

CHANGES AND CORRECTIONS

Thursday, June 24, 2004

5. Approve negotiation and execution of a cost reimbursement agreement with Catellus Austin, LLC, ~~Delaware, MD, a Delaware limited liability company~~, for underground utility piping at the Mueller redevelopment site,...
9. Approve an ordinance authorizing the City Manager to negotiate and execute an Economic Development Agreement **with Home Depot, Inc., under Chapter 380 of the Local Government Code**, and creating an economic development program for a proposed Home Depot Data Center to be located at 1300 Park Center Drive, Austin, Texas; providing for economic incentives for a period of 10 years, consisting of rebate of 100% of ~~city~~ personal property tax on business equipment, and rebate of real property tax on the increase in value after purchase of the facility and ~~offering Austin Energy funding for certain electrical equipment~~; **providing power quality and reliability enhancements by Austin Energy.** (Estimated **total value** of incentives over a 10 year period is \$7,187,535.) ~~(Related Item 67)~~
21. Authorize execution of the West Howard Lane Interlocal Cooperation Agreement between City of Austin and Travis County to pay for relocating Austin Water Utility water and wastewater lines for Scofield Ridge Parkway Improvements in an amount not to exceed ~~\$608,259.25~~ **\$695,000**. (Funding in the amount of \$485,702.50 is available in the Fiscal Year 2003-2004 Capital Budget and \$209,297.50 is available in the Fiscal Year 1995-1996 Capital Budget of the Austin Water Utility.) (Recommended by the Water and Wastewater Commission.)
30. Authorize negotiation and execution of a 12-month service agreement with RJW OPERATIONS, INC., dba GROUP SOLUTIONS RJW, (WBE/FB-87.1%), Austin, TX, for public information and community services for the Austin Water Utility in an amount not to exceed \$104,680, **(Postponed Indefinitely)**
53. Approve a resolution to begin the process of review for possible amendment of Chapter 2-7 of the City Code to address issues and process relating to ethics and conflicts of interest of board and commission members. (Mayor Pro Tem Jackie Goodman **and Council Member Raul Alvarez**)
71. Approve an ordinance authorizing the waiver of the signature and security deposit requirements contained in Chapter 14-8 of the City Code, **and waive permit fees** in connection with the AMLI 2nd Street Downtown Criterium to be held on July 3, 2004. (Council Member Brewster McCracken **and Mayor Will Wynn**)
59. Discuss legal issues relating to Collective Bargaining negotiations with the Austin Association of Professional Fire Fighters **and the legal services agreement with Denton, Navarro, Rocha & Bernal, P.C.**
60. Discuss legal issues related to the proposed Economic Development Agreement with Samsung Austin Semiconductor, ~~L.P. L.L.C.~~ (Related Item 8)

Items with late backup:

2	47
8	66
13	67
30	71
31	Z-3
46	Z-17

TIME CERTAIN ITEMS
Thursday, June 24, 2004

- 9:55 A.M.** Invocation
- 10:00 A.M.** City Council Convenes
- 12:00 P.M.** CITIZEN COMMUNICATIONS: GENERAL
Pat Johnson to be added as Speaker #10
- 2:00 PM** BRIEFINGS (Item 64)
- 3:00 P.M.** BOARD OF DIRECTORS MEETING OF AUSTIN HOUSING FINANCE CORPORATION. The Mayor will recess the City Council meeting. A Board meeting of Austin Housing Finance Corporation (AHFC) will be conducted. Following adjournment of the AHFC Board meeting the City Council will reconvene. (Items AHFC 1-3)
- 4:00 P.M.** ZONING HEARINGS AND APPROVAL OF ORDINANCES AND RESTRICTIVE COVENANTS (Items 65-66 and Z-1 – Z-20)
(Staff will be requesting postponement of the following:
Z-1 & Z-2 – Related Items – North Loop NP Amendment – to July 29, 2004
Z-11 – Splitrock – Historic zoning
Z-20 – Brodie 31 – on behalf of applicant to July 29, 2004)
- 5:30 P.M.** LIVE MUSIC AND PROCLAMATIONS
- 6:00 P.M.** PUBLIC HEARINGS AND POSSIBLE ACTION (Items 67-70)
Staff will be requesting a postponement on behalf of the applicant on Item 70, site plan appeal for Melton West.

ITEMS PULLED FOR DISCUSSION

Thursday, June 24, 2004

2.

Approve an ordinance waiving certain development application, review, and permit fees and certain dual feed service fees and authorizing the reimbursement of certain development application, review, and permit fees for the proposed expansion of facilities located at 12100 Samsung Blvd., by Samsung Austin Semiconductor, L.P., in an amount not to exceed \$1,604,000. (Related Items 8, 60) **(Pulled due to related Executive Session Item 60)**

8.

Approve an ordinance authorizing the negotiation and execution of a performance based Economic Development Agreement with Samsung Austin Semiconductor, L.P. under Chapter 380 of the Local Government Code, and creating an economic development program that facilitates the proposed expansion of its facilities located at 12100 Samsung Blvd., Austin, Texas 78754, which includes spending by Austin Energy of \$3,000,000 (including the \$1,504,000 in dual feed service fee waivers) with an additional 10% construction contingency to provide energy infrastructure improvements on the City's side of the electric meter and payment of \$1,000,000 to Samsung to be used solely for the purpose of construction, engineering and installation of energy infrastructure improvements on Samsung's side of the electric meter, for a total amount not to exceed \$4,300,000. (Funding in the amount of \$3,300,000 is available in the 2003-2004 Approved Capital Budget of the Electric Utility Department and \$1,000,000 is available in the 2003-2004 Amended Operating Budget of Austin Energy.) (Related Items 2, 60) **(Pulled due to related Executive Session Item 60)**

11.

Authorize negotiation and execution of an amendment to the outside counsel contract with DENTON, NAVARRO, ROCHA & BERNAL, P.C., San Antonio, TX, for representing the City as chief negotiator and legal co-counsel in matters relating to labor negotiations for a Collective Bargaining contract with the Austin Professional Fire Fighters Association in the amount of \$44,000, with a total contract amount not to exceed \$144,000. (Funding is available in the Fiscal Year 2003-2004 Approved Operating Budget of the Austin Fire Department. There is no unanticipated fiscal impact. A fiscal note is not required.) (Related Item 59) **(Pulled due to related Executive Session Item 59)**

12. Authorize negotiation and execution of an outside counsel contract with COLE & POWELL, P.C., Austin, TX, to provide legal counsel to the City defendants in *Velma Pickens, et. al. v. City of Austin et. al.*, in an amount not to exceed \$100,000. (Funding is available in the Fiscal Year 2003-2004 Approved Operating Budget of the Liability Reserve Fund.) (Related Item 62) **(Pulled due to related Executive Session Item 62)**

24. Ratify the execution of a construction contract with SHAW ENVIRONMENTAL, INC., Findlay, OH, for hazardous excavation at the North Service Center project located at 10414 McKalla Place in response to the explosion that occurred at the construction project site November 3, 2003, in the amount of \$1,573,985 plus a \$236,000 contingency, for a total contract amount not to exceed \$1,809,985. (Funding in the amount of \$1,809,985 is available in the Fiscal Year 2002-2003 Capital Budget of the Austin Water Utility.) Health or Safety Purchase Exemption. 1.6% MBE and 0% WBE subcontractor participation. **(Mayor Will Wynn)**