000.  
( Notes: This contract will be awarded in compliance with City Code Chapter 2-9C (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this contract. )
48. Authorize award, negotiation and execution of a 3-month requirements service contract with DELL MARKETING, L.P., or with another qualified respondent to RFP NO. BKH0156, to provide Data Center Facility Risk Assessment Services in an amount not to exceed \$71,684.  
( Notes: This contract will be awarded in compliance with City Code Chapter 2-9C (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this contract. )
49. Authorize award, negotiation, and execution of a contract with WOOD GROUP POWER PLANT SERVICES, INC., or the other qualified offeror to RFP No. GAL0012, for the purchase of a replacement control system for the turbine and generator Units 1-4 at Austin Energy's Sand Hill Energy Center, in an amount not to exceed \$1,230,000 and maintenance and support services for 60 months in an amount not to exceed \$130,000, for a total contract amount not to exceed \$1,360,000.  
( Notes: This contract will be awarded in compliance with City Code Chapter 2-9D (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this contract. )
50. Authorize award and execution of a 12-month requirements supply contract with COMM GEAR SUPPLY, or the following qualified bidder, consistent with local preference law, GT DISTRIBUTORS, INC, for the purchase of tactical ear gadgets, portable radio microphones and accessories in an

amount not to exceed \$60,000, with three 12-month extension options in an amount not to exceed \$60,000 per extension option, for a total contract amount not to exceed \$240,000.

( Notes: This contract will be awarded in compliance with City Code Chapter 2-9D (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this contract. )

51. Authorize award, negotiation, and execution of a 36-month supply contract with INDUSTRIAL ASPHALT, INC., for hot mix cold-laid asphaltic concrete (“hot mix”) for use by the Watershed Protection Department and the Parks and Recreation Department in an amount not to exceed \$372,600, with three 12-month extension options in an amount not to exceed \$124,200 per extension option, for a total contract amount not to exceed \$745,200.  
( Notes: This contract will be awarded in compliance with City Code Chapter 2-9D (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation. )
52. Authorize award and execution of a 36-month supply contract with LAUREN CONCRETE, LP, for ready mix concrete in an amount not to exceed \$1,146,735, with three 12-month extension options in an amount not to exceed \$382,245 per extension option, for a total contract amount not to exceed \$2,293,470.  
( Notes: This contract will be awarded in compliance with City Code Chapter 2-9D (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation. )
53. Authorize award and execution of a 36-month requirements supply agreement with LIFE TECHNOLOGIES CORPORATION, to provide DNA analysis, consumable supplies in an estimated amount not to exceed \$132,179, with three 12-month extension options in an amount not to exceed \$46,226 for the first extension period, \$48,537 for the second option period and \$50,964 for final option period, for a total contract amount not to exceed \$285,192.  
( Notes: This contract will be awarded in compliance with City Code Chapter 2-9C (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation. )
54. Authorize award, negotiation and execution of a six-month requirements service contract with AERO-METRIC, INC., or with another qualified respondent to RFP DRK0101, to provide planimetric and impervious cover data using City of Austin aerial imagery and LiDAR data in an amount not to exceed \$255,660. Related to Item #55.  
( Notes: This contract will be awarded in compliance with City Code Chapter 2-9C (Minority-Owned and Women-Owned Business Enterprise

Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this contract. )

55. Authorize award, negotiation and execution of a six-month requirements service contract with FUGRO EARTHDATA, INC. or with another qualified respondent to RFP DRK0103, to provide independent third party Quality Assurance/Quality Control (QA/QC) review for planimetric and impervious cover data in an amount not to exceed \$293,758. Related to Item #54.

( Notes: This contract will be awarded in compliance with City Code Chapter 2-9C (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation. )

56. Authorize award and execution of a 15-month contract through the Texas Multiple Award Schedule cooperative purchasing program with ALPHA DATA CORPORATION, for conversion of the magnetic materials handling and security systems to radio-frequency identification systems at three Austin Libraries, Spicewood Springs Branch, Milwood Branch, and Hampton Branch at Oak Hill, in an amount not to exceed \$181,693. Related to Item #34.

( Notes: This contract will be awarded in compliance with City Code Chapter 2-9D (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation. )

57. Authorize award and execution of a 36-month requirements supply contract with PINNACLE PEAK HOLDING CORPORATION, dba SETCOM CORPORATION, for the purchase of Setcom headset parts and accessories in an amount not to exceed \$180,000, with three 12-month extension options in an amount not to exceed \$60,000 per extension option, for a total contract amount not to exceed \$360,000.

( Notes: This contract will be awarded in compliance with City Code Chapter 2-9D (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this contract. )

58. Authorize award and execution of a contract through the Texas Local Government Purchasing Cooperative with POLARIS SALES, INC. for the purchase of eleven light-duty all-terrain vehicles in an amount not to exceed \$184,338.

( Notes: This contract will be awarded in compliance with City Code Chapter 2-9D (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this contract. )

59. Authorize award, negotiation, and execution of a contract with TSE INTERNATIONAL, INC., for a trailer-mounted underground cable puller

for Austin Energy, in an amount not to exceed \$150,000.  
( Notes: This contract will be awarded in compliance with City Code Chapter 2-9D (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation. )

60. Authorize award and execution of a contract through the Texas Local Government Purchasing Cooperative (BuyBoard) with RUSH TRUCK CENTERS, LP DBA RUSH BUS CENTERS for the purchase of one bus in an amount not to exceed \$81,525.  
( Notes: This contract will be awarded in compliance with City Code Chapter 2-9D (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this contract. )
61. Authorize negotiation, award, and execution of a contract with INTEGRYS TRANSPORTATION FUELS, LLC dba TRILLIUM CNG, for the purchase and installation of 28 additional time-fill fuel dispensers for the Compressed Natural Gas station in an amount not to exceed \$250,000.  
( Notes: This contract will be awarded in compliance with City Code Chapter 2-9A (Minority-Owned and Women-Owned Business Enterprise Procurement Program). SMBR will assist the vendor in identifying subcontracting opportunities. )
62. Authorize award and execution of a 12-month contract through an Interlocal Agreement with TIBH Industries, Inc. for vegetation control in creeks and stormwater control structures, hauling of excessive debris and waste materials from specified job site locations to an acceptable landfill, and for limited herbicide application, in an amount not to exceed \$1,744,000.  
( Notes: This Interlocal is exempt from the MBE/WBE Ordinance. This exemption is in compliance with City Code Chapter 2-9C (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this contract. )

### **Transportation**

63. Approve an ordinance amending City Code Section 12-4-64 (D) to establish a maximum speed limit of 30 miles per hour on a segment of South Congress Avenue from Cesar Chavez Street to Live Oak Street and to establish a maximum speed limit of 35 mph on a segment of South Congress Avenue from Live Oak Street to Oltorf Street.
64. Authorize negotiation and execution of Amendment No. 3 to the interlocal agreement with the Capital Metropolitan Transportation Authority to continue the Regional Transit System Plan known as "Project Connect", extend the agreement duration, and increase the interlocal agreement in the amount of \$350,000, for a total contract amount not to exceed \$1,100,000.

65. Approve a resolution supporting the Project Connect High-Capacity Transit System Plan, a high-capacity transit system that will connect population centers across Texas.
66. Approve an ordinance amending City Code Section 12-4-64 (D) to establish a maximum speed limit of 40 miles per hour on a portion of Brodie Lane.

#### **Watershed Protection Department**

67. Authorize a cost recovery payment to CRV Shoreline TRS, Inc. for a wet pond improvement located at 2201 Lakeshore Blvd. associated with Site Plan 2007-0697D in the amount of \$231,972.68 under City Code Section 25-8-215.

#### **Item(s) from Council**

68. Approve appointments and certain related waivers to citizen boards and commissions, to Council subcommittees and other intergovernmental bodies and removal and replacement of members.
69. Approve a resolution relating to the compensation and benefits of the City Clerk.  
( Notes: SPONSOR: Mayor Lee Leffingwell CO 1: Mayor Pro Tem Sheryl Cole )
70. Approve an ordinance relating to the compensation and benefits for the Municipal Court Clerk.  
( Notes: SPONSOR: Mayor Lee Leffingwell CO 1: Mayor Pro Tem Sheryl Cole )
71. Approve a resolution relating to the compensation and benefits of the City Manager.  
( Notes: SPONSOR: Mayor Lee Leffingwell CO 1: Mayor Pro Tem Sheryl Cole )
72. Approve a resolution relating to the compensation and benefits of the City Auditor.  
( Notes: SPONSOR: Mayor Lee Leffingwell CO 1: Mayor Pro Tem Sheryl Cole )
73. Approve a resolution endorsing the expansion of the African America Men and Boys Harvest Foundation Programs and to increase the city financial contribution.  
( Notes: SPONSOR: Mayor Pro Tem Sheryl Cole CO 1: Council Member Laura Morrison )
74. Approve a resolution directing the City Manager with respect to the City's

response to the Texas voter identification law that created a new requirement for voters to show photo identification when voting in person, including appropriate legal actions on behalf of Austin's citizens.

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

75. Approve a resolution directing the City Manager to explore funding to update the 2004 plans for streetscape improvements to Guadalupe Street between 21st Street and 24th Street, explore the possibility of extending the improvements to Martin Luther King Jr. Blvd, identify potential funding sources for the improvements, and prepare a timeline for construction of the improvements.

( Notes: SPONSOR: Council Member Chris Riley CO 1: Council Member Mike Martinez )

76. Approve a resolution directing the City Manager to work with stakeholders to identify potential site locations within the Austin Parks system for a monument to be donated to the City of Austin by House the Homeless, and to report recommendations to Council.

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

77. Approve a resolution supporting the regional Vision adopted by the CAMPO Transit Working Group for high capacity transit and directing the city manager to develop interlocal agreements and ordinances in support of the LSTAR Project (LONESTAR RAIL), and to create a restricted fund to be available to Lone Star Rail District in the event it becomes operational.

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

78. Approve a resolution initiating amendments to the City Code in response to recommendations of the Lake Austin Task Force and directing the City Manager to process code amendments relating to shoreline and dock development and to the registration and identification of docks and; directing the City Manager to prepare an ordinance related to wake zones, evaluate implementation of certain fees and implement enforcement of water quality protections designed to ensure environmental and related health, safety, welfare, sustainability, and coordinated lake management relevant to Lake Austin.

( Notes: SPONSOR: Council Member Laura Morrison CO 1: Council Member Kathie Tovo CO 2: Council Member Chris Riley )

79. Approve an ordinance establishing a temporary program to extend certain site plans expired prior to the repeal of project duration; and waiving certain provisions of City Code Chapters 25-1 and 25-5.

( Notes: SPONSOR: Council Member William Spelman CO 1: Mayor Lee Leffingwell )

80. Approve a resolution directing the City Manager to determine the approximate cost of an Ann and Roy Butler Trail Public Art Master Plan, work with The Trail Foundation to clarify their cost participation in the project, and to include the plan as an unmet service need for consideration during the Fiscal Year 2013-14 budget hearings to take place on September 9 through 12, 2013.  
( Notes: SPONSOR: Mayor Pro Tem Sheryl Cole CO 1: Mayor Lee Leffingwell )

### **Item(s) to Set Public Hearing(s)**

81. Set a public hearing to consider an ordinance regarding: (a) repealing and replacing City Code Chapters 25-7 and 30-4 relating to drainage; (b) amending sections of City Code Chapters 25-8, Subchapter A and 30-5 relating to water quality; (c) amending sections of City Code Titles 25 and 30 relating to environmental protection; and (d) establishing water supply and riparian zone mitigation funds. This ordinance will amend Chapter 25-8, Subchapter A, Article 12 (Save Our Springs Initiative). (Suggested date and time: October 3, 2013, 4:00 p.m. at Austin City Hall, 301 West Second Street, Austin, TX.)
82. Set a public hearing to receive public comment regarding the update of the City of Austin Water and Wastewater Impact Fee Land Use Assumptions and Capital Improvement Plan. (Suggested date and time: October 17, 2013, 4:00 p.m. at Austin City Hall, Council Chambers, 301 W. Second Street, Austin, TX).
83. Set a public hearing to consider the permanent use and temporary working space use for the construction, use, maintenance, repair, and replacement of a wastewater line for the Austin Water Utility Wastewater Line Relay and Spot Repair Services, 2506 Hartford Road to 2614 Jefferson Street Project, through, over and across dedicated parkland known as Hartford Strip in accordance with Chapter 26 of the Texas Parks and Wildlife Code. (Suggested date and time, September 26, 2013, 4:00 p.m. at Austin City Hall, 301 W. Second Street, Austin, TX).

### **Non-Consent**

#### **Morning Briefings**

84. Mayor's Task Force on Seniors Briefing.
85. Staff presentation summarizing urban rail return on investment scenarios developed with a next generation analytic tool.

#### **Executive Session**

86. Discuss legal issues related to Open Government matters (Private



consultation with legal counsel- Section 551.071 of the Government Code).

87. Discuss legal issues related to the transition to electing the council from single-member districts (Private consultation with legal counsel -Section 551.071 of the Government Code).
88. Discuss legal issues related to SOAH Docket No. 582-09-1617 TCEQ Docket No. 2008-1858-MWD, Application of Jeremiah Venture, LP for a new TLAP permit No. WQ0014785001 (Private consultation with legal counsel - Section 551.071 of the Government Code). Related to Item #33.
89. Discuss legal issues related to the July 26, 2013 officer-involved shooting (Private consultation with legal counsel-Section 551.071 of the Government Code).

### **Discussion and Possible Action on Bond Sales**

90. Approve an ordinance authorizing the issuance of City of Austin Certificates of Obligation, Series 2013 in an amount not to exceed \$25,355,000, authorizing all related documents, and approving related fees. These funds will be used for environmental remediation projects and the Waller Creek Tunnel Project.
91. Approve an ordinance authorizing the issuance of City of Austin, Public Property Finance Contractual Obligations, Series 2013 in an amount not to exceed \$51,240,000, authorizing related documents, and approving related fees. Contractual obligations will be used to finance the purchase of equipment for Austin Resource Recovery, Austin Transportation, Communications & Technology Management, Financial Services Department, Fire, Fleet, Police, Public Works, and Austin Water Utility. The financing of this equipment is consistent with the Financial Policies for non-voter approved debt as noted in Attachment A which is back-up to this request for Council action.
92. Approve an ordinance authorizing the issuance of City of Austin, Public Improvement Refunding Bonds, Taxable Series 2013B, in an amount not to exceed \$95,000,000 in accordance with the parameters set out in the ordinance, approving all related documents, and approving related fees. These funds will be used to refund certain previously-issued Public Improvement Refunding Bonds. Refunding these obligations is intended to result in present value savings exceeding the City's target guideline of 4.25%.
93. Approve an ordinance authorizing the issuance of City of Austin, Public Improvement Refunding Bonds, Series 2013A, in an amount not to exceed \$107,225,000 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 certain previously-issued Certificates of Obligation as well as Public Improvement and Refunding Bonds. Refunding these obligations is intended

to result in present value savings exceeding the City's target guideline of 4.25%.

94. Approve an ordinance authorizing the issuance of City of Austin, Public Improvement Bonds, Series 2013, in an amount not to exceed \$113,250,000, and approving all related documents, and related fees. These bonds are being issued to provide funding relating to reimbursement resolutions previously approved by Council for 2006, 2010, and 2012 bond election projects. The funds will be used as described in the council-approved bond sale schedule for drainage master plan projects, health and human services facilities, library facilities, open space, parks and recreation projects, public safety facilities, and transportation and mobility infrastructure.

#### **Zoning Ordinances / Restrictive Covenants (HEARINGS CLOSED)**

95. C14-2013-0045 - Huber Family Tract - Approve second/third readings of an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 4200 Rivercrest Drive (Lake Austin Watershed) from Lake Austin residence (LA) district zoning to single family residence-standard lot-conditional overlay (SF-2-CO) combining district zoning. First reading approved on June 27, 2013. Vote 5-1, Council Member Morrison voted nay. Council Member Spelman was off the dais. Applicant: Brian Huber. Agent: Land Answers (Jim Wittliff). City Staff: Clark Patterson, 512-974-7691.

#### **Zoning and Neighborhood Plan Amendments (Public Hearings and Possible Action)**

96. NPA-2011-0002.01 - Jaylee, Ltd. (1601 and 1645 East 6th Street) - Conduct a public hearing and approve an ordinance amending Ordinance No. 19990513-70 the East Cesar Chavez Neighborhood Plan, an element of the Imagine Austin Comprehensive Plan, to change the land use designation on the future land use map (FLUM) on property locally known as 1601 and 1645 East 6th Street (Town Lake Watershed) from Specific Regulating District to Specific Regulating District land use. Staff Recommendation: Pending. Planning Commission Recommendation: To be reviewed on August 27, 2013. Owner: Jaylee, Ltd (Jim Arnold). Agent: Winstead PC (Amanda Swor). City Staff: Maureen Meredith, 974-2695.
97. C14-2011-0091 - Jaylee, Ltd. - Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 1601 and 1645 East 6th Street (Lady Bird Lake Watershed) from transit oriented district-neighborhood plan (TOD-NP) combining district zoning to transit oriented district-neighborhood plan-central urban redevelopment (TOD-NP-CURE) combining district zoning. Staff Recommendation: To grant transit oriented district-neighborhood plan-central urban redevelopment (TOD-NP-CURE) combining district zoning. Planning Commission Recommendation: To be reviewed on August 27, 2013. Owner: Jaylee, Ltd. (Jim Arnold). Agent: Winstead PC (Amanda Swor).

City Staff: Heather Chaffin, 512-974-2122.

98. C14R-85-149.100(RCA) - Scofield Farms Phase 3 Section 2 - Conduct a public hearing and approve a restrictive covenant amendment for property locally known as 13103 Wingate Way (Walnut Creek Watershed) to amend a restrictive covenant approved with the North Lamar Area Study. Staff Recommendation: To grant the Restrictive Covenant Amendment. Zoning and Platting Commission Recommendation: To grant the restrictive covenant amendment.. Owner/Applicant: James E. McCarn. Agent: Coats Rose Yale Ryman & Lee, PC (John M. Joseph). City Staff: Sherri Sirwaitis, 512-974-3057.
99. C14-2013-0050 - Donaldson - Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 13033 FM 2769 Road (Lake Travis Watershed) from development reserve (DR) district zoning to neighborhood commercial-conditional overlay (LR-CO) combining district zoning. Staff Recommendation: To grant neighborhood commercial-conditional overlay (LR-CO) combining district zoning. Zoning and Platting Commission Recommendation: To grant neighborhood commercial-conditional overlay (LR-CO) combining district zoning. Owner/Applicant: Brand and Debra Donaldson. Agent: Livin Austin Realty (Babs Yarbrough). City Staff: Sherri Sirwaitis, 512-974-3057.
100. C14-2013-0064 – Limerick Center – Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 12412 Limerick Avenue (Walnut Creek Watershed) from neighborhood office (NO) district zoning to general office (GO) district zoning. Staff Recommendation: To grant limited office-mixed use-conditional overlay (LO-MU-CO) combining district zoning. Zoning and Platting Commission Recommendation: To be reviewed on September 3, 2013. Owner/Applicant: First Network Realty (Son Thai). City Staff: Sherri Sirwaitis, 512-974-3057.
101. C14-2013-0074 – Ozone Technology Inc. – Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 2610 ½ South Lakeline Boulevard (Buttercup Creek Watershed) from townhouse and condominium residence (SF-6) district zoning to community commercial (GR) district zoning. Staff Recommendation: To grant neighborhood commercial (LR) district zoning. Zoning and Platting Commission Recommendation: To grant neighborhood commercial (LR) district zoning. Owner/Applicant: Thomas J. Wolf, Jr. Agent: Pohl Partners (Jennie Braasch). City Staff: Sherri Sirwaitis, 512-974-3057.
102. C14-2013-0076 – Rogers Juice Bar – Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 5210 Rogers Lane (Walnut Creek Watershed) from single family residence-standard lot (SF-2) district zoning to neighborhood commercial

(LR) district zoning. Staff Recommendation: To grant neighborhood commercial-mixed use-conditional overlay (LR-MU-CO) combining district zoning. Zoning and Platting Commission Recommendation: To grant neighborhood commercial-mixed use-conditional overlay (LR-MU-CO) combining district zoning. Owner/Applicant: Auspicious Investments, LLC (Jason Jagoda). City Staff: Heather Chaffin, 512-974-2122.

103. C14-2013-0077.SH – Garden Terrace Phase 3 – Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 1015 West William Cannon Drive (South Boggy Creek Watershed; Williamson Creek Watershed) from multi-family residence-low density-conditional overlay (MF-2-CO) combining district zoning to multi-family residence-low density-conditional overlay (MF-2-CO) combining district zoning, to change a condition of zoning. Staff Recommendation: To grant multi-family residence-low density-conditional overlay (MF-2-CO) combining district zoning, to change a condition of zoning. Zoning and Platting Commission Recommendation: To grant multi-family residence-low density-conditional overlay (MF-2-CO) combining district zoning, to change a condition of zoning. Owner/Applicant: Garden Terrace Housing Corporation (Vicki McDonald). Agent: Austin Community Design and Development Center (Michael Gatto). City Staff: Wendy Rhoades, 512-974-7719.
104. C14-2013-0079 – Summit Oaks Lot C Block B Resubdivision – Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 11720 Bell Avenue (Walnut Creek Watershed) from single family residence-standard lot (SF-2) district zoning to family residence (SF-3) district zoning. Staff Recommendation: To grant family residence (SF-3) district zoning. Zoning and Platting Commission Recommendation: To grant family residence (SF-3) district zoning. Owner/Applicant: Amouzandeh Family Trust. Agent: I.T. Gonzalez Engineers (Bill Graham). City Staff: Sherri Sirwaitis, 512-974-3057.

### **Public Hearings and Possible Actions**

105. Conduct a public hearing and consider an ordinance amending various sections of City Code Title 25 to clarify regulations related to bicycle and motor vehicle parking requirements, calculations and reductions.
106. Conduct a public hearing and consider an ordinance amending City Code Chapter 25-11 to change the deadline for holding a public hearing on an application for demolition, relocation, or a building permit.
107. Conduct a public hearing and consider an ordinance amending previously granted floodplain variances for the remodeling of an existing single-family residence at 4518 Avenue D (Ordinance No. 20130627-107) to add floodplain variances for construction of an addition to the existing structure as requested by the owner. The property is partially in the 25-year and 100-

year floodplains of Waller Creek.

108. Conduct a public hearing to receive public comment on the City of Austin Fiscal Year 2013-2014 Proposed Budget.
109. Conduct a public hearing and consider an ordinance amending City Code Chapters 25-1 and 25-5 relating to vested development rights under Chapter 245 and Section 43.002 of the Texas Local Government Code.
110. Conduct a public hearing and consider an ordinance amending City Code Chapter 25-1 to change the requirements for neighborhood plan amendment procedures.
111. Conduct a public hearing on the proposed property (ad valorem) tax rate for Fiscal Year 2013-2014.

## Adjourn



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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.