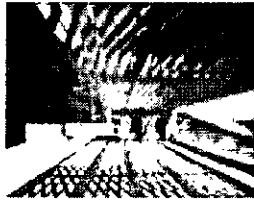


AGENDA



Thursday, January 28, 2010

The Austin City Council will convene at 10:00 AM on
Thursday, January 28, 2010 at Austin City Hall
301 W. Second Street, Austin, TX



AUSTIN CITY CLERK
POSTING: DATE/TIME
2010 JAN 22 PM 4 38

Mayor Lee Leffingwell
Mayor Pro Tem Mike Martinez
Council Member Chris Riley, Place 1
Council Member Randi Shade, Place 3
Council Member Laura Morrison, Place 4
Council Member William Spelman, Place 5
Council Member Sheryl Cole, Place 6

For meeting information, contact the City Clerk, 974-2210

The City Council will go into a closed session under Chapter 551 of the Texas Government Code to receive advice from legal counsel, to discuss matters of land acquisition, to discuss personnel matters, to discuss or take action on a "competitive matter" of Austin Energy as provided for under Section 551.086, or for other reasons permitted by law as specifically listed on this agenda. If necessary, the City Council may go into a closed session as permitted by law regarding any item on this agenda.

Reading and Action on Consent Agenda

Action on the Following:

Ordinances / Resolutions / Motions -

All of the following items may be acted upon by one motion. No separate discussion or action on any of the items is necessary unless desired by a Council Member.

9:55 AM -- Invocation

Pastor Charles Lee, Acts Fellowship Church

10:00 AM -- City Council Convenes

Approval of Minutes

1. Approve the Minutes of the Austin City Council regular meeting of January 14, 2010 and special called meeting of January 21, 2010.

Austin Water Utility

2. Approve an ordinance authorizing negotiation and execution of an amendment to the existing Cost Reimbursement Agreement with QUALICO CR, L.P. for Sun Chase Subdivision, authorizing an additional \$2,300,000 in City cost participation for wastewater treatment capacity and wastewater service connections for an increase in the overall cost reimbursement from \$6,184,440 to a new overall total cost reimbursement amount not to exceed \$8,484,440; waiving the requirements of Section 25-9-62 of the City Code relating to amount of cost participation; and waiving the requirements of Section 25-9-67 of the City Code relating to cost participation and cost reimbursement payments. Funding is available in the amount of \$2,300,000 in the Fiscal Year 2009-2010 Capital Budget of the Austin Water Utility. Recommended by the Water and Wastewater Commission.
3. Authorize the negotiation and execution of a cost participation agreement, related to Service Extension Request No. 2846, with GENCAP PARTNERS, LP, providing terms and conditions for construction of lift station, force main and 15-inch gravity wastewater main and appurtenances, to provide wastewater service to the proposed Lakeline Condominiums Subdivision Sections 2 and 3 located at 2902 ½ S Lakeline Boulevard with City cost participation for an overall total amount not to exceed \$1,346,291. Funding is available in the amount of \$1,346,291 in the Fiscal Year 2009-2010 Capital Budget of the Austin Water Utility. Recommended by the Water and Wastewater Commission.
4. Authorize the negotiation and execution of an amendment to the existing Cost Reimbursement Agreement with PIONEER AUSTIN DEVELOPMENT, LTD., to increase the amount of City cost reimbursement for the construction of a 16-inch water main and appurtenances in amount not to exceed 25% of the actual construction costs ("hard

costs") or \$93,574.38 whichever is less, for a new maximum "hard" construction cost amount not to exceed \$818,574.38. Funding is available in the amount of \$93,574.38 in the Fiscal Year 2009-2010 Capital Budget of the Austin Water Utility. Recommended by the Water and Wastewater Commission.

Contract and Land Management

5. Authorize the negotiation and execution of the fee simple acquisition of a 0.184 acre tract out of Lot 1, Block 2, Bergstrom Downs No. 1, locally known as 827 Patton Avenue, from JAMES ANTHONY CRIST for the Airport Noise Mitigation Program, in the amount of \$135,000 for the land and improvements, plus closing costs and moving related expenses in the amount of \$15,000, for an amount not to exceed \$150,000. Funding is available in the Fiscal Year 2009-2010 Capital Budget of the Department of Aviation using airport funds and available Federal Aviation Administration (FAA) Grants.
6. Authorize the negotiation and execution of the fee simple acquisition of Lot 2, Block 1, of Bergstrom Downs No. 1, locally known as 820 Patton Avenue, from FIORINDA HUNEYCUTT for the Airport Noise Mitigation Program, in the amount of \$94,000 for the land and improvements and \$20,500 relocation benefits, plus closing costs and moving related expenses in the amount of \$10,000, for an amount not to exceed \$124,500. Funding is available in the Fiscal Year 2009-2010 Capital Budget of the Department of Aviation using airport funds and available Federal Aviation Administration (FAA) Grants.
7. Authorize the negotiation and execution of the fee simple acquisition of Lot 3, Block 2, of Bergstrom Downs No. 1, locally known as 819 Patton Avenue, from ROGER E. MARSHALL for the Airport Noise Mitigation Program, in the amount of \$123,000 for the land and improvements, plus closing costs and moving related expenses in the amount of \$20,000, for an amount not to exceed \$143,000. Funding is available in the Fiscal Year 2009-2010 Capital Budget of the Department of Aviation using airport funds and available Federal Aviation Administration (FAA) Grants.
8. Authorize the negotiation and execution of the fee simple acquisition of approximately 0.192 of an acre of land out of and a part of Lot H, Block 2, of the Unrecorded resubdivision of Lot 1, Block 1, and Lot 1, Block 2, Bergstrom Downs No.1, locally known as 825 Patton Avenue, from NATALIE NEWKIRK for the Airport Noise Mitigation Program, in the amount of \$123,000 for the land and improvements, plus closing costs and moving related expenses in the amount of \$15,000, for an amount not to exceed \$138,000. Funding is available in the Fiscal Year 2009-2010 Capital Budget of the Department of Aviation using airport funds and available Federal Aviation Administration (FAA) Grants.
9. Authorize negotiation and execution of the acquisition for the South Congress Avenue 12" Wastewater Line Project of a temporary staging area and a material storage site easement of 23,625 square-feet of land out of Lot A, resubdivision Morky and Cameron subdivision number 2, situated in Travis County, Texas, according to the map or plat thereof, recorded in Volume 57, Page 99, of Plat Records of Travis County, Texas located at 906 Banister Lane, from ROBERT E. JENKINS, Rockport, Aransas County, Texas in the amount not to exceed \$73,500. Funding is available in the Fiscal Year 2009-2010 Capital Budget of Austin Water Utility.
10. Approve a resolution authorizing the filing of eminent domain proceedings for the Williamson Creek Tributary 2, Spring Meadow-Lark Creek-Williamson Creek Project to acquire a 9,692 square foot drainage easement, out of Lot 93, Block K, Second Amended Plat of Williamson Creek Subdivision Section 2, a subdivision in Travis County, Texas, in the amount of \$6,639. The owner of the needed property interests is RAFIK S. MOMIN. The property is located at 5001 Nuckols Crossing Road, Austin, Travis County, Texas. Funding is included in the Fiscal Year 2009-2010 Capital Budget of the Watershed Protection Department.
11. Authorize the fee simple acquisition of Lot 11 Block 3, Green Valley 1, a subdivision, according to the map or plat thereof, recorded in Volume 5, Page 27, of the Plat Records

of Travis County, Texas, located at 1103 Eleanor Street from GWENDOLYN COLVIN for the Lower Fort Branch Voluntary Flood and Erosion Buyout, in the amount of \$130,000 for the land and improvements, \$19,900 owner assisted relocation benefits, plus moving related expenses not to exceed \$10,000, for a total not to exceed \$159,900. Funding is available in the Fiscal Year 2009-2010 Capital Budget of the Watershed Protection Department.

12. Authorize the fee simple acquisition of Lot 16, Block 2, Lincoln Gardens, Section Two, of Travis County, Texas, located at 1407 Meander Drive from HARVEY JACKSON, DAVID SCROGGINS, CASSANDRA SCROGGINS, CLINTON SCROGGINS, SHARHONDA SCROGGINS, PATRICK SCROGGINS, CHADWICK SCROGGINS, JEWELL HENRY, CONSTANT WELLS, LINDA KERLEY, SONYA RANGEL, ROSETTA MAXWELL AND ELROY MAXWELL for the Lower Fort Branch - Voluntary Flood & Erosion Buyout, in the amount of \$124,000 for the land and improvements, plus moving related expenses not to exceed \$10,000, for a total not to exceed \$134,000. Funding is available in the Fiscal Year 2009-2010 Capital Budget of the Watershed Protection Department.
13. Authorize the use of the Competitive Sealed Proposal project delivery method in accordance with Local Government Code, Chapter 252 and 271 Subchapter H for the Waller Creek Tunnel - Lady Bird Lake Hike and Bike Trail Improvements at Waller Creek.
14. Authorize the negotiation and execution of all contracts, closing, relocation and other documents related to the voluntary purchase and demolition of 21 properties in the Bayton Loop and Burrough Cove area in the 25 year floodplain of Williamson Creek in the amount of \$2,276,510 plus grant funding in the amount of \$3,829,530, for a total contract amount not to exceed \$6,106,040. Funding in the amount of \$2,276,510 is available in the Fiscal Year 2009-2010 Capital Budget of the Watershed Protection Department for the buyout program. This program will be funded with a combination of City and Hazard Mitigation Grant Program (HMGP) grant funding. The HMGP grant will fund 75% (\$3,829,530) of the project costs for the acquisition and demolition of these properties.
15. Authorize negotiation and execution of an Agreement with MUNIZ CONCRETE & CONTRACTING, INC. (MBE/MH - 82.20%), Austin, TX, for the ADA sidewalk and ramp improvements in North East Austin in an amount not to exceed \$143,169.50. Funding is available in the Fiscal Year 2009-2010 Capital Budget of the Public Works Department. Best Value to the City of Austin of five (5) Proposals received. This contract will be awarded in compliance with Chapter 2-9A of the City Code (Minority Owned and Women Owned Business Enterprise Procurement Program) by meeting the goals with 88.20% MBE prime participation and 3.28% WBE subcontractor participation.
16. Authorize execution of a construction contract with CENTRAL ROAD & UTILITY, LTD (MBE/MH - 57.00%), Austin, TX, for the Loop 360 Water Improvements - Barclay Drive Pump Station and Ground Storage Tank in the amount of \$3,657,283.01, plus a \$176,614.15 contingency, for a total contract amount not to exceed \$3,833,897.16. Funding is available in the Fiscal Year 2009-2010 Capital Budget of the Austin Water Utility. Lowest bid of six (6) bids received. This contract will be awarded in compliance with Chapter 2-9A of the City Code (Minority Owned and Women Owned Business Enterprise Procurement Program) by meeting the goals with 57.0% MBE prime participation; 23.33% MBE and 4.81% WBE subcontractor participation. Recommended by the Water and Wastewater Commission.
17. Authorize execution of change order #4 to the construction contract with MATOUS CONSTRUCTION, LTD., Belton, TX, for the River Plantation Lift Station Replacement in the amount of \$100,000, for a total contract amount not to exceed \$1,060,000. Funding in the amount of \$100,000 is available in the Fiscal Year 2009-2010 Capital Budget of the Austin Water Utility. This contract will be awarded in compliance with Chapter 2-9A of the City Code (Minority Owned and Women Owned Business Enterprise Procurement Program) with 24.98% MBE and 1.10% WBE subcontractor participation to date including this change order. Recommended by the Water and Wastewater Commission.
18. Authorize execution of a construction contract with ADVANTAGE USAA, INC., Spring Branch, TX, for the South Austin Regional Wastewater Treatment Plant Roof

Replacement Project in the amount of \$290,000 plus a \$20,000 contingency, for a total contract amount not to exceed \$310,000. Funding is available in the Fiscal Year 2009-2010 Capital Budget of the Austin Water Utility. Lowest bid of eleven (11) bids received. This contract will be awarded in compliance with Chapter 2-9A 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 Water and Wastewater Commission.

19. Authorize execution of Change Order #4 to the construction contract with BENITEZ CONSTRUCTION, INC. (MBE/MH - 43.38%), Manor, TX, for Pemberton Heights Water Improvements Phase II in the amount of \$29,666.50 for a total contract amount not to exceed \$610,042. Funding in the amount of \$29,666.50 is available in the Fiscal Year 2009-2010 Capital Budget of the Public Works Department. This contract will be awarded in compliance with Chapter 2-9A of the City Code (Minority Owned and Women Owned Business Enterprise Procurement Program) with 49.99% MBE and 3.08% WBE subcontractor participation to date.
20. Authorize execution of a construction contract with VCC, LLC, Irving, TX, for a new Animal Services Center at 7201 Levander Loop in the amount of \$11,635,000 plus a \$450,000 contingency, for a total contract amount not to exceed \$12,085,000. Funding in the amount of \$9,270,000 is available in the Fiscal Year 2009-2010 Capital Budget of the Health and Human Services Department; Funding in the amount of \$2,625,000 is available in the Fiscal Year 2009-2010 Capital Budget of the Financial Administration Services Department; Funding in the amount of \$190,000 is available in the Fiscal Year 2009-2010 Capital Budget of Austin Energy. Lowest bid of ten (10) bids received. This contract will be awarded in compliance with Chapter 2-9A of the City Code (Minority Owned and Women Owned Business Enterprise Procurement Program) through the achievement of good faith efforts with 4.01% MBE subcontractor participation and by meeting the goal with 2.96% WBE subcontractor participation. Recommended by the Resource Management Commission.
21. Authorize execution of a construction contract with SMITH CONTRACTING, INC, Austin, TX, for the Williamson Creek – Brodie Lane Water Quality Pond Maintenance/Retrofit in the amount of \$289,997 plus a \$14,499.85 contingency, for a total contract amount not to exceed \$304,496.85. Funding is available in the Fiscal Year 2009-2010 Capital Budget of Watershed Protection Department. Lowest bid of three (3) bids received. This contract will be awarded in compliance with Chapter 2-9A of the City Code (Minority Owned and Women Owned Business Enterprise Procurement Program) by meeting the goals with 7.91% MBE and 3.44% WBE subcontractor participation.
22. Authorize negotiation and execution of an amendment to the professional services agreement with THE CONSULTING ENGINEERS GROUP, INC., San Antonio, TX, for engineering services for Palmer Events Center - Parking Garage Repairs in an amount not to exceed \$53,600. Funding is available in the Fiscal Year 2009-2010 Capital Budget of the Austin Convention Center Department. This contract will be awarded in compliance with Chapter 2-9B 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.
23. Authorize negotiation and execution of an amendment to the professional services agreement with URS CORPORATION, Austin, TX, for engineering services for the decommissioning and deconstruction of the Thomas C. Green Water Treatment Plant and related facilities in the amount of \$525,000, for a total contract amount not to exceed \$3,425,000. Funding in the amount of \$525,000 is available in the Fiscal Year 2009-2010 Capital Budget of the Austin Water Utility. This contract will be awarded in compliance with Chapter 2-9B of the City Code (Minority Owned and Women Owned Business Enterprise Procurement Program) with 17.78% MBE and 14.98% WBE subconsultant participation to date. Recommended by the Water and Wastewater Commission.

Economic Growth & Redevelopment Services

24. Authorize negotiation and execution of an amendment to the contract with Austin DMO, Inc. (dba Downtown Austin Alliance), Austin, Texas, for the management of the Downtown Public Improvement District, to increase the 2009-2010 contract in an amount not to exceed \$721,414, to a total amount not to exceed \$3,283,893. Funding is available in the Fiscal Year 2009-2010 Amended Operating Budget of the Economic Growth and Redevelopment Services Office Special Revenue Fund.
25. Approve an ordinance amending the Fiscal Year 2009-2010 Economic Growth and Redevelopment Services Office Operating Budget Special Revenue Fund of Ordinance No. 20090914-002 to adopt a budget for the Austin Downtown Public Improvement District, with a beginning balance of \$821,414, revenue of \$2,611,305, and requirements of \$3,332,719. Funding is available through a beginning balance of \$821,414, \$2,460,368 in 2010 assessments (at an approximate 96% collection rate); - \$35,803 in collections from 2009, \$36,740 interest accrued in the PID Account and late payments; and a \$150,000 annual contribution from the City of Austin (\$75,000 Austin Convention Center Fund, and \$75,000 in the Water and Wastewater Utility Fund). Related to Item #26.
26. Approve an ordinance amending the Fiscal Year 2009-2010 Economic Growth and Redevelopment Services Office Operating Budget Special Revenue Fund of Ordinance 20090914-002 to appropriate funds to adopt a budget for the East Sixth Street Public Improvement District with a beginning balance of \$104,716, revenue of \$110,934, and requirements of \$106,934. Funding is available through \$63,486 in 2010 assessments (at an approximate 90% collection rate), \$3,803 in interest accrued in the PID account and late payments, \$145 in collected assessments from 2009, and a \$43,500 contribution from the City of Austin. Related to Item #25.

Health and Human Services

27. Approve an ordinance amending the Fiscal Year 2009-2010 Financial and Administrative Services Department Capital Budget of Ordinance No. 20090914-003 to transfer \$588,000 to the Health and Human Services Department Capital Budget; and amending the Fiscal Year 2009-2010 Health and Human Services Department Capital Budget of Ordinance No. 20090914-003 to appropriate the \$588,000 transfer from the Capital Improvement Program (CIP) Contingency Program for infrastructure improvements. Funding is available in the Fiscal Year 2009-2010 Financial and Administrative Services Department Capital Budget - Capital Improvements Program Contingency. Recommended by the Public Health and Human Services Committee.
28. Approve negotiation and execution of five 19-month contracts beginning February 1, 2010, for the provision of homeless services and permanent supportive housing; YOUTH AND FAMILY ALLIANCE (dba LifeWorks) in a total amount not to exceed \$408,330; FOUNDATION COMMUNITIES, INCORPORATED in a total amount not to exceed \$449,698; VINCARE SERVICES OF AUSTIN FOUNDATION in a total amount not to exceed \$400,000; CARITAS OF AUSTIN in a total amount not to exceed \$312,470; and TRAVIS COUNTY DOMESTIC VIOLENCE AND SEXUAL ASSAULT SURVIVAL CENTER (dba SafePlace) in a total amount not to exceed \$100,000. Funding is available in the Fiscal Year 2009-2010 Operating Budget of the Health and Human Services Department Special Revenue Fund, Homeless Housing and Services Program grant. The grant period is December 1, 2009 through August 31, 2011.

Law

29. Approve a settlement related to Northwest Austin Municipal Utility District No. 1, et al. v. City of Austin, et al.; No. GN203,378, 53rd District Court, Travis County, Texas; and Ban, et al v. City of Austin, et al.; No. D-1--GN-09-000047, 345th District Court, Travis County, Texas.

Parks and Recreation

30. Approve an ordinance repealing Resolution No. 861211-9 and amending City Code Chapter 8-1 relating to use of athletic fields for youth recreation. Approved by the Parks and Recreation Board.

Planning and Development Review

31. Approve a resolution authorizing the City's continued membership in the Capital Area Council of Governments (CAPCOG), and the related membership fee, in an amount not to exceed \$73,618. Funding is available in the Fiscal Year 2009-2010 Operating Budget of the Planning and Development Review Department.
32. Approve a resolution initiating Code amendments to implement the objectives of the Downtown Austin Plan Density Bonus Report. Reviewed by Community Development Commission, Downtown Commission, Design Commission, and Planning Commission.
33. Approve a resolution authorizing the issuance by Travis County Municipal Utility District No. 10, formerly known as Point Venture II MUD ("District"), of Unlimited Tax and Revenue Bonds, Series 2010, in an amount not to exceed \$3,570,000, and approve a substantial draft of the District's Bond Resolution and the Preliminary Official Statement. No fiscal impact. The City has no responsibility for payment on District bonds unless the District is annexed by the City. Recommended by Water and Wastewater Commission.

Purchasing Office

34. Authorize award, negotiation, and execution of a 12-month requirements service contract with GCR & ASSOCIATES, INC., New Orleans, LA, for software maintenance and support, including training services, in an estimated amount not to exceed \$64,100, with four 12-month extension options in estimated amounts not to exceed \$56,500 for the first extension option, \$56,500 for the second extension option, \$59,300 for the third extension option, and \$62,310 for the fourth extension option, for a total estimated contract amount not to exceed \$298,710. Funding in the amount of \$64,100 is available in the Fiscal Year 2009-2010 Operating Budget of the Department of Aviation. Funding for the extension options is contingent upon available funding in future budgets. Sole Source. This contract will be awarded in compliance with Chapter 2-9D 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 Airport Advisory Commission.
35. Authorize award and execution of a 12-month requirements service contract with LOCHARD CORPORATION, Sacramento, CA for software maintenance support for the aircraft noise and flight track monitoring system in an estimated amount not to exceed \$58,459. Funding is available in the Fiscal Year 2009-2010 Operating Budget of the Aviation Department. Sole Source. This contract will be awarded in compliance with Chapter 2-9C 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.
36. Authorize award and execution of a contract with FLIR COMMERCIAL VISION SYSTEMS INC., Goleta, CA, for the purchase of a thermal imaging/daylight camera system for the Austin Police Department helicopter in an amount not to exceed \$248,297. Funding is available in the Fiscal Year 2009-2010 Federal Department of Treasury Asset Forfeiture Fund for the Austin Police Department. Sole Source. This contract will be awarded in compliance with Chapter 2-9D 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 award and execution of nine 24-month requirements supply contracts for medical supplies and medications with the following vendors: HENRY SCHEIN MATRIX

MEDICAL, Irmo, SC, in an estimated amount not to exceed \$403,695, with two 12-month extension options in an estimated amount not to exceed \$201,848 per extension option, for a total estimated contract amount not to exceed \$807,391; MCKESSON MEDICAL SURGICAL, INC., Richmond, VA, in an estimated amount not to exceed \$359,966, with two 12-month extension options in an estimated amount not to exceed \$179,983 per extension option, for a total estimated contract amount not to exceed \$719,932; TW MEDICAL, Lago Vista, TX, in an estimated amount not to exceed \$176,750, with two 12-month extension options in an estimated amount not to exceed \$88,375 per extension option, for a total estimated contract amount not to exceed \$353,500; SOUTHERN SAFETY SALES, Austin, TX, in an estimated amount not to exceed \$123,321, with two 12-month extension options in an estimated amount not to exceed \$61,661 per extension option, for a total estimated contract amount not to exceed \$246,643; MIDWEST MEDICAL SUPPLY CO., Earth City, MO, in an estimated amount not to exceed \$79,522, with two 12-month extension options in an estimated amount not to exceed \$39,761 per extension option, for a total estimated contract amount not to exceed \$159,044; BOUND TREE MEDICAL, LLC, Dublin, OH, in an estimated amount not to exceed \$71,012, with two 12-month extension options in an estimated amount not to exceed \$35,506 per extension option, for a total estimated contract amount not to exceed \$142,024; QUADMED, INC., Jacksonville, FL, in an estimated amount not to exceed \$40,616, with two 12-month extension options in an estimated amount not to exceed \$20,308 per extension option, for a total estimated contract amount not to exceed \$81,232; NATIONAL ENVIRONMENTAL, Marietta, GA, in an estimated amount not to exceed \$30,772, with two 12-month extension options in an estimated amount not to exceed \$15,386 per extension option, for a total estimated contract amount not to exceed \$61,544; and PMI PROGRESSIVE MEDICAL INTERNATIONAL, Vista, CA, in an estimated amount not to exceed \$23,053, with two 12-month extension options in an estimated amount not to exceed \$11,526 per extension option, for a total estimated contract amount not to exceed \$46,105. Funding in the amount of \$436,236 is available in the Fiscal Year 2009-2010 Operating Budget of the Emergency Medical Services Department. Funding for the remaining 16 months of the original contract period and extension options is contingent upon available funding in future budgets. Lowest bids of eleven bids received. This contract will be awarded in compliance with Chapter 2-9D 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 award and execution of a contract through the Texas Local Government Purchasing Cooperative (BuyBoard) with WEBUILDFUN, INC., alias MIRACLE RECREATION EQUIPMENT CO., Allen, TX, for the purchase and installation of playground equipment for Dittmar Recreation Center in an amount not to exceed \$144,018.90. Funding is available in the Fiscal Year 2009-2010 Capital Budget of the Parks and Recreation Department. This contract will be awarded in compliance with Chapter 2-9D of the City Code (Minority Owned and Women Owned Business Enterprise Procurement Program). This contract is a Cooperative Purchase; therefore, it is exempted under Chapter 791 of the Texas Local Government Code and no goals were established for this solicitation; 2.70% MBE subcontractor participation has been met.
39. Authorize award and execution of a 36-month requirements service contract with SCS Field Services, Austin, TX for leachate and methane gas collection and control system operation maintenance for the Solid Waste Services Department in an estimated amount not to exceed \$315,000, with three 12-month extension options in an estimated amount not to exceed \$105,000 per extension option, for a total estimated contract amount not to exceed \$630,000. Funding in the amount of \$70,000 is available in the Fiscal Year 2009-2010 Capital Budget of the Solid Waste Services Department. Funding for the remaining 28 months of the original contract period and extension options is contingent upon available funding in future budgets. Sole bid received. This contract will be awarded in compliance with Chapter 2-9C 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 Solid Waste Advisory Commission.

Treasury Office

40. Approve a resolution expressing the City's consent, as required by Internal Revenue Code Section 147(f), to Manvel Education Facilities Corporation's loan to Southwest Austin Catholic School dba St. Gabriel's Catholic School in an amount not to exceed \$7,100,000 to refinance the cost of facilities located at 2500 Wimberly Lane, Austin.

Item(s) from Council

41. Approve appointments and certain related waivers to citizen boards and commissions, to Council subcommittees and other intergovernmental bodies and removal and replacement of members.
42. Approve a resolution directing the City Manager to negotiate a co-sponsorship agreement with the West Austin Youth Association for youth sports and recreational programming. (Council Member Randi Shade, Mayor Lee Leffingwell and Council Member Sheryl Cole)

10:30 AM -- Public Hearings and Possible Actions

- 43 PH. Conduct a public hearing and consider an ordinance creating an economic development program for and authorizing the negotiation and execution of an Economic Development Agreement with HANGER ORTHOPEDIC GROUP, INC.

10:30 AM -- Morning Briefings

44. Briefing on Austin Energy's Generation Resource and Carbon Reduction Plan
45. Briefing on Lower Shoal Creek and Seaholm Redevelopment

12:00 PM -- Citizen Communications: General

Walter Olenick – Water fluoridation

Anthony Walker – Community concerns

Freddie Childress – African American quality of life

Hazel Ruth Reveile – ABIA noise abatement study

Richard Troxell – Homelessness in Austin

Paul Robbins – City issues

Daniel N. White – Professionalism in City staff

Brenda Washington – Concerns citizens have for East Austin

Randolph George Mueller – Budget assistance in the aviation department. The chief of staff positions within the Police department corruption

Leonard Davila – In regards to Hispanic entertainment during SXSW

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

46. C14-2009-0092 – Carson Ridge Development – Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 6503 Carson Ridge (Country Club East and Carson Creek Watersheds) from general commercial services-neighborhood plan (CS-NP) combining district zoning to community commercial-mixed use-conditional overlay-neighborhood plan (GR-MU-CO-NP) combining district zoning. First Reading approved on November 19, 2009. Vote: 7-0. Owner/Applicant: Peter Barlin. Agent: Shaw Hamilton Consultants (Shaw Hamilton). City Staff: Joi Harden, 974-2122.
47. NPA-2009-0005.01- Carson Ridge Development– Approve second/third readings of an ordinance amending Ordinance No. 20010927-05, the Montopolis Neighborhood Plan, an element of the Austin Tomorrow Comprehensive Plan, to change the land use designation on the future land use map (FLUM) on property locally known as 6503 Carson Ridge (Country Club East Watershed) from commercial land use to mixed use land use. First reading approved on November 19, 2009. Vote: 7-0. Owner/Applicant: Peter Barlin. Agent: Shaw Hamilton. City Staff: Maureen Meredith, 974-2695.

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

- 48 PH. C14-72-015(RCA) – 1517 E. Anderson Lane Restrictive Covenant Amendment – Conduct a public hearing to approve a restrictive covenant amendment for the property located at 1517 East Anderson Lane (Buttermilk Creek Watershed). Staff Recommendation: To grant the restrictive covenant amendment. Planning Commission Recommendation: To deny the restrictive covenant amendment. Applicant/Owner: ZIF Holdings, Inc. (Iniyat Fidai). Agent: DCI Permitting and Land Consulting (David Cancialosi). City Staff: Joi Harden, 974-2122.
- 49 PH. C14-2008-0123 – Bennett Tract – Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by zoning and rezoning property locally known as 7309 South IH 35 Service Road Northbound (South Boggy Creek; Onion Creek Watersheds) from interim-rural residence (I-RR) district zoning and community commercial (GR) district zoning to general commercial services-mixed use-conditional overlay (CS-MU-CO) combining district zoning. Staff Recommendation: To grant general commercial services-mixed use-conditional overlay (CS-MU-CO) combining district zoning with conditions. Zoning and Platting Commission Recommendation: To grant general commercial services-mixed use-conditional overlay (CS-MU-CO) combining district zoning. South Austin I-35 Associates c/o Bennett Realty Group (Timothy T. Bennett). Big Red Dog Engineering/Consulting (Will Schnier). City Staff: Wendy Rhoades, 974-7719.
- 50 PH. C14-2008-0242 - Mueller Austin Energy Substation - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 2403 East 51st Street (Tannehill Branch Watershed) from community commercial-neighborhood plan (GR-NP) combining district zoning to public-neighborhood plan (P-NP) combining district zoning. Staff Recommendation: To grant public-neighborhood plan (P-NP) combining district zoning. Planning Commission Recommendation: To deny public (P) district zoning. Applicant: Austin Energy (Dorothy Kester). Agent: Stanley Consultants, Inc. (Charles Steinman). City Staff: Joi Harden, 974-2122.
- 51 PH. C14-2009-0106 - Rosewood Neighborhood Planning Area Vertical Mixed Use Building (V) Zoning Opt-in/Opt-Out Process - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by applying Vertical Mixed Use Building (V) zoning regulations to certain tracts within the Rosewood Neighborhood Planning Area, bounded by Manor Road on the north; Airport Boulevard on the east; Northwestern Avenue and Webberville Road on the south; and Northwestern Avenue to Rosewood Avenue to Chicon Street to East 12th Street, north along the Austin and Northwestern Railroad to Martin Luther King, Jr. Boulevard to Stafford Street to Rogers

Avenue to Walnut Avenue on the west (Boggy Creek, Tannehill Branch, Town Lake Watersheds). Regulations governing Vertical Mixed Use Building dimensional standards; allowable uses for a Vertical Mixed Use Building in office base district zoning; relaxed parking standards for commercial uses in a Vertical Mixed Use Building; and affordability requirements for Vertical Mixed Use Building developments will be considered for adoption. The Austin City Council may consider adopting all or some of these regulations, or amending the Vertical Mixed Use (VMU) overlay district to exclude properties from the overlay district. Planning Commission Recommendation: To grant vertical mixed use building (V) district zoning and to exclude a tract from the vertical mixed use overlay district. Applicant and Agent: Neighborhood Planning and Zoning Department. City Staff: Melissa Laursen, 974-7226.

- 52 PH. C14-2009-0110 - American Adventure - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 13505 North F.M. 620 Road (Lake Creek Watershed) from community commercial-conditional overlay (GR-CO) combining district zoning to community commercial (GR) district zoning. Staff Recommendation: To grant community commercial (GR) district zoning. Zoning and Platting Commission Recommendation: To grant community commercial-conditional overlay (GR-CO) combining district zoning. Applicant: Hamid Zarafshani / American Adventure RV Rentals, LLC. Agent: Shaw Hamilton Consultants (Shaw Hamilton). City Staff: Sherri Sirwaitis, 974-3057.

- 53 PH. C14H-2009-0054 – 83 Rainey Street - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 83 Rainey Street (Lady Bird Lake Watershed) from central business district (CBD) district zoning to central business district-historic landmark (CBD-H) combining district zoning. Staff recommendation: To deny central business district-historic landmark (CBD-H) combining district zoning. Historic Landmark Commission recommendation: To grant central business district – historic landmark (CBD-H) combining district zoning. Planning Commission recommendation: To grant central business district-historic landmark (CBD-H) combining district zoning. Applicant: Historic Landmark Commission. Owner: Robert Icenhauer-Ramirez, Nueces Street Capital, LLC. City Staff: Susan Villarreal, 974-3524.

4:00 PM -- Public Hearings and Possible Actions

- 54 PH. Conduct a public hearing for the limited purpose annexation of the Moore's Crossing - Linda Vista Area (approximately 34 acres in southern Travis County east of FM 973 at the southeast corner of the intersection of FM 973 and Burleson Road and east of the intersection of FM 973 and Linda Vista Drive).

- 55 PH. Conduct a public hearing for the limited purpose annexation of the Greenshores Lake Austin and Excess Capacity Area (approximately 161 acres in Travis County north and west of the intersection of Oak Shores and Pearce Road; west of Robbins Road; south of Smoky Ridge; and east of Ski Shores Terrace).

- 56 PH. Conduct a public hearing for the full purpose annexation of the Harris Branch Outparcel (approximately 2 acres in eastern Travis County west of Cameron Road approximately one tenth of a mile south of the intersection of Parmer Lane and Cameron Road).

- 57 PH. Conduct a public hearing and consider an ordinance adopting the local standards of care for the Parks and Recreation Department's childrens recreation program for 2010. There is no unanticipated fiscal impact. A fiscal note is not required. Recommended by the Parks and Recreation Board.

5:30 PM -- Live Music


Graham Wilkinson


5:30 PM -- Proclamations

Distinguished Service Award - Karen Tucker -- to be presented by Mayor Leffingwell and to be accepted by honoree

Proclamation -- Poverty Awareness Month -- To be presented by Mayor Leffingwell and to be accepted by Katie Navine

Adjourn

 *The City of Austin is committed to compliance with the Americans with Disabilities Act. Reasonable modifications and equal access to communications will be provided upon request.*

 *For assistance please call 974-2210 OR 974-2445 TDD.*

A person may request a Spanish language interpreter be made available by contacting the Office of the City Clerk not later than twenty-four hours before the scheduled time of the item on which the person wishes to speak. Please call 974-2210 in advance or inform the City Clerk's staff present at the council meeting.

Cualquier persona puede solicitar servicios de intérprete en español comunicándose con la oficina del Secretario/a Municipal a no más tardar de veinte y cuatro horas antes de la hora determinada para el asunto sobre el cual la persona desea comentar. Por favor llame al 974-2210 con anticipo o informe al personal del Secretario/a Municipal presente en la sesión del Consejo.

2010 Austin City Council Meeting Dates

Meetings	Cancelled Dates
	January 7, 2010
January 14, 2010	
	January 21, 2010
January 28, 2010	
February 4, 2010	
February 11, 2010	
	February 18, 2010
February 25, 2010	
	March 4, 2010
March 11, 2010	
	March 18, 2010
March 25, 2010	
	April 1, 2010
April 8, 2010	
	April 15, 2010
April 22, 2010	
April 29, 2010	
	May 6, 2010
May 13, 2010	
	May 20, 2010
May 27, 2010	
	June 3, 2010
June 10, 2010	
	June 17, 2010
June 24, 2010	
	July 1, 2010
	July 8, 2010
	July 15, 2010
	July 22, 2010
July 28, 2010 (Budget Work Session)	
July 29, 2010	
August 4, 2010 (Budget Work Session)	
August 5, 2010	
	August 12, 2010
August 18, 2010 (Budget Work Session)	
August 19, 2010	
August 25, 2010 (Budget Work Session)	
August 26, 2010	
	September 2, 2010
	September 9, 2010
September 13,14,15, 2010 (Budget Readings)	
	September 16, 2010
September 23, 2010	
September 30, 2010	
	October 7, 2010
October 14, 2010	
	October 21, 2010
October 28, 2010	
November 4, 2010	
	November 11, 2010
November 18, 2010	
	November 25, 2010
	December 2, 2010
December 9, 2010	
December 16, 2010	
	December 23, 2010
	December 30, 2010