

A U S T I N C I T Y C O U N C I L

# AGENDA



**Thursday, April 07, 2011**

The Austin City Council will convene at 10:00 AM on  
Thursday, April 07, 2011 at Austin City Hall  
301 W. Second Street, Austin, TX



**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 dosed 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 dosed 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**

**10:00 AM**  **City Council Convenes**

Deacon Ed Woolery-Price, All Saints Episcopal Church

**Consent**

##### **Approval of Minutes**

1. Approve the minutes of the Austin City Council special called meeting of March 22, 2011 and regular meeting of March 24, 2011.

##### **Austin Energy**

2. Approve an ordinance authorizing acceptance of \$2,121,100 in American Recovery and Reinvestment Act (ARRA) grant funds from the U.S. Department of Energy (DOE) through the Texas Department of Housing and Community Affairs (TDHCA) as the administering agency, and amending the Fiscal Year 2010-2011 Austin Energy Operating Budget Special Revenue Fund of Ordinance No. 20100913-002 to appropriate \$2,121,100 for weatherization of homes for low-income, elderly, and disabled customers within Austin Energy's service area.
3. Approve an ordinance amending Chapter 6-7 of the City Code relating to Energy Conservation Audit and Disclosure requirements.
4. Approve issuance of a rebate to Dell Computers, Inc. for the installation of energy efficient equipment in an amount not to exceed \$92,854.

##### **Communications and Technology Management**

5. Approve an ordinance renaming a portion of Gregg Lane to East Howard Lane.

##### **Contract and Land Management**

6. Authorize execution of a construction contract with ASPHALT PAVING COMPANY OF AUSTIN, INC., Buda, TX, for the 2011 Miscellaneous Streets Overlay - Phase 3

project in the amount of \$2,664,758.67 plus a \$266,475.86 contingency, for a total contract amount not to exceed \$2,931,234.53.

7. Authorize negotiation and execution of Work Component Amendment No. A-1 to the Construction Manager at Risk Agreement with DPR Construction, Inc., Austin, TX, for a Partial Guaranteed Maximum Price of \$2,093,490 for both Work Component No. 01 - Demolition and Work Component No. 02 - Site Facilitization for the construction of the Austin Energy System Control Center, plus a contingency in the amount of \$46,000, for a total not-to-exceed authorization amount of \$2,139,490.
8. Authorize the negotiation and execution of a professional services agreement with MICHAEL VAN VALKENBURGH ASSOCIATES, INC., LANDSCAPE ARCHITECTS, Cambridge, MA, or one of the other qualified responders to RFQ Solicitation CLMP047A, to provide Professional Planning Services for the Holly Shores/Festival Beach Master Plan project with an amount not to exceed \$350,000.

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

9. Authorize negotiation and execution of an Interlocal Agreement with Travis County and other Parties to conduct an economic development study of the economic impact of the Lake Travis area in an amount not to exceed \$20,000.

#### **Government Relations**

10. Approve a resolution adopting the City's 2011-2012 Federal Legislative Program including Fiscal Year 2012 appropriations requests.

#### **Health and Human Services**

11. Approve an ordinance authorizing acceptance of \$49,977 in grant funds from the TEXAS DEPARTMENT OF STATE HEALTH SERVICES, ZOONOSIS BRANCH, and amending the Fiscal Year 2010-2011 Health and Human Services Operating Budget Special Revenue Fund (Ordinance No. 20100913-002) to appropriate \$49,977 to conduct spay and neuter activities.
12. Authorize negotiation and execution of an Interlocal Agreement with TRAVIS COUNTY to provide funding and certain services for the Summer Youth Employment Program for a one-year term in an amount not to exceed \$562,554 with one 12-month renewal in an amount not to exceed \$562,554, for a total contract amount not to exceed \$1,125,108.

#### **Law**

13. Approve Settlement Agreement with the City of Burnet relating to the City of Burnet's application to TCEQ to amend its permit for direct discharge of wastewater into a tributary of Lake Travis.
14. Discussion and possible action on a resolution relating to the transaction of city business on personal accounts and personal communication devices.
15. Authorize execution of an amendment to the professional services contract with

Carrasquillo Associates, LTD for the National Power Rodding Corporation, Inc. v. City of Austin and Quadex lawsuit, the amount of the increase is \$110,000. This increase would bring the total amount of the professional services contract to \$140,000.

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

16. Authorize the negotiation and execution of all documents and instruments necessary or desirable to acquire an approximately 17,328 square foot temporary staging area and material storage site easement for the Austin West Campus Water Improvement Area Project out of Lots 1 - 3, Block 59 and an additional portion of .471 AC OLT Block 59 of Graham's Addition situated in Travis County, Texas, located at 2600 San Pedro Street Austin, Travis County, Texas from WEST CAMPUS 26th, L.P., in an amount not to exceed \$8,386.75.

#### **Parks and Recreation**

17. Approve a resolution authorizing the Parks and Recreation Department's application for up to \$1,000,000 in grant funding from the Texas Parks and Wildlife Department's Outdoor Urban Recreation Grant Program to improve facilities and resources at Auditorium Shores. Park.

#### **Planning and Development Review**

18. Approve a resolution consenting to legislation that would create the Rio de Vida special district, consisting of approximately 2,130 acres of land located along the east and west sides of SH 130 between FM 969 and the Colorado River, if certain provisions are included in the legislation creating the district.
19. Approve a resolution consenting to special legislation that would create the Pilot Knob municipal utility districts, consisting of approximately 2,214 acres of land located east of IH 35 between McKinney Falls Parkway and US 183 South, if certain provisions are included in the legislation creating the districts.

#### **Public Works**

20. Authorize termination of an Interlocal Agreement between the City of Austin and the CAPITAL METROPOLITAN TRANSPORTATION AUTHORITY for the Rundberg Lane from Metric to Burnet project.

#### **Purchasing Office**

21. Authorize award and execution of Amendment No.1 to a requirements service contract with COMPUTER SCIENCE CORPORATION, Houston, TX to increase the contract amount for the purchase of software technology and implementation services including training in an amount not to exceed \$600,000, for a revised estimated contract amount not to exceed \$2,400,000.
22. Authorize award and execution of a 12-month requirements supply contract with KBS ELECTRICAL DISTRIBUTORS, INC., Austin, TX for the purchase of station class surge arresters for Austin Energy in an estimated amount not to exceed \$120,000, with four 12-month extension options in an estimated amount not to exceed \$120,000 per

extension option, for a total estimated contract amount not to exceed \$600,000.

23. Authorize award, negotiation, and execution of a 12-month contract with SOLAR TURBINES INC, Houston, TX for an annual maintenance agreement for the gas turbine at Mueller Energy Center in an amount not to exceed \$139,816, with four 12-month extension options in an estimated amount not to exceed \$121,096 per extension option, for a total estimated contract amount not to exceed \$624,200. Solar Turbines is the sole source provider for these products.
24. Authorize award and execution of Amendment No. 2 to a requirements supply contract with TEXAS DIGITAL SYSTEMS, INC., College Station, TX, to increase the contract amount for the expansion of information delivery services for the new City of Austin/Austin Energy Walk-in Customer Service Center, including the purchase of monitors, software, installation, annual maintenance and support, and implementation in an estimated amount not to exceed \$54,000 for the current contract period, and in an estimated amount not to exceed \$3,000 for each of the three 12-month extension options, for a total estimated contract amount not exceed \$292,401.
25. Authorize award and execution of Amendment No. 3 to six requirements service contracts with AIRTECH ENERGY SYSTEMS, INC., Austin, TX; CLIMATE MECHANICAL, INC., Austin, TX; GO GREEN SQUADS LLC, Austin, TX; MCCULLOUGH HEATING & AIR CONDITIONING, INC., Austin, TX; VALDEZ REMODELING & WEATHERIZATION, INC., Austin, TX; and WEATHERIZATION MANAGEMENT GROUP, Dallas, TX, to increase the contract for weatherization measures and improvement services in an estimated combined amount not to exceed \$1,652,000, for a revised estimated combined contract amount not to exceed \$6,477,490.
26. Authorize award and execution of Amendment No. 3 to nine requirements service contracts with A-PLUS ENERGY MANAGEMENT & A/C, Austin, TX; AMERICAN CONSERVATION & AIR, Austin, TX; APPLE ENERGY GROUP, LLC, Austin, TX; ATS ENGINEERING & INSPECTORS, Austin, TX; CITY CONSERVATION, Austin, TX; MCCULLOUGH HEATING & AIR CONDITIONING, INC., Austin, TX; STANDARD RENEWABLE ENERGY, Austin, TX; THE INSTITUTE FOR BUILDING TECHNOLOGY AND SAFETY, Herndon, VA; and THE NELROD COMPANY, Fort Worth, TX, to increase the contract for weatherization test in audit services in an estimated combined amount not to exceed \$275,349, for a revised estimated combined contract amount not to exceed \$778,349.
27. Authorize award and execution of Amendment No. 2 to nine requirements service contracts with A-PLUS ENERGY MANAGEMENT & A/C, Austin, TX; AMERICAN CONSERVATION & AIR, Austin, TX; APPLE ENERGY GROUP, LLC, Austin, TX; ATS ENGINEERING & INSPECTORS, Austin, TX; CITY CONSERVATION, Austin, TX; MCCULLOUGH HEATING & AIR CONDITIONING, INC., Austin, TX; STANDARD RENEWABLE ENERGY, Austin, TX; THE INSTITUTE FOR BUILDING TECHNOLOGY AND SAFETY, Herndon, VA; and THE NELROD COMPANY, Fort Worth, TX, to increase the contract for weatherization final inspection audit services in an estimated combined amount not to exceed \$178,000, for a revised estimated combined contract amount not to exceed \$428,000.

28. Authorize award, negotiation, and execution of an escrow agreement in an amount not to exceed \$7,600,000 and a 62-month contract with VELOCITY CREDIT UNION, Austin, TX, or one of the other qualified offerors to RFP No. SMH0116, for an energy efficiency lending program in an estimated amount not to exceed \$7,600,000, with three 12-month extension options in an estimated amount not to exceed \$600,000 per extension option, for a total estimated contract amount not to exceed \$9,400,000.
29. Authorize award and execution of Amendment No. 3 to a requirements supply contract with ALLAN BAKER, INC., dba KORRECT OPTICAL, Louisville, KY for the purchase of prescription safety eyewear for the Austin Water Utility, to exercise the final extension option in an estimated amount not to exceed \$15,000, for a revised total estimated contract amount not to exceed \$62,000.
30. Authorize award and execution of the third year increase to a 36-month requirements supply contract with ELLIOTT ELECTRIC SUPPLY, Austin, TX, for the purchase of Cutler Hammer Equipment Repair Parts for the Austin Water Utility in an estimated not to exceed \$28,461.48, with three 12-month extension options amounts estimated not to exceed \$35,480 for a total contract amount not to exceed \$191,824.45.
31. Authorize award and execution of Amendment No. 4 to a requirements supply contract with ENVIRONMENTAL RESOURCE ASSOCIATES, Austin, TX, for the purchase of water pollution and water supply proficiency testing standards for the Austin Water Utility, to exercise the final option in an estimated not to exceed \$25,000, for a revised total estimated contract amount not to exceed \$112,500.
32. Authorize award and execution of a 36-month requirements supply contract with PREMIER MAGNESIA, LLC, Flint, TX for the supply of THIOGUARD® magnesium hydroxide for the Austin Water Utility in an amount not to exceed \$750,000, with three 12-month extension options in amounts not to exceed \$250,000 per extension option, for a total contract amount not to exceed \$1,500,000. Premier Magnesia, LLC is the sole source provider for this product.
33. Authorize award and execution of a 36-month requirements service with WASTE MANAGEMENT TEXAS, Houston, TX for disposal services for grit and screening from wastewater treatment plants for the Austin Water Utility in an amount not to exceed \$386,460, with three 12-month extension options in amounts not to exceed \$128,820 per extension option, for a total agreement amount not to exceed \$772,920.
34. Authorize award and execution of a 24-month requirements contract with BRUEL & KJAER, Sacramento, CA for the upgrade and maintenance support for the aircraft noise and flight track monitoring system to include two years of support services/warranty in an estimated amount not to exceed \$391,487, with three 12-month extension options for maintenance and support in estimated amounts not to exceed \$76,826 for the first extension option, \$79,074 for the second extension option, and \$81,390 for the third extension option, for a total estimated contract amount not to exceed \$628,777. Bruel & Kjaer is the sole source provider for these services.
35. Authorize award and execution of Amendment No. 2 to a contract with DECCAN INTERNATIONAL, San Diego, CA, for maintenance and support for CAD Analyst and other Deccan software to extend the contract for one 12-month period in an amount not to exceed \$31,200, with two additional 12-month extension options in an amount not to exceed \$31,200 per extension option, for a revised total contract amount

not to exceed \$150,800.

36. Authorize award and execution of Amendment No. 3 to a contract with ENTECH SALES & SERVICE, Austin, TX, for security system monitoring and as-needed repair, to exercise the second extension option in an amount not to exceed \$24,966, with one additional 12-month extension option in an amount not to exceed \$24,966, for a revised total contract amount not to exceed \$99,864.
37. Authorize award and execution of Amendment No. 2 to a contract with ENVISTA CORPORATION, Beverly, MA, for a subscription to Envista's Asset Management Coordination and Permit Viewing System, to exercise the final extension option in an amount not to exceed \$51,800, for a revised total contract amount not to exceed \$155,400.
38. Authorize award and execution of Amendment No. 2 to a contract with INSIGHT PUBLIC SECTOR, INC., Tempe, AZ, for software maintenance and support for Net Motion Mobility XE software to extend the contract for one 12-month period in an amount not to exceed \$33,096.85, with two additional 12-month extension options in an amount not to exceed \$33,096.85 per extension option, for a revised total contract amount not to exceed \$199,453.74.
39. Authorize award and execution of a 12-month requirements service contract with MOTOROLA SOLUTIONS, INC., Austin, TX for two-way communications equipment repair services in an estimated amount not to exceed \$175,000, with three 12-month extension options in estimated amount not to exceed \$175,000 per extension option, for a total estimated contract amount not to exceed \$700,000. Motorola Solutions, Inc. is the sole source provider for these services.
40. Authorize award and execution of Amendment No. 2 to a contract with NORTH AMERICAN COMMUNICATIONS RESOURCE, INC., Austin, TX, for maintenance and support for Red Sky E911 software to extend the contract for one 12-month period in an amount not to exceed \$31,648, with one additional 12-month extension option in an amount not to exceed \$31,648, for a revised total contract amount not to exceed \$118,563.85.
41. Authorize award and execution of Amendment No. 1 to a 36-month contract with PORTER LEE CORPORATION, Schaumburg, IL, for software maintenance and support for the Barcoded Evidence Analysis, Statistics, and Tracking Laboratory Information Management System to authorize the third year contract funds in an amount not to exceed \$25,137, and add two 12-month extension options in an amount not to exceed \$25,891.11 for the first extension option and \$26,667.84 for the second extension option, for a revised total contract amount not to exceed \$124,435.95.
42. Authorize award, negotiation, and execution of Amendment No. 2 to a contract with SUMMUS INDUSTRIES, INC., (MBE/MB) Sugarland, TX, for additional Microsoft licenses and training in an amount not to exceed \$410,328 for a revised total contract amount not to exceed \$14,976,557.
43. Authorize award and execution of Amendment No. 3 to a contract with TELVENT USA CORPORATION, Calgary, Alberta, Canada, for maintenance and support for Telvent VIP software to extend the contract for one 12-month period in an amount not to exceed \$50,544.35, for a revised total contract amount not to exceed \$146,329.50.

44. Approve ratification of a 12-month contract through the State of Texas Department of Information Resources cooperative purchasing program with TIME WARNER CABLE, Austin, TX, in an amount not to exceed \$94,879.20, for broadband high-speed data and internet services.
45. Authorize award and execution of a contract with PHYSIO-CONTROL, INC., Redmond, WA for the purchase of eleven refurbished cardiac defibrillator/monitors for the Emergency Medical Services Department in an amount not to exceed \$177,579. Physio-Control, Inc. is the single source provider for these products.
46. Authorize award and execution of a 36-month requirements service contract with QUICK SEARCH, Dallas, TX for pre-employment background investigation services in an estimated amount not to exceed \$228,080, with three 12-month extension options in estimated amounts not to exceed \$132,983 for the first extension option, \$166,281 for the second extension option, and \$202,909 for the third extension option, for a total estimated contract amount not to exceed \$730,253.
47. Authorize award and execution of a 36-month requirements service contract with ANA LABORATORIES, INC., Austin, TX, or one of the other qualified bidders for IFB-BV No. PAX0206, to provide alternate fuel testing services in an estimated amount not to exceed \$72,800, with three 12-month extension options in estimated amounts not to exceed \$34,560 for the first extension option, \$41,472 for the second extension option, and \$49,766 for the third extension option, for a total estimated contract amount not to exceed \$198,598.
48. Authorize award and execution of a 36-month requirements service contract with SOUTH POINT CHRYSLER DODGE JEEP, Austin, TX to provide repair parts and services for Dodge light-duty vehicles in an estimated amount not to exceed \$399,526, with three 12-month extension options in estimated amounts not to exceed \$189,665 for the first extension option, \$227,598 for the second extension option, and \$273,118 for the third extension option, for a total estimated contract amount not to exceed \$1,089,907.
49. Authorize award and execution of a 36-month requirements supply contract with MILLER UNIFORMS & EMBLEMS INC., Austin, TX to provide uniforms and related services in an estimated amount not to exceed \$936,000, with three 12-month extension options in estimated amounts not to exceed \$416,000 for the first extension option, \$468,000 for the second extension option, and \$520,000 for the third extension option, for a total estimated contract amount not to exceed \$2,340,000.
50. Authorize award, negotiation, and execution of a 6-month requirements service contract with THE CNA CORPORATION, Alexandria, VA or one of the other qualified offerors to RFP No. PAX0100, to provide services related to the development of a Critical Infrastructure Key Resources program for the Austin urban area for a total estimated contract amount not to exceed \$99,942.
51. Authorize award and execution of Amendment 1 to a contract with AUSTIN TURF & TRACTOR, Marble Falls, TX, for John Deere golf and turf equipment parts and service repairs in the amount of \$50,000 with three 12 month extension options not to exceed \$50,000 per option, for a total contract amount not to exceed \$300,000.



52. Authorize award and execution of Amendment 1 to a contract with C & M GOLF & GROUNDS MAINTENANCE EQUIPMENT, Waco, TX, for golf course equipment parts and service repairs in the amount of \$50,000 with three 12 month extension options not to exceed \$50,000 per option, for a revised total contract amount not to exceed \$300,000.
53. Authorize award and execution of Amendment 1 to a contract with PROFESSIONAL TURF PRODUCTS, San Antonio, TX, for Toro golf equipment parts and service repairs in the amount of \$50,000 with three 12 month extension options, not to exceed \$50,000 per option, for a total contract amount not to exceed \$300,000.
54. Authorize award and execution of a service contract with TRANE U.S. INC., Austin, TX for the installation of two guard panels and splitter baffles on two existing Trane RTAA80 chillers at the Emma S. Barrientos Mexican American Cultural Center in an amount not to exceed \$96,336.00. Trane U.S. Inc. is the single source provider for these services.
55. Authorize award and execution of a 36-month requirements service contract with FULL SPECTRUM ANALYTICS INC., Orange, CA for maintenance and repair services for forensics laboratory equipment in an estimated amount not to exceed \$55,910, with three 12-month extension options in estimated amounts not to exceed \$26,542 for the first extension option, \$31,851 for the second extension option, and \$38,221 for the third extension option, for a total estimated contract amount not to exceed \$152,524.
56. Authorize award and execution of a 12-month requirements supply contract with WASTE MANAGEMENT OF TEXAS INC., Houston, TX., for refuse and recycling collection services for the Downtown Business District in an estimated amount not to exceed \$722,793.61, with two 12-month extension options in an estimated amount not to exceed \$722,793.61 for each option, for a total estimated contract amount not to exceed \$2,168,380.83.
57. Authorize award and execution of Amendment No. 2 to a contract with AMERICAS COMPUTER COMPANY, San Antonio, TX, for the purchase of programmable logic controllers, to exercise the final extension option in an amount not to exceed \$18,041.25, for a revised total contract amount not to exceed \$54,123.75.
58. Authorize award and execution of a 12-month requirements service contract with JC COMMUNICATIONS, LEANDER, TX, for installation and maintenance of single mode fiber optic cable in an amount not to exceed \$191,706.40, with two 12-month extension options in an amount not to exceed \$191,706.40 for each extension option, for a total estimated contract amount not to exceed \$575,119.20.
59. Authorize award and execution of Amendment No. 2 to a contract with SIEMENS INDUSTRY, INC., Austin, TX, for maintenance and support of traffic management system software to extend the contract for one 12-month period in an amount not to exceed \$25,000, with two additional 12-month extension options in an amount not to exceed \$25,000 per extension option, for a revised total contract amount not to exceed \$125,000.

#### **Solid Waste Services**

60. Authorize the execution of a long-term contract for handling the City's Single-Stream Recycling either solely with Balcones Resources or solely with Texas Disposal Systems; or a combination of the two companies.

#### Treasury Office

61. Approve an ordinance authorizing two separate Letter of Credit and Reimbursement Agreements between the City of Austin Sumitomo Mitsui Banking Corporation and The Bank of Tokyo-Mitsubishi related to the \$160,740,000 currently outstanding City of Austin, Water and Wastewater System Variable Rate Revenue Refunding Bonds, Series 2008, and approve and authorize all necessary documents and fees relating to these Letter of Credit and Reimbursement Agreements.
62. Approve an ordinance authorizing and approving (i) an extension of the expiration date of the Standby Bond Purchase Agreement, between the City of Austin and Dexia Credit Local (Dexia) relating to the \$248,350,000 currently outstanding City of Austin, Texas, Airport System Refunding Revenue Bonds, Series 2005 (the Bonds), (ii) an increase in the facility fee rate to 125 basis points payable by the City of Austin to Dexia pursuant to the Standby Bond Purchase Agreement, and (iii) all necessary related documents and actions.

#### Item(s) from Council

63. Approve appointments and certain related waivers to citizen boards and commissions, to Council subcommittees and other intergovernmental bodies and removal and replacement of members.
64. Approve an ordinance waiving certain application and permit fees in Chapter 10-3 (Food and Food Handlers) of the City Code relating to certain vendors at certified farmers markets within the City of Austin.  
( Notes: SPONSOR: Council Member Randi Shade CO 1: Mayor Pro Tem Mike Martinez CO 2: Council Member Laura Morrison )
65. Approve a resolution directing the City Manager to present departmental data on key performance measurements, strategic business planning issues, and near-term core objectives to City Council committees in March of each year.  
( Notes: SPONSOR: Council Member William Spelman CO 1: Council Member Laura Morrison )
66. Approve the waiver of certain fees and requirements for the 2011 Bengali and South Asian New Year Festival event sponsored by Texas Bengali Cultural Alliance which is to be held Saturday, April 9, 2011 at Zilker Hillside Theater.  
( Notes: SPONSOR: Council Member Laura Morrison CO 1: Council Member Randi Shade CO 2: Mayor Pro Tem Mike Martinez )
67. Approve the waiver of certain fees and requirements for the 6th annual Urban Music Festival which is to be held Saturday, April 9, 2011 at Auditorium Shores.  
( Notes: SPONSOR: Council Member Sheryl Cole CO 1: Council Member Chris Riley CO 2: Council Member Randi Shade )
68. Approve the waiver of certain fees and requirements for the 2011 Mother Earth Day Festival which is to be held Friday, May 6, 2011 at Zilker Metropolitan Park.

( Notes: SPONSOR: Council Member Laura Morrison CO 1: Council Member Sheryl Cole CO 2: Council Member Randi Shade )

69. Approve the waiver of certain fees and requirements for the Lady Bird Lake Fest Festival which is to be held Tuesday, May 24, 2011 at Fiesta Gardens.  
( Notes: SPONSOR: Council Member Laura Morrison CO 1: Council Member Sheryl Cole CO 2: Council Member Chris Riley )
70. Approve the waiver of certain fees for the 13th annual Austin Dragon Boat Festival which is to be held on Saturday, April 30, 2011 at Festival Beach.  
( Notes: SPONSOR: Mayor Lee Leffingwell CO 1: Council Member Sheryl Cole CO 2: Council Member Randi Shade )

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

71. Set a public hearing to consider an ordinance creating an economic development program for and authorizing the negotiation and execution of an Economic Development Agreement with EBAY, INC. and subsidiaries (Suggested date and time: April 12, 2011, 2:00 p.m. at Austin City Hall, 301 W. Second Street, Austin, TX).

#### **Non-Consent**

##### **10:30 AM - Morning Briefings**

72. Staff presentation regarding an economic development proposal to create an economic development program for EBAY, INC.

##### **12:00 PM - Citizen Communications: General**

Rae Nadler-Olenick - Water fluoridation

Stefan Wray – Make 700 Grove 28 acres a Park preserve

Pam Thompson – 700 Grove 28 acres a preserve, 58” dia trees & springs protected!

Tim Tobin – Red light camera tickets? Plate # PLG825 Bike Riders use bike lane

Susana Almanza – Preserve 28 acres at Roy Guerrero Park

Daniel Llanes – Preserve @ Colorado River Park

Colette Michalec – Dissolving the office of the Police Monitor/ Citizen Review Panel

Philip Greene – Water fluoridation

Nathan Chelstrom - Lack of response from the City Legal department regarding site development at 2700 Edgewater Dr.

Akwasi Evans – African American quality of life

#### **Executive Session**

73. Discuss legal issues related to a Texas Open Meetings Act complaint, associated requests made under the Public Information Act, the retention of records, and a complaint filed under the City's ethics provisions (Private consultation with legal counsel pursuant to Section 551.071 of the Government Code).
74. Discuss legal issues relating to funding for Palmer Events Center and Butler Park (private consultation with counsel pursuant to Section 551.071 of the Government Code).

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

75. C14-2010-0145 – River Place Country Club – Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by zoning property locally known as 4207 River Place Boulevard (Panther Hollow Watershed) from interim-rural residence (I-RR) district zoning to community commercial (GR) district zoning for Tract 1 and urban family residence (SF-5) for Tract 2. Staff Recommendation: To grant community commercial – conditional overlay (GR-CO) combining district zoning for Tract 1 and urban family residence (SF-5) for Tract 2. Zoning and Platting Commission Recommendation: To grant community commercial – conditional overlay (GR-CO) combining district zoning for Tract 1 and urban family residence (SF-5) for Tract 2. Applicant: River Place Golf Group, L.P. (Todd Routh). Agent: Urban Design Group (Leia Novosad). City Staff: Clark Patterson, 974-7691.
76. C14-2010-0194 – Briarwick Apartments – Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by zoning property locally known as 13400 Briarwick Drive (Lake Creek Watershed) from unzoned to multi-family residence-moderate-high density (MF-4) district zoning. Staff recommendation: To grant multi-family residence-moderate-high density (MF-4) district zoning with conditions. Zoning and Platting Commission Recommendation: To grant multi-family residence-moderate-high density (MF-4) district zoning with conditions. Owner/Applicant: Steelwood/Persimmon/Briarwick, LLP (Steve Ogden). Agent: Smith, Robertson, Elliott, Glen, Klein, & Douglas (David Hartman). City Staff: Sherri Sirwaitis, 974-3057.
77. C14-2011-0002 – Gibson Residences – Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 1203, 1205 and 1107 Gibson Street from general commercial services – mixed use – conditional overlay (CS-MU-CO) combining district zoning to multi-family residence–highest density – conditional overlay (MF-6-CO) combining district zoning. Staff Recommendation: To approve multi-family residence–highest density – conditional overlay (MF-6-CO) combining district zoning. Planning Commission recommendation: To grant multi-family residence–highest density – conditional overlay (MF-6-CO) combining district zoning. Applicant: Gibson Lamar Partners, LP (Arthur Carpenter). Agent: Graves, Dougherty, Hearon & Moody (Michael Whellan). City Staff: Stephen Rye, 974-7604.
78. C14-2010-0200 – Lankford 2.49 – Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by zoning property locally known as 13635 Rutledge Spur (Lake Creek Watershed) from interim-rural residence (I-RR) district zoning to general commercial services (CS) district zoning. Staff

Recommendation: To grant family residence-conditional overlay (SF-3-CO) combining district zoning. Zoning and Platting Commission Recommendation: To grant an indefinite postponement. Owner/Applicant: Janice Lankford. Agent: Jim Bennett Consulting (Jim Bennett). City Staff: Sherri Sirwaitis, 974-3057.

#### 4:00 PM - Public Hearings and Possible Actions

79. Conduct a public hearing in accordance with Section 26.001 et seq. of the Texas Parks and Wildlife Code and consider a resolution to approve using portions of dedicated parkland known as Town Lake - Holly Shores Park for purposes of accessing, constructing, maintaining, repairing and replacing a storm drain line and related appurtenances in connection with the Lady Bird Lake/East 4th Street Drainage Improvements (CIP ID 5789.028). The portions of the parkland to be used are (a) approximately 2,382 square feet for a permanent storm drain line, and (b) approximately 5,125 square feet for a temporary access and workspace area. (Suggested date and time: April 7, 2011, 4:00 p.m. at Austin City Hall, 301 W. Second Street, Austin, TX).
80. Conduct a public hearing to receive citizen input on community needs for comments on the Fiscal Year 2011-2012 Action Plan, as required by the U.S. Department of Housing and Urban Development (HUD); and the Community Development 2011-2012 Program as required by Texas Local Government Code Chapter 373.

#### 5:30 PM - Live Music

Austin Lyric Opera


#### 5:30 PM - Proclamations


Proclamation -- Jonathan Dove Day (Austin Lyric Opera) -- to be presented by Mayor Lee Leffingwell and to be accepted by the honoree

Proclamation -- Tibetan Intercultural Exchange Days -- to be presented by Mayor Lee Leffingwell and to be accepted by the Tibetan delegation

Proclamation -- National Public Health Week -- to be presented by Mayor Lee Leffingwell and to be accepted by Shannon Jones

#### 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.