



**AUSTIN CITY COUNCIL
MINUTES**

**REGULAR MEETING
THURSDAY, FEBRUARY 2, 2012**

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

The following represents the actions taken by the Austin City Council in the order they occurred during the meeting. While the minutes are not in sequential order, all agenda items were discussed. The City Council of Austin, Texas, convened in a regular meeting on Thursday, February 2, 2012 in the Council Chambers of City Hall, 301 West Second Street, Austin, Texas.

Mayor Leffingwell called the Council Meeting to order at 10:06 a.m.

CONSENT AGENDA

The following items were acted on by one motion.

1. Approve the minutes of the Austin City Council work session of January 24, 2012, and regular meeting of January 26, 2012.
The minutes from the City Council work session of January 24, 2012 and regular meeting of January 26, 2012 were approved on consent on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.
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.
The motion authorizing the issuance of a rebate to CWS Apartment Homes LP was approved on consent on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.
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.
The motion authorizing the issuance of a rebate to IMT Capital Monterey Ranch LP was approved on consent on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.
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.
The motion authorizing the issuance of a rebate to CWS Apartment Homes LP was approved on consent on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.

Items 5 and 6 were pulled to be heard after the related Executive Session item.

Item 7 was pulled for discussion.

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.
The motion authorizing the award and execution of a requirements service contract with Hank Fleming Gunsmith was approved on consent on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.
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.
The motion authorizing the award and execution of amendment number one to a contract with FM 973 Pit Materials was approved on consent on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.
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.
The motion authorizing the award and execution of a requirements service agreement with GG'S Construction (MBE-FH) was approved on consent on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.
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.
This item was postponed on consent to February 9, 2012 on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.
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.
There were no nominations or waivers.

Items 13 and 14 were pulled for discussion.

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)
Resolution No. 20120202-015 was approved on consent on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.
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: SPONSOR: Council Member Mike Martinez CO 1: Mayor Lee Leffingwell)

The motion authorizing the City Manager to execute a co-sponsorship agreement with the Nosotros Los Tejanos Parade Committee was approved on consent on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.

Item 17 was pulled for discussion.

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).

The public hearing was set on consent for March 8, 2012 at 4:00 p.m., City Hall at 301 W. Second Street, Austin, TX on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.

Item 19 was pulled for discussion.

Item 20 was a briefing item set for 10:30 a.m.

Items 21 and 22 were Executive Session items

Items 23 through 33 were zoning items set for 2:00 p.m.

Item 34 was a public hearing item set for 4:00 p.m.

Item 35 was a public hearing item set for 6:00 p.m.

DISCUSSION ITEMS

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

Ordinance No. 20120202-007 was approved on Mayor Pro Tem Cole's motion, Mayor Leffingwell's second on a 7-0 vote.

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.

Ordinance No. 20120202-013 amending Ordinance No. 20100225-052 to establish a peak hour surcharge of \$1 for each passenger was approved on Council Member Tovo's motion, Council Member Riley's second on a 7-0 vote.

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)

Resolution No. 20120202-014 was approved with the following friendly amendment on Council Member Spelman's motion, Council Member Martinez' second on a 7-0 vote. The friendly amendment made by Council Member Morrison was to have the last "Be It Resolved" in the resolution read as follows, "Subject to Council approval and availability of funds the City Manager

is directed to add the amount of \$100,000 per fiscal year to the Downtown Development Fund until there is a balance of \$750,000 for the program or other funding recommendations pending the results of the case study." The amendment was accepted by the maker of the motion and by Council Member Martinez who made the second.

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 Fire Academy. (Notes: SPONSOR: Council Member Kathie Tovo CO 1: Council Member Mike Martinez CO 2: Mayor Pro Tem Sheryl Cole)
Ordinance No. 20120202-017 was approved on Council Member Tovo's motion, Council Member Martinez' second on a 7-0 vote. The following Council Members agreed to apply the specified amount to their fee waiver allocation budget: Council Member Tovo - \$120.00, Mayor Pro Tem Cole - \$100.00, Council Member Spelman - \$100.00 and Council Member Martinez - \$100.00.
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).
The public hearing was set for February 9, 2012 at 4:00 p.m., City Hall at 301 W. Second Street, Austin, TX on Council Member Martinez' motion, Mayor Pro Tem Cole's second on a 7-0 vote.

Mayor Leffingwell recessed the Council Meeting to go into Executive Session at 10:53 a.m.

EXECUTIVE SESSION

The City Council went into Executive Session, pursuant to Chapter 551 of the Texas Government Code, to receive advice from Legal Counsel, to discuss matters of land acquisition, litigation, and personnel matters as specifically listed on this agenda and to receive advice from Legal Counsel regarding any other item on this agenda.

21. Discuss legal issues related to Open Government matter (Private consultation with legal counsel pursuant to Section 551.071 of the Government Code).

Executive Session ended and Mayor Pro Tem Cole called the Council Meeting back to order at 11:59 a.m.

CITIZEN COMMUNICATIONS: GENERAL

Walter Olenick- Water Fluoridation

Carlos León- 1. Chem Trail update 2. TBD

Linda Greene- Fluoride resolution

Heather Fazio- City Issues

Mayor Pro Tem Cole recessed the Council Meeting to go into Executive Session at 12:17 p.m.

EXECUTIVE SESSION CONTINUED

The City Council went into Executive Session, pursuant to Chapter 551 of the Texas Government Code, to receive advice from Legal Counsel, to discuss matters of land acquisition, litigation, and personnel matters as specifically listed on this agenda and to receive advice from Legal Counsel regarding any other item on this agenda.

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. MPT Cole only mentioned 21 was taken in ES. Waiting to figure out if that was an error.

Executive Session on Item 22 was continued later in the meeting.

Executive Session ended and Mayor Leffingwell called the Council Meeting back to order at 2:07 pm.

ZONING CONSENT ITEMS (HEARINGS CLOSED)

The following zoning items were acted on by one motion. No separate action occurred on any of the items.

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.
Ordinance No. 20120202-023 for general commercial services-conditional overlay (CS-CO) combining district zoning, to change a condition of zoning, was approved on consent on Council Member Spelman's motion, Council Member Morrison's second on a 7-0 vote.
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.
Ordinance No. 20120202-024 for neighborhood commercial-mixed use-conditional overlay (LR-MU-CO) combining district zoning was approved on consent on Council Member Spelman's motion, Council Member Morrison's second on a 6-0 vote. Mayor Leffingwell recused himself.

ZONING CONSENT ITEMS (PUBLIC HEARINGS)

The following zoning items were acted on by one motion. No separate action occurred on any of the items.

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.
The public hearing was conducted and the motion to close the public hearing and adopt Ordinance No. 20120202-025 to change the future land use designation on the future land use map (FLUM) to Recreation and Open Space land use was approved on consent on Council Member Morrison's motion, Council Member Martinez' second on a 7-0 vote.
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.

The public hearing was conducted and the motion to close the public hearing and adopt Ordinance No. 20120202-026 for public-neighborhood plan (P-NP) combining district zoning was approved on consent on Council Member Morrison's motion, Council Member Martinez' second on a 7-0 vote.

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 1/2 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.

The public hearing was conducted and the motion to close the public hearing and adopt Ordinance No. 20120202-027 to change the designation on the future land use map to Recreation and Open Space land use was approved on consent on Council Member Morrison's motion, Council Member Martinez' second on a 7-0 vote.

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 1/2 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.

The public hearing was conducted and the motion to close the public hearing and adopt Ordinance No. 20120202-028 for public-neighborhood plan (P-NP) combining district zoning was approved on consent on Council Member Morrison's motion, Council Member Martinez' second on a 7-0 vote.

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.

The public hearing was conducted and the motion to close the public hearing and adopt Ordinance No. 20120202-029 to change the designation on the future land use map to Recreation and Open Space land use was approved on consent on Council Member Morrison's motion, Council Member Martinez' second on a 7-0 vote.

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.

The public hearing was conducted and the motion to close the public hearing and adopt Ordinance No. 20120202-030 for public-neighborhood plan (P-NP) combining district zoning was approved on consent on Council Member Morrison's motion, Council Member Martinez' second on a 7-0 vote.

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.

This item was postponed on consent to March 8, 2012 at the staff's request on Council Member Morrison's motion, Council Member Martinez' second on a 7-0 vote.

Mayor Leffingwell recessed the Council Meeting to go into Executive Session at 2:21 p.m.

EXECUTIVE SESSION CONTINUED

The City Council went into Executive Session, pursuant to Chapter 551 of the Texas Government Code, to receive advice from Legal Counsel, to discuss matters of land acquisition, litigation, and personnel matters as specifically listed on this agenda and to receive advice from Legal Counsel regarding any other item on this agenda.

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. MPT Cole only mentioned 21 was taken in ES.

The Mayor announced that Council would discuss items number 5 and 6 on the regular agenda during Executive Session.

Executive Session ended and Mayor Leffingwell called the Council Meeting back to order at 2:43 pm.

DISCUSSION ITEMS CONTINUED

Items 5 and 6 were acted on in a combined motion.

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.

The motion authorizing the execution of a construction contract with MAC, Inc. was approved on Council Member Spelman's motion, Council Member Martinez' second on a 6-0 vote. Council Member Morrison was off the dais.

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.

The motion authorizing the negotiation and execution of an amendment to the professional services agreement with Halff Associates, Inc. was approved on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 6-0 vote. Council Member Morrison was off the dais.

ZONING DISCUSSION ITEMS

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.

The public hearing was conducted and the motion to close the public hearing and adopt the first reading of the ordinance to change the designation on the future land use map (FLUM) to Neighborhood Mixed Use land use was approved on Council Member Martinez' motion, Mayor Pro Tem Cole's second on a 7-0 vote

A motion to reconsider item 31 was approved on Council Member Martinez' motion, Mayor Pro Tem Cole's second on a 7-0 vote.

The public hearing was conducted and the motion to keep the public hearing open and adopt the first reading of the ordinance to change the designation on the future land use map (FLUM) to Neighborhood Mixed Use land use was approved on Council Member Martinez' motion, Mayor Pro Tem Cole's second on a 7-0 vote

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.

The public hearing was conducted and the motion to keep the public hearing open and adopt the first reading of the ordinance for neighborhood commercial-mixed use-conditional overlay-neighborhood plan (LR-MU-CO-NP) combining district zoning was approved on Council Member Martinez' motion, Mayor Pro Tem Cole's second on a 7-0 vote.

BRIEFINGS

20. Staff briefing on proposed electric rates.
The presentation was made by Marc Ott, City Manager, Larry Weis, General Manager, and Elaine Hart, Sr Vice President of Finance, Austin Energy.

PUBLIC HEARINGS AND POSSIBLE ACTION

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.

This item was postponed to April 26, 2012 with the following direction to staff on Council Member Morrison's motion, Council Member Spelman's second a 7-0 vote.

The direction to staff was to:

- (1) Carry forward the recommendations of the Planning Commission in an ordinance that excludes the language about deed restrictions.
- (2) Conduct a survey of established subdivisions in Austin where deed restrictions might inhibit the use of flag lots.
- (3) Craft language to consider:
 - a. Allowing flag lots in new subdivisions where adjustments can easily be made to accommodate safety and infrastructure concerns;
 - b. Criteria that would allow for additional flexibility of the use of flag lots through an enhanced variance process. The criteria could include such items like accessibility for emergency services, neighborhood compatibility, environmental and tree protection, and infrastructure;
 - c. Submittal of deed restrictions along with applications for resubdivision for informational purposes only.
- (4) Vet the new language and ask for a new recommendation by the Planning Commission before bringing the item back to council.

There was a friendly amendment made by Mayor Pro Tem Cole to amend direction (2) above to have it read, "Conduct a sampling of established subdivisions in Austin where deed restrictions might inhibit the use of flag lots." The amendment was accepted by the maker and by Council Member Spelman who made the second.

PUBLIC HEARINGS AND POSSIBLE ACTION

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

Mayor Leffingwell adjourned the meeting at 5:25 p.m. without objection.

LIVE MUSIC

Cass Brostad

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

The minutes for the regular meeting of February 2, 2012 were approved on this the 9th day of February 2012 on Council Member Martinez' motion, Council Member Spelman's second on a 7-0 vote

