AGENDA









Thursday, April 20, 2006

The Austin City Council will convene at 10:00 AM on Thursday, April 20, 2006, in Austin City Hall, 301 W. Second Street, Austin, TX 78701.



J6 APR 14 PH 5:22

Mayor Will Wynn
Mayor Pro Tem Danny Thomas
Council Member Lee Leffingwell, Place 1
Council Member Raul Alvarez, Place 2
Council Member Jennifer Kim, Place 3
Council Member Betty Dunkerley, Place 4
Council Member Brewster McCracken, Place 5

Austin City Council Agenda

The City Council Of The City Of Austin, Texas Will Convene At 10:00 AM On Thursday, April 20, 2006, In Austin City Hall, 301 W. 2nd St. Austin, TX 78701.

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

Pastor Harold E. Hendricks, Grace Fellowship Community Church.

Meeting Minutes

1. Approval of the minutes from the meeting of April 6, 2006, the special called meetings from April 3 and April 7, 2006 and amendment to the minutes from the meeting of February 16, 2006.

Austin Water Utility

- 2. Authorize the City Manager to negotiate and execute an agreement between Northtown Municipal Utility District ("Northtown"), Dessau Park Community Water System ("Dessau"), and the City of Austin ("City") for the City's provision of retail water and wastewater service to Dessau. Northtown and Dessau will be responsible for the necessary infrastructure improvements. No City funding is required for this agreement. Recommended by Water and Wastewater Commission
- 3. Approve a time extension to the existing professional service agreements with the following four firms: LOCKWOOD, ANDREWS and NEWNAM, INC., Austin, TX; HNTB CORPORATION, Austin, TX; METCALF and EDDY, INC., Austin, TX; and PBS and J, Austin, TX to provide professional engineering services for water system improvements to meet minimum standards, for an additional three years, or until financial authorization is expended whichever occurs sooner. Additional funding authorization is not required. Funding for remaining projects is available in the Capital Budget for the Water and Wastewater Utility. Participation goals stated in the original rotation list solicitation were 8.6% MBE and 18.2% WBE. The scope of services for rotation contracts varies with each project and is not known until projects are assigned. Recommended by Water and Wastewater Commission
- 4. Authorize the City Manager to negotiate and execute amendments to agreements with Travis County Water Control and Improvement District No. 17 (WCID No. 17) for the provision of wholesale wastewater service to the Comanche Canyon Planned Unit Development, and with WCID No. 17, Taylor Woodrow Communities/Steiner Ranch Ltd., and Steiner Utility

Company, Inc., for the provision of wholesale wastewater service to the Steiner Ranch area. WCID No. 17 will be responsible for the necessary infrastructure improvements. No City funding is required for this agreement. Recommended by Water and Wastewater Commission.

City Clerk

5. Approve an ordinance amending Exhibits A, B, and C of Ordinance No. 20060302-002 calling the May 13, 2006 General Municipal Election to adopt changes to election day polling place locations, the list of election day precinct judges, and early voting places.

Economic Growth & Redevelopment Services

6. Approve a resolution nominating projects for funding through the Statewide Transportation Enhancement Program of the Texas Department of Transportation, and certifying the availability of matching funds for the proposed projects. Funding in the amount of \$1,869,635 is available in the Fiscal Year 2005-2006 approved Public Works Capital Budget for the match for Brazos and Colorado Great Streets Enhancements project. Funding in the amount of \$3,062,352 is available in the Fiscal Year 2005-2006 Economic Growth and Redevelopment Services Office Capital Budget for the match for Seaholm District Pedestrian and Bicycle Network. Brazos and Colorado Great Streets Recommended by Urban Transportation Commission on March 20, 2006, the Design Commission on March 27, 2006.

Financial and Administrative Services

7. Approve an ordinance authorizing waiver and reimbursement of certain fees and waiver of the requirements of Section 25-10-172(A) of the City Code to allow street banner advertising for the 2006 World Congress of Information Technology (WCIT) conference in May 2006. Funding will be provided by the City of Austin as an in-kind contribution. Placement of temporary banners in the downtown area approved by the Historic Landmark Commission.

Health and Human Services

- 8. Approve designation of ADOLFO VALADEZ, M.D., M.P.H., as Health Authority and designation of LINDA WILLIAMS DOOLEY, M.D. and EDWARD MACLEOD RACHT, M.D., each individually, as an Alternate Health Authority for Austin/Travis County Health and Human Services Department effective February 1, 2006. Funding was included in the Fiscal Year 2005-2006 Approved Operating Budget of the Health and Human Services Department.
- 9. Authorize negotiation and execution of three 12-month contracts to provide social services to Hurricane Katrina evacuees: CARITAS OF AUSTIN for the Long Term Recovery Project of the Best Single Source, to provide direct client assistance to support evacuees in achieving stabilization and self-sufficiency, in an amount not to exceed \$71,000; TEXAS INTERAGENCY/INTERFAITH DISASTER RESPONSE to support their operation as the coordinating agency of the Long Term Recovery Committee, providing support for resource coordination staff, and direct client assistance needs (such as medication and food), in an amount not to exceed \$60,000; and YOUTH AND FAMILY ALLIANCE (aka LifeWorks) to provide home-based mental health services, in an amount not to exceed \$50,000. Funding in the amount of \$181,000 is available in the Fiscal Year 2005-2006 Katrina Disaster Relief Special Revenue Fund. The contract period is May 1, 2006 through April 30,

2007.

- 10. Authorize execution of Amendment No. 4 to the 12-month contract with YOUTH AND FAMILY ALLIANCE (aka LifeWorks) Austin, TX, for an expansion of housing and homelessness services to provide additional supportive housing services to teen parents and their children, to increase the contract by \$62,111, for a total 12-month contract amount not to exceed \$182,785 with five 12-month renewal options remaining, in an amount not to exceed \$182,785, for a total contract amount not to exceed \$1,230,399. Funding in the amount of \$46,583 is available in the Fiscal Year 2005-2006 Approved Operating Budget of the Health and Human Services Department. The contract period is January 1, 2006 through December 31, 2006. Funding for the remaining three months of the contract and renewal options is contingent upon available funding in future budgets.
- 11. Approve execution of an 8-month Interlocal Cooperation Agreement between the CITY OF AUSTIN and AUSTIN TRAVIS COUNTY MENTAL HEALTH MENTAL RETARDATION CENTER, Austin, TX, for provision of mental health and mental retardation planning and prevention services in an amount not to exceed \$1,010,874 with three 12-month renewal options in an amount not to exceed \$1,516,311 per renewal option, for a total agreement amount not to exceed \$5,559,807. Funding in the amount of \$631,796 is included in the Fiscal Year 2005-2006 Approved Operating Budget for the Health and Human Services Department. Funding for the balance of the agreement and renewal options is contingent on available funding in future budgets. The initial agreement period is May 1, 2006 December 31, 2006.
- Approve execution of 12-month contracts under the Ryan White Title I HIV Emergency 12. Relief Grant for the delivery of HIV-related emergency care services with: AIDS SERVICES OF AUSTIN, INC. Austin, TX in an amount not to exceed \$753,523, with two 12-month renewal options in an amount not to exceed \$753,523 per renewal option for a total contract amount not to exceed \$2,260,569; AUSTIN-TRAVIS COUNTY MENTAL HEALTH MENTAL RETARDATION CENTER C.A.R.E. PROGRAM, Austin, TX in an amount not to exceed \$315,250 with two 12-month renewal options in an amount not to exceed \$315,250 per renewal option for a total contract amount not to exceed \$945,750; COMMUNITY ACTION, INC. OF HAYS, CALDWELL AND BLANCO COUNTIES, San Marcos, TX in an amount not to exceed \$46,197 with two 12-month renewal options in an amount not to exceed \$46,197 per renewal option for a total contract amount not to exceed \$138,591; PROJECT TRANSITIONS, INC. Austin, TX in an amount not to exceed \$36,586 with two 12-month renewal options in an amount not to exceed \$36,586 per renewal option for a total contract amount not to exceed \$109,758; and THE WRIGHT HOUSE WELLNESS CENTER Austin, TX in an amount not to exceed \$268,782 with two 12-month renewal options in an amount not to exceed \$268,782 per renewal option for a total contract amount not to exceed \$806,346. Funding in the amount of \$1,420,338 is included in the Fiscal Year 2005-2006 Approved Operating Budget of the Health and Human Services Department Special Revenue Fund Ryan White Title I HIV Emergency CARE. The grant period is March 1, 2006 through February 28, 2007. Funding for renewal options is contingent on available funding in future budgets. Austin Area Comprehensive HIV Planning Council approved allocation of funds for the purchase of these services.

Law

13. Approve negotiation and execution of an amendment to the outside counsel contract with Scott, Douglas, and McConnico, L.L.P., Austin, TX, for legal representation in connection

with City of Austin v. FPL Energy Upton Wind I, L.P., Cause No. GN403274 in the 345th Judicial District Court, Travis County, Texas, in an amount not to exceed \$130,000, for a total contract amount not to exceed \$985,000. Funding in the amount of \$130,000 is available in the fiscal Year 2005-2006 Approved Operating Budget of Austin Energy.

Library

14. Authorize execution of a construction contract with SOUTHWEST CORPORATION, Austin, TX, for the Manchaca Road Branch Library Improvement Project in the amount of \$555,256 plus a \$38,867.92 contingency, for a total contract amount not to exceed \$594,123.92. Funding in the amount of \$594,123.92 is available in the Fiscal Year 2003-2004 Approved Capital Budget of the Library Department. Lowest bid of three received, one of which was deemed non-responsive. 22.37% MBE and 1.21% WBE subcontractor participation.

Neighborhood Planning & Zoning

- 15. Approve second/third readings of an ordinance to annex the Winfield MUD No. 2 Area for the limited purposes of planning and zoning (approximately 575 acres in Travis County and Hays County and located approximately 1.5 miles east of South IH 35 and south of Turnersville Road). Funding necessary to provide general governmental services to this tract is available in the budgets of the departments which will be providing the services.
- **16.** Approve second/third readings of an ordinance adopting a regulatory plan for the Winfield MUD No. 2 Area which is being annexed for limited purposes.

Police

- 17. Approve a resolution authorizing the extension of line of duty injury leave at full pay for Austin Police Department Officer Steve Claiborne. Funding is included in the Fiscal Year 2005-2006 Operating Budget for the Police Department.
- 18. Approve a resolution authorizing the application and acceptance of grant funding from the State of Texas, Governor's Office, Criminal Justice Division, Violence Against Women Act, in the amount of \$80,000 for the renewal of the Austin Police Department project entitled Assistance to Female Victims of Domestic Violence. Funding in the amount of \$80,000 is available in grant funding from the State of Texas, Governor's Office, Criminal Justice Division, Violence Against Women Act, for the grant period September 1, 2006 August 31, 2007. A cash match of \$31,522 is required and will be met by continuing the existing salary funding and additional personnel expenses for grant funded FTEs to be proposed in the Fiscal Year 2006 2007 Operating Budget of the Austin Police Department Victim Services Program.
- 19. Approve a resolution authorizing the application and acceptance of grant funding from the State of Texas, Governor's Office, Criminal Justice Division, Safe and Drug Free Schools and Communities Act Fund, in the amount of \$10,625 for the Austin Faith Community Network to increase youth after-school activities and mentoring. Funding is available in the amount of \$10,625 from the State of Texas, Governor's Office, Criminal Justice Division, Safe and Drug Free Schools and Communities Act Fund, for the period of September 1, 2006 August 31, 2007. An cash match of \$31,875 is required and will be proposed in the Fiscal Year 2006 2007 Operating Budget of the Austin Police Department.
- 20. Approve a resolution authorizing the application and acceptance of grant funding from the

State of Texas, Governor's Office, Criminal Justice Division, in the amount of \$22,109 for one grant-funded Detective position for the Sex Offender Apprehension and Registration (SOAR) Unit. Funding is available in the amount of \$22,109 from the State of Texas, Governor's Office, Criminal Justice Division, for the grant period of September 1, 2006 - August 31, 2007. This is the fifth year of a five-year grant. A cash match of \$66,328 is required and will be proposed in the Fiscal Year 2006 - 2007 Operating Budget of the Austin Police Department.

Public Works

- 21. Authorize the negotiation and execution of a contract for the sale of two water line easements (1) 3,751 square feet and (2) 3,707 square feet for the Hamilton Pool Water Line and (1) 3,751 square feet and (2) 3,624 square feet temporary working space to the benefit of the Lower Colorado River Authority (LCRA) from a 928 acre tract known as Little Barton Creek purchased for the May 2, 1998 Bond Election, Proposition 2, Barton Springs Clean Drinking Water Project in the amount of \$1,265.
- 22. Approve an ordinance vacating that portion of the alley between University Avenue and Whitis Avenue and between Martin Luther King Boulevard (West) and 20th Street to the Board of Regents of the University of Texas System, to be incorporated into The University of Texas Executive Education and Conference Center development. Recommended by the Urban Transportation Commission and the Zoning and Platting Commission.
- 23. Approve a resolution authorizing the filing of eminent domain proceedings for the P2-Williamson Wastewater Improvements Project, a portion of the Austin Clean Water Program, to acquire a 1,201 square foot permanent wastewater line easement out of Lot 26, Block C, Woodland Oaks, a subdivision in Austin, Travis County, Texas, in the amount of \$652. The owners of the needed property interest are Jose S. Guerrero and Gabriel Guerrero both of Austin, Texas. The property is located at 5101 Acorn Cove, Austin, Travis County, Texas. Funding is included in the Fiscal Year 2005-2006 Capital Budget of the Austin Water Utility.
- 24. Approve a resolution authorizing the filing of eminent domain proceedings for the Walnut Creek Annexation Project to acquire a 1,498 square foot permanent wastewater line easement out of Lot 1, Walnut Bluff a subdivision in Travis County, in the amount of \$900. The owners of the needed property interest are Tony M. Guerrero and Norma S. Guerrero, of Austin, Texas. The property is located at 11514 June Drive, Austin, Texas. Funding is included in the Fiscal Year 2005-2006 Approved Capital Budget of the Austin Water Utility.
- 25. Approve a resolution authorizing the filing of eminent domain proceedings for the P2-Williamson Wastewater Improvements Project, a portion of the Austin Clean Water Program, to acquire a 584 square foot permanent wastewater line easement out of Lot 5, Block 1, Peppertree Park Section 2, a subdivision in Austin, Travis County, Texas, in the amount of \$369. The owner of the needed property interest is Gabriel Guerrero of Austin, Texas. The property is located at 5105 Spruce Cove, Austin, Travis County, Texas. Funding is included in the Fiscal Year 2005-2006 Capital Budget of the Austin Water Utility.
- 26. Authorize negotiation and execution of a professional services agreement with LEIGH FISHER ASSOCIATES, Austin, TX, for airport consulting services for the Austin-Bergstrom International Airport (ABIA) Master Plan Level 1 Phasing Plan in an amount not to exceed \$1,250,000. Funding is available in the Fiscal Year 2005-2006 Capital Budget of the Aviation Department. Best qualification statement of six statements received. 20.27% DBE

- subconsultant participation. Recommended by the Austin Airport Advisory Commission.
- 27. Authorize negotiation and execution of an amendment to the professional services agreement with THC, INC., Duluth, GA, for consultant services for the Austin-Bergstrom International Airport Noise Mitigation Program to authorize two one-year extension options, and to increase the total amount authorized to be expended under the agreement by an amount not to exceed \$2,850,000 for a total contract amount not to exceed \$8,100,000. Funding is available in the Fiscal Year 2005-2006 Amended Capital Budget of the Aviation Department using airport funds and available Federal Aviation Administration (FAA) Grant. The recommended firm provided a 26.7% DBE subconsultant participation plan. To date, the DBE participation is 27%. Recommended by the Austin Airport Advisory Commission.
- 28. Authorize execution of change order #7 to the construction contract with RODRIGUEZ BARR INC., DBA THE BARR COMPANY, AIA, Austin, TX, (MBE/FH 82%) for ADA Sidewalk, Ramp and Bikeway Improvements Group 2 in the amount of \$193,939.32, for a total contract amount not to exceed \$2,341,161. Funding in the amount of \$193,939.32 is available in the Fiscal Year 2005-2006 Amended Capital Budget of the Public Works Department. 5.55% MBE and 4.92% WBE subcontractor participation to date.
- 29. Authorize execution of a construction contract with SCHROEDER CONSTRUCTION COMPANY, LTD, Austin, TX, for the Davenport Water and Wastewater Improvements Project STAA #9A2 and #9B2 in the amount of \$761,857.40 plus a \$76,186.00 contingency, for a total contract amount not to exceed \$838,043.40. Funding in the amount of \$838,043.40 is included in the Fiscal Year 2005-2006 Capital Budget of the Austin Water Utility. Lowest bid of eight bids received. 18.08% MBE and 7.59% WBE subcontractor participation. Recommended by the Water and Wastewater Commission.
- 30. Authorize negotiation and execution of an amendment to the professional services agreement with TURNER, COLLIE AND BRADEN, INC., Austin, TX, for engineering services for the Davis Water Treatment Plant Process Improvement and Equipment Rehabilitation/Replacement Project in the amount of \$2,922,805 for a total contract amount not to exceed \$3,739,816. Funding in the amount of \$2,922,805 is included in the Fiscal Year 2005-2006 Capital Budget of the Austin Water Utility. 9.87 % MBE and 25.75 % WBE subcontractor participation to date. Recommended by the Water and Wastewater Commission.
- 31. Approve an ordinance, on first reading, repealing Ordinance No. 20050407-017 granting a taxicab franchise to Roy's Taxi, Inc. and amending Ordinance No. 20050609-019 granting a taxicab franchise to Greater Austin Transportation Company d/b/a Yellow Cab, and allowing the temporary use by Yellow Cab of the Roy's Taxi, Inc. name, vehicle numbering, and color scheme. The taxicab permit fee of \$400 per year per permit is a revenue source. Expected annual revenue is \$62,000. The Urban Transportation Commission recommends denial of the request.

Purchasing Office

32. Authorize execution of a 12-month agreement with FALCON CREST AVIATION, San Antonio, TX, for the purchase of passenger boarding bridge tires for the Aviation Department in an amount not to exceed \$47,355, with two 12-month extension options, in amount not to exceed \$47,355 per extension option, for a total agreement amount not to exceed \$142,065. Funding in the amount of \$19,731 is available in the Fiscal Year 2005-2006 Approved Operating budget of the Aviation Department Fund. Funding for the remaining

- seven months of the original contract period and extension options is contingent upon available funding in future budgets. Lowest bid of three bids received. This contract will be awarded in compliance with Chapter 2-9 of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation. Recommended by the Austin Airport Advisory Commission.
- 33. Authorize execution of a contract with AMERICAN ASSOCIATION OF AIRPORT EXECUTIVES, Alexandria, VA, for an interactive employee training system in an amount not exceed \$132,400. Funding is available in the Fiscal Year 2005-2006 Operating Budget of the Aviation Department. Sole Source. Recommended by the Austin Airport Advisory Commission
- 34. Authorize execution of a 12-month service agreement with UCG ASSOCIATES, INC., Chicago, IL, for airport financial consulting services in an amount not to exceed \$50,000 with two 12-month extension options, in an amount not exceed \$50,000 per extension option, for a total agreement amount not to exceed, \$150,000. Funding in the amount of \$20,833.33 is available in the Fiscal Year 2005-2006 Approved Operating Budget of the Aviation Department. Funding for the remaining seven months of the original contract period and extension options is contingent upon available funding in future budgets. Best evaluated proposal of five proposals received. This contract will be awarded in compliance with Chapter 2-9 of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation. Recommended by the Austin Airport Advisory Commission.
- 35. Authorize execution of four 12-month supply agreements with TECHLINE INC., Austin, TX, POWER SUPPLY INC., Austin, TX, KBS ELECTRICAL DISTRIBUTORS INC., Austin, TX, and PRIESTER SUPPLY CO., Austin, TX for underground electrical supplies in amounts not to exceed \$217,502, \$78,622, \$73,137.50 and \$60,876.43 respectively, with two 12-month extension options in amounts not to exceed \$217,502, \$78,622, \$73,137.50 and \$60,876.43 respectively per extension option, for total agreement amounts not to exceed \$652,506, \$235,866, \$219,412.50 and \$182,629.29 respectively. Funding in the amount of \$179,224.14 is available in the Fiscal Year 2005-2006 Approved Operating Budget of Austin Energy. Funding for the remaining seven months of the original contract period and extension options is contingent upon available funding in future budgets. Low bids/Low bids meeting specification of seven bids received. These contracts will be awarded in compliance with Chapter 2-9 of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program.) No subcontracting opportunities were identified; therefore, no goals were established for this solicitation.
- 36. Authorize execution of a 12-month supply agreement with POWER SUPPLY, Austin, TX, for distribution capacitor banks in an amount not to exceed \$262,340, with three 12-month extension options in an amount not to exceed \$262,340 per extension option, for a total contract amount not to exceed \$1,049,360. Funding in the amount of \$262,340 is available in the Fiscal Year 2005-2006 Approved Capital Budget of Austin Energy. Funding for the extension options is contingent upon available funding in future budgets. Low bidder meeting specifications. This contract will be awarded in accordance with Chapter 2-9 of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified, therefore, no goals were established for this solicitation.

- 37. Authorize execution of a 12-month service agreement with EMMERT INTERNATIONAL, Rhome, TX, for heavy equipment hauling services in an amount not to exceed \$367,450 with three 12-month extension options in an amount not to exceed \$367,450 per extension for a grand total amount not to exceed \$1,469,800. Funding in the amount of \$153,104.16 is available the Fiscal Year 2005-2006 Approved Operating Budget of Austin Energy. Funding for the remaining seven months of the original contract period and extension options is contingent upon available funding in future budgets. Sole bidder. This contract will be awarded in accordance with Chapter 2-9 of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program. No subcontracting opportunities were identified; therefore, no goals were established for this solicitation.
- 38. Authorize execution of three 12-month service agreements with NATIONAL POWER RODDING CORP., Chicago, IL, PEABODY GENERAL CONTRACTOR (WBE/FR-93.25%), Dripping Springs, TX, and CENTRAL TEXAS UTILITY SERVICES (WBE/FH-100%), Cedar Creek, TX, for wastewater line relays and spot repairs for the Austin Water Utility, in amounts not to exceed \$5,268,436.80, \$3,222,790 and \$581,800 respectively, with one 12-month extension option in amounts not to exceed \$5,268,436.80, \$3,222,790 and \$581,800 respectively, for total contract amounts not to exceed \$10,536,873.60, \$6,445,580 and \$1,163,600 respectively. Funding in the amount of \$9,073,026.80 is included in the Fiscal Year 2005-2006 Capital Budget of the Austin Water Utility. Funding for extension options is contingent upon available funding in future budgets. Lowest bids of five bids received. National Power Rodding Corp. MBE 41.48% WBE 5.67% Subcontracting Participation; Peabody General Contractors, Inc. MBE 6.75% WBE 0% Subcontracting Participation
- 39. Authorize execution of a 12-month service agreement with ANA LAB CORPORATION, Kilgore, TX, to provide pollutant analysis services for the Austin Water Utility, in an amount not to exceed \$75,750, with two 12-month extension options in an amount not to exceed \$75,750 per extension option, for a total agreement amount not to exceed \$227,250. Funding in the amount of \$31,563 is available in the Fiscal Year 2005-2006 Approved Operating Budget of the Austin Water Utility. Funding for the remaining seven months of the original contract period and extension options will be contingent upon available funding in future budget. Lowest responsive bid of five bids received. This contract will be awarded in compliance with Chapter 2-9 of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation.
- 40. Authorize execution of a 12-month service agreement with AUSTIN DISPOSAL INTEREST, LP, dba COMPLETE LIQUID SOLUTIONS., Austin, TX (WBE/FR), to provide emergency response for sludge and sewage pumping, hauling, and disposal service for the Austin Water Utility in an amount not to exceed \$400,000, with two 12-month extension options in an amount not to exceed \$400,000 per extension option, for a total contract amount not to exceed \$1,200,000. Funding in the amount of \$166,667 is available in the Fiscal Year 2005-2006 Approved Operating Budget of the Austin Water Utility. Funding for the remaining seven months of the original contract period and extension options is contingent upon available funding in future budgets. Lowest bid of three bids received. This contract will be awarded in compliance with Chapter 2-9 of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation.
- 41. Authorize the execution of a 12-month supply agreement with CARBONITE FILTER CORPORATION, Delano, PA, for the purchase of anthracite filter material for the Austin

Water Utility, in an amount not to exceed \$88,200 with two 12-month extension options in an amount not to exceed \$88,200 per extension option, for a total agreement amount not to exceed \$246,600. Funding in the amount of \$36,750 is available in the FY 2005-2006 Approved Operating Budget of the Austin Water Utility. Funding for the remaining seven months of the original contract period and extension options is contingent upon available funding in future budgets. Lowest bid of three bids received. This contract will be awarded in compliance with Chapter 2-9 of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation.

- 42. Authorize execution of a 12-month supply agreement with COMMUNITY TRUCKING, Austin, TX, for the purchase of river rock for the Austin Water Utility in an amount not to exceed \$61,469.10, with two 12-month extension options in an amount not to exceed \$61,459.10 per extension option, for a total agreement amount not to exceed \$184,407.30. Funding in the amount of \$25,612 available in the Fiscal Year 2005-2006 Approved Operating Budget of the Austin Water Utility. Funding for the remaining seven months of the initial contract period and extension options is contingent upon available funding in future budgets. Lowest bid of two bids received. This contract will be awarded in compliance with Chapter 2-9 of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation.
- 43. Authorize execution of a 12-month supply agreement with MILLER UNIFORMS and EMBLEMS, INC., Austin, TX, for the purchase of fire retardant uniform shirts and trousers in an amount not to exceed \$182,530, with two 12-month extension options in an amount not to exceed \$182,530 per extension option, for a total agreement amount not to exceed \$547,590. Funding in the amount of \$76,054 is included in the Fiscal Year 2005-2006 Approved Operating Budget of the Austin Fire Department. Funding for the remaining seven months of the original contract period and the extension options is contingent upon available funding in future budgets. Lowest bid meeting specification of three bids received. This contract will be awarded in compliance with Chapter 2-9 of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified, therefore, no goals were established for this solicitation.
- 44. Authorize execution of a 12-month supply agreement with TITLEIST and FOOTJOY WORLDWIDE, Fairhaven, MA, for the resale of Titleist and Footjoy Golf Supplies in an amount not to exceed \$150,000 with two 12-month extension options, in an amount not to exceed \$150,000 for a total agreement amount not to exceed \$450,000. Funding in the amount of \$75,000 is available in the Fiscal Year 2005-2006 Approved Operating Budget of the Parks and Recreation Department Golf Fund. Funding for the remaining six months of the original contract period and extension options is contingent upon available funding in future budgets. Products for Resale
- 45. Authorize execution of a 12-month supply/service agreement with AQUATIC COMMERCIAL SOLUTIONS, San Antonio, TX, for calcium hypochlorite and the maintenance and cleaning of chlorinating dispensers for swimming pools, in an amount not to exceed \$162,000, with two 12-month extension options, in an amount not to exceed \$162,000 per extension option, for a total agreement amount not to exceed \$486,000. Funding in the amount of \$67,500 is available in the Fiscal Year 2005-2006 Approved Operating Budget of the Parks and Recreation Department. Funding for the remaining seven months of the original period and extension options is contingent upon available funding in

- future budgets. Lowest bid of three bids received. This contract will be awarded in compliance with Chapter 2-9 of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation.
- 46. Approve ratification of the expenditure to date of \$850,000 for a coal transportation tariff agreement with BNSF RAILWAY COMPANY, Ft. Worth Texas (BNSF) as previously authorized as a Critical Business Need; and approve execution of subsequent one-month to thirty-six month coal transportation tariff agreements with BNSF RAILWAY COMPANY, Ft. Worth, TX, and UNION PACIFIC RAILROAD, Omaha, NE, for short-term rail transportation contracts, and with STATEWIDE MATERIAL TRANSPORT LTD, Manor, TX, FTS TRUCKING, Corpus Christi, Texas and SUNSET LOGISTICS, Fort Worth, Texas for short-term trucking contracts, for the transportation of coal supplies to the Fayette Power Project in a combined amount not to exceed \$12 million per fiscal year. Funding will be provided through the Electric Utility Fuel Charge revenue fund. Critical Business Need. This contract was awarded in compliance with Chapter 2-9 of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation.
- Authorize the negotiation and execution of Amendment No. 2 to the contract with CGI-AMS (formerly American Management Services) of Fairfax, VA for software modifications, additional licenses and services for the integrated MRO Maximo and Advantage Financial System in an amount not to exceed \$1,702,960 for a revised total contract amount not to exceed \$7,754,643. Funding in the amount of \$507,916 is available in the Fiscal Year 2005-2006 Approved Operating Budgets of Financial and Administrative Services, Austin Convention Center, Austin Water Utility, Watershed Protection and Development Review; \$1,195,044 is available in the Fiscal Year 2005-2006 Adopted Capital Budgets of Austin Energy, Aviation, Solid Waste Services, FASD Communications and Technology Management, and Public Works. This contract was awarded in compliance with Chapter 2-9 of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established.

Watershed Protection and Development Review

48. Approve an ordinance waiving the development regulations of Ordinance No. 20060309-058 to allow the construction of an addition to an existing single family residence at 605 Fairfield Lane.

Item(s) from Council

- 49. Approve appointments to citizen board and commissions, to Council subcommittees and other intergovernmental bodies and removal and replacement of members.
- 50. Approve an ordinance waiving the signature requirement under Chapter 14-8 of the City Code for the 2006 Texas Round-Up 10K to be held on April 29, 2006. (Council Member Brewster McCracken and Mayor Will Wynn)
- 51. Approve an ordinance waiving the signature requirement under Chapter 14-8 of the City Code for the America's Triathlon to be held on May 29, 2006. (Mayor Will Wynn and Council Member Brewster McCracken)

- 52. Approve an ordinance waiving the signature requirement under chapter 14-8 of teh City code and authorize use of Town Lake for water events associated with the Capital of Texas Triathlon to be held on May 29, 2006. (Mayor Will Wynn and Council Member Brewster McCracken)
- 53. Approve waiver of fees for the Austin Filipino Association's Bario Fiesta to be held on October 8, 2006. (Council Member Jennifer Kim, Mayor Will Wynn and Mayor Pro Tem Danny Thomas)
- 54. Approve waiver of fees for the Austin Earth Day Green Art Festival on April 22, 2006. (Council Member Raul Alvarez, Council Member Betty Dunkerley and Council Member Brewster McCracken)
- 55. Approve a resolution directing the City Manager to create a staff task force to recommend ways to improve childcare options during nights and weekends for City of Austin employees. (Council Member Jennifer Kim, Mayor Will Wynn and Council Member Betty Dunkerley)
- 56. Approve a resolution directing the City Manager to process an amendment to the Land Development Code to allow mobile food establishments in certain zoning districts. (Council Member Raul Alvarez, Council Member Betty Dunkerley and Council Member Lee Leffingwell)
- 57. Approve an ordinance amending Section 14-8-13 of the City Code relating to application deadlines for a street event held on Congress Avenue or East Sixth Street for 10 or more years. (Mayor Will Wynn, Council Member Raul Alvarez and Council Member Betty Dunkerley)

Item(s) to Set Public Hearing(s)

- 58. Set a public hearing to consider variance requests by Russell Jones to allow construction of a single-family residence at 806 East 30th Street in the 25-year and 100-year floodplains of Waller Creek and to waive the requirement to dedicate a drainage easement to the full limit of the 100-year floodplain for the footprint of the residence. (Suggested date and time: April 27, 2006 at 6:00 p.m., Austin City Hall Council Chambers, 301 West Second Street)
- 59. Set a public hearing on an appeal by Dale Bulla, Vice-President, 2222 Coalition of Neighborhood Associations, Inc. (2222 CONA), of the Zoning and Platting Commission's decision to approve an extension of a released site plan, under LDC 25-5-63 (C), Champion Commercial SPC-05-0012A, located at 6015 N. Capitol of Texas Highway. (Suggested date and time: April 27, 2006, at 6:00 p.m., Austin City Hall Council Chambers, 301 West Second Street.) November 1, 2005 Zoning and Platting Commission: Approval of Hill Country Roadway site plan 9-0 (3 year expiration November 1, 2008); January 17, 2006 Zoning and Platting Commission: Approval of Extended Phasing for an approved site plan 7-0 (Phase One 5 years, expiration date November 1, 2010. Phase Two 10 Years, expiration date November 1, 2015).

▼ 12:00 PM -- Citizen Communications: General

David Conteras - Austin Area Pastor's Council - Proposition 6.

Dr. Sterling Lands - Austin Area Pastor's Council - Proposition 6.

Frances Martinez - Palm Pool Upgrade

Gavino Fernandez, Jr. - Balanced Development.

Gloria Moreno - LULAC 4814 FUNDRAISER April 29, 2006.

John Goldstone - East 12th Street and VMU

Marcelo Tafoya - Keep Tejano Music Alive

Michael Lewis - Austin Area Pastor's Council - Proposition 6.

Pat Johnson - Current Issues - The Plaza at City Hall - UNBELIEVABLE

Paul Robbins - City Issues

Executive Session

- 60. Discuss legal issues in Josie Ellen Champion, et al. v. City of Austin, Cause No. GN-400513, in the Travis County District Court. (concerns a legal challenge to zoning ordinances governing tracts at FM 2222 and Loop 360) (Private Consultation with Attorney Section 551.071)
- 61. Discuss legal issues regarding City of Austin v. FPL Energy Upton Wind I, L.P., Cause No. GN403274; in the 345th Judicial District Court of Travis County, Texas and the outside counsel contract with Scott, Douglass and McConnico, L.L.P. (involves a contractual dispute over payment for wind power) (Private Consultation with Attorney Section 551.071) (Related to Action Item 65)
- **62**. Discuss legal issues regarding a settlement agreement with C.C. Carlton Industries regarding a construction contract for the Austin Clean Water Program Upper West Waller 45th and Speedway Wastewater Improvements Project.
- 63. Discuss legal issues related to Save Our Springs Alliance, Inc. v. City of Austin; Cause No. GN-06-000627; in the 200th Judicial District Court of Travis County, Texas. (concerns development by Advanced Micro Devices (AMD) and an alleged violation of the Save Our Springs ordinance and the Open Meetings Act) (Private Consultation with attorney 551.071)
- 64. Discuss acquisition and use of property for Austin Water Utility water treatment facilities. (Real Property Section 551.072)

Action on Executive Session

65. Authorize negotiation and execution of an amendment to an outside contract with Scott, Douglass & McConnico, L.L.P., for legal services related to City of Austin v. FPL Energy Upton Wind I, L.P., Cause No. GN403274; in the 345th Judicial District Court of Travis County, Texas, in an amount not to exceed \$130,000, for a total contract amount not to exceed \$985,000. (Funding in the amount of \$130,000 is available in the Fiscal Year 2005-2006 Approved Capital Budget of Austin Energy.) (Related to Executive Session Item 61).

▼ 1:00 PM -- Briefings

- **66**. Briefing on 2006 Bond Election: New Facilities.
- 67. Briefing on World Congress on Information Technology (WCIT) to be held in Austin May 2 5, 2006.

68. Presentation from Catellus Austin, LLC, and City staff to update Council on the Mueller Redevelopment Project.

▼ 4:00 PM -- Zoning Hearings and Approval of Ordinances and Restrictive Covenants

Zoning Ordinances / Restrictive Covenants (HEARINGS CLOSED)

- 69. C14-05-0195 Crippen Sheet Metal Approve third reading of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 8501 Peaceful Hill Lane (Onion Creek Watershed) from development reserve (DR) district zoning to limited industrial-conditional overlay (LI-CO) combining district zoning. First reading approved on March 2, 2006. Vote: 7-0. Second reading approved on March 23, 2006. Vote: 6-1 (Kim-Nay). Applicant: Crippen Sheet Metal (Jimmy Crippen). Agent: Jim Bennett Consulting (Jim Bennett). City Staff: Wendy Walsh, 974-7719.
- 70. C14-05-0201 2100 Parker Lane Approve third reading of an ordinance to amend Chapter 25-2 of the Austin City Code by rezoning property locally known as 2100 Parker Lane (Harper's Branch Watershed) from family residence (SF-3) district zoning to townhouse and condominium residence-conditional overlay (SF-6-CO) combining district zoning with conditions. First reading approved on March 2, 2006. Vote: 7-0. Second reading approved on April 6, 2006. Vote: 7-0. Applicant: Jim Cummings. Agent: Urban Design (Laura Toups). City Staff: Robert Heil, 974-2330. A valid petition has been filed in opposition to this rezoning request.
- 71. C14-06-0017.SH Parker Lane Seniors- Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 3435 Parker Lane (Country Club Creek Watershed) from multi-family residence-limited density (MF-1) district zoning to community commercial-mixed use-conditional overlay (GR-MU-CO) combining district zoning. First reading approved on April 6, 2006. Vote: 7-0. Applicant: Jim Shaw. Agent: Land Answers (Jim Wittliff). City Staff: Robert Heil, 974-2330.
- 72. C14-05-0163 Landrum 4 Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 601 West Applegate Drive (Little Walnut Creek Watershed) from single-family residence-standard lot (SF-2) district zoning to commercial recreation-conditional overlay (CR-CO) combining district zoning. First reading approved on March 2, 2006. Vote: 6-1 (Kim-Nay). Applicant: Kellis Landrum. Agent: Bennett Consulting (Jim Bennett). City Staff: Sherri Sirwaitis, 974-3057.
- 73. C14-05-0085 Powers 20 Approve second reading of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 11520 North IH-35 Service Road Southbound (Walnut Creek Watershed) from general office (GO) district zoning to community commercial-conditional overlay (GR-CO) combining district zoning. First reading approved on March 2, 2006. Vote: 7-0. Applicant: Frank Alattar/Fred Powers. Agent: Fred Powers. City Staff: Jorge E. Rousselin, 974-2975.

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

74 C14-04-0030 - Time Insurance, Inc. - Conduct a public hearing and approve an ordinance
 PH. amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 1405
 & 1415 East Riverside Drive (Town Lake Watershed) from limited office (LO) district
 zoning and family residence (SF-3) district zoning to community commercial-mixed use (GR-

- MU) combining district zoning. Planning Commission Recommendation: To deny community commercial-mixed use (GR-MU) combining district zoning. Applicant and Property Owner: Schuler Family Trust 1998 (John Schuler) Agent: Thrower Design (Ron Thrower). City Staff: Robert Heil, 974-2330. A valid petition has been filed in opposition to this rezoning request.
- 75 C814-04-0187.SH Goodnight Ranch PUD Conduct a public hearing and approve an PH. ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as the East side of Old Lockhart Highway between Nuckols Crossing Road and Capitol View Drive (Onion Creek Watershed) from interim-rural residence (I-RR) district zoning to planned unit development (PUD) district zoning. Zoning and Platting Commission Recommendation: To grant planned unit development (PUD) district zoning with conditions. Applicants: MVE Venture, Ltd. (Dean Goodnight); Momark Development (Terry Mitchell). Agent: TBG Partners (Sean Compton). City Staff: Wendy Walsh, 974-7719.
- 76 C14-05-0217 1204 West Slaughter Lane Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 1204 West Slaughter Lane (Slaughter Creek Watershed) from single-family residence-standard lot (SF-2) to neighborhood commercial-conditional overlay (LR-CO) combining district zoning. Zoning and Platting Commission Recommendation: To grant limited office (LO) district zoning. Applicant and Agent: Nicolas Younes. City Staff: Wendy Walsh, 974-7719.
- 77 C14-06-0015 2311 Pruett Street Conduct a public hearing and approve an ordinance PH. amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 2311 Pruett Street (Johnson Creek Watershed) from general commercial services (CS) district zoning to family residence (SF-3) district zoning. Zoning and Platting Commission Recommendation: To grant family residence (SF-3) district zoning. Applicant and Agent: Sandy Garcia. City Staff: Jorge E. Rousselin.
- 78 C14-06-0012 505 Deep Eddy Conduct a public hearing and approve an ordinance PH. amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 505 Deep Eddy Avenue (Johnson Creek Watershed) from family residence (SF-3) district zoning to neighborhood office (NO) district zoning. Zoning and Platting Commission Recommendation: To deny neighborhood office (NO) district zoning. Applicants: Pete Fajkowski and Mike Morales. Agent: Luci Gallahan. City Staff: Jorge E. Rousselin. A valid petition has been filed in opposition to this rezoning request.
- 79 C14-06-0013 Pavilion Condominiums Conduct a public hearing and approve an ordinance PH. amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 11819 Pavilion Boulevard (Walnut Creek Watershed) from community commercial (GR) district zoning to multi-family residence-highest density (MF-6) district zoning. Zoning and Platting Commission Recommendation: To be considered by the Commission on May 2, 2006. Applicant: Mitchel and Rose Wong. Agent: Lopez-Phelps & Associates (Amelia Lopez-Phelps). City Staff: Sherri Sirwaitis, 974-3057.
- 80 C814-89-0006.03 Canyon Ridge PUD Amendment #3 Conduct a public hearing and PH. approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 7300 F.M. 2222 Road, 6500 and 6508 Jester Boulevard (West Bull Creek Watershed) from planned unit development (PUD) district zoning to planned unit development (PUD) district zoning and Platting

Commission Recommendation: To grant planned unit development (PUD) district zoning. Applicant: F.M. 2222/Jester L.P. (Louis R. Williams). Agent: Armbrust & Brown, L.L.P. (Richard T. Suttle, Jr.). City Staff: Sherri Sirwaitis, 974-3057.

81 C14-05-0171 - The Grove at Southpark Meadows - Conduct a public hearing and approve an PH. ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 301 West Slaughter Lane and 9501 South 1st Street (Slaughter Creek Watershed) from interim-rural residence (I-RR) district zoning; limited office-conditional overlay (LO-CO) combining district zoning; and general commercial services-conditional overlay (CS-CO) combining district zoning to community commercial-mixed use-conditional overlay (GR-MU-CO) combining district zoning for Tracts 1 and 2; townhouse and condominium residence (SF-6) district zoning for Tract 3; townhouse and condominium residenceconditional overlay (SF-6-CO) combining district zoning for Tract 4; and community commercial-conditional overlay (GR-CO) for Tract 5 with conditions. Zoning and Platting Commission Recommendation: To grant community commercial-mixed use-conditional overlay (GR-MU-CO) district zoning for Tracts 1 and 2; townhouse and condominium residence zoning (SF-6) district zoning for Tract 3; townhouse and condominium residenceconditional overlay (SF-6-CO) combining district zoning for Tract 4; community commercial-conditional overlay (GR-CO) combining district zoning for Tract 5 with conditions. Applicant: Abel J and Mary Ann Theriot Family, L.P. (Curtis Sanders); SP Meadows Central, Ltd. (Andy Pastor). Agent: Armbrust & Brown, L.L.C. (Richard T. Suttle, Jr.). City Staff: Wendy Walsh, 974-7719.

▼ 5:30 PM -- Live Music and Proclamations

Live Music

Grassy Knoll Boys

Proclamations

Award to the City -- to be presented by the Environmental Protection Agency and to be accepted by Mayor Will Wynn and City Manager Toby Hammett Futrell.

Proclamation - Volunteer Week - to be presented by Mayor Will Wynn and to be accepted by Joanna Johnson and representatives of the Volunteer Recognition Committee.

Proclamation - National Infant Immunization Week -- to be presented by Mayor Will Wynn and to be accepted by David Lurie and Coleen Christian.

Certificate of Congratulations - Texas Gas Service for the J.D. Power Award - to be presented by Mayor Will Wynn and to be accepted by Larry Graham and Bobby Burke.

National Organization on Disability Accessible America Award - to be presented by Nancy Starnes and to be accepted by Mayor Will Wynn and Ron Lucey, Dolores Gonzalez and Representatives of the Mayor's Committee for People with Disabilities

▼ 6:00 PM -- Public Hearings and Possible Actions

- 82. Conduct a public hearing and consider an ordinance amending Section 25-2-332 of the City Code relating to conditional overlays and mixed use combining districts. (Recommended by Planning Commission).
- 83. Conduct a public hearing and approve the proposed amendment to the Continuous Service

Program Initiation fee in the Electric Rate Schedule in Exhibit A of Ordinance 20050912-004, amending the fee to a one-time charge.

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, 974-3256 OR 974-2445 TDD.

A person may request a Spanish language interpreter be made available by contacting the City Clerk's Office

not later than two hours before the scheduled time of the item on which the person wishes to speak.

Please call 974-3256 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 dos horas antes de la hora determinada para el asunto sobre el cual

la persona desea comentar. Por favor llame al 974-3256 con anticipo o informe al personal del Secretario/a Municipal presente en la sesión del Consejo.

CITY COUNCIL AGENDA

Council Meetings January 12, 2006 January 26, 2006	Cancelled Meetings January 5, 2006 January 19, 2006
February 2, 2006 February 9, 2006 February 16, 2006	February 23, 2006
March 2, 2006 March 9, 2006 March 23, 2006	March 16, 2006 March 30, 2006
April 6, 2006 April 20, 2006 April 27, 2006	April 13, 2006
May 4, 2006 May 18, 2006 May 25, 2006	May 11, 2006
June 8, 2006 June 22, 2006	June 1, 2006 June 15, 2006 June 29, 2006
July 27, 2006	July 6, 2006 July 13, 2006 July 20, 2006
August 10, 2006 August 24, 2006 August 31, 2006	August 3, 2006 August 17, 2006
September 11,12,13 (Budget Readings) September 28, 2006	September 7, 2006 September 14, 2006 September 21, 2006
October 5, 2006 October 19, 2006 October 26, 2006	October 12, 2006
November 2, 2006 November 16, 2006 November 30, 2006	November 9, 2006 November 23, 2006
December 7, 2006 December 14, 2006	December 21, 2006 December 28, 2006