

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

AGENDA



Thursday, February 02, 2012

The Austin City Council will convene at 10:00 AM on
Thursday, February 02, 2012 at Austin City Hall
301 W. Second Street, Austin, TX



Mayor Lee Leffingwell
Mayor Pro Tem Sheryl Cole
Council Member Chris Riley, Place 1
Council Member Mike Martinez, Place 2
Council Member Kathie Tovo, Place 3
Council Member Laura Morrison, Place 4
Council Member William Spelman, Place 5

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 A. W. Anthony Mays, Sr. Pastor, Mt. Sinai Missionary Baptist Church

10:00 AM ☐ City Council Convenes

Consent

Approval of Minutes

1. Approve the minutes of the Austin City Council work session of January 24, 2012, and regular meeting of January 26, 2012.

Austin Energy

2. Authorize issuance of a rebate to CWS Apartment Homes LP for energy efficiency improvements at Northwest Hills Apartments, 3600 Greystone Dr., Austin, Texas, in an amount not to exceed \$91,620.
3. Authorize issuance of a rebate to IMT Capital Monterey Ranch LP for energy efficiency improvements at the IMT Monterey Ranch Apartments, 4701 Staggerbrush, Austin, Texas, in an amount not to exceed \$143,919.
4. Authorize issuance of a rebate to CWS Apartment Homes LP for energy efficiency improvements at The Marquis at Barton Creek Apartments, 2716 Barton Creek Blvd., Austin, Texas, in an amount not to exceed \$113,200.

Contract Management

5. Authorize execution of a construction contract with MAC, INC, Austin, TX for the Southern Walnut Creek Hike and Bike Trail project, in the amount of \$8,047,368.50 plus a \$402,368 contingency, for a total contract amount not to exceed \$8,449,736.50.

6. Authorize negotiation and execution of an amendment to the professional services agreement with HALFF ASSOCIATES, INC., for additional engineering design and construction phase services for the Southern Walnut Creek Hike & Bike Trail in an amount not to exceed \$102,673 for a total authorization of \$1,752,210.97. Related to Item # 22.

Library

7. Approve an ordinance renaming the Oak Springs Branch Library, located at 3101 Oak Springs Drive, the Willie Mae Kirk Branch Library.

Purchasing Office

8. Authorize award and execution of a 36-month requirements service contract with HANK FLEMING GUNSMITH for armorer services to repair, rebuild, inspect, and maintain all firearms owned by the Austin Police Department, in an estimated amount not to exceed \$94,666 with three 12-month extension options in estimated amounts not to exceed \$38,067 for the first extension option, \$41,873 for the second extension option, and \$46,061 for the third extension option, for a total estimated contract amount not to exceed \$220,667.
9. Authorize award and execution of Amendment No. 1 to a 36-month contract with FM 973 PIT MATERIALS for spoils disposal services for the Public Works Department for debris generated by street repair and maintenance activities in an estimated amount not to exceed \$32,000 for the first 12-month extension option and two additional 12-month extension options in an estimated amount not to exceed \$32,000 per option, for a revised total estimated contract amount not to exceed \$192,000.
10. Authorize award and execution of a 36-month requirements service agreement with GG'S CONSTRUCTION, (MBE-FH), to provide painting services at various city facilities, in an estimated amount not to exceed \$2,548,000, with three 12-month extension options in estimated amounts not to exceed \$1,209,600 for the first extension option, \$1,451,520 for the second extension option, and \$1,741,824 for the third extension option, for a total estimated contract amount not to exceed \$6,950,944.
11. Authorize award, negotiation, and execution of a contract with SAIC ENERGY, ENVIRONMENTAL & INFRASTRUCTURE, LLC, Hendersonville, TN, KEMA, INC., and GOOD COMPANY ASSOCIATES, INC., or one of the other qualified offerors to RFP No. TVN0018, to provide electric vehicle infrastructure consulting services for Austin Energy in an amount not to exceed \$305,000 each and combined.

Item(s) from Council

12. Approve appointments and certain related waivers to citizen boards and commissions, to Council subcommittees and other intergovernmental bodies and removal and replacement of members.
13. Approve second and third readings of an ordinance amending Ordinance No. 20100225-052 relating to taxicab rates of fare and amending City Code Chapter 13-2 relating to taxicab operations, including passenger limits.
14. Approve a resolution directing the City Manager to change the name of the Downtown Venue Relocation Program to the Music Venue Assistance Program; to initiate, fund, and oversee a sound mitigation case study of a music venue in an amount up to \$40,000 from the Downtown Development Fund; to report recommendations on sound mitigation at music venues to Council; and subject to Council approval and availability of funds, to add \$100,000 per fiscal year to the Downtown Development Fund until there is a balance of \$750,000 for the program.
(Notes: SPONSOR: Council Member William Spelman CO 1: Council Member Mike Martinez)
15. Approve a resolution directing the City Manager to work with the Community Development Commission and representatives of community housing development corporations (CHDOs) and other eligible non-profit organizations to implement a process for evaluation and consideration of CHDOs and other non-profit organizations as community land trusts and report back to the Council on the status of implementation of the process by April 5, 2012.
(Notes: SPONSOR: Council Member Laura Morrison CO 1: Council Member Kathie Tovo CO 2: Council Member Chris Riley)
16. Authorize the City Manager to execute a co-sponsorship agreement with the Nosotros Los Tejanos Parade Committee to waive special event fees and police and barricade costs in an amount not to exceed \$15,778 for the Nosotros Los Tejanos Parade to be held on Saturday, March 31, 2012.
(Notes: (Notes: SPONSOR: Council Member Mike Martinez CO 1: Mayor Lee Leffingwell))
17. Approve an ordinance waiving certain fees for the use of the Austin Fire Department Drill field by the Austin Independent School District for the LBJ Field Academy.
(Notes: SPONSOR: Council Member Kathie Tovo CO 1: Council Member Mike Martinez CO 2: Mayor Pro Tem Sheryl Cole)

Item(s) to Set Public Hearing(s)

18. Set a public hearing to consider an ordinance amending City Code Chapters 25-1 and 25-2 to establish appropriate requirements for the issuance, notification, and appeal of zoning use determinations. (Suggested date and time: March 8, 2012, 4:00 p.m. at Austin City Hall, 301 W. Second Street,

Austin, TX).

19. Set a public hearing to consider an ordinance amending the electric rate schedule in Ordinance No. 20110912-007 to implement new Austin Energy electric rates. (Suggested date and time: February 9, 2012, 6:00 p.m. at Austin City Hall, 301 W. Second Street, Austin, TX).

Non-Consent

10:30 AM - Morning Briefings

20. Staff briefing on proposed electric rates.

12:00 PM - Citizen Communications: General

Walter Olenick- Water Fluoridation

Heather Fazio- City Issues

Carlos León- 1. Chem Trail update 2. TBD

Linda Greene- Fluoride resolution

Executive Session

21. Discuss legal issues related to Open Government matter (Private consultation with legal counsel pursuant to Section 551.071 of the Government Code).
22. Discuss legal issues related to Southern Walnut Creek Hike & Bike Trail (Private consultation pursuant to Section 551.071 of the Government Code). Related to Item # 6.

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

23. C14-2011-0127 – Bluff Springs Commercial – Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 7001 Bluff Springs Road (Onion Creek Watershed; Slaughter Creek Watershed) from general commercial services-conditional overlay (CS-CO) combining district zoning to general commercial services-conditional overlay (CS-CO) combining district zoning to change a condition of zoning. First reading approved on December 8, 2011. Vote: 6-0, Mayor Pro Tem off the dais. Owner/Applicant: NL Land Holdings, Ltd. (Jimmy J. Nassour). Agent: Alice Glasco Consulting (Alice Glasco). City Staff: Wendy Rhoades, 974-7719.
24. C14-2011-0136 – Traywick 3 – Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning

property locally known as 2105 and 2107 West Slaughter Lane, and 2109 Riddle Road (Slaughter Creek Watershed) from single family residence-standard lot (SF-2) district and limited office-conditional overlay (LO-CO) combining district zoning to neighborhood commercial-mixed use-conditional overlay (LR-MU-CO) combining district zoning. First Reading approved on January 12, 2012. Vote: 6-0, Mayor Leffingwell abstained. Owner/Applicant: THS, LLC (Randall Traywick). Agent: Jim Bennett Consulting (Jim Bennett). City Staff: Wendy Rhoades, 974-7719.

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

25. NPA-2011-0015.01 – Southern Walnut Creek Hike and Bike Trail – Conduct a public hearing and approve an ordinance amending Ordinance No. 20021107-Z-11 of the East MLK Combined Neighborhood Plan, to change the future land use designation on the future land use map (FLUM) on property locally known as 6406 Garden View Drive (Walnut Creek Watershed) from Mixed Residential Use and Mixed Use to Recreation and Open Space land use. Staff Recommendation: To grant Recreation and Open Space land use on the FLUM. Planning Commission Recommendation: To grant Recreation Open Space land use. Applicant and Agent: City of Austin, Parks and Recreation Department (Greg Montes). City Staff: Maureen Meredith, 974-2695.
26. C14-2011-0086 – Southern Walnut Creek Hike & Bike Trail – Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 6406 Garden View Drive (Walnut Creek Watershed) from family residence-neighborhood plan (SF-3-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 grant public-neighborhood plan (P-NP) combining district zoning. Applicant: City of Austin Parks and Recreation Department (Gregory Montes). City Staff: Stephen Rye, 974-7604.
27. NPA-2011-0016.01 – Southern Walnut Creek Hike and Bike Trail – Conduct a public hearing and approve an ordinance amending Ordinance No. 20030327-12 of the Govalle/Johnston Terrace Combined Neighborhood Plan, to change the future land use designation on the future land use map (FLUM) on property locally known as 5702 ½ Jain Lane (Boggy Creek Watershed) from Single Family and Civic Use to Recreation and Open Space land use. Staff Recommendation: To grant Recreation and Open Space land use on the FLUM. Planning Commission Recommendation: To grant Recreation Open and Space land use. Applicant/Owner: City of Austin, Parks and Recreation Department. Agent: Greg Montes, Parks and Recreation Department. City Staff: Maureen Meredith, 974-2695.
28. C14-2011-0082 – Southern Walnut Creek Hike & Bike Trail – Conduct a

public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 5702 ½ Jain Lane (Boggy Creek Watershed) from family residence-neighborhood plan (SF-3-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 grant public-neighborhood plan (P-NP) combining district zoning. Applicant: City of Austin Parks and Recreation Department (Gregory Montes). City Staff: Stephen Rye, 974-7604.

29. NPA-2011-0016.02 – Southern Walnut Creek Hike and Bike Trail – Conduct a public hearing and approve an ordinance amending Ordinance No. 20030327-12 of the Govalle/Johnston Terrace Combined Neighborhood Plan, to change the future land use designation on the future land use map (FLUM) on property locally known as 5509-5609 Stuart Circle (Boggy Creek Watershed) from Single Family and Water to Recreation and Open Space land use. Staff Recommendation: To grant Recreation and Open Space land use. Planning Commission Recommendation: To grant Recreation Open and Space land use. Applicant and Agent: City of Austin, Parks and Recreation Department (Greg Montes). City Staff: Maureen Meredith, 974-2695.
30. C14-2011-0083 – Southern Walnut Creek Hike & Bike Trail – Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 5200 Bolm Road and 5509-5609 Stuart Circle (Boggy Creek Watershed) from family residence-neighborhood plan (SF-3-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 grant public-neighborhood plan (P-NP) combining district zoning. Applicant: City of Austin Parks and Recreation Department (Gregory Montes). City Staff: Stephen Rye, 974-7604.
31. NPA-2011-0023.01 – 6500 Manor Road – Conduct a public hearing and approve an ordinance amending Ordinance No. 20070809-55, the University Hills/Windsor Park Combined 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 6500 and 6502 Manor Road (Little Walnut Creek Watershed) from Office land use to Commercial land use. Staff Recommendation: To grant Neighborhood Mixed Use land use. Planning Commission Recommendation: To grant Neighborhood Mixed Use land use. Owner/Applicant: Kennie and Mildred Sneed. City Staff: Maureen Meredith, 974-2695.
32. C14-2011-0087 – 6500 Manor Road – Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 6500 Manor Road and 6502 Manor Road (Little Walnut Creek Watershed) from limited office-neighborhood plan (LO-NP)

combining district zoning to general commercial services-neighborhood plan (CS-NP) combining district zoning. Staff Recommendation: To grant neighborhood commercial-mixed use-conditional overlay-neighborhood plan (LR-MU-CO-NP) combining district zoning. Planning Commission Recommendation: To grant neighborhood commercial-mixed use-conditional overlay-neighborhood plan (LR-MU-CO-NP) combining district zoning. Owner/Applicant: Sneed Realtors (Mildred and Kennie Sneed). City Staff: Wendy Rhoades, 974-7719.

33. C14-2011-0065 – The Austin Hotel – Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 800 and 804 Congress Avenue (Town Lake Watershed) from central business district (CBD) district zoning and central business district-historic landmark (CBD-H) combining district zoning to central business district-central urban redevelopment district (CBD-CURE) combining district zoning and central business district-historic landmark-central urban redevelopment district (CBD-H-CURE) combining district zoning. Staff Recommendation: To grant central business district-central urban redevelopment district (CBD-CURE) combining district zoning and central business district-historic landmark-central urban redevelopment district (CBD-H-CURE) combining district zoning. Planning Commission Recommendation: To be reviewed on February 28, 2012. Applicant: Gone to Texas Capital One, L.P. (David Kahn), The Karotkin Family Real Estate Trust (Doris Karotkin, Trustee). Agent: Winstead, P.C. (Michele Haussmann). City Staff: Clark Patterson, 974-7691.

4:00 PM - Public Hearings and Possible Actions

34. Conduct a public hearing and consider an ordinance amending City Code Section 25-1-21 and Chapter 25-4 relating to requirements for flag lots.

6:00 PM - Public Hearings and Possible Actions

35. Conduct a public hearing to receive public comment regarding Austin Energy's proposed electric rates.

5:30 PM - Live Music

Cass Brostad

5:30 PM - Proclamations


Proclamation -- H.E.L.P. for Seniors Month -- to be presented by Mayor Lee Leffingwell and to be accepted by Joyce Lauck


Proclamation -- KOOP Radio's 17th Birthday Bash -- to be presented by Mayor Lee Leffingwell and to be accepted by Kim McCarson

Distinguished Service Award -- Leslie Browder -- to be presented by Mayor Lee Leffingwell and to be accepted by the honoree

Proclamation -- Naming the McElhenny Grove -- to be presented by Council Member Mike Martinez and to be accepted by the McElhenny Family

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.