

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

AGENDA



Thursday, March 07, 2013

The Austin City Council will convene at 10:00 AM on
Thursday, March 07, 2013 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 may go into a closed session as permitted by the Texas Open Meetings Act, (Chapter 551 of the Texas Government Code) regarding any item on this agenda.

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

Rev. Peder Sandager, Pastor, St. Martin's Evangelical Lutheran Church

10:00 AM – City Council Convenes

Consent

Approval of Minutes

1. Approve the minutes of the Austin City Council work session of February 26, 2013, regular meeting and press conference of February 28, 2013 and special called meeting of March 1, 2013.

Austin Energy

2. Approve issuance of a rebate to SCI Austin Lights Forest Fund LLC for performing duct diagnostics and improvements at the Austin City Lights Apartments located at 501 E. Stassney Lane, Austin, Texas, in an amount not to exceed \$98,123.
3. Approve issuance of a rebate to Hudson Asset Holdings LP for performing duct diagnostics and improvements at the Hudson Miramont Apartments located at 8818 Travis Hills Dr., Austin, Texas, in an amount not to exceed \$99,374.
4. Approve issuance of a rebate to Principal Global Investors LLC for performing duct diagnostics and improvements at the Toscana Apartments located at 13355 US Hwy. 183 North, Austin, Texas, in an amount not to exceed \$121,599.
5. Authorize negotiation and execution of an agreement with Canyon Oaks, LP, to provide a performance-based incentive for the generation of solar energy at six facilities located on Royal Crest Drive and Burton Drive in Austin, Texas, for an estimated \$22,384 per year, for a total amount not to exceed \$223,840 over a 10-year period.

6. Authorize negotiation and execution of an agreement with the Capitol Area Council, Boy Scouts of America to provide a performance-based incentive for the generation of solar energy at its facility located at 12500 North IH-35 in Austin, Texas, for an estimated \$16,074 per year, for a total amount not to exceed \$160,740 over a 10-year period.
7. Authorize negotiation and execution of an agreement with Coeus BE Austin, LP, to provide a performance-based incentive for the generation of solar energy at three facilities located on Royal Crest Drive in Austin, Texas, for an estimated \$12,194 per year, for a total amount not to exceed \$121,940 over a 10-year period.
8. Authorize negotiation and execution of an agreement with Phoebe Austin, LP, to provide a performance-based incentive for the generation of solar energy at two facilities located on Royal Crest Drive in Austin, Texas, for an estimated \$7,219 per year, for a total amount not to exceed \$72,190 over a 10-year period.
9. Authorize negotiation and execution of a two-year interlocal agreement with the Alamo Area Council of Governments for assistance in establishing the Central Texas Fuel Independence Project to reduce barriers to the widespread use of cleaner, domestic, and more secure alternative fuels and renewable fuel vehicles in the Austin and San Antonio region, for a total amount not to exceed \$180,000.

Austin Water Utility

10. Authorize the execution of an Interlocal Agreement with Travis County to provide joint funding for the completion of an Austin-Travis County Community Wildfire Protection Plan in an amount not to exceed \$100,000.

Contract Management

11. Authorize negotiation and execution of professional services agreements with each of the following three staff-recommended firms (or one of the other qualified responders): STANLEY CONSULTANTS, INC., ENERGY ENGINEERING ASSOCIATES, INC., and AFFILIATED ENGINEERS, INC. for Austin Energy's 2013 Engineering Services for Chilled Water Pipes in Plants & Distribution Service Areas Rotation List for an estimated period of three years or until financial authorization is expended, with the total amount not to exceed \$1,500,000 divided among the three firms.
(Notes: This contract will be awarded in compliance with City Code Chapter 2-9B (Minority Owned and Women Owned Business Enterprise Procurement Program) by meeting the goals with 15.80% MBE and 15.80% WBE subconsultant participation.)
12. Authorize negotiation and execution of a professional services agreement

with CDM SMITH INC., or one of the other qualified responders to RFQ Solicitation No. CLMP120, to provide environmental, civil engineering and other consulting services for the Austin Bergstrom International Airport for three years for a total contract amount not to exceed \$1,050,000.

(Notes: This contract will be awarded in compliance with City Code Chapter 2-9B (Minority Owned and Women Owned Business Enterprise Procurement Program) by meeting the goals with 16.00% MBE and 16.00% WBE subcontractor participation.)

Economic Growth and Redevelopment Services

13. Approve an ordinance amending the Fiscal Year 2012-2013 Economic Growth and Redevelopment Services Office Operating Budget Special Revenue Fund (Ordinance No. 20120910-001) to appropriate funds and adopt a budget for the East Sixth Street Public Improvement District (PID) with a beginning balance of \$84,124, revenue of \$110,040, and requirements of \$110,040.

Emergency Medical Services

14. Approve an ordinance establishing classifications and positions in the classified service of the Emergency Medical Services Department and creating certain positions in the classified service of the Emergency Medical Services Department.

Fire

15. Approve an ordinance establishing classifications and pay rates, and creating positions in the classified service of the Fire Department, and repealing Ordinance No. 20120910-004 relating to Fire Department classifications and positions.
16. Authorize the execution of an Interlocal Agreement between the City of Austin and the Hays County ESD # 5/Kyle Fire Department to allow students enrolled in the Austin Independent School District's LBJ Fire Academy the ability to ride-out on fire apparatus. The initial term is one year and the parties may renew for up to four (4) additional one-year terms on mutual consent.
17. Approve an ordinance accepting \$111,139 in grant funds for the Assistance to Firefighters Grant program from the Federal Emergency Management Agency (FEMA) and amending the Fiscal Year 2012-2013 Fire Department Operating Budget Special Revenue Fund (Ordinance No. 20120910-001) to appropriate \$111,139 for health and safety training firefighting personnel.

Parks and Recreation

18. Approve a resolution authorizing the design of two looped nature trails,

including an off-leash trail, at Yett Creek Neighborhood Park.

Public Works

19. Approve an ordinance authorizing negotiation and execution of an Advance Funding Agreement between the City of Austin and the Texas Department of Transportation for the construction of highway improvements and the construction of a bicycle and pedestrian bridge over Barton Creek at Mopac.

Purchasing Office

20. Authorize negotiation and execution of a 5-year Interlocal Agreement with TEXAS A&M FOREST SERVICE, to allow the City of Austin to participate in this agency's cooperative purchasing program to purchase various types of wildland fire protection equipment and supplies offered through the GSA National WildFire Program.
(Notes: This Interlocal Agreement 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.)
21. Authorize award, negotiation, and execution of an 12-month requirements service contract with MORRIS & MCDANIEL, INC., or one of the other qualified offerors to RFP No. CEA0115, to provide an employment assessment process for the Austin Fire Department (AFD) in an estimated amount not to exceed \$336,000, with three 12-month extension options in an estimated amount not to exceed \$336,000 per extension option, for a total estimated contract amount not to exceed \$1,344,000.
22. Authorize award and execution of a 36-month requirements service contract with MIDSTATE ENVIRONMENTAL SERVICES, to provide maintenance and repairs for Parts Washer machines for the Fleet Services Department in an estimated amount not to exceed \$163,669, with three 12-month extension options in an estimated amount not to exceed \$77,698 for the first extension option, \$93,237 for the second extension option, and \$111,885 for the third extension option for a total estimated contract amount not to exceed \$446,489.
(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.)
23. Authorize award and execution of a 12-month requirements service agreement with ABM BUILDING & ENERGY SOLUTIONS to provide electric vehicle charging station maintenance for an estimated amount not to exceed \$70,000, with one 12-month extension option for an estimated amount not to exceed \$70,000, for a total estimated contract amount not to

exceed \$140,000.

(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.)

24. Authorize award, negotiation and execution of Amendment No. 7 to the contract with ECOLOGIC ANALYTICS, LLC, for a software upgrade and implementation, support, and system enhancing services for Austin Energy's existing Meter Data Management System in an amount not to exceed \$1,573,438, for a revised total contract amount not to exceed \$3,622,750.
(Notes: This contract was 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.)
25. Authorize award, negotiation, and execution of a requirements service contract with LOOMIS PARTNERS, Inc., or one of the other qualified offerors to RFP No. JSD0131, to develop a Community Wildfire Protection Plan for a total estimated contract amount not to exceed \$200,000.
(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 contract.)
26. Authorize award and execution of a 24-month requirements service contract with ALLIED WASTE SERVICES #843, for the management and disposal of industrial Class 2 non-hazardous waste for Austin Energy in an estimated amount not to exceed \$529,640, with three 12-month extension options in an estimated amount not to exceed \$264,820 per extension option, for a total estimated contract amount not to exceed \$1,324,100.
(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.)
27. Authorize award and execution of a 24-month requirements service agreement with ISS FACILITY MAINTENANCE, or one of the other qualified bidders for IFB-BV MLG0057, to provide janitorial services in an estimated amount not to exceed \$1,283,088, with two 12-month extension options in an estimated amount not to exceed \$641,544 per extension option, for a total estimated contract amount not to exceed \$2,566,176.
(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.)

Transportation

28. Approve an ordinance amending the Fiscal Year 2012-2013 Austin Transportation Department Operating Budget Special Revenue Fund (Ordinance No. 20120910-001) to accept funds from the Federal Transportation Administration in the amount of \$4,000,000; amending the Fiscal Year 2012-2013 Austin Transportation Department Capital Budget (Ordinance No. 20120910-002) to transfer in and appropriate \$4,000,000 from the Austin Transportation Department Operating Budget Special Revenue Fund for project development and engineering of the urban rail program.

Watershed Protection Department

29. Approve negotiation and execution of Amendment No. 2 to the 2011 Interlocal Agreement with AUSTIN INDEPENDENT SCHOOL DISTRICT for transportation of Earth Camp students, to increase the not-to-exceed amount for fiscal year 2012-2013 from \$26,000 to \$30,000 and to increase the not-to-exceed amount for the four remaining one-year extension options from \$26,000 to \$30,000, for a total contract not-to-exceed amount of \$176,000.

Item(s) from Council

30. Approve appointments and certain related waivers to citizen boards and commissions, to Council subcommittees and other intergovernmental bodies and removal and replacement of members.
31. Approve an ordinance waiving certain fees and requirements for the 2013 Bengali New Year Festival sponsored by the Bangladesh Association of Greater Austin which is to be held Saturday, April 20, 2013 at Fiesta Gardens.
(Notes: SPONSOR: Mayor Pro Tem Sheryl Cole CO 1: Council Member Chris Riley CO 2: Mayor Lee Leffingwell)
32. Approve an ordinance waiving certain fees for the YWCA Members Speakers Series which is to be held on Thursday, March 21, 2013 at the Emma S. Barrientos Mexican American Cultural Center.
(Notes: SPONSOR: Mayor Pro Tem Sheryl Cole CO 1: Council Member Laura Morrison CO 2: Council Member Kathie Tovo)
33. Approve an ordinance changing the geographical boundaries for the Community Development Commission.
(Notes: SPONSOR: Mayor Lee Leffingwell CO 1: Council Member Mike Martinez)
34. Approve a resolution amending the City's Legislative Program for the 83rd Legislature to support legislation that positively affects the mission of municipal animal shelters, animal health, veterinary medicine and any animal

related regulations.

(Notes: SPONSOR: Council Member Mike Martinez CO 1: Council Member Laura Morrison)

35. Approve a resolution to support and endorse the State of Texas using funds from the National Mortgage Settlement for housing and housing-related activities.

(Notes: SPONSOR: Council Member Laura Morrison CO 1: Council Member Kathie Tovo)

36. Approve an ordinance waiving certain fees and requirements for the Texas General Land Office 3rd Annual Texas Government Charitable Softball Tournament to benefit the Lone Star Chapter of the National Multiple Sclerosis Society which is to be held on Saturday, April 6, 2013 at the Havins Softball Complex.

(Notes: SPONSOR: Mayor Lee Leffingwell CO 1: Council Member Chris Riley CO 2: Mayor Pro Tem Sheryl Cole)

37. Approve an ordinance waiving certain development fees related to the construction of classroom and office spaces at 2921 East 17th Street, Building B, for Creative Action in the amount of \$3,169.

(Notes: SPONSOR: Mayor Lee Leffingwell CO 1: Council Member Mike Martinez CO 2: Council Member Laura Morrison)

38. Approve an ordinance waiving certain fees and requirements for the People Organized in the Defense of Earth and her Resources (PODER) Annual Cesar Chavez Awards Dinner which is to be held on Sunday, March 24, 2013 at the Emma S. Barrientos Mexican American Cultural Center.

(Notes: SPONSOR: Council Member Mike Martinez CO 1: Council Member Kathie Tovo CO 2: Council Member Chris Riley)

Item(s) to Set Public Hearing(s)

39. Set a public hearing to consider the permanent use of approximately 23,794 square feet of land for construction, use, maintenance, repair, and replacement of shoring or soil retention system, building canopy, bridge and roadway for the New Central Library/2nd Street Bridge and Extension Project through dedicated parkland known as Shoal Creek Greenbelt, in accordance with Texas Parks and Wildlife Code, Sec. 26.001 et seq.

(Suggested date and time, April 11, 2013, 4:00 p.m. at Austin City Hall, 301 W. Second Street, Austin, TX).

40. Set a public hearing to consider an ordinance granting a site specific amendment to City Code Section 25-8-514 (Save Our Springs Initiative) and a variance to City Code Sections 25-8-482 (Critical Water Quality Zone) and 25-8-483 (Water Quality Transition Zone) to allow construction of the Barton Springs Pool General Grounds Improvement Project in the Critical Water Quality Zone and Water Quality Transition Zone of Barton Creek and

to exceed impervious cover requirements. This action concerns land located within the Barton Springs Zone. (Suggested date and time: March 28, 2013, 4:00 p.m. at Austin City Hall, 301 W. Second Street, Austin, TX).

Non-Consent

Action on Items with Closed Public Hearings - per City Code Section 2-5-27, speakers will not be registered

41. Approve second and third readings of an ordinance amending City Code Chapter 25 pertaining to downtown off-street parking and loading requirements. THE PUBLIC HEARING FOR THIS ITEM WAS HELD AND CLOSED ON FEBRUARY 28, 2013.
42. Approve an ordinance amending City Code Chapter 25-2 to create the East Riverside Corridor (ERC) zoning district, adopt a regulating plan for the district, amend Subchapter E: Design Standards & Mixed Use to exempt the ERC zoning district, and approve a collector street plan for the East Riverside Corridor Area on property located along or in proximity to East Riverside Drive, between IH-35 on the west and State Highway 71 on the east. THE PUBLIC HEARING FOR THIS ITEM WAS HELD AND CLOSED ON NOVEMBER 8, 2012.
43. NPA-2012-0021.02 - East Riverside Corridor Regulating Plan (East Riverside/Oltorf Combined (EROC) Neighborhood Planning Area) - Approve an ordinance amending Ordinance No. 20061116-055, an element of the Imagine Austin Comprehensive Plan, by adopting the East Riverside Corridor Regulating Plan and changing the future land use designations of approximately 815 acres from various future land use designations to Specific Regulating District (SRD), on property in the EROC Neighborhood Planning Area located along or in proximity to East Riverside Drive, between IH-35 on the west and Grove Boulevard on the east (Harper's Branch Watershed, Town Lake Watershed, Country Club East Creek Watershed, Country Club West Creek Watershed, Carson Creek Watershed). Staff Recommendation: To grant Specific Regulating District. Planning Commission Recommendation: To grant Specific Regulating District, with conditions. On November 8, 2012, Council conducted the public hearing. Applicant and Agent: Planning and Development Review Department. City Staff: Erica Leak, 974-2856. THE PUBLIC HEARING FOR THIS ITEM WAS HELD AND CLOSED ON NOVEMBER 8, 2012.
44. NPA-2012-0005.04 - East Riverside Corridor Regulating Plan (Montopolis Neighborhood Planning Area) - Approve an ordinance amending Ordinance No. 010927-05, an element of the Imagine Austin Comprehensive Plan, by adopting the East Riverside Corridor Regulating Plan and changing the future land use designations of approximately 271 acres from various future land uses designations to Specific Regulating District (SRD), on property in the Montopolis Neighborhood Planning Area located along or in proximity

to East Riverside Drive, between Grove Boulevard on the west and State Highway 71 on the east (Country Club East Creek Watershed, Carson Creek Watershed, Colorado River Watershed). Staff Recommendation: To grant Specific Regulating District. Planning Commission Recommendation: To grant Specific Regulating District, with conditions. On November 8, 2012, Council conducted the public hearing. Applicant and Agent: Planning and Development Review Department. City Staff: Erica Leak, 974-2856. THE PUBLIC HEARING FOR THIS ITEM WAS HELD AND CLOSED ON NOVEMBER 8, 2012.

45. C14-2012-0111a - East Riverside Corridor Regulating Plan (East Riverside Neighborhood Planning Area) - Approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning 13 tracts (approximately 228 acres) within the East Riverside Corridor Regulating Plan boundaries, on property in the East Riverside Neighborhood Planning Area located along or in proximity to East Riverside Drive, between IH-35 on the west and Pleasant Valley Road on the east (Harper's Branch Watershed, Town Lake Watershed, Country Club West Creek Watershed) from unzoned, rural residence-neighborhood plan (RR-NP) combining district zoning, multi-family residence-low density (MF-2) district zoning, multi-family residence-low density-conditional overlay-neighborhood plan (MF-2-CO-NP) combining district zoning, multi-family residence-medium density (MF-3) district zoning, multi-family residence-medium density-conditional overlay (MF-3-CO) combining district zoning, multi-family residence-medium density-neighborhood plan (MF-3-NP) combining district zoning, multi-family residence-moderate-high density (MF-4) district zoning, multi-family residence-moderate-high density-conditional overlay-neighborhood plan (MF-4-CO-NP) combining district zoning, multi-family residence-highest density-conditional overlay-neighborhood plan (MF-6-CO-NP) combining district zoning, limited office-neighborhood plan (LO-NP) combining district zoning, limited office-conditional overlay-neighborhood plan (LO-CO-NP) combining district zoning, limited office-mixed use-conditional overlay-neighborhood plan (LO-MU-CO-NP) combining district zoning, general office-neighborhood plan (GO-NP) combining district zoning, general office-conditional overlay-neighborhood plan (GO-CO-NP) combining district zoning, general office-mixed-use-conditional overlay-neighborhood plan (GO-MU-CO-NP) combining district zoning, neighborhood commercial-neighborhood plan (LR-NP) combining district zoning, neighborhood commercial-vertical mixed use building-conditional overlay-neighborhood plan (LR-V-CO-NP) combining district zoning, community commercial (GR) district zoning, community commercial-conditional overlay (GR-CO) combining district zoning, community commercial-mixed use-conditional overlay (GR-MU-CO) combining district zoning, community commercial-neighborhood plan (GR-NP) combining district zoning, community commercial-mixed use-neighborhood plan (GR-MU-NP) combining district zoning, community commercial-mixed use-conditional overlay-neighborhood plan (GR-MU-CO-NP) combining district zoning, warehouse/limited office-conditional overlay-neighborhood plan (W/LO-

CO-NP) combining district zoning, general commercial services (CS) district zoning, general commercial services-conditional overlay (CS-CO) combining district zoning, general commercial services-neighborhood plan (CS-NP) combining district zoning, general commercial services-mixed-use-conditional overlay-neighborhood plan (CS-MU-CO-NP) combining district zoning, commercial-liquor sales (CS-1) district zoning, commercial-liquor sales-neighborhood plan (CS-1-NP) combining district zoning, commercial-liquor sales-mixed-use-conditional overlay-neighborhood plan (CS-1-MU-CO-NP) combining district zoning, and lake commercial-conditional overlay-neighborhood plan (L-CO-NP) combining district zoning to East Riverside Corridor (ERC) district zoning. The proposed zoning changes will implement the land use recommendations of the adopted East Riverside Corridor (ERC) Master Plan. Staff Recommendation: To grant East Riverside Corridor (ERC) district zoning. Planning Commission Recommendation: To grant East Riverside Corridor (ERC) district zoning, with conditions. On November 8, 2012, Council conducted the public hearing. Applicant and Agent: Planning and Development Review Department. City Staff: Erica Leak, 974-2856. THE PUBLIC HEARING FOR THIS ITEM WAS HELD AND CLOSED ON NOVEMBER 8, 2012.

46. C14-2012-0111b - East Riverside Corridor Regulating Plan (Pleasant Valley Neighborhood Planning Area) - Approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning 14 tracts (approximately 365 acres) within the East Riverside Corridor Regulating Plan boundaries, on property in the Pleasant Valley Neighborhood Planning Area located along or in proximity to East Riverside Drive, between Pleasant Valley Road on the west and Grove Boulevard on the east (Country Club East Creek Watershed, Country Club West Creek Watershed) from rural residence (RR) district zoning, rural residence-neighborhood plan (RR-NP) combining district zoning, single family residence-large lot-neighborhood plan (SF-1-NP) combining district zoning, single family residence-standard lot-neighborhood plan (SF-2-NP) combining district zoning, family residence-neighborhood plan (SF-3-NP) combining district zoning, multi-family residence-low density (MF-2) district zoning, multi-family residence-low density-conditional overlay (MF-2-CO) combining district zoning, multi-family residence-low density-neighborhood plan (MF-2-NP) combining district zoning, multi-family residence-medium density-conditional overlay (MF-3-CO) combining district zoning, multi-family residence-medium density-neighborhood plan (MF-3-NP) combining district zoning, multi-family residence-moderate-high density (MF-4) district zoning, limited office-mixed use-conditional overlay-neighborhood plan (LO-MU-CO-NP) combining district zoning, general office-mixed-use-conditional overlay-neighborhood plan (GO-MU-CO-NP) combining district zoning, neighborhood commercial-mixed use-conditional overlay (LR-MU-CO) combining district zoning, neighborhood commercial-neighborhood plan (LR-NP) combining district zoning, neighborhood commercial-mixed use-conditional overlay-neighborhood plan (LR-MU-CO-NP) combining district zoning, community commercial (GR) district zoning, community commercial-conditional overlay (GR-CO) combining district

zoning, community commercial-mixed use-conditional overlay (GR-MU-CO) combining district zoning, community commercial-neighborhood plan (GR-NP) combining district zoning, community commercial-mixed use-neighborhood plan (GR-MU-NP) combining district zoning, warehouse/limited office-conditional overlay-neighborhood plan (W/LO-CO-NP) combining district zoning, general commercial services (CS) district zoning, general commercial services-conditional overlay (CS-CO) combining district zoning, general commercial services-mixed-use-neighborhood plan (CS-MU-NP) combining district zoning, commercial-liquor sales (CS-1) district zoning, commercial-liquor sales-neighborhood plan (CS-1-NP) combining district zoning, industrial park-neighborhood plan (IP-NP) combining district zoning, and limited industrial service-neighborhood plan (LI-NP) combining district zoning to East Riverside Corridor (ERC) district zoning. The proposed zoning changes will implement the land use recommendations of the adopted East Riverside Corridor (ERC) Master Plan. Staff Recommendation: To grant East Riverside Corridor (ERC) district zoning. Planning Commission Recommendation: To grant East Riverside Corridor (ERC) district zoning, with conditions. On November 8, 2012, Council conducted the public hearing. Applicant and Agent: Planning and Development Review Department. City Staff: Erica Leak, 974-2856. THE PUBLIC HEARING FOR THIS ITEM WAS HELD AND CLOSED ON NOVEMBER 8, 2012.

47. C14-2012-0112 - East Riverside Corridor Regulating Plan (Montopolis Neighborhood Planning Area) - Approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning 11 tracts (approximately 235 acres) within the East Riverside Corridor Regulating Plan boundaries, on property located in the Montopolis Neighborhood Planning Area along or in proximity to East Riverside Drive, between Grove Boulevard on the west and State Highway 71 on the east (Country Club East Creek Watershed, Carson Creek Watershed, Colorado River Watershed) from rural residence-neighborhood plan (RR-NP) combining district zoning, family residence-neighborhood plan (SF-3-NP) combining district zoning, single family residence-small lot-neighborhood plan (SF-4A-NP) combining district zoning, multi-family residence-low density-neighborhood plan (MF-2-NP) combining district zoning, multi-family residence-low density-conditional overlay-neighborhood plan (MF-2-CO-NP) combining district zoning, multi-family residence-medium density-neighborhood plan (MF-3-NP) combining district zoning, multi-family residence-medium density-conditional overlay-neighborhood plan (MF-3-CO-NP) combining district zoning, general office-mixed use-conditional overlay-neighborhood plan (GO-MU-CO-NP) combining district zoning, neighborhood commercial-neighborhood plan (LR-NP) combining district zoning, neighborhood commercial-mixed use-neighborhood plan (LR-MU-NP) combining district zoning, community commercial-neighborhood plan (GR-NP) combining district zoning, community commercial-mixed use-neighborhood plan (GR-MU-NP) combining district zoning, community commercial-mixed use-conditional overlay-neighborhood plan (GR-MU-CO-NP) combining district zoning,

general commercial services-neighborhood plan (CS-NP) combining district zoning, general commercial services-mixed use-neighborhood plan (CS-MU-NP) combining district zoning, general commercial services-conditional overlay-neighborhood plan (CS-CO-NP) combining district zoning, general commercial services-mixed use-conditional overlay-neighborhood plan (CS-MU-CO-NP) combining district zoning and limited industrial service-neighborhood plan (LI-NP) combining district zoning to East Riverside Corridor (ERC) district zoning. The proposed zoning changes will implement the land use recommendations of the adopted East Riverside Corridor (ERC) Master Plan. Staff Recommendation: To grant East Riverside Corridor (ERC) district zoning. Planning Commission Recommendation: To grant East Riverside Corridor (ERC) district zoning, with conditions. On November 8, 2012, Council conducted the public hearing. Applicant and Agent: Planning and Development Review Department. City Staff: Erica Leak, 974-2856. THE PUBLIC HEARING FOR THIS ITEM WAS HELD AND CLOSED ON NOVEMBER 8, 2012.

10:30 AM - Morning Briefings

- 48. Briefing on Air Quality Program Recommendations.
- 49. Briefing on the Comprehensive Land Development Code Revision.

12:00 PM - Citizen Communications: General

Librado Almanza - Public invited to Annual Cesar W. Chavez "Si Se Puede!" March on Saturday, March 23rd. Start at 10:30 a.m. at Terrazas Library, 1105 E. Cesar Chavez and March to City Hall Plaza

Margarita Ash - High profile domestic violence case against City of Austin

Scott Johnson - Air quality

Kurt Blaschke - Barton Springs Ground Improvement Project

Karen Kreps - Against the Barton Springs Pool Ground Improvement Plans and any variances to SOS Amendment

David King - Barton Springs Pool General Improvement Plan

Dan Crow - Barton Springs Site Plan

Kathleen Magor - Barton Springs Master Plan

Bill Bunch - Barton Springs Pool Master Plan

Jane Castillo - Civil Rights discrimination complaint against Jimmy Clay golfcourse

Executive Session

50. Discuss legal issues related to Open Government matters (Private consultation with legal counsel - Section 551.071)
51. Discuss legal issues related to the November 6, 2012 election (Private consultation with legal counsel- Section 551.071)
52. Discuss legal issues related to zoning (Private consultation with legal counsel- Section 551.071).
53. Discuss legal issues related to Cause No. D-1-GN-12-003601; BCAC Acquisition, LLC v. City of Austin; In the District Court of Travis County, Texas, 98th Judicial District - this involves land in the Barton Springs Zone (Private consultation with legal counsel - Section 551.071).

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

54. C14-2012-0028 - 3rd & Colorado - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 301 and 311 Colorado Street, and 114 West 3rd Street (Town Lake Watershed) from central business district-central urban redevelopment district (CBD-CURE) combining district zoning to central business district-central urban redevelopment district (CBD-CURE) combining district zoning, to change a condition of zoning. First reading approved on August 16, 2012. Vote 7-0. Applicant: S/H Austin Partnership (John Beauchamp). Agent: Winstead, P.C. (Stephen O. Drenner). City Staff: Clark Patterson, 974-7691.
55. C14-2012-0129 – Public Storage – Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 13685 North U.S. Highway 183 (Lake Creek Watershed) from community commercial services-conditional overlay (GR-CO) combining district zoning to general commercial services-conditional overlay (CS-CO) combining district zoning. First reading approved on January 17, 2013. Vote 6-0, Mayor Leffingwell absent. Owner/Applicant: Laurmic (Michael T. Pokorny). Agent: Jackson Walker, L.L.P. (Katherine P. Loayza). City Staff: Sherri Sirwaitis, 974-3057.
56. C814-2012-0055 - Covered Bridge Planned Unit Development - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 6714 Covered Bridge Drive (Williamson Creek Watershed-Barton Springs Zone) from community commercial-neighborhood plan (GR-NP) combining district zoning, community commercial-conditional overlay-neighborhood plan (GR-CO-NP) combining district zoning, multi-family residence limited density-neighborhood plan (MF-1-NP) combining district zoning, townhouse and

condominium residence-neighborhood plan (SF-6-NP) combining district zoning, and rural residence-neighborhood plan (RR-NP) combining district zoning to planned unit development-neighborhood plan (PUD-NP) combining district zoning. The land in the PUD is within the Barton Springs Zone in which the City's Save Our Springs (SOS) ordinance applies. First reading approved on January 31, 2013. Vote: 7-0. Owner/Applicant: PPF AMLI Covered Bridge Drive, LLC; CBAL Whitecrowe LLC; Covered Bridge Section 8, LLC. (Ron Thrower). City Staff: Heather Chaffin, 974-2122.

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

57. C14-2008-0159(RCA) - 3rd & Colorado - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 301 and 311 Colorado Street, and 114 West 3rd Street (Town Lake Watershed) to amend a portion of the Restrictive Covenant as it relates to certain uses and development standards. Staff Recommendation: To grant an amendment to a portion of the Restrictive Covenant. Planning Commission Recommendation: To grant an amendment to a portion of the Restrictive Covenant. Applicant: S/H Austin Partnership (John Beauchamp). Agent: Winstead, P.C. (Stephen O. Drenner). City Staff: Clark Patterson, 974-7691.
58. C14-84-056(RCT) – Wells Fargo – Enfield #2 – Conduct a public hearing to terminate a restrictive covenant as it relates to certain uses on property locally known as 605 West 15th Street (Town Lake Watershed). Staff Recommendation: To grant the restrictive covenant termination. Planning Commission Recommendation: To grant the restrictive covenant termination. Applicant: Well Fargo Bank, N. A. (Joe Zafareo). Agent: Brown McCarrol, L.P.P. (Jerry Harris). City Staff: Clark Patterson, 974-7691.
59. C14-75-085(RCT) – Wells Fargo – Enfield #1 – Conduct a public hearing to terminate a restrictive covenant as it relates to certain uses on property locally known as 605 West 15th Street (Town Lake Watershed). Staff Recommendation: To grant the restrictive covenant termination. Planning Commission Recommendation: To grant the restrictive covenant termination. Applicant: Well Fargo Bank, N. A. (Joe Zafareo). Agent: Brown McCarrol, L.P.P. (Jerry Harris). City Staff: Clark Patterson, 974-7691.
60. C14-2012-0145 – 2111 Fort View – Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 2111 Fort View Road (Blunn Creek Watershed) from family residence (SF-3) district zoning to limited office (LO) district zoning, with conditions. Staff Recommendation: To grant neighborhood office-mixed use-conditional overlay (NO-MU-CO) combining district zoning, with conditions. Planning Commission Recommendation: To grant neighborhood office-mixed use-conditional overlay (NO-MU-CO) combining district zoning, with conditions. Owner: Eveann Investments, LP

(William G. Franklin). Applicant: One Management, Inc. (Howard P. Kells). City Staff: Lee Heckman, 974-7604.

61. C14-2012-0146.SH – 1044 Norwood Park Blvd. – Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 1044 Norwood Park Boulevard (Little Walnut Creek Watershed) from community commercial-conditional overlay-neighborhood plan (GR-CO-NP) combining district zoning to commercial highway services-neighborhood plan (CH-NP) combining district zoning. Staff Recommendation: To grant commercial highway services-conditional overlay-neighborhood plan (CH-CO-NP) combining district zoning. Planning Commission Recommendation: To grant commercial highway services-conditional overlay-neighborhood plan (CH-CO-NP) combining district zoning. Owner: DBSI Village at Norwood, LLC (Conrad Myers). Agent: Conley Engineering, Inc. (Carl Conley). City Staff: Heather Chaffin, 974-2122.
62. C14-2012-0147 – 2025 E. 7th Street – Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 2025 East 7th Street (Town Lake Watershed) from general commercial services-mixed use-conditional overlay-neighborhood plan (CS-MU-CO-NP) combining district zoning to general commercial services-mixed use-vertical mixed use building-conditional overlay-neighborhood plan (CS-MU-V-CO-NP) combining district zoning. Staff Recommendation: To grant general commercial services-mixed use-vertical mixed use building-conditional overlay-neighborhood plan (CS-MU-V-CO-NP) combining district zoning. Planning Commission Recommendation: To grant general commercial services-mixed use-vertical mixed use building-conditional overlay-neighborhood plan (CS-MU-V-CO-NP) combining district zoning. Owner: SL Chicon, LP (John Kiltz). Agent: Gibson Lamar Partners, LP (Arthur Carpenter). City Staff: Heather Chaffin, 974-2122.
63. C14-2012-0165 – W.O.B. – Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 3109 South Lamar Boulevard (West Bouldin Creek Watershed) from general commercial services-vertical mixed use building (CS-V) combining district zoning to commercial-liquor sales-vertical mixed use building (CS-1-V) combining district zoning. Staff Recommendation: To grant commercial-liquor sales-vertical mixed use building (CS-1-V) combining district zoning. Planning Commission Recommendation: To grant commercial-liquor sales-vertical mixed use building (CS-1-V) combining district zoning. Owner: Residences at the Spoke, LLC by Transwestern. Applicant: Bury + Partners (Melissa Neslund). City Staff: Lee Heckman, 974-7604.
64. C14-85-288.45(RCA2) - Covered Bridge Planned Unit Development - Conduct a public hearing and approve a restrictive covenant amendment for property locally known as 6714 Covered Bridge Drive (Williamson Creek

Watershed-Barton Springs Zone) to amend a portion of the Restrictive Covenant to remove 32.025 acres out of the 194.74 Restrictive Covenant. Staff Recommendation: To grant an amendment to amend a portion of the Restrictive Covenant to remove 32.025 acres out of the 194.74 Restrictive Covenant. The land in the PUD is within the area known as the Barton Springs Zone in which the City's Save Our Springs (SOS) ordinance applies. PUD zoning may modify City ordinances applicable to development of the land. Planning Commission Recommendation: To grant an amendment to amend a portion of the Restrictive Covenant to remove 32.025 acres out of the 194.74 Restrictive Covenant. Owner/Applicant: PPF AMLI Covered Bridge Drive, LLC; CBAL Whitecrowe LLC; Covered Bridge Section 8, LLC. Agent: Thrower Design (Ron Thrower). City Staff: Heather Chaffin, 974-2122..

4:00 PM - Public Hearings and Possible Actions

65. Conduct a public hearing and consider an ordinance amending City Code Chapter 25-2 to encourage the relocation of historically significant buildings in the Rainey Street subdistrict of the Waterfront Overlay Combining District to appropriate locations outside of the subdistrict in lieu of demolition.
66. Conduct a public hearing and consider an ordinance creating an economic development program with National Instruments Corporation and authorizing the negotiation and execution of an Economic Development Agreement with National Instruments Corporation.

5:30 PM - Live Music


Carrie Elkin


5:30 PM - Proclamations

Proclamation -- TET Offensive Remembrance Day -- to be presented by Mayor Lee Leffingwell and to be accepted by representatives of Vietnam Veterans groups

Proclamation -- Red Cross Month -- to be presented by Mayor Lee Leffingwell and to be accepted by Marty McKellips

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.