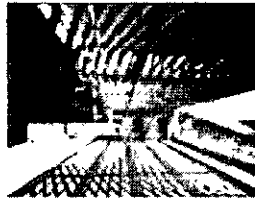
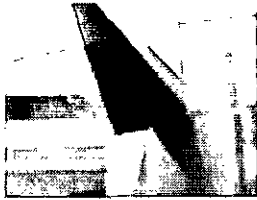


AGENDA

Thursday, February 25, 2010

The Austin City Council will convene at 10:00 AM on
Thursday, February 25, 2010 at Austin City Hall
301 W. Second Street, Austin, TX

AUSTIN CITY CLERK
POSTING: DATE/TIME
2010 FEB 19 PM 3 20



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 Jacquelyn Donald-Mims, Imani Community Church

10:00 AM -- City Council Convenes

Approval of Minutes

1. Approve the Minutes of the Austin City Council regular meeting of February 11, 2010.

Austin Energy

2. Authorize the negotiation and execution of a 30-year easement from Katherine Sharp John and Cheryl Sharp, as attorneys in fact for 10 individual land owners, and from Katherine Sharp John, individually, on a total of approximately 4,664 acres of land in Pecos County, Texas, referred to as the Hinde Estate property, to serve as potential sites for wind power generation units, in a combined annual amount not to exceed \$50,000, for a total combined amount not to exceed \$1,500,000. Funding in the amount of \$50,000 is available in the Fiscal Year 2009-2010 Operating Budget of Austin Energy. Funding for the remainder is contingent upon available funding in future budgets. Recommended by the Resource Management Commission and by the Electric Utility Commission.

Austin Water Utility

3. Approve the issuance of a Letter of Intent for a rebate to ASSET PLUS for the installation of up to 409 water efficient toilets at Ashbury Parke Apartments, in an amount not to exceed \$81,800. Funding is available in the Fiscal Year 2009-2010 Conservation Rebate and Incentives Fund. Recommended by the Water and Wastewater Commission and the Resource Management Commission.
4. Approve the issuance of a Letter of Intent for a rebate to ASSET PLUS for the installation of up to 293 water efficient toilets at Audubon Square Apartments, in an amount not to exceed \$58,600. Funding is available in the Fiscal Year 2009-2010 Conservation Rebate and Incentives Fund. Recommended by the Water and Wastewater Commission and the Resource Management Commission on February.
5. Approve the issuance of a Letter of Intent for a rebate to COPPER MILL APARTMENT HOMES for the installation of up to 412 water efficient toilets at the Copper Mill

Apartment Homes, in an amount not to exceed \$82,400. Funding is available in the Fiscal Year 2009-2010 Conservation Rebate and Incentives Fund. Recommended by the Water and Wastewater Commission and the Resource Management Commission.

6. Approve the issuance of a Letter of Intent for a rebate to HARDROCK CANYON APARTMENTS for the installation of up to 570 water efficient toilets at the Hardrock Canyon Apartments, in an amount not to exceed \$114,000. Funding is available in the Fiscal Year 2009-2010 Conservation Rebate and Incentives Fund. Recommended by the Water and Wastewater Commission and the Resource Management Commission.
7. Approve the issuance of a Letter of Intent for a rebate to ASSET PLUS for the installation of up to 294 water efficient toilets at Harpers Creek Apartments, in an amount not to exceed \$58,800. Funding is available in the Fiscal Year 2009-2010 Conservation Rebate and Incentives Fund. Recommended by the Water and Wastewater Commission and the Resource Management Commission.
8. Approve the issuance of a Letter of Intent for a rebate to LOGANS MILL for the installation of up to 303 water efficient toilets at Logans Mill Apartments, in an amount not to exceed \$60,600. Funding is available in the Fiscal Year 2009-2010 Conservation Rebate and Incentives Fund. Recommended by the Water and Wastewater Commission and the Resource Management Commission.
9. Approve the issuance of a Letter of Intent for a rebate to NORTHWEST HILLS for the installation of up to 339 water efficient toilets at the Northwest Hills Apartments, in an amount not to exceed \$67,800. Funding is available in the Fiscal Year 2009-2010 Conservation Rebate and Incentives Fund. Recommended by the Water and Wastewater Commission and the Resource Management Commission.
10. Approve the issuance of a Letter of Intent for a rebate to FREE TOILET REPLACEMENTS, INC, for the installation of up to 403 water efficient toilets at the Oak Hollow Apartment Homes, in an amount not to exceed \$80,600. Funding is available in the Fiscal Year 2009-2010 Conservation Rebate and Incentives Fund. Recommended by the Water and Wastewater Commission and the Resource Management Commission.
11. Approve the issuance of a Letter of Intent for a rebate to ASSET PLUS for the installation of up to 299 water efficient toilets at Pinto Creek Apartments, in an amount not to exceed \$59,800. Funding is available in the Fiscal Year 2009-2010 Conservation Rebate and Incentives Fund. Recommended by the Water and Wastewater Commission and the Resource Management Commission.
12. Approve the issuance of a Letter of Intent for a rebate to RESEARCH POINTE APARTMENTS for the installation of up to 342 water efficient toilets at Research Pointe Apartments, in an amount not to exceed \$68,400. Funding is available in the Fiscal Year 2009-2010 Conservation Rebate and Incentives Fund. Recommended by the Water and Wastewater Commission and the Resource Management Commission.
13. Approve the issuance of a Letter of Intent for a rebate to THE FOREST APARTMENTS for the installation of up to 273 water efficient toilets at The Forest Apartments, in an amount not to exceed \$54,600. Funding is available in the Fiscal Year 2009-2010 Conservation Rebate and Incentives Fund. Recommended by the Water and Wastewater Commission and the Resource Management Commission.
14. Approve the issuance of a Letter of Intent for a rebate to FREE TOILET REPLACEMENTS, INC. for the installation of up to 271 water efficient toilets at The Woods on Barton Skyway, in an amount not to exceed \$54,200. Funding is available in the Fiscal Year 2009-2010 Conservation Rebate and Incentives Fund. Recommended by the Water and Wastewater Commission and the Resource Management Commission.
15. Approve the issuance of a Letter of Intent for a rebate to FREE TOILET REPLACEMENTS, INC., for the installation of up to 408 water efficient toilets at Travis Station Apartments, in an amount not to exceed \$81,600. Funding is available in the Fiscal Year 2009-2010 Conservation Rebate and Incentives Fund. Recommended by the Water and Wastewater Commission and the Resource Management Commission.

16. Approve the issuance of a Letter of Intent for a rebate to ASSET PLUS for the installation of up to 495 water efficient toilets at Trestles of Austin Apartments, in an amount not to exceed \$99,000. Funding is available in the Fiscal Year 2009-2010 Conservation Rebate and Incentives Fund. Recommended by the Water and Wastewater Commission and the Resource Management Commission.
17. Approve the issuance of a Letter of Intent for a rebate to VILLAGE AT GRACY FARMS for the installation of up to 484 water efficient toilets at Village at Gracy Farms, in an amount not to exceed \$96,800. Funding is available in the Fiscal Year 2009-2010 Conservation Rebate and Incentives Fund. Recommended by the Water and Wastewater Commission and the Resource Management Commission.
18. Approve an ordinance amending Chapter 15-9 of the City Code relating to Water and Wastewater Service Connections to Certain Lots and extensions of service lines for a maximum distance of 100 feet. There is no unanticipated fiscal impact. Recommended by the Water and Wastewater Commission.

Contract and Land Management

19. Approve a resolution authorizing the filing of eminent domain proceedings for the South IH-35 Water/Wastewater Infrastructure Improvements Program, to acquire a 4,372 square-foot permanent waterline easement and a 4,169 square-foot temporary working space easement out of 14.025 acres of the Santiago Del Valle Grant, Abstract No. 24, Travis County, TX, in the amount of \$2,452. The owner of the needed property interests is JADCO DEVELOPMENT, INC. The property is located within the City's extraterritorial jurisdiction in Travis County, Texas on the north side of Bradshaw Road and on the west side of Old Lockhart Road, near the intersection of Bradshaw Road and Old Lockhart Road. Funding is available in the Fiscal Year 2009-2010 Capital Budget of the Austin Water Utility.
20. Authorize negotiation and execution of an Agreement with MUNIZ CONCRETE & CONTRACTING, INC. (MBE/MH-90.27%), Austin, TX, for ADA sidewalk and ramp improvements in South East Austin in an amount not to exceed \$95,886.75. Funding is available in the Fiscal Year 2009 – 2010 Capital Budget of the Public Works Department. Best Value to the City of Austin of four (4) 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 90.27% MBE prime participation and 3.60% WBE subcontractor participation.
21. Authorize execution of change orders to the following three Austin Water Utility Indefinite Delivery/Indefinite Quantity Wastewater Line Relay and Spot Repair service contracts with PEABODY GENERAL CONTRACTORS, INC, Dripping Springs, TX, (WBE/FW – Zone A: 64.49%, Zone B: 71.78%, and Zone C: 65.73%) in the amount of \$378,952.50 for the Zone A contract, in the amount of \$520,620 for the Zone B contract, and in the amount of \$378,952.50 for the Zone C contract. Funding in the amount of \$1,278,525 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 5.40% MBE and 4.12% WBE (Zone A); 4.68% MBE and 2.43% WBE (Zone B); and 4.92% MBE and 4.96% WBE (Zone C) subcontractor participation to date. Recommended by the Water and Wastewater Commission.
22. Authorize execution of a construction contract with LAUGHLIN-THYSSEN, INC. of Houston, TX, for the South IH-35 Water Wastewater Infrastructure Improvement Program Segment 1 – Slaughter Lane to Slaughter Creek, 36-Inch Water Main project in the amount of \$2,116,403 plus \$211,640.30 contingency, for a total contract amount not to exceed \$2,328,043.30. Funding is available in the Fiscal Year 2009-2010 Capital Budget of the Austin Water Utility. Lowest bid of twelve (12) 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 31.01% MBE and 2.36% WBE subcontractor participation. Recommended by the Water and Wastewater Commission.

23. Authorize execution of a construction contract with KEYSTONE CONSTRUCTION, INC., Austin, TX, for the Loop 360 Water Improvements – Allen Road Pump Station Project in the amount of \$4,609,981 plus a \$224,249.05 contingency, for a total contract amount not to exceed \$4,834,230.05. Funding is available in the Fiscal Year 2009-2010 Capital Budget of the Austin Water Utility. Lowest bid of four (4) 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 6.75% MBE and 4.46% WBE subcontractor participation. Recommended by the Water and Wastewater Commission.
24. Authorize execution of a construction contract with FAZZONE CONSTRUCTION CO. INC., Austin, TX, for the Northwest Recreation Center Expansion and Improvements project in the amount of \$2,355,600 plus a \$117,780 contingency, for a total contract amount not to exceed \$2,473,380. Funding is available in the Fiscal Year 2009-2010 Capital Budget of the Parks and Recreation Department. Lowest bid of five (5) 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 achievements of Good Faith Efforts with 9.31% MBE and 9.76% WBE subcontractor participation.
25. Authorize negotiation and execution of a professional services agreement with KLEINFELDER CENTRAL, INC., Austin, TX, for professional engineering services for the Reservoir Recoating and Safety Improvements Project in an amount not to exceed \$1,000,000. Funding is available in the Fiscal Year 2009-2010 Capital Budget of the Austin Water Utility. Best qualification statement of six (6) statements received. This contract will be awarded in compliance with Chapter 2-9B of the City Code (Minority Owned and Women Owned Business Enterprise Procurement Program) by meeting the goals with 7.14 % MBE and 3.94 % WBE subcontractor participation. Recommended by the Water and Wastewater Commission.
26. Authorize negotiation and execution of an amendment to the professional services agreement with BLACK & VEATCH CORPORATION, Austin, TX, for engineering services for the design phase of the Jollyville Transmission Main from Water Treatment Plant 4 project, in the amount of \$6,000,000, for a total contract amount not to exceed \$10,500,000. Funding is available 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 16.50% MBE and 14.50% WBE subconsultant participation to date. Recommended by the Water and Wastewater Commission.
27. Authorize execution of a professional services agreement with HDR ENGINEERING, INC., Austin, TX, for planning services for the Integrated Solid Waste Management Master Plan in an amount not to exceed \$1,099,014 plus a \$110,000 contingency, for a total contract amount not to exceed \$1,209,014. Funding is available in the Fiscal Year 2009-2010 Capital Budget of the Solid Waste Services Department. Best negotiated scope of services and fee. This contract will be awarded in compliance with Chapter 2-9B of the City Code (Minority Owned and Women Owned Business Enterprise Procurement Program) by meeting the goals with 15.80% MBE and 15.80% WBE subconsultant participation. Recommended by the Solid Waste Advisory Commission.

Economic Growth & Redevelopment Services

28. Authorize funding for the design and construction of the Austin Energy Seaholm Substation perimeter wall, not to exceed \$750,000, as part of the Seaholm East Redevelopment District as a public art project as outlined in Chapter 7-2 of the City Code (Art in Public Places). Funding in the amount of \$750,000 is available in the Fiscal Year 2009-2010 Capital Budget of Austin Energy. The Austin Arts Commission approved unanimously on February 8, 2010. To be reviewed by the Electric Utility Commission on February 22, 2010.

Health and Human Services

29. Approve negotiation and execution of an Interlocal Agreement with TRAVIS COUNTY for child visitation and exchange services for a seven-month term beginning March 1, 2010, in an amount not to exceed \$28,467. Funding is available in the Fiscal Year 2009-2010 Operating Budget of the Health and Human Services Department. The term of the Agreement is March 1, 2010 through September 30, 2010.
30. Authorize execution of an Interlocal Agreement with the AUSTIN INDEPENDENT SCHOOL DISTRICT to provide certain health screenings and health education to students at Pearce Middle School and LBJ High School for a seven-month term beginning March, 1, 2010, with three 12-month renewal options.

Law

31. Approve a corrective ordinance amending Sections 15-2-6 and 15-2-7 of the City Code relating to the Drainage Utility.
32. Approve a settlement related to Cause No. D-1-GN-08-003669, Rodriguez Barr, Inc. d/b/a The Barr Company v. City of Austin, in the 201st Judicial District of Travis County, Texas.

Parks and Recreation

33. Approve an ordinance accepting \$18,000 in grant funds from the National Recreation and Parks Association; and amending the Fiscal Year 2009-2010 Parks and Recreation Department Operating Budget Special Revenue Fund of Ordinance 20090914-002 to appropriate \$18,000 for the installation of adaptive equipment for boaters on Lady Bird Lake. Funding in the amount of \$18,000 is available from the National Recreation and Parks Association. No city match is required. The grant period will be January 1, 2010 through December 1, 2010.
34. Approve a resolution authorizing the execution of a Multiple Use Agreement between the City of Austin and the Texas Department of Transportation (TxDOT) for a hike and bike path to be constructed and maintained in TxDOT Right of Way at the intersection of MoPac Expressway and Walnut Creek. There is no unanticipated fiscal impact. A fiscal note is not required.

Planning and Development Review

35. Approve an ordinance to annex the Greenshores Lake Austin and Excess Capacity Area for the limited purposes of planning and zoning (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). Limited purpose annexation does not have a significant impact on the general fund.
36. Approve an ordinance adopting a regulatory plan for the Greenshores Lake Austin and Excess Capacity Area, which is being annexed for limited purposes, and establishing I-SF-1 interim zoning designations for portions of the annexed area.
37. Approve an ordinance to annex the Harris Branch Outparcel Area for full purposes (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). Funding necessary to provide general governmental services to this tract is available in the budgets of the departments which will provide the services.
38. Approve an ordinance to annex the Moore's Crossing – Linda Vista annexation area for the limited purposes of planning and zoning (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). Limited purpose annexation does not have a significant impact on the general fund.

39. Approve an ordinance adopting a regulatory plan for the Moore's Crossing-Linda Vista annexation Area, which is being annexed for limited purposes. Limited purpose annexation does not have a significant impact on the General Fund.

Police

40. Authorize negotiation and execution of an Interlocal Cooperation Agreement between Travis County, Texas, Austin Independent School District and Texas Health and Human Services Commission on behalf of the Texas Department of Family and Protective Services for reimbursement to the City of Austin for the initial and on-going costs of security systems and services, furniture and equipment, signage and other fixtures and equipment installed at the Austin Ridge Campus, 8509 FM 969, Building 690, Austin, Texas for the co-located leased space in connection with the Austin/Travis County Child Protection Team. There is no unanticipated fiscal impact.

Public Works

41. Authorize negotiation and execution of an Advance Funding Agreement with the Texas Department of Transportation (TxDOT) in an amount not to exceed \$622,684 for the relocation and adjustment of City owned water and wastewater lines in connection with the State's widening of RM 2769 from 0.75 miles west of RM 620 to Anderson Mill Road. Funding is available in the Fiscal Year 2009-2010 Capital Budget of the Austin Water Utility. Recommended by the Water and Wastewater Commission.
42. Approve an ordinance amending the Fiscal Year 2009-2010 Public Works Department Operating Budget of Ordinance No. 20090914-002 to increase the Beginning Balance by \$4,981,811 to appropriate \$842,079 into the Public Works Street Preventive Maintenance program for the purchase of heavy-duty vehicles and decrease the Transportation Fund Ending Balance by \$842,079. Funding is available from the Transportation Fund Ending Balance. Relate to Item #49.

Purchasing Office

43. Authorize award and execution of two 12-month requirements service contracts for survey and inventory of Golden-Cheeked Warbler and Black-Capped Vireo birds for the Austin Water Utility with HICKS & COMPANY, Austin, TX in an estimated contract amount not to exceed \$57,072, and BAER ENGINEERING AND ENVIRONMENTAL CONSULTING, INC, Austin, TX in an estimated contract amount not to exceed \$51,313. Funding in the amount of \$108,385 is available in the Fiscal Year 2009-2010 Operating Budget of the Austin Water Utility. Lowest bids of six bids 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 Water & Wastewater Commission.
44. Authorize award and execution of a 36-month requirements supply contract with MCCAIN WATERWORKS MARKETING, LLC, San Antonio, TX, for the purchase of pipe, valves, and fittings in an estimated amount not to exceed \$246,000, with three 12-month extension options in an estimated amount not to exceed \$82,000 per extension option, for a total estimated contract amount not to exceed \$492,000. Funding in the amount of \$47,833 is available in the Fiscal Year 2009-2010 Operating Budget of the Austin Water Utility. Funding for the remaining 29 months of the original contract period and 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 Water & Wastewater Commission.
45. Authorize award and execution of a 12-month requirements supply contract with US PEROXIDE, LLC, Atlanta, GA for the purchase of 50% hydrogen peroxide in an estimated amount not to exceed \$279,000, with two 12-month extension options in an

estimated amount not to exceed \$279,000 per extension option, for a total estimated contract amount not to exceed \$837,000. Funding in the amount of \$162,750 is available in the Fiscal Year 2009-2010 Operating Budget of the Austin Water Utility. Funding for the remaining five months of the original 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 2-9D 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 Water & Wastewater Commission.

46. Approve an ordinance amending Ordinance No. 20070621-152 to modify vendor recordkeeping requirements and providing exceptions to the Workplace Conditions Code. June 21, 2007 - Approved ordinance enacting a policy to procure and maintain contracts for goods and services relating to apparel, garments, and corresponding accessories in a manner that supports humane and legal labor practices.
47. Authorize award and execution of a 22-month requirements service contract through U.S. Communities Government Purchasing Alliance with KONE, INC., Austin, TX to provide elevator preventative maintenance, repair, and modernization services at various City facilities in an estimated amount not to exceed \$1,803,450, with one 24-month extension option in an estimated amount not to exceed \$2,360,880 for a total estimated contract amount not to exceed \$4,164,330. Funding in the amount of \$573,825 is available in the Fiscal Year 2009-2010 Operating Budget of various City Departments. Funding for the remaining 15 months of the original contract period and extension option is contingent upon available funding in future budgets. This contract will be awarded in compliance with Chapter 2-9C of the City Code (Minority Owned and Women Owned Business Enterprise Procurement Program). This 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. Recommended by the Water & Wastewater Commission.
48. Authorize award and execution of a thirty-six month requirements supply contract with MEMPHIS POOL SUPPLY, Memphis, TN for swimming pool paint for the Parks and Recreation Department in an estimated amount not to exceed \$174,240, with two twelve-month extension options in an estimated amount not to exceed \$58,080 per extension option, for a total estimated contract amount not to exceed \$290,400. Funding in the amount of \$38,720 is available in the Fiscal Year 2009-2010 Operating Budget of the Parks and Recreation Department. Funding for the remaining 28 months of the original contract period and the extension options are contingent upon available funding in future budgets. Lowest bid of four 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.
49. Authorize award and execution of three contracts through the Texas Local Government Purchase Cooperative (BuyBoard) with RUSH TRUCK CENTER, Houston, TX for the purchase of one thermoplastic striping machine in an amount not to exceed \$443,235; INDUSTRIAL DISPOSAL SUPPLY, San Antonio, TX for the purchase of three Cyclone 4500 high-pressure surface cleaners in an amount not to exceed \$294,975; PHILPOTT MOTORS, LTD, Nederland, TX for the purchase of two medium-duty trucks in an amount not to exceed \$87,186.28. Authorize award and execution of a contract with SAN ANTONIO SOUTHWEST TRAILERS, San Antonio, TX for the purchase of two custom-built trailers in an amount not to exceed \$16,682. Funding in the amount of \$842,078.28 is available in the Fiscal Year 2009-2010 Operating Budget of the Public Works Department. This cooperative contract is exempt from the MBE/WBE Ordinance. This exemption is 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 contract. Related to Item #42.

Solid Waste Services

50. Approve the execution of a restated and amended contract with Mid-America Recycling, L.L.C. dba Greenstar for the transport, processing, and sale of commingled recycling material for a 36-month term with estimated revenue of \$7,661,354 and estimated processing and transportation expenditures in an amount not to exceed \$14,782,935 and four (4) 6-month extension options related to the completion of the City's proposed single-stream material recovery facility, with estimated revenue of \$1,322,317 and estimated processing and transportation expenditures in an amount not to exceed \$2,640,319 per extension option, for a total contract not to exceed \$12,393,589. Funding is available in the Fiscal Year 2009 Operating Budget through an end of year accounting accrual and in the Fiscal Year 2010 Operating Budget of the Solid Waste Services Department.

Transportation

51. Approve an ordinance amending Section 12-4-64 (D) of the City Code to establish a maximum speed limit of 35 miles per hour on Southpark Meadows Drive from West Slaughter Lane to South 1st Street. Funding in the amount of \$102 is available in the Fiscal Year 2009-2010 Operating Budget of the Transportation Department for installation of necessary signs.
52. Approve an ordinance adopting taximeter rates of fare, establishing three zones for basic rates of fare, repealing Ordinance 050210-12, and amending section 13-2-371 of the City Code relating to the taxicab fuel surcharge. Recommended by the Urban Transportation Commission.

Treasury Office

53. Approve an ordinance authorizing the extension of the Letter of Credit and Reimbursement Agreement between the City of Austin and JPMorgan relating to the \$350,000,000 City of Austin, Texas Combined Utility Systems Commercial Paper Notes, Series A program and the approval of all related documents. Of the approximately \$4,225,000 Letter of Credit Fee, half is available in the Fiscal Year 2009-2010 Operating Budget of the Austin Water Utility and Austin Energy, the remaining half will be included in the Fiscal Year 2010-2011 Proposed Operating Budget of those departments.

Watershed Protection Department

54. Authorize negotiation and execution of an Interlocal Cooperation Agreement with the Texas Water Development Board (TWDB) for a volumetric survey of Lady Bird Lake, in an amount not to exceed \$4,995.25.
55. Authorize negotiation and execution of an Interlocal Cooperation Agreement with the Texas Water Development Board (TWDB) for a volumetric survey of Lake Austin, in the total amount of \$5,157.

Item(s) from Council

56. Approve appointments and certain related waivers to citizen boards and commissions, to Council subcommittees and other intergovernmental bodies and removal and replacement of members.
57. Approve an ordinance granting a waiver of the license agreement application fee under City Code Section 14-11-1 for the temporary installation of art located at the south side of Barton Skyway near the intersection of South Lamar Boulevard in an amount not to exceed \$425.00. (Council Member Laura Morrison and Mayor Pro Tem Mike Martinez)
58. Approve a resolution directing the City Manager to work with stakeholders, including but not limited to, the creative, high-tech, and business communities to draft and submit the City of Austin's response to the Google Fiber for Communities Request for Information. (Council Member Laura Morrison and Council Member Chris Riley)

59. Approve a resolution directing the City Manager to evaluate options to bring by-product synergy opportunities to Austin and present recommendations to the City Council not later than May 27, 2010. (Council Member William Spelman, Council Member Chris Riley and Council Member Sheryl Cole)
60. Approve a resolution directing the City Manager to work with the Urban Transportation Commission to collect stakeholder input and make recommendations regarding issues related to taxicab rates. (Council Member William Spelman, Mayor Pro Tem Mike Martinez and Council Member Chris Riley)
61. Approve the waiver of certain fees and requirements under City Code Chapter 14-8 and authorize payment of certain costs for the City co-sponsored 2010 South by Southwest Conferences and Festivals event with SXSW, Inc. to be held March 12-21, 2010. (Mayor Pro Tem Mike Martinez and Council Member Sheryl Cole)
62. Approve the reimbursement of certain fees for the 2010 Vietnamese Lunar New Year Celebration sponsored by the Vietnamese American Community of Austin Texas (VACAT) which was held Saturday, February 6, 2010 at Lanier High School. (Mayor Pro Tem Mike Martinez, Council Member Sheryl Cole and Council Member Randi Shade)

Item(s) to Set Public Hearing(s)

63. Set a public hearing to consider an appeal by East Town Lake Citizens Neighborhood Association of Planning Commission's decision to approve a Conditional Use Site Plan for a Hotel/Motel use located at 1609 E. Cesar Chavez (East Side Inn, SPC-2009-0303CS). (Suggested date and time: March 25, 2010, 4:00 p.m. at Austin City Hall, 301 W. Second Street, Austin, TX).
64. Set a public hearing to consider the use of approximately 5.87 acres for an electric substation, electric transmission lines, distribution lines and drainage area through dedicated parkland known as Morris Williams Golf Course, in accordance with Sec. 26.001 et seq. of the Texas Parks and Wildlife Code. All costs associated with construction will be paid by requester. (Suggested date and time: March 25, 2010, 4:00 p.m. at Austin City Hall, 301 W. Second Street, Austin, TX). To be reviewed by the Electric Utility Commission on February 22, 2010. To be reviewed by the Parks and Recreation Board on February 23, 2010.
65. Set a public hearing to consider the use of approximately 6,873 square feet permanent wastewater line, approximately 5,150 square feet temporary access and temporary workspace, to construct, use, maintain, repair, and replace a wastewater line for construction of a portion of the Airport at Chesterfield Wastewater Improvements through dedicated parkland known as Reilly Park, in accordance with Sec. 26.001 et seq. of the Texas Parks and Wildlife Code. All costs associated with construction, as well as any parkland restoration will be paid by requester. (Suggested date and time: March 25, 2010, 4:00 p.m. at Austin City Hall, 301 W. Second Street, Austin, TX). Recommended by Parks and Recreation Board.
66. Set a public hearing to receive citizen input on community needs for the annual Action Plan for Fiscal Year 2010-2011, required by the U.S. Department of Housing and Urban Development; and the Community Development 2010-2011 Program as required by Texas Local Government Code Chapter 373. (Suggested date and time: March 11, 2010, 4:00 p.m., at Austin City Hall, 301 W. Second Street, Austin, TX).

10:30 AM -- Morning Briefings

67. Briefing on Needs for Austin's Homeless and Near-Homeless Population
68. Transportation System briefing

12:00 PM -- Citizen Communications: General

Linda Greene – Fluoride free Austin needs your help

CarolAnneRose Kennedy – BLACK CHRIST.MASS

Nailah Sankofa – African arts and cultural programming in East Austin

Walter Olenick – Water fluoridation

Valerie Romness – Homelessness

Jake Stewart – Climate protection petition and generation plant endorsement

Colin Clark – Water

Pastor Essie Barnes – False arrest and statute of limitation

Ronnie Reeferseed – Peace and freedom generally speaking

Paul Robbins – City issues

Executive Session

69. Discuss legal issues concerning agreements with Capital Metro relating to construction of transportation projects. (Private Consultation with Attorney - Section 551.071)

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

70. C14-2008-0123 – Bennett Tract - Approve second/third readings of 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 with conditions. First reading approved on January 28, 2010. Vote: 7-0. South Austin I-35 Associates c/o Bennett Realty Group (Delbert C. Bennett). Big Red Dog Engineering/Consulting (Will Schnier). Wendy Rhoades, 974-7719.

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

- 71 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.
- 72 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.

- 73 PH. C14-2009-0155 – Villa Court – Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 3505 Villa Court (West Bouldin Creek Watershed) from family residence (SF-3) district zoning to townhouse and condominium residence-conditional overlay (SF-6-CO) combining district zoning. Staff Recommendation: To grant townhouse and condominium residence-conditional overlay (SF-6-CO) combining district zoning. Planning Commission Recommendation: To grant townhouse and condominium residence-conditional overlay (SF-6-CO) combining district zoning. Applicant: 11 NCREO, LLC (Jadon Newman). Agent: PSW Real Estate (Ryan Diepenbrock). City Staff: Stephen Rye 974-7604.
- 74 PH. C14-2009-0157 – Albert Road – Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 7201-7207 Albert Road and 1305-1407 Matthews Lane (South Boggy Creek; Williamson Creek Watersheds) from single family residence large lot-conditional overlay (SF-1-CO) combining district zoning to single family residence standard lot (SF-2) district zoning. Staff Recommendation: To grant single family residence standard lot-conditional overlay (SF-2-CO) combining district zoning. Zoning and Platting Commission Recommendation: To deny single family residence-standard lot (SF-2) district zoning. Owner/Applicant: Stone Properties (Jacqueline P. Stone). Agent: Austin Civil Engineering, Inc. (Brent Hammond). City Staff: Wendy Rhoades, 974-7719.
- 75 PH. C14-2009-0158 – 7211 Albert Road – Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 7211 Albert Road (South Boggy Creek; Williamson Creek Watersheds) from development reserve (DR) district zoning to single family residence large lot (SF-1) district zoning. Staff Recommendation: To grant single family residence standard lot (SF-2) district zoning. Zoning and Platting Commission Recommendation: To grant single-family residence-large lot (SF-1) district zoning. Owner/Applicant: Chester C. Young. Agent: Damon Young. City Staff: Wendy Rhoades, 974-7719.

4:00 PM -- Public Hearings and Possible Actions

- 76 PH. Conduct a public hearing and consider an appeal by the River Bluff Neighborhood Association of a decision to approve an Outdoor Music Venue permit for Sustainable Waves, located at 4822 E. Cesar Chavez.
- 77 PH. Conduct a public hearing and consider an appeal by North University Neighborhood Planning Team regarding the decision to approve an Outdoor Music Venue Permit for Little Woodrow's, located at 2610 Guadalupe.
- 78 PH. Conduct a public hearing and consider an ordinance amending the Austin Tomorrow Comprehensive Plan by adopting the East Riverside Corridor Master Plan. The planning area includes properties within approximately one-quarter to one-half mile on the north and south sides of East Riverside Drive, bounded by Interstate 35 on the west and Highway 71 on the east. Recommended by Planning Commission.
- 79 PH. Conduct a public hearing and consider an ordinance amending Chapter 25-2, Subchapter E, of the City Code to reclassify East Riverside Drive between Pleasant Valley Road and Highway 71 from an Urban Roadway to a Core Transit Corridor. Recommended by Planning Commission.
- 80 PH. Conduct a public hearing to receive public comment on the City's spending priorities for affordable housing using General Obligation Bonds and federal funds.

5:30 PM -- Live Music

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5:30 PM -- Proclamations


Distinguished Service Award -- Roger Duncan -- to be presented by Mayor Lee Leffingwell and City Manager Marc Ott and to be accepted by the honoree


Proclamation -- Celebrate Urban Birds Day -- to be presented by Mayor Lee Leffingwell and to be accepted by Valarie Bristol

Certificate of Appreciation -- Angel Quesada -- to be presented by Mayor Pro Tem Mike Martinez and to be accepted by the honoree

Community Service Awards -- Black History Month Honorees -- to be presented by Council Member Sheryl Cole and to be accepted by Marvin Douglas, Betty Washington and Dr. and Mrs. Audrey Mackey

Adjourn

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

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

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