



**AUSTIN CITY COUNCIL  
MINUTES**

**REGULAR MEETING  
THURSDAY, MARCH 8, 2012**

**Invocation:** Pastor Kevin Lentz, Bethany Lutheran 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, March 8, 2012 in the Council Chambers of City Hall, 301 West Second Street, Austin, Texas.

Mayor Leffingwell called the Council Meeting to order at 10:08 a.m.

**CONSENT AGENDA**

The following items were acted on by one motion.

1. Approve the minutes of the Austin City Council special called meetings of February 16 and 22, 2012, work session of February 28, 2012, budget work session retreat of February 29, 2012 and regular meeting of March 1, 2012.  
The minutes from the City Council special called meetings of February 16 and 22, 2012, work session of February 28, 2012, budget work session retreat of February 29, 2012 and regular meeting of March 1, 2012 were approved on consent on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.
2. Authorize negotiation and execution of an amendment to the wholesale wastewater service agreement between the City of Austin and the City of West Lake Hills allowing wholesale wastewater service to be provided to new commercial development located within the City of West Lake Hills without increasing the level of service specified in the agreement.  
This item was postponed on consent to May 24, 2012 on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.
3. Approve an ordinance amending Chapter 2-2 of the City Code to allow the City Clerk, pursuant to state campaign finance law, to terminate the campaign treasurer appointment of an inactive candidate or an inactive political committee.  
Ordinance No. 20120308-003 was approved on consent on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.
4. Authorize negotiation and execution of an amendment to the professional services agreement with HDR ENGINEERING, INC., Austin, TX, for design and construction management of a bicycle and pedestrian bridge over Barton Creek in the amount of \$702,503, and for the environmental analysis, design, and construction management of a bicycle and pedestrian bridge over Loop 360 in the amount of \$658,462 for a total contract amount not to exceed \$2,010,965. (Notes: 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 16.10% MBE and 14.20% WBE subcontractor participation to date.)

**The motion authorizing the negotiation and execution of an amendment to the professional services agreement with HDR Engineering, Inc. was approved on consent on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**

**Item 5 was pulled for discussion.**

6. Approve an ordinance authorizing acceptance of \$186,523 in Healthy People grant funds from the ST. DAVID'S COMMUNITY FOUNDATION, and amending the Fiscal Year 2011-2012 Emergency Medical Services Operating Budget Special Revenue Fund Ordinance No. 20110912-005 to appropriate \$186,523 for vehicles and supply costs related to the Emergency Medical Service's Community Health Paramedic Program.

**Ordinance No. 20120308-006 was approved on consent on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**

7. Approve an Ordinance amending the Fiscal Year 2011-2012 Financial and Administrative Services Department Capital Budget (Ordinance No. 20110912-006) to reallocate and appropriate \$950,000 from the Capital Improvement Program Contingency Program to the Elevator Compliance project.

**Ordinance No. 20120308-007 was approved on consent on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**

8. Authorize negotiation and execution of an amendment to the legal services agreement with Renea Hicks for legal services related to Eddie Rodriguez, et al v. Rick Perry et al, Cause No. SA-11-CA-635-OLGJES-XR [Consolidated case], in U.S. District Court for the Western District of Texas, San Antonio, in the amount of \$50,000, for a total contract amount not to exceed \$223,000.

**The motion authorizing the negotiation and execution of an amendment to the legal services agreement with Renea Hicks was approved on consent on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**

9. Approve a settlement in Katharine Hardin v. City of Austin, No. 1:11 CV960 LY; In the United States District Court for the Western District of Texas, Austin Division.

**This item was withdrawn on consent on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**

10. Approve an ordinance waiving up to \$11,010 in Library Department photo/digital scan reproduction and publication fees for Arcadia Press, Inc., in exchange for agreements by Arcadia to pay the City of Austin royalty payments for use of certain Austin History Center historical photos in three books to be published by Arcadia.

**Ordinance No. 20120308-010 was approved on consent on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**

11. Authorize execution of an Interlocal Agreement with the Austin Independent School District effective through October 1, 2012 with automatic annual renewals for 25 successive one-year terms establishing use and maintenance rights and responsibilities for facilities surrounding Austin High School.

**The motion authorizing the execution of an interlocal agreement with the Austin Independent School District was approved on consent on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**

**Items 12 through 14 were pulled for discussion.**

15. Authorize award and execution of four 12-month extension options to the requirements services contract with APPLEONE EMPLOYMENT SERVICES, for temporary staffing services for the Citywide Austin

3-1-1 Information Contact Center to provide access to City information and non-emergency police assistance; and the Utility Contact Center to provide information about electric, water and wastewater, and other utility based services, in an estimated amount not to exceed \$4,500,000 per extension option, for a revised estimated total contract amount not to exceed \$18,000,000. (Notes: 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.)

**The motion authorizing the award and execution of four extension options to the requirements services contract with AppleOne Employment Services was approved on consent on Council Member Spelman's motion, Mayor Pro Tem Cole's' second on a 7-0 vote.**

16. Authorize award and execution of a 12-month requirements service contract with INLAND TECHNOLOGIES LTD., for runway derubberization for the Aviation Department for maintenance of runways at the Austin-Begstrom International Airport in an estimated amount not to exceed \$81,500, with three 12-month extension options in an estimated amount not to exceed \$81,500 per extension option, for a total estimated contract amount not to exceed \$326,000. (Notes: 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. )

**The motion authorizing the award and execution of a requirements service contract with Inland Technologies Ltd. was approved on consent on Council Member Spelman's motion, Mayor Pro Tem Cole's' second on a 7-0 vote.**

17. Authorize award, negotiation, and execution of 36-month requirements service contract with COMMUNICATION SERVICES FOR THE DEAF or one of the other qualified respondents for RFQS No. BKH0127, for sign language interpretation services for various City departments in an estimated amount not to exceed \$279,000, with two 12-month extension options in an estimated amount not to exceed \$93,000 per option, for a total estimated contract amount not to exceed \$465,000. (Notes: 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.)

**The motion authorizing the award, negotiation and execution of a requirements service contract with Communication Services for the Deaf was approved on consent on Council Member Spelman's motion, Mayor Pro Tem Cole's' second on a 7-0 vote.**

18. Authorize award and execution of Amendment No. 1 to a 6-month contract with EMPLOYEE OWNED NURSERY ENTERPRISES LTD and ECOLOGY ACTION OF TEXAS, for continuation of the food service industry recycling pilot project for the Austin Resource Recovery Department for the remaining 6-month extension option in an estimated amount not to exceed \$37,142, for a revised total estimated contract amount not to exceed \$74,284. (Notes: 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.)

**The motion authorizing the award and execution of amendment number one to a contract with Employee Owned Nursery Enterprises Ltd. and Ecology Action of Texas was approved on consent on Council Member Spelman's motion, Mayor Pro Tem Cole's' second on a 7-0 vote.**

19. Authorize award and execution of two contracts through the Texas Local Government Purchasing Cooperative (BuyBoard) with PHILPOTT MOTORS, LTD., for the purchase of a Ford E450 Econo Cutaway cab and chassis van in an amount not to exceed \$24,372 and with ARIES INDUSTRIES, INC., for the purchase and installation of a Hi-Cube body containing with various types storm pipe monitoring equipment for the Watershed Protection Department to conduct interior inspections of the storm water drainage system in an amount not to exceed \$128,807. (Notes: This Cooperative Purchase 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.)

**The motion authorizing the award and execution of two contracts through the Texas Local Government Purchasing Cooperative with Philpott Motors, Ltd. and Aries Industries, Inc. was approved on consent on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**

20. Authorize award and execution of a 12-month requirements service contract with A & B ENVIRONMENTAL SERVICES, INC. for priority and regulated pollutant analyses for Austin Energy Lab Services in an estimated amount not to exceed \$79,695, with three 12-month extension options in an estimated amount not to exceed \$79,695 per extension option, for a total estimated contract amount not to exceed \$318,780. (Notes: 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.)

**The motion authorizing the award and execution of a requirements service contract with A & B Environmental Services, Inc. was approved on consent on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**

21. Authorize award and execution of a contract with TECHNOLOGY FOR ENERGY CORPORATION, for the purchase of field testing devices for Austin Energy to test electrical meter installations in an amount not to exceed \$187,630. (Notes: 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.)

**The motion authorizing the award and execution of a contract with Technology for Energy Corporation was approved on consent on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**

22. Authorize award and execution of Amendment No. 3 to a contract with GC3 SPECIALTY CHEMICALS, INC., for the purchase of aqueous ammonia for use at Austin Energy's Sand Hill Energy Center, to increase the current contract in an estimated amount not to exceed \$45,000, and to increase the two remaining extension options in an estimated amount not to exceed \$45,000 per extension option, for a revised total estimated contract amount not to exceed \$460,000. (Notes: 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.)

**The motion authorizing the award and execution of amendment number three to a contract with GC3 Specialty Chemicals, Inc. was approved on consent on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**

23. Authorize award and execution of a 36-month requirements service contract with SUPERIOR POWER SOLUTIONS, INC. to provide preventative maintenance and regular inspections of Uninterruptible Power Systems in various City locations for the Building Services Division, in an estimated amount not to exceed \$208,350, with three 12-month extension options in estimated amounts not to exceed \$91,253 for the first extension option, \$104,941 for the second extension option, and \$120,682 for the third extension option, for a total estimated contract amount not to exceed \$525,226. (Notes: 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.)

**The motion authorizing the award and execution of a requirements service contract with Superior Power Solutions, Inc. was approved on consent on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**

24. Authorize award and execution of a 36-month requirements supply contract with CORSICANA BEDDING INC., to provide twin mattresses and box spring sets for the Austin Fire Department and Emergency Medical Services Department in an estimated amount not to exceed \$139,020, with three 12-month extension options in estimated amounts not to exceed \$55,902 for the first extension option, \$61,492 for the second extension option, and \$67,641 for the third extension option, for a total estimated contract amount not to exceed \$324,055. (Notes: 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.)

**The motion authorizing the award and execution of a requirements supply contract with Corsicana Bedding Inc. was approved on consent on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**

25. Authorize award, negotiation, and execution of a contract with POLICE EXECUTIVE RESEARCH FORUM, or one of the other qualified offerors to RFP No. CEA0110, to provide a patrol utilization study to assess current and future police staffing needs for the Austin Police Department in an amount not to exceed \$97,871. (Notes: 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. )

**The motion authorizing the award, negotiation and execution of a contract with Police Executive Research Forum was approved on consent on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**

26. Authorize award and execution of a 60-month requirements service contract with IRON MOUNTAIN for off-site records storage services for the City Clerks Office in an estimated amount not to exceed \$1,736,947. (Notes: 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. )

**The motion authorizing the award and execution of a requirements service contract with Iron Mountain was approved on consent on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**

**Item 27 was pulled for discussion.**

28. Authorize award and execution of a 24-month requirements supply contract through the Texas Local Government Purchasing Cooperative (BuyBoard) with GT DISTRIBUTORS INC. and PRECISION DELTA CORP, to provide ammunition for the Austin Police Department in a total estimated contract amount not to exceed \$1,340,680. (Notes: This Cooperative Purchase 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. )

**The motion authorizing the award and execution of a requirements supply contract through the Texas Local Government Purchasing Cooperative with GT Distributors Inc. and Precision Delta Corp was approved on consent on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**

29. Authorize award and execution of a 24-month requirements service contract with AMERICAN FACILITY SERVICES, or one of the other qualified bidders for IFB-BV No. KDW0070, to provide janitorial services at various Austin Energy locations in an estimated amount not to exceed \$1,057,024, with three 12 month extension options in an estimated amount not to exceed \$581,363 for the first extension option, \$634,214 for the second extension option and \$687,066 for the third extension option, for a total estimated contract amount not to exceed \$2,959,667. (Notes: 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. )

**This item was postponed to March 22, 2012 on consent on Council Member Spelman's motion, Mayor Pro Tem Cole's' second on a 7-0 vote.**

30. Approve an ordinance suspending a Gas Reliability Infrastructure Program interim customer surcharge proposed by Texas Gas Service.  
**Ordinance No. 20120308-030 was approved on consent on Council Member Spelman's motion, Mayor Pro Tem Cole's' second on a 7-0 vote.**
31. Approve issuance of a street event permit under Chapter 14-8 of the City Code for the Fadó Irish Pub St. Patrick's Day Festival, a fee paid event in the 200 block of West 4th Street between Colorado Street and Lavaca Street, which is to be held on March 17, 2012.  
**The motion to approve the issuance of a street event permit for the Fadó Irish Pub St. Patrick's Day Festival was approved on consent on Council Member Spelman's motion, Mayor Pro Tem Cole's' second on a 7-0 vote.**
32. Approve a resolution authorizing the negotiation and execution of an Agreement to Contribute Right of Way between the City of Austin and the Texas Department of Transportation, pursuant to which the City of Austin will assume a 10% participation obligation in connection with the acquisition of right of way along FM 973, commencing 1.2 miles north of the Colorado River and terminating at SH 71, in an amount not to exceed \$77,082.20.  
**Resolution No. 20120308-032 was approved on consent on Council Member Spelman's motion, Mayor Pro Tem Cole's' second on a 7-0 vote.**
33. 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.**
34. Approve a resolution directing the City Manager to evaluate the restoration of Moonlight Towers currently in storage and seek recommendations from the Historic Landmark Commission and the Downtown Commission regarding potential relocation of any Moonlight Tower. (Notes: SPONSOR: Mayor Pro Tem Sheryl Cole CO 1: Council Member Chris Riley CO2: Council Member Mike Martinez)  
**Resolution No. 20120308-034 was approved on consent on Council Member Spelman's motion, Mayor Pro Tem Cole's' second on a 7-0 vote.**
35. Approve a resolution directing the City Manager to develop a pilot multi-track workforce development program for residents in the East 11th and 12th Streets area. (Notes: SPONSOR: Council Member Chris Riley CO 1: Council Member Mike Martinez CO2: Council Member Kathie Tovo)  
**Resolution No. 20120308-035 was approved on consent on Council Member Spelman's motion, Mayor Pro Tem Cole's' second on a 7-0 vote.**

**Items 36 and 37 were pulled for discussion.**

38. Discussion and possible action on transition issues related to the change in staffing configuration of the Austin-Travis County Emergency Medical Services Department. (Notes: SPONSOR: Council Member William Spelman CO 1: Mayor Pro Tem Sheryl Cole )  
**This item was withdrawn on consent on Council Member Spelman's motion, Mayor Pro Tem Cole's' second on a 7-0 vote.**
39. Set public hearings regarding proposed Strategic Partnership Agreements ("SPAs") between the City of Austin and the Pilot Knob Municipal Utility Districts 1-5 ("MUDs") and limited purpose and full purpose

annexation of each MUD. (Suggested dates and times: April 12, 2012 at 4:00 pm, at City Hall, 301 W. Second Street, Austin, TX; April 26, 2012 at 4:00 pm, at City Hall, 301 W. Second Street, Austin, TX).

**The public hearings were set on consent for April 12, 2012 and April 26 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.**

40. Set public hearings regarding proposed Strategic Partnership Agreements ("SPAs") between the City of Austin and the Southeast Travis County Municipal Utility Districts 1-4 ("MUDs") and limited purpose and full purpose annexation of each MUD. (Suggested dates and times: April 12, 2012, 4:00 p.m. at Austin City Hall, 301 W. Second Street, Austin, TX; April 26, 2012, 4:00 p.m. at Austin City Hall, 301 W. Second Street, Austin, TX).  
**The public hearings were set on consent for April 12, 2012 and April 26 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.**
75. Authorize the execution of Amendment No. 1 to the Fiscal Year 2011-2012 Service Agreement between the Austin Housing Finance Corporation (AHFC) and Neighborhood Housing and Community Development Office in the amount of \$2,315,481 for a total contract amount not to exceed \$8,936,051 for the Colony Park Sustainable Community Pilot Project.  
**This item was withdrawn on consent on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**
76. Approve a temporary designated smoking area in accordance with City Code § 10-6-2 (Smoking Prohibited) on Auditorium Shores for events produced by SXSW, Inc. on Auditorium Shores, from March 15 to March 17, 2012.  
**The motion to approve a temporary designated smoking area on Auditorium Shores for events produced by SXSW, Inc. was approved on consent on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**
77. Set a public hearing to consider a resolution authorizing the temporary use of certain park facilities located at 2200 South Lakeshore Boulevard and situated upon dedicated parkland known as Town Lake Metropolitan Park as a youth hostel in accordance with Sec. 26.001 et seq. of the Texas Parks and Wildlife Code. (Suggested date and time: April 5, 2012, 4:00 p.m. at Austin City Hall, 301 W. Second Street, Austin, TX.)  
**The public hearing was set on consent for April 5, 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 41 was a briefing item set for 10:30 a.m.

Items 42 through 44 were Executive Session items.

Items 45 through 62 were zoning items set for 2:00 p.m.

Item 63 was an AHFC item set for 3:00 p.m.

Items 64 through 74 were public hearing items set for 4:00 p.m.

Items 75 through 78 were addendum items

## **DISCUSSION ITEMS**

**Items 5, 12 and 13 were acted on by one motion.**

5. Authorize execution of a construction contract with CHASCO CONSTRUCTORS LTD., LLP, for repair of Turner Roberts Recreation Center in the amount of \$2,388,000 plus a \$238,800 contingency, for a total contract amount not to exceed \$2,626,800. Related to Items # 12 & 13.  
**The motion authorizing the execution of a construction contract with Chasco Constructors Ltd., LLP was approved on Council Member Spelman's motion, Council Member Morrison's second on a 7-0 vote.**
12. Approve a resolution declaring the City of Austin's official intent to reimburse itself from Certificates of Obligation in the amount of \$3,170,000 for the repair of the Turner Roberts Recreation Center. Related to Items # 5 & 13.  
**Resolution No. 20120308-012 was approved on Council Member Spelman's motion, Council Member Morrison's second on a 7-0 vote.**
13. Approve an ordinance amending the Fiscal Year 2011-2012 Parks and Recreation Department Capital Budget (Ordinance No. 20110912-006) to appropriate \$3,170,000 for the repair of the Turner Roberts Recreation Center. Related to Items # 5 & 12  
**Ordinance No. 20120308-013 was approved on Council Member Spelman's motion, Council Member Morrison's second on a 7-0 vote.**
14. Approve an ordinance establishing classifications and positions in the classified service of the Police Department; creating and eliminating certain positions; repealing Ordinance No. 20110912-010 relating to Police Department classifications and positions, and declaring an emergency.  
**Ordinance No. 20120308-014 was approved on Council Member Spelman's motion, Council Member Morrison's second on a 7-0 vote.**

#### **BRIEFINGS**

41. Briefing on the Report on Economic Impact of the Creative Sector in Austin 2012.  
**The presentation was made by Kevin Johns, Director of Economic Growth and Redevelopment, and Jon Hockenyo, President, Texas Perspectives Inc.**
78. Briefing on the Final Report of the 2012 Charter Revision Committee.  
**The presentation was made by Sabine Romero, Attorney Senior, Law Department, and Gonzalo Barrientos, Fred Lewis, Ann Kitchen, Nelson Linder, Richard Jung, Dr. Fred McGhee and Delores Lenzy-Jones of the Charter Revision Committee.**

#### **CITIZEN COMMUNICATIONS: GENERAL**

Jeff Kantoff- General

Ira Yates- Enforcement of Environmental Regulations

Heather Fazio- City Issues

David Cortez- City finances **Not present when name was called.**

Michael Perez- Fluoride in the water

Jose Quintero- Greater East Austin Neighborhood Association

Michael Zitz-Evancih- Place of Worship, Energy rates



Julian Gonzales- The closing of the Durwood Senior Activity Center

Jesse J. Herrera- Ideas on saving energy for the elderly and families in need

Carlos León- 1.) New Chem Trail Data 2.) TBA

Heather Fazio- City Issues

**Mayor Leffingwell recessed the Council Meeting to go into Executive Session at 12:30 p.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.**

42. Discuss legal issues related to Open Government matters (Private consultation with legal counsel pursuant to Section 551.071 of the Government Code).
43. Discuss legal issues in Eddie Rodriguez, et al v. Rick Perry et al, Cause No. SA-11-CA-635-OLG-JES-XR [Consolidated case], in U.S. District Court for the Western District of Texas, San Antonio. (Private consultation with legal counsel pursuant to Section 551.071 of the Government Code).
44. Discuss legal issues related to Katharine Hardin v. City of Austin, No. 1:11 CV 960 LY; In the United States District Court for the Western District of Texas, Austin Division. (Private consultation with legal counsel pursuant to Section 551.071 of the Government Code)

**The Mayor announced that Council would discuss item number 78 on the regular agenda during Executive Session.**

**Executive Session ended and Mayor Leffingwell called the Council Meeting back to order at 3:49 p.m.**

### **DISCUSSION ITEMS CONTINUED**

36. Approve an ordinance amending City Code Section 9-2-14 to allow the approval of extended hours of operation for outdoor music in residential areas. (Notes: SPONSOR: Council Member Mike Martinez CO 1: Council Member Laura Morrison)  
**Ordinance No. 20120308-036 was approved on Council Member Morrison's motion, Council Member Martinez' second on a 7-0 vote.**
37. Approve a resolution directing the City Manager to coordinate with the City Clerk and the City Attorney to schedule a Special Called Meeting one Saturday in 2012 for a three-hour Citizens Forum, and further directing the City Manager to report to the City Council the actual costs of the event so it may consider scheduling more in the future. (Notes: SPONSOR: Council Member Kathie Tovo CO 1: Council Member Mike Martinez CO 2: Mayor Pro Tem Sheryl Cole)  
**Resolution No. 20120308-037 was approved on Council Member Tovo's motion, Council Member Martinez' second on a 7-0 vote. Direction was given to staff to plan for minimal staff attendance at the special called Saturday meeting.**
27. Authorize award and execution of a contract through the Texas Local Government Purchasing Cooperative (BuyBoard) with CALDWELL COUNTRY CHEVROLET, for the purchase of three Tahoes for the Emergency Medical Services Department and one Equinox for the Austin Convention Center

Department in an amount not to exceed \$103,932. (Notes: This Cooperative Purchase 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.)

**The motion authorizing the award and execution of a contract through the Texas Local Government Purchasing Cooperative (BuyBoard) with Caldwell Country Chevrolet was approved on Mayor Pro Tem Cole's motion, Mayor Leffingwell's second on a 7-0 vote.**

**Mayor Leffingwell recessed the Council Meeting and called the Board of Directors' Meeting of the Austin Housing Finance Corporation to order at 4:15 p.m. See separate minutes.**

**Mayor Leffingwell called the Council Meeting back to order at 4:19 p.m.**

#### **ZONING CONSENT ITEMS (PUBLIC HEARINGS)**

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

45. NPA-2011-0009.02 - Chicon Corridor (1807 E. 13th Street and 1212 Chicon Street) - Conduct a public hearing and approve an ordinance amending Ordinance No. 20011213-41, the Central East 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 1807 East 13th Street and 1212 Chicon Street (Boggy Creek Watershed) from Single Family land use to Mixed Use land use. Staff Recommendation: To grant Mixed Use land use. Planning Commission Recommendation: To be reviewed on March 13, 2012. Owner/Applicant: Calavan Family Partnership, LTD, (Brooks Calavan). Agent: Chestnut Revitalization Corporation (Sarah Andre and Sean Garretson). City Staff: Maureen Meredith, 974-2695.  
**This item was postponed on consent to April 5, 2012 at the staff's request on Council Member Spelman's motion on a 7-0 vote.**
46. C14-2011-0149 .SH - Chicon Corridor - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 1807 E. 13th Street and 1212 Chicon Street (Boggy Creek Watershed) from general commercial services-neighborhood plan (CS-NP) combining district zoning to general commercial services-mixed use-neighborhood plan (CS-MU-NP) combining district zoning. Staff Recommendation: To grant general commercial services-mixed use-conditional overlay-neighborhood plan (CS-MU-CO-NP) combining district zoning. Planning Commission Recommendation: To be reviewed on March 13, 2012. Owner/Applicant: Chestnut Revitalization Corporation (CNRC). Agent: CNRC (Sarah Andre). City Staff: Heather Chaffin, 974-2122.  
**This item was postponed on consent to April 5, 2012 at the staff's request on Council Member Spelman's motion on a 7-0 vote.**
47. NPA-2011-0010.01 - Holly Plan Amendment - Conduct a public hearing and approve an ordinance amending Ordinance No. 20011213-43, the Holly 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 2601, 2603, 2605, 2607, 2609, 2611, 2613, 2615, and 2617 Canterbury Street. (Town Lake Watershed) from Recreation/Open Space land use to Single Family land use. Staff Recommendation: To grant Recreation/Open Space land use. Planning Commission Recommendation: To grant Recreation/Open Space land use. Applicant: City of Austin. Agent: Planning and Development Review Department. City Staff: Maureen Meredith, 974-2695.  
**The public hearing was conducted and the motion to close the public hearing and adopt Ordinance No. 20120308-047 to change the land use designation on the future land use map (FLUM) to single family land use was approved on consent on Council Member Spelman's motion on a 7-0 vote.**
48. C14-2011-0166 - 2601-2701 Canterbury Street - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 2601, 2603, 2605,

2607, 2609, 2611, 2613, 2615, and 2617 Canterbury Street (Town Lake Watershed) from public-neighborhood plan (P-NP) combining district zoning to family residence-neighborhood plan (SF-3-NP) combining district zoning. Staff Recommendation: To grant family residence-neighborhood plan (SF-3-NP) combining district zoning. Planning Commission Recommendation: To grant family residence-neighborhood plan (SF-3-NP) combining district zoning. Applicant: City of Austin. Agent: Planning and Development Review Department (Wendy Rhoades). City Staff: Heather Chaffin, 974-2122.

**The public hearing was conducted and the motion to close the public hearing and adopt Ordinance No. 20120308-048 for family residence-neighborhood plan (SF-3-NP) combining district zoning was approved on consent on Council Member Spelman's motion on a 7-0 vote.**

49. NPA-2011-0015.02 - 2200 Tillery Street - Conduct a public hearing and approve an ordinance amending Ordinance No. 20021107-Z-11 of the East MLK Combined Neighborhood Plan, to change the land use designation on the future land use map (FLUM) on property locally known as 2200 Tillery Street (Boggy Creek Watershed, Tannehill Branch Watershed) from Mixed Use land use to Commercial land use. Staff Recommendation: To deny Commercial land use. Planning Commission Recommendation: To be reviewed on March 13, 2012. Owner/Applicant: DCR III Mortgage, Sub 1 LLC (Lance B. Amano). Agent: Richard H. Crank. City Staff: Maureen Meredith, 974-2695.

**This item was postponed on consent to April 5, 2012 at the staff's request on Council Member Spelman's motion on a 7-0 vote.**

50. C14-2011-0088 - Tillery Street - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 2200 Tillery Street (Boggy Creek Watershed, Tannehill Branch Watershed) from limited office-mixed use-neighborhood plan (LO-MU-NP) combining district zoning to general commercial services-mixed use-neighborhood plan (CS-MU-NP) combining district zoning. Staff Recommendation: To grant general commercial services-mixed use-conditional overlay-neighborhood plan (CS-MU-CO-NP) combining district zoning. Planning Commission Recommendation: To be reviewed on March 13, 2012. Owner/Applicant: DCR III Mortgage, Sub I, LLC (Lance B. Amano). Agent: Richard H. Crank. City Staff: Sherri Sirwaitis, 974-3057.

**This item was postponed on consent to April 5, 2012 at the staff's request on Council Member Spelman's motion on a 7-0 vote.**

51. C14-84-361(RCT) - Tillery Street - Conduct a public hearing and approve a restrictive covenant termination for property locally known as 2200 Tillery Street (Boggy Creek Watershed, Tannehill Branch Watershed) to terminate a Restrictive Covenant as it relates to certain uses and development standards. Staff Recommendation: To terminate the Restrictive Covenant. Planning Commission Recommendation: To be reviewed on March 13, 2012. Owner/Applicant: DCR III Mortgage, Sub I, LLC (Lance B. Amano). Agent: Richard H. Crank. City Staff: Sherri Sirwaitis, 974-3057.

**This item was postponed on consent to April 5, 2012 at the staff's request on Council Member Spelman's motion on a 7-0 vote.**

52. 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) 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 for Tract 1 and central business district-historic landmark-central urban redevelopment district (CBD-H-CURE) combining district zoning for Tract 2. Staff Recommendation: To grant central business district-central urban redevelopment district (CBD-CURE) combining district zoning for Tract 1 and central business district-historic landmark-central urban redevelopment district (CBD-H-CURE) combining district zoning for Tract 2. Planning Commission Recommendation: To be reviewed on April 10, 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 June 7, 2012 at the staff's request on Council Member Spelman's motion on a 7-0 vote.**

53. C14-04-0181.SH(RCA) - Shire's Court - Conduct a public hearing to approve a restrictive covenant amendment for the property locally known as 1910 1/2 Wickshire Lane (Country Club East Watershed). Staff Recommendation: To amend the restrictive covenant. Planning Commission Recommendation: To be reviewed on March 13, 2012. Applicant: Shire's Court, Ltd. (David Mahr). Agent: Benchmark Development (Myra Goepp). City Staff: Stephen Rye, 974-7604.

**This item was postponed on consent to March 22, 2012 at the staff's request on Council Member Spelman's motion on a 7-0 vote.**

54. C14-2011-0131 - West 34th St. Redevelopment, Tract "A" - 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 808 West 34th Street (Shoal Creek Watershed; Waller Creek Watershed) from limited office-neighborhood plan (LO-NP) combining district zoning to general office-neighborhood plan (GO-NP) combining district zoning. Staff Recommendation: To grant general office-conditional overlay-neighborhood plan (GO-CO-NP) combining district zoning. Planning Commission Recommendation: To be reviewed on April 10, 2012. Applicant: REIT Management & Research, L.L.C. (Richard Stilovich). Agent: McCann Adams Studio (Jana McCann). City Staff: Clark Patterson, 974-7691.

**This item was postponed on consent to April 26, 2012 at the staff's request on Council Member Spelman's motion on a 7-0 vote. Council Member Tovo recused herself.**

55. C14-2011-0132 - West 34th St. Redevelopment, Tract "B" - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 3316 Grandview Street (Shoal Creek Watershed; Waller Creek Watershed) from limited office-neighborhood plan (LO-NP) combining district zoning to general office-neighborhood plan (GO-NP) combining district zoning. Staff Recommendation: To grant general office-conditional overlay-neighborhood plan (GO-CO-NP) combining district zoning. Planning Commission Recommendation: To be reviewed on April 10, 2012. Applicant: REIT Management & Research, L.L.C. (Richard Stilovich). Agent: McCann Adams Studio (Jana McCann). City Staff: Clark Patterson, 974-7691.

**This item was postponed on consent to April 26, 2012 at the staff's request on Council Member Spelman's motion on a 7-0 vote. Council Member Tovo recused herself.**

56. C14-2011-0133 - West 34th St. Redevelopment, Tract "C" - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 801 West 34th Street (Shoal Creek Watershed; Waller Creek Watershed) from limited office-neighborhood plan (LO-NP) combining district zoning to general office-neighborhood plan (GO-NP) combining district zoning. Staff Recommendation: To grant general office-conditional overlay-neighborhood plan (GO-CO-NP) combining district zoning. Planning Commission Recommendation: To be reviewed on April 10, 2012. Applicant: REIT Management & Research, L.L.C. (Richard Stilovich). Agent: McCann Adams Studio (Jana McCann). City Staff: Clark Patterson, 974-7691.

**This item was postponed on consent to April 26, 2012 at the staff's request on Council Member Spelman's motion on a 7-0 vote. Council Member Tovo recused herself.**

57. C14-2011-0134 - West 34th St. Redevelopment, Tract "D" - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 715 West 34th Street (Shoal Creek Watershed; Waller Creek Watershed) from limited office-neighborhood plan (LO-NP) combining district zoning to general office-neighborhood plan (GO-NP) combining district zoning. Staff Recommendation: To grant general office-conditional overlay-neighborhood plan (GO-CO-NP) combining district zoning. Planning Commission Recommendation: To be reviewed on April 10, 2012. Applicant: REIT Management & Research, L.L.C. (Richard Stilovich). Agent: McCann Adams Studio (Jana McCann). City Staff: Clark Patterson, 974-7691.

**This item was postponed on consent to April 26, 2012 at the staff's request on Council Member Spelman's motion on a 7-0 vote. Council Member Tovo recused herself.**

58. C14-2011-0141 - Peaceful Hill Condominiums - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 8107 Peaceful Hill Lane and 501 Hubach Lane (South Boggy Creek Watershed) from development reserve (DR) district zoning to townhouse and condominium residence (SF-6) district zoning. Staff Recommendation: To grant townhouse and condominium residence (SF-6) district zoning with conditions. Zoning and Platting Commission Recommendation: To be reviewed on March 6, 2012. Owner/Applicant: Kristopher Alsworth, Delton Hubach, Jim Bula and Catherine Christopherson. Agent: The Moore Group (Mike Moore). City Staff: Wendy Rhoades, 974-7719.

**This item was postponed on consent to April 26, 2012 at the staff's request on Council Member Spelman's motion on a 7-0 vote.**

59. C14-2011-0160 - Capital City Salvage (L.K.Q.) - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 7600-7900 South Congress Avenue (South Boggy Creek Watershed) from development reserve (DR) district zoning to limited industrial service (LI) district zoning. Staff Recommendation: To grant limited industrial service-conditional overlay (LI-CO) combining district zoning. Zoning and Platting Commission Recommendation: To be reviewed on March 6, 2012. Owner/Applicant: RDO Properties, LLC (Rob Ormand). Agent: Enabler Design Group (DeVon Wood). City Staff: Wendy Rhoades, 974-7719.

**This item was postponed on consent to April 26, 2012 at the staff's request on Council Member Spelman's motion on a 7-0 vote.**

60. C14-2011-0165 - Randerson Creekside Rezoning - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 3108 E. 51st Street (Fort Branch Watershed) from family residence-neighborhood plan (SF-3-NP) combining district zoning to multifamily residence-low density-neighborhood plan (MF-2-NP) combining district zoning. Staff Recommendation: To grant townhouse and condominium residence-neighborhood plan (SF-6-NP) combining district zoning. Planning Commission Recommendation: To be reviewed on April 10, 2012. Owner/Applicant: CNB Austin (Mark Kalish). Agent: Central Texas Development Assessments (Mike Wilson). City Staff: Heather Chaffin, 974-2122.

**This item was postponed on consent to May 24, 2012 at the staff's request on Council Member Spelman's motion on a 7-0 vote.**

61. C14-2011-0167 - 8100 Burnet - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 8100 Burnet Road (Shoal Creek Watershed) from general commercial services (CS) district zoning to multi-family residence-highest density (MF-6) district zoning. Staff recommendation: To grant multi-family residence-highest density-conditional overlay (MF-6-CO) combining district zoning. Zoning and Platting Commission Recommendation: To be reviewed on March 6, 2012. Owner/Applicant: Alliance Realty Partners, LLC (Brian Austin). Agent: Bury & Partners, Inc. (Melissa Neslund). City Staff: Sherri Sirwaitis, 974-3057.

**This item was postponed on consent to April 5, 2012 at the applicant's request on Council Member Spelman's motion on a 7-0 vote.**

### **ZONING DISCUSSION ITEM**

62. C14H-2012-0001 (formally C14H-2010-0025) - McCrummen-Wroe House - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 2300 Windsor Road (Shoal Creek Watershed) from family residence (SF-3) district zoning to family residence-historic landmark (SF-3-H) combining district zoning. Staff Recommendation: To grant family residence-historic landmark (SF-3-H) combining district zoning. Historic Landmark Commission Recommendation: To grant family residence-historic landmark (SF-3-H) combining district

zoning. Zoning and Platting Commission Recommendation: No recommendation, with the further statement that the house is not endangered and the Commission has concerns about the financial cost to the City of a tax exemption on this property. Applicants: David and Kimberly Hood, owners. City Staff: Steve Sadowsky, 974-6454.

The public hearing was conducted and the motion to close the public hearing and adopt Ordinance No. 20120308-062 for family residence-historic landmark (SF-3-H) combining district zoning was approved on Council Member Spelman's motion, Council Member Martinez' second on a 5-2 vote. Those voting aye were: Mayor Leffingwell and Council Members Martinez, Morrison, Riley and Spelman. Those voting nay were: Mayor Pro Tem Cole and Council Member Tovo.

#### PUBLIC HEARINGS AND POSSIBLE ACTION

64. Conduct a public hearing and consider an ordinance amending City Code Chapters 25-1 and 25-2 relating to requirements for the issuance, notification, and appeal of zoning use determinations. There was a main motion made by Mayor Pro Tem Cole and seconded by Mayor Leffingwell to postpone this item to April 26, 2012.

There was a friendly amendment made by Council Member Tovo to postpone this item to March 22, 2012 with the understanding that if staff has not been able to schedule a meeting with the stakeholders by this time; another postponement will be granted. This was not accepted by the maker of the motion.

There was a substitute motion made by Council Member Tovo and seconded by Council Member Morrison to postpone this item to March 22, 2012 with the understanding that if staff has not been able to schedule a meeting with the stakeholders by this time, another postponement will be granted. This motion failed on a 3-4 vote. Those voting aye were: Council Members Morrison, Spelman and Tovo. Those voting nay were: Mayor Leffingwell, Mayor Pro Tem Cole, Council Members Martinez, and Riley.

The main motion to postpone this item to April 26, 2012 was approved on Mayor Pro Tem Cole's motion, Mayor Leffingwell's second on a 5-2 vote. Those voting aye were: Mayor Leffingwell, Mayor Pro Tem Cole, and Council Members Martinez, Riley and Spelman. Those voting nay were: Council Member Morrison and Tovo.

65. Conduct a public hearing and consider an ordinance regarding floodplain variances requested by Mr. Hermann Vigil of Vigil & Associates on behalf of the owners, Highland Ventures I, Ltd. and McDonald Signet Limited, to develop a commercial bank building with surface parking at 8225 Highway 71 West, which is in the 100-year floodplain of Williamson Creek.

The public hearing was conducted and the motion to close the public hearing and adopt Ordinance No. 20120308-065 was approved on Council Member Spelman's motion, Council Member Martinez' second on a 7-0 vote.

Mayor Leffingwell recessed the Council Meeting to go into Live Music and Proclamation at 5:33 p.m.

#### LIVE MUSIC

Courtney Sanchez

#### PROCLAMATIONS

Proclamation – Easter Seals 75<sup>th</sup> Anniversary – to be presented by Council Member Laura Morrison and to be accepted by Kevin Coleman

Proclamation – Trash Dance Premier – to be presented by Council Member Laura Morrison and to be accepted by Allison Orr and Andrew Garrison

Proclamation – Leslie Cochran – to be presented by Council Member Laura Morrison and to be accepted by family of Leslie Cochran

**Mayor Leffingwell called the Council Meeting back to order at 7:16 p.m.**

**PUBLIC HEARINGS AND POSSIBLE ACTION CONTINUED**

**Items 66 through 69 were acted on by one motion.**

66. Conduct a public hearing and approve an ordinance that adopts a consent agreement between the City and the Southeast Travis County Municipal Utility District 1 ("MUD"); the consent agreement will be conditioned on the approval of an ordinance that adopts a strategic partnership agreement between the City and the MUD.

**The public hearing was conducted and the motion to close the public hearing and adopt the first reading of the ordinance was approved on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 6-1 vote. Council Member Riley voted nay. Direction was given to staff to include explicit language regarding the bond issuance date in the ordinance and provide this language to Council no later than March 19, 2012 and conduct the second reading on March 22, 2012.**

67. Conduct a public hearing and approve an ordinance that adopts a consent agreement between the City and the Southeast Travis County Municipal Utility District 2 ("MUD"); the consent agreement will be conditioned on the approval of an ordinance that adopts a strategic partnership agreement between the City and the MUD.

**The public hearing was conducted and the motion to close the public hearing and adopt the first reading of the ordinance was approved on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 6-1 vote. Council Member Riley voted nay. Direction was given to staff to include explicit language regarding the bond issuance date in the ordinance and provide this language to Council no later than March 19, 2012 and conduct the second reading on March 22, 2012.**

68. Conduct a public hearing and approve an ordinance that adopts a consent agreement between the City and the Southeast Travis County Municipal Utility District 3 ("MUD"); the consent agreement will be conditioned on the approval of an ordinance that adopts a strategic partnership agreement between the City and the MUD.

**The public hearing was conducted and the motion to close the public hearing and adopt the first reading of the ordinance was approved on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 6-1 vote. Council Member Riley voted nay. Direction was given to staff to include explicit language regarding the bond issuance date in the ordinance and provide this language to Council no later than March 19, 2012 and conduct the second reading on March 22, 2012.**

69. Conduct a public hearing and approve an ordinance that adopts a consent agreement between the City and the Southeast Travis County Municipal Utility District 4 ("MUD"); the consent agreement will be conditioned on the approval of an ordinance that adopts a strategic partnership agreement between the City and the MUD.

**The public hearing was conducted and the motion to close the public hearing and adopt the first reading of the ordinance was approved on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 6-1 vote. Council Member Riley voted nay. Direction was given to staff to include explicit language regarding the bond issuance date in the ordinance and provide this**

language to Council no later than March 19, 2012 and conduct the second reading on March 22, 2012.

Items 70 through 74 were acted on by one motion.

70. Conduct a public hearing and approve an ordinance that adopts a consent agreement between the City and the Pilot Knob Municipal Utility District 1 ("MUD"); the consent agreement will be conditioned on the approval of an ordinance that adopts a strategic partnership agreement between the City and the MUD. The public hearing was conducted and the motion to close the public hearing and adopt the first reading of the ordinance was approved on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote. Direction was given to staff to:
- Include explicit language regarding the bond issuance date in the ordinance and provide this language to Council no later than March 19, 2012;
  - Conduct the second reading on March 22, 2012;
  - Include the reference to the NACTO Standards on Transportation in exhibits H2D; and
  - In the Urban Design section consider the City's list of special use infill options in order to promote affordability to preserve public space and mitigation lots to improve connectivity.
71. Conduct a public hearing and approve an ordinance that adopts a consent agreement between the City and the Pilot Knob Municipal Utility District 2 ("MUD"); the consent agreement will be conditioned on the approval of an ordinance that adopts a strategic partnership agreement between the City and the MUD. The public hearing was conducted and the motion to close the public hearing and adopt the first reading of the ordinance was approved on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote. Direction was given to staff to:
- Include explicit language regarding the bond issuance date in the ordinance and provide this language to Council no later than March 19, 2012;
  - Conduct the second reading on March 22, 2012;
  - Include the reference to the NACTO Standards on Transportation in exhibits HWD; and
  - In the Urban Design section consider the City's list of special use infill options in order to promote affordability to preserve public space and mitigation lots to improve connectivity.
72. Conduct a public hearing and approve an ordinance that adopts a consent agreement between the City and the Pilot Knob Municipal Utility District 3 ("MUD"); the consent agreement will be conditioned on the approval of an ordinance that adopts a strategic partnership agreement between the City and the MUD. The public hearing was conducted and the motion to close the public hearing and adopt the first reading of the ordinance was approved on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote. Direction was given to staff to:
- Include explicit language regarding the bond issuance date in the ordinance and provide this language to Council no later than March 19, 2012;
  - Conduct the second reading on March 22, 2012;
  - Include the reference to the NACTO Standards on Transportation in exhibits HWD; and
  - In the Urban Design section consider the City's list of special use infill options in order to promote affordability to preserve public space and mitigation lots to improve connectivity.
73. Conduct a public hearing and approve an ordinance that adopts a consent agreement between the City and the Pilot Knob Municipal Utility District 4 ("MUD"); the consent agreement will be conditioned on the approval of an ordinance that adopts a strategic partnership agreement between the City and the MUD. The public hearing was conducted and the motion to close the public hearing and adopt the first reading of the ordinance was approved on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote. Direction was given to staff to:
- Include explicit language regarding the bond issuance date in the ordinance and provide this language to Council no later than March 19, 2012;



- Conduct the second reading on March 22, 2012;
- Include the reference to the NACTO Standards on Transportation in exhibits HWD; and
- In the Urban Design section consider the City's list of special use infill options in order to promote affordability to preserve public space and mitigation lots to improve connectivity.

74. Conduct a public hearing and approve an ordinance that adopts a consent agreement between the City and the Pilot Knob Municipal Utility District 5 ("MUD"); the consent agreement will be conditioned on the approval of an ordinance that adopts a strategic partnership agreement between the City and the MUD.

The public hearing was conducted and the motion to close the public hearing and adopt the first reading of the ordinance was approved on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote. Direction was given to staff to:

- Include explicit language regarding the bond issuance date in the ordinance and provide this language to Council no later than March 19, 2012;
- Conduct the second reading on March 22, 2012;
- Include the reference to the NACTO Standards on Transportation in exhibits HWD; and
- In the Urban Design section consider the City's list of special use infill options in order to promote affordability to preserve public space and mitigation lots to improve connectivity.

Mayor Leffingwell adjourned the meeting at 8:17 p.m. without objection.

The minutes for the regular meeting of March 8, 2012 were approved on this the 22nd day of March 2012 on Mayor Pro Tem Cole's motion, Council Member Martinez' second on a 6-0 vote. Council Member Morrison was absent.