



**AUSTIN CITY COUNCIL
MINUTES**

**REGULAR MEETING
THURSDAY, AUGUST 29, 2013**

Invocation: Br. Girish Chaitanya, Acharya of Chinmaya Mission Austin

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, August 29, 2013 in the Council Chambers of City Hall, 301 West Second Street, Austin, Texas.

Mayor Leffingwell called the Council Meeting to order at 10:09 a.m.

CONSENT AGENDA

The following items were acted on by one motion.

1. Approve the minutes of the Austin City Council budget work session of August 14, 2013, special called of August 19, 2013, work session of August 20, 2013, special called of August 21, 2013 and regular meeting of August 22, 2013.
The minutes from the City Council budget work session of August 14, 2013, special called of August 19, 2013, work session of August 20, 2013, special called of August 21, 2013 and regular meeting of August 22, 2013 were approved on consent on Council Member Morrison’s motion, Council Member Spelman’s second on a 7-0 vote.
2. Approve an ordinance amending City Code Section 3-1-21 (Impound Facilities) to establish the City's role as designated caretaker of impounded animals.
Ordinance No. 20130829-002 was approved on consent on Council Member Morrison’s motion, Council Member Spelman’s second on a 7-0 vote.
3. Approve an ordinance authorizing acceptance of \$295 in grant funds from the TEXAS DEPARTMENT OF STATE HEALTH SERVICES, ZOONOSIS BRANCH, and amending the Fiscal Year 2012-2013 Animal Services Office Operating Budget Special Revenue Fund (Ordinance No. 20120910-001) to appropriate \$295 to conduct spay and neuter activities.
Ordinance No. 20130829-003 was approved on consent on Council Member Morrison’s motion, Council Member Spelman’s second on a 7-0 vote.
4. Approve issuance of a rebate to Seton Healthcare for the installation of energy efficient equipment at its facility, Seton Medical Center Austin, 1201 West 38th Street, in an amount not to exceed \$70,029.
The motion to approve the issuance of a rebate to Seton Healthcare was approved on consent on Council Member Morrison’s motion, Council Member Spelman’s second on a 7-0 vote.

5. Authorize negotiation and execution of an agreement with Cinemark USA Inc., to provide a performance-based incentive for the generation of solar energy at its facility located at 9900 South IH 35, for an estimated \$35,821 per year, for a total amount not to exceed \$358,210 over a 10-year period.
The motion authorizing the negotiation and execution of an agreement with Cinemark USA Inc. was approved on consent on Council Member Morrison's motion, Council Member Spelman's second on a 7-0 vote.
6. Authorize negotiation and execution of an agreement with Congregation Beth Israel, to provide a performance-based incentive for the generation of solar energy at its facility located at 3901 Shoal Creek Blvd., for an estimated \$6,309 per year, for a total amount not to exceed \$63,090 over a 10-year period.
The motion authorizing the negotiation and execution of an agreement with Congregation Beth Israel was approved on consent on Council Member Morrison's motion, Council Member Spelman's second on a 7-0 vote.
7. Authorize negotiation and execution of an agreement with Whole Foods Market, to provide a performance-based incentive for the generation of solar energy at its facility located at 11920 Domain Drive, for an estimated \$31,172 per year, for a total amount not to exceed \$311,720 over a 10-year period.
The motion authorizing the negotiation and execution of an agreement with Whole Foods Market was approved on consent on Council Member Morrison's motion, Council Member Spelman's second on a 7-0 vote.
8. Authorize the negotiation and execution of a Developer Agency Agreement with TC Green Water Master Developer, LLC, for design and construction of chilled water utilities to serve planned facilities in the Green Water Treatment Plant Redevelopment Project, in an amount not to exceed \$69,960 for design phase services.
The motion authorizing the negotiation and execution of a developer agency agreement with TC Green Water Master Developer, LLC was approved on consent on Council Member Morrison's motion, Council Member Spelman's second on a 7-0 vote.
9. Authorize negotiation and execution of a nine-month lease agreement with Girard Diversified Interests for approximately 4,500 square feet located at 318 East 5th Street to support construction and installation of chilled water transmission piping by Austin Energy, in an amount not to exceed \$112,500, with two three-month extension options, in the amount of \$80,000 for the first extension option and \$45,000 for the second extension option, for a total amount not to exceed \$237,500.
The motion authorizing the negotiation and execution of a lease agreement with Girard Diversified Interests was approved on consent on Council Member Morrison's motion, Council Member Spelman's second on a 7-0 vote.
10. Authorize negotiation and execution of a two-year interlocal agreement between the University of Texas at Austin and the City of Austin for consulting services regarding potential pathways for reducing energy consumption and energy-related costs by the Austin Water Utility for a total amount not to exceed \$50,000.
The motion authorizing the negotiation and execution of an interlocal agreement between the University of Texas at Austin and the City of Austin was approved on consent on Council Member Morrison's motion, Council Member Spelman's second on a 7-0 vote.
11. Authorize execution of a construction contract with MECHANICAL & PROCESS SYSTEMS, LLC. for the HVAC replacement project at the public access television facility in an amount not to exceed \$127,770.
The motion authorizing the execution of a construction contract with Mechanical & Process Systems, LLC was approved on consent on Council Member Morrison's motion, Council Member Spelman's second on a 7-0 vote.

12. Authorize negotiation and execution of a professional services agreement with CAROLLO ENGINEERS, INC., or one of the other qualified responders to RFQ Solicitation No. CLMP130, to provide engineering services for the South Austin Regional Wastewater Treatment Plant Blower Improvement Project in an amount not to exceed \$2,500,000. (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 subconsultant participation.)
The motion authorizing the negotiation and execution of a professional services agreement with Carollo Engineers, Inc. was approved on consent on Council Member Morrison's motion, Council Member Spelman's second on a 7-0 vote.
13. Authorize the use of the competitive sealed proposal method for construction of emergency power and building improvements to the Information System Building 7355 at the Austin-Bergstrom International Airport, in accordance with the Texas Government Code.
The motion authorizing the use of the competitive sealed proposal method was approved on consent on Council Member Morrison's motion, Council Member Spelman's second on a 7-0 vote.
14. Authorize the use of the Competitive Sealed Proposal method for improvements related to the J.J. Seabrook Stream Restoration, Rain Garden, and Urban Trail Project in accordance with Government Code, Chapter 2267, Subchapter D.
The motion authorizing the use of the competitive sealed proposal method was approved on consent on Council Member Morrison's motion, Council Member Spelman's second on a 7-0 vote.
15. Authorize negotiation and execution of an amendment to the professional services agreement with COTERA + REED ARCHITECTS to provide architectural services through 2011 through 2013, or until financial authorization is expended, to complete the design of the joint Park Ranger and Park Police Headquarters, in the amount of \$338,000 for a total contract amount not to exceed amount of \$6,168,000. (Notes: This contract was awarded in compliance with City Code Chapter 2-9B (Minority Owned and Women Owned Business Enterprise Procurement Program) with 18.82% MBE and 22.08% WBE subconsultant participation to date.)
The motion authorizing the negotiation and execution of an amendment to the professional services agreement with Cotera + Reed Architects was approved on consent on Council Member Morrison's motion, Council Member Spelman's second on a 7-0 vote.

Item 16 was pulled for discussion.

17. Authorize negotiation and execution of an amendment to the professional services agreement with ALAN PLUMMER ASSOCIATES, INC. for general watershed engineering services for the 2007 General Watershed Continuing Engineering Services Rotation List - PA070000039, for a total contract amount not to exceed \$250,000. (Notes: This contract was awarded in compliance with City Code Chapter 2-9B (Minority-Owned and Women-Owned Business Enterprise Procurement Program) with 25.12% MBE and 7.04% WBE subconsultant participation to date.)
The motion authorizing the negotiation and execution of an amendment to the professional services agreement with Alan Plummer Associates, Inc. was approved on consent on Council Member Morrison's motion, Council Member Spelman's second on a 7-0 vote.
18. Authorize negotiation and execution of amendments to the professional services agreement with the following three firms: MWM DESIGNGROUP, INC.; LARSON, BURNS & SMITH, INC.; and HDR/CLAUNCH & MILLER for architectural and engineering services for park renovations and improvements for the Park Development Rotation List 2007-2010, for the years 2013 through 2014 or until financial authorization is expended, in the amount of \$270,000 in additional authorization, for a total contract amount not to exceed amount of \$1,770,000. (Notes: This contract was awarded in compliance

with City Code Chapter 2-9B (Minority-Owned and Women-Owned Business Enterprise Procurement Program) with 16.50% MBE and 14.20% WBE subconsultant participation to date.)

The motion authorizing the negotiation and execution of amendments to the professional services agreement with MWM DesignGroup, Inc.; Larson, Burns & Smith, Inc.; and HDR/Claunch & Miller was approved on consent on Council Member Morrison's motion, Council Member Spelman's second on a 7-0 vote.

19. Authorize negotiation and execution of an amendment to the professional services agreement with AUSTIN URBAN RAIL PARTNERS for engineering services for the Austin Urban Rail Preliminary Engineering Study project in the amount of \$275,000, for a total contract amount not to exceed \$1,327,000. (Notes: This contract was awarded in compliance with City Code Chapter 2-9B (Minority-Owned and Women-Owned Business Enterprise Procurement Program) with 1.26% MBE and 15.38% WBE subconsultant participation to date.)

The motion authorizing the negotiation and execution of an amendment to the professional services agreement with Austin Urban Rail Partners was approved on consent on Council Member Morrison's motion, Council Member Spelman's second on a 7-0 vote.

20. Authorize execution of a change order to the construction contract with MATOUS CONSTRUCTORS, LTD., for the Hornsby Bend Biosolids Management Plant Digester Improvements and Sustainability Project for an additional contingency amount of \$131,000, for a total contract amount not to exceed \$28,528,710. (Notes: This contract was awarded in compliance with City Code Chapter 2-9A (Minority-Owned and Women-Owned Business Enterprise Procurement Program) with 10.24% MBE and 0.14% WBE subcontractor participation to date.)

The motion authorizing the execution of a change order to the construction contract with Matous Constructors, Ltd. was approved on consent on Council Member Morrison's motion, Council Member Spelman's second on a 7-0 vote.

21. Authorize execution of a construction contract with MECHANICAL AND PROCESS SYSTEMS LLC for construction and installation of chilled water piping and associated equipment in Austin Energy's district cooling plants and customers' mechanical rooms, in the amount of \$3,953,797.13, with an optional two-year extension, for a total contract amount not to exceed \$7,907,592.26. (Notes: This contract will be awarded in compliance with City Code Chapter 2-9A (Minority Owned and Women Owned Business Enterprise Procurement Program) by meeting the goals with 61.12% MBE prime participation; 0.13% MBE and 1.56% WBE subcontractor participation.)

The motion authorizing the execution of a construction contract with Mechanical and Process Systems LLC was approved on consent on Council Member Morrison's motion, Council Member Spelman's second on a 7-0 vote.

22. Authorize execution of a construction contract with PRISM DEVELOPMENT INC. for the Mary Moore Searight Metropolitan Park Parking Lot Re-Bid in an amount not to exceed \$100,663.50, plus a 5% contingency of \$5,033 for a total contract amount not to exceed \$105,696.50. (Notes: This contract will be awarded in compliance with City Code Chapter 2-9A (Minority-Owned and Women-Owned Business Enterprise Procurement Program) through the achievement of Good Faith Efforts with 52.60% prime participation; 46.10% MBE and 1.31% WBE subcontractor participation.)

The motion authorizing the execution of a construction contract with Prism Development Inc. was approved on consent on Council Member Morrison's motion, Council Member Spelman's second on a 7-0 vote.

23. Authorize negotiation and execution of a design agreement with Michael Singer Inc., in an amount not to exceed \$85,000, for artwork for the consolidated rental car facility at Austin-Bergstrom International Airport.

The motion authorizing the negotiation and execution of a design agreement with Michael Singer Inc. was approved on consent on Council Member Morrison's motion, Council Member Spelman's second on a 7-0 vote.

24. Authorize negotiation and execution of an amendment to the design and commission agreement with Electrol and LLC for \$37,000 to address changes to the scope of work on the IH35 Makeover Project for a total contract amount not to exceed \$65,000.
The motion authorizing the negotiation and execution of an amendment to the design and commission agreement with Electrol and LLC was approved on consent on Council Member Morrison's motion, Council Member Spelman's second on a 7-0 vote.
25. Authorize negotiation and execution of a temporary artwork loan agreement with The Center for Women and Their Work for an artwork installation to be located in Lady Bird Lake between the Lamar and Pfluger Bridges and along the Ann and Roy Butler Trail.
The motion authorizing the negotiation and execution of a temporary artwork loan agreement with The Center for Women and Their Work was approved on consent on Council Member Morrison's motion, Council Member Spelman's second on a 7-0 vote.
26. Approve a resolution authorizing the City Manager to accept a U.S. Department of Housing and Urban Development award of \$8,000,000 under Section 108 of the Housing and Community Development Act of 1974, as amended, in order to increase financing for the Family Business Loan Program. Related to Item #27.
Resolution No. 20130829-026 was approved on consent on Council Member Morrison's motion, Council Member Spelman's second on a 7-0 vote.
27. Approve an ordinance authorizing acceptance of \$8,000,000 in funds from the U.S. Department of Housing and Urban Development Section 108 Loan Guarantee Assistance Program and amending the Fiscal Year 2012-2013 Economic Growth and Redevelopment Services Office Operating Budget Special Revenue Fund (Ordinance No. 20120910-001) to appropriate \$8,000,000 for the Family Business Loan Program. Related to Item #26.
Ordinance No. 20130829-027 was approved on consent on Council Member Morrison's motion, Council Member Spelman's second on a 7-0 vote.
28. Approve an ordinance authorizing acceptance of \$202,080 in Assistance to Firefighters Grant funds from the Federal Emergency Management Agency and amending the Fiscal Year 2012-2013 Austin Fire Department Operating Budget Special Revenue Fund (Ordinance No. 20120910-001) to appropriate \$202,080 to assist the department with a comprehensive home safety campaign.
Ordinance No. 20130829-028 was approved on consent on Council Member Morrison's motion, Council Member Spelman's second on a 7-0 vote.
29. Authorize negotiation and execution of Amendment No. 1 to increase the contract amount under the U.S. Department of Housing and Urban Development Housing Opportunities for Persons with AIDS grant with Project Transitions, Inc. for HIV-related housing services in an amount not to exceed \$2,967 for a twelve month period October 1, 2012 to September 30, 2013 for total contract amount not to exceed \$1,506,802.
The motion authorizing the negotiation and execution of amendment number one was approved on consent on Council Member Morrison's motion, Council Member Spelman's second on a 7-0 vote.
30. Approve an ordinance authorizing acceptance of \$2,186 in grant funds from the U.S. Department of Housing and Urban Development; and amending the Fiscal Year 2012-2013 Health and Human Services Department Operating Budget Special Revenue Fund (Ordinance No. 20120910-001) to appropriate \$2,186 for the Housing Opportunities for Persons with AIDS services program that provides rental, mortgage, utility and supportive services to people with the human immunodeficiency virus.

Ordinance No. 20130829-030 was approved on consent on Council Member Morrison's motion, Council Member Spelman's second on a 7-0 vote.

31. Approve negotiation and execution of a contract with Austin Travis County Mental Health Mental Retardation Center dba Austin Travis County Integral Care to provide mental and behavioral health and substance abuse treatment to homeless individuals for a twelve-month term beginning on September 30, 2013 and ending on September 29, 2014, in an amount not to exceed \$250,000, with two one-year extension options, for a total contract amount not to exceed \$750,000.

The motion authorizing the negotiation and execution of a contract with Austin Travis County Mental Health Mental Retardation Center doing business as Austin Travis County Integral Care was approved on consent on Council Member Morrison's motion, Council Member Spelman's second on a 7-0 vote.

32. Approve negotiation and execution of Amendment No. 3 to the 12-month contract with FRONT STEPS, INC. for operation and maintenance at the Austin Resource Center for the Homeless for an increase in an amount not to exceed \$90,000 for a total 12-month contract amount not to exceed \$2,356,813.29 for the period of October 1, 2012 through September 30, 2013.

The motion authorizing the negotiation and execution of amendment number three to the contract with Front Steps, Inc. was approved on consent on Council Member Morrison's motion, Council Member Spelman's second on a 7-0 vote.

Item 33 was pulled to be heard after the related Executive Session item.

34. Approve an ordinance amending the Fiscal Year 2012-2013 Austin Public Library Capital Budget (Ordinance No. 20120910-002) to appropriate \$232,300 for a radio frequency identification system. Related to Item #56.

Ordinance No. 20130829-034 was approved on consent on Council Member Morrison's motion, Council Member Spelman's second on a 7-0 vote.

35. Approve a resolution authorizing the Director of Neighborhood Housing and Community Development to submit a funding application to the Texas Department of Housing and Community Affairs for its Housing Trust Fund 2014-2015 "Amy Young Barrier Removal Program," and if the funding application is approved, to authorize negotiation and execution of an agreement to participate and receive grant funding through reimbursements in an amount not to exceed \$440,000.

Resolution No. 20130829-035 was approved on consent on Council Member Morrison's motion, Council Member Spelman's second on a 7-0 vote.

36. Approve an ordinance authorizing the negotiation and execution of all documents or instruments necessary, including an interlocal agreement between the City and the Board of Regents of the University of Texas System ("University"), to vacate a 2.828 acre tract of land out of Red River Street, to the University in exchange for a 2.270 acre tract of land constructed by the University as a realignment off Red River Street.

Ordinance No. 20130829-036 was approved on consent on Council Member Morrison's motion, Council Member Spelman's second on a 7-0 vote.

37. Authorize negotiation and execution of an interlocal agreement between the City of Austin and the Austin Independent School District for the use of specified space at Barbara Jordan Elementary School to conduct an Austin Parks and Recreation Department After-school Program.

The motion authorizing the negotiation and execution of an interlocal agreement between the City of Austin and the Austin Independent School District was approved on consent on Council Member Morrison's motion, Council Member Spelman's second on a 7-0 vote.

38. Approve an ordinance amending Ordinance No. 20121108-035 to correct the legal description for the Dessau Business Park annexation area.
Ordinance No. 20130829-038 was approved on consent on Council Member Morrison's motion, Council Member Spelman's second on a 7-0 vote.

Item 39 was pulled for discussion.

40. Authorize award and execution of a 24-month requirements service contract with AUSTIN FREE-NET, to provide viable opportunities for citizens to use computers and the Internet in an amount not to exceed \$395,488, with three 12-month extension options in an amount not to exceed \$197,744 per extension option, for a total contract amount not to exceed \$988,720. (Notes: This contract will be awarded in compliance with City Code Chapter 2-9C (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 Austin Free-Net was approved on consent on Council Member Morrison's motion, Council Member Spelman's second on a 7-0 vote.
41. Authorize award and execution of a 12 month requirements service contract with 3M LIBRARY SYSTEMS, for the maintenance and repair of 3M equipment for the Austin Public Library Department in an amount not to exceed \$77,133, with four 12-month extension options in an amount not to exceed \$121,565 for the first extension option, \$168,997 for the second extension option, \$220,417 for the third extension option and \$276,009 for the fourth extension option, for a total contract amount not to exceed \$865,121. (Notes: This contract will be awarded in compliance with City Code Chapter 2-9C (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 service contract with 3M Library Systems was approved on consent on Council Member Morrison's motion, Council Member Spelman's second on a 7-0 vote.
42. Authorize award and execution of a contract with POWER SUPPLY INC., for the purchase of 15kV circuit breakers for Austin Energy in an amount not to exceed \$327,085. (Notes: This contract will be awarded in compliance with City Code Chapter 2-9D (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 with Power Supply Inc. was approved on consent on Council Member Morrison's motion, Council Member Spelman's second on a 7-0 vote.
43. Authorize award and execution of a 36-month requirements service contract with TURBOMECA USA, INC., to provide by the hour maintenance for the Arrius 2F helicopter engine in the amount not to exceed \$340,280, with three 12-month extension options in an amount not to exceed \$113,427 per extension option, for a total contract amount not to exceed \$680,559. (Notes: This contract will be awarded in compliance with City Code Chapter 2-9D (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 Turbomeca USA, Inc. was approved on consent on Council Member Morrison's motion, Council Member Spelman's second on a 7-0 vote.
44. Authorize award and execution of a 36-month requirements service contract with PEST MANAGEMENT INC., to provide pest and termite control services in an amount not to exceed \$326,394, with three 12-

month extension options in an amount not to exceed \$108,798 per extension option, for a total contract amount not to exceed \$652,788. (Notes: This contract will be awarded in compliance with City Code Chapter 2-9C (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 Pest Management Inc. was approved on consent on Council Member Morrison's motion, Council Member Spelman's second on a 7-0 vote.

Item 45 was pulled for discussion.

46. Authorize award, negotiation and execution of a 36-month service contract with BENTLEY SYSTEMS INC, for an enterprise license for various engineering software products for Public Works, Austin Water, Planning and Development Review, Watershed Protection and Communications and Technology Management in an amount not to exceed \$92,370 for year 1, \$102,633 for year 2 and \$114,037 for year 3 for a total contract amount not to exceed \$309,040. (Notes: This contract will be awarded in compliance with City Code Chapter 2-9D (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, negotiation and execution of a service contract with Bentley Systems Inc. was approved on consent on Council Member Morrison's motion, Council Member Spelman's second on a 7-0 vote.

47. Authorize award, negotiation and execution of a 24-month requirements service contract with HEARTLAND SERVICES INC., for repair of Mobile Data Computers (Panasonic Toughbooks) and Video Cameras in an amount not to exceed \$200,000 with three 12-month extension options in an amount not to exceed \$100,000 per extension option, for a total contract amount not to exceed \$500,000. (Notes: This contract will be awarded in compliance with City Code Chapter 2-9C (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, negotiation and execution of a requirements service contract with Heartland Services Inc. was approved on consent on Council Member Morrison's motion, Council Member Spelman's second on a 7-0 vote.

48. Authorize award, negotiation and execution of a 3-month requirements service contract with DELL MARKETING, L.P., or with another qualified respondent to RFP NO. BKH0156, to provide Data Center Facility Risk Assessment Services in an amount not to exceed \$71,684. (Notes: This contract will be awarded in compliance with City Code Chapter 2-9C (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, negotiation and execution of a requirements service contract with Dell Marketing, L.P. was approved on consent on Council Member Morrison's motion, Council Member Spelman's second on a 7-0 vote.

49. Authorize award, negotiation, and execution of a contract with WOOD GROUP POWER PLANT SERVICES, INC., or the other qualified offeror to RFP No. GAL0012, for the purchase of a replacement control system for the turbine and generator Units 1-4 at Austin Energy's Sand Hill Energy Center, in an amount not to exceed \$1,230,000 and maintenance and support services for 60 months in an amount not to exceed \$130,000, for a total contract amount not to exceed \$1,360,000. (Notes: This contract will be awarded in compliance with City Code Chapter 2-9D (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, negotiation and execution of a contract with Wood Group Power Plant Services, Inc. was approved on consent on Council Member Morrison's motion, Council Member Spelman's second on a 7-0 vote.

Item 50 was pulled for discussion.

51. Authorize award, negotiation, and execution of a 36-month supply contract with INDUSTRIAL ASPHALT, INC., for hot mix cold-laid asphaltic concrete ("hot mix") for use by the Watershed Protection Department and the Parks and Recreation Department in an amount not to exceed \$372,600, with three 12-month extension options in an amount not to exceed \$124,200 per extension option, for a total contract amount not to exceed \$745,200. (Notes: This contract will be awarded in compliance with City Code Chapter 2-9D (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 supply contract with Industrial Asphalt, Inc. was approved on consent on Council Member Morrison's motion, Council Member Spelman's second on a 7-0 vote.

52. Authorize award and execution of a 36-month supply contract with LAUREN CONCRETE, LP, for ready mix concrete in an amount not to exceed \$1,146,735, with three 12-month extension options in an amount not to exceed \$382,245 per extension option, for a total contract amount not to exceed \$2,293,470. (Notes: This contract will be awarded in compliance with City Code Chapter 2-9D (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 supply contract with Lauren Concrete, LP was approved on consent on Council Member Morrison's motion, Council Member Spelman's second on a 7-0 vote.

53. Authorize award and execution of a 36-month requirements supply agreement with LIFE TECHNOLOGIES CORPORATION, to provide DNA analysis, consumable supplies in an estimated amount not to exceed \$132,179, with three 12-month extension options in an amount not to exceed \$46,226 for the first extension period, \$48,537 for the second option period and \$50,964 for final option period, for a total contract amount not to exceed \$285,192. (Notes: This contract will be awarded in compliance with City Code Chapter 2-9C (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 agreement with Life Technologies Corporation was approved on consent on Council Member Morrison's motion, Council Member Spelman's second on a 7-0 vote.

54. Authorize award, negotiation and execution of a six-month requirements service contract with AERO-METRIC, INC., or with another qualified respondent to RFP DRK0101, to provide planimetric and impervious cover data using City of Austin aerial imagery and LiDAR data in an amount not to exceed \$245,300. Related to Item #55. (Notes: This contract will be awarded in compliance with City Code Chapter 2-9C (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, negotiation and execution of a requirements service contract with Aero-Metric, Inc. was approved on consent on Council Member Morrison's motion, Council Member Spelman's second on a 7-0 vote.

55. Authorize award, negotiation and execution of a six-month requirements service contract with FUGRO EARTHDATA, INC. or with another qualified respondent to RFP DRK0103, to provide independent

third party Quality Assurance/Quality Control (QA/QC) review for planimetric and impervious cover data in an amount not to exceed \$95,637. Related to Item #54. (Notes: This contract will be awarded in compliance with City Code Chapter 2-9C (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 Fugro Earthdata, Inc. was approved on consent on Council Member Morrison's motion, Council Member Spelman's second on a 7-0 vote.

56. Authorize award and execution of a 15-month contract through the Texas Multiple Award Schedule cooperative purchasing program with ALPHA DATA CORPORATION, for conversion of the magnetic materials handling and security systems to radio-frequency identification systems at three Austin Libraries, Spicewood Springs Branch, Milwood Branch, and Hampton Branch at Oak Hill, in an amount not to exceed \$181,693. Related to Item #34. (Notes: This contract will be awarded in compliance with City Code Chapter 2-9D (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 through the Texas Multiple Award Schedule cooperative purchasing program with Alpha Data Corporation was approved on consent on Council Member Morrison's motion, Council Member Spelman's second on a 7-0 vote.

57. Authorize award and execution of a 36-month requirements supply contract with PINNACLE PEAK HOLDING CORPORATION, dba SETCOM CORPORATION, for the purchase of Setcom headset parts and accessories in an amount not to exceed \$180,000, with three 12-month extension options in an amount not to exceed \$60,000 per extension option, for a total contract amount not to exceed \$360,000. (Notes: This contract will be awarded in compliance with City Code Chapter 2-9D (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 with Pinnacle Peak Holding Corporation doing business as Setcom Corporation was approved on consent on Council Member Morrison's motion, Council Member Spelman's second on a 7-0 vote.

58. Authorize award and execution of a contract through the Texas Local Government Purchasing Cooperative with POLARIS SALES, INC. for the purchase of eleven light-duty all-terrain vehicles in an amount not to exceed \$184,338. (Notes: This contract will be awarded in compliance with City Code Chapter 2-9D (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 with Polaris Sales, Inc. was approved on consent on Council Member Morrison's motion, Council Member Spelman's second on a 7-0 vote.

59. Authorize award, negotiation, and execution of a contract with TSE INTERNATIONAL, INC., for a trailer-mounted underground cable puller for Austin Energy, in an amount not to exceed \$150,000. (Notes: This contract will be awarded in compliance with City Code Chapter 2-9D (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 TSE International, Inc. was approved on consent on Council Member Morrison's motion, Council Member Spelman's second on a 7-0 vote.

60. Authorize award and execution of a contract through the Texas Local Government Purchasing Cooperative (BuyBoard) with RUSH TRUCK CENTERS, LP DBA RUSH BUS CENTERS for the

purchase of one bus in an amount not to exceed \$81,525. (Notes: This contract will be awarded in compliance with City Code Chapter 2-9D (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 Rush Truck Centers, LP doing business as Rush Bus Centers was approved on consent on Council Member Morrison's motion, Council Member Spelman's second on a 7-0 vote.

61. Authorize negotiation, award, and execution of a contract with INTEGRYS TRANSPORTATION FUELS, LLC dba TRILLIUM CNG, for the purchase and installation of 28 additional time-fill fuel dispensers for the Compressed Natural Gas station in an amount not to exceed \$250,000. (Notes: This contract will be awarded in compliance with City Code Chapter 2-9A (Minority-Owned and Women-Owned Business Enterprise Procurement Program). SMBR will assist the vendor in identifying subcontracting opportunities.)

The motion authorizing the negotiation, award and execution of a contract with Integrys Transportation Fuels, LLC doing business as Trillium CNG was approved on consent on Council Member Morrison's motion, Council Member Spelman's second on a 7-0 vote.

62. Authorize award and execution of a 12-month contract through an Interlocal Agreement with TIBH Industries, Inc. for vegetation control in creeks and stormwater control structures, hauling of excessive debris and waste materials from specified job site locations to an acceptable landfill, and for limited herbicide application, in an amount not to exceed \$1,744,000. (Notes: This Interlocal is exempt from the MBE/WBE Ordinance. This exemption is in compliance with City Code Chapter 2-9C (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 an interlocal agreement with TIBH Industries, Inc. was approved on consent on Council Member Morrison's motion, Council Member Spelman's second on a 7-0 vote.

63. Approve an ordinance amending City Code Section 12-4-64 (D) to establish a maximum speed limit of 30 miles per hour on a segment of South Congress Avenue from Cesar Chavez Street to Live Oak Street and to establish a maximum speed limit of 35 mph on a segment of South Congress Avenue from Live Oak Street to Oltorf Street.

Ordinance No. 20130829-063 was approved on consent on Council Member Morrison's motion, Council Member Spelman's second on a 7-0 vote.

Items 64 and 65 were pulled for discussion.

66. Approve an ordinance amending City Code Section 12-4-64 (D) to establish a maximum speed limit of 40 miles per hour on a portion of Brodie Lane.

Ordinance No. 20130829-066 was approved on consent on Council Member Morrison's motion, Council Member Spelman's second on a 7-0 vote.

67. Authorize a cost recovery payment to CRV Shoreline TRS, Inc. for a wet pond improvement located at 2201 Lakeshore Blvd. associated with Site Plan 2007-0697D in the amount of \$231,972.68 under City Code Section 25-8-215.

The motion authorizing a cost recovery payment to CRV Shoreline TRS, Inc. was approved on consent on Council Member Morrison's motion, Council Member Spelman's second on a 7-0 vote.

68. Approve appointments and certain related waivers to citizen boards and commissions, to Council subcommittees and other intergovernmental bodies and removal and replacement of members.

The following appointments and waivers were approved on consent on Council Member Morrison’s motion, Council Member Spelman’s second on a 7-0 vote.

Board/Nominee

Nominated by

Austin Mayor’s Committee for People with Disabilities
Adam Slosberg

Council Member Martinez

Commission for Women
Rachael Torres

Council Member Martinez

Community Development Commission
Mitchell Harrison - representative, South Austin (Dawson)

Mayor Pro Tem Cole

Waivers

Approve a waiver of the attendance requirement in Section 2-1-26 of the City Code for the service of Danette Chimenti on the Planning Commission. The waiver includes absences through today’s date.

Items 69 through 72 were pulled to be heard after the related Executive Session item.

- 73. Approve a resolution endorsing the expansion of the African America Men and Boys Harvest Foundation Programs and to increase the city financial contribution. (Notes: SPONSOR: Mayor Pro Tem Sheryl Cole CO 1: Council Member Laura Morrison)
Resolution No. 20130829-073 was approved on consent on Council Member Morrison’s motion, Council Member Spelman’s second on a 7-0 vote.

Item 74 was pulled to be heard after the related Executive Session item.

- 75. Approve a resolution directing the City Manager to explore funding to update the 2004 plans for streetscape improvements to Guadalupe Street between 21st Street and 24th Street, explore the possibility of extending the improvements to Martin Luther King Jr. Blvd, identify potential funding sources for the improvements, and prepare a timeline for construction of the improvements. (Notes: SPONSOR: Council Member Chris Riley CO 1: Council Member Mike Martinez CO 2: Mayor Pro Tem Sheryl Cole)
Resolution No. 20130829-075 was approved on consent on Council Member Morrison’s motion, Council Member Spelman’s second on a 7-0 vote.

Items 76 through 79 were pulled for discussion.

- 80. Approve a resolution directing the City Manager to determine the approximate cost of an Ann and Roy Butler Trail Public Art Master Plan, work with The Trail Foundation to clarify their cost participation in the project, and to include the plan as an unmet service need for consideration during the Fiscal Year 2013-14 budget hearings to take place on September 9 through 12, 2013. (Notes: SPONSOR: Mayor Pro Tem Sheryl Cole CO 1: Mayor Lee Leffingwell)
Resolution No. 20130829-080 was approved on consent on Council Member Morrison’s motion, Council Member Spelman’s second on a 7-0 vote.
- 81. Set a public hearing to consider an ordinance regarding: (a) repealing and replacing City Code Chapters 25-7 and 30-4 relating to drainage; (b) amending sections of City Code Chapters 25-8, Subchapter A and 30-5 relating to water quality; (c) amending sections of City Code Titles 25 and 30 relating to environmental protection; and (d) establishing water supply and riparian zone mitigation funds. This ordinance will amend Chapter 25-8, Subchapter A, Article 12 (Save Our Springs Initiative). (Suggested date and time: October 3, 2013, 4:00 p.m. at Austin City Hall, 301 West Second Street, Austin, TX.)

The public hearing was set on consent for October 3, 2013 at 4:00 p.m. at City Hall, 301 West Second Street, Austin, TX on Council Member Morrison’s motion, Council Member Spelman’s second on a 7-0 vote.

82. Set a public hearing to receive public comment regarding the update of the City of Austin Water and Wastewater Impact Fee Land Use Assumptions and Capital Improvement Plan. (Suggested date and time: October 17, 2013, 4:00 p.m. at Austin City Hall, Council Chambers, 301 W. Second Street, Austin, TX).
The public hearing was set on consent for October 17, 2013 at 4:00 p.m. at City Hall, 301 West Second Street, Austin, TX on Council Member Morrison’s motion, Council Member Spelman’s second on a 7-0 vote.

83. Set a public hearing to consider the permanent use and temporary working space use for the construction, use, maintenance, repair, and replacement of a wastewater line for the Austin Water Utility Wastewater Line Relay and Spot Repair Services, 2506 Hartford Road to 2614 Jefferson Street Project, through, over and across dedicated parkland known as Hartford Strip in accordance with Chapter 26 of the Texas Parks and Wildlife Code. (Suggested date and time, September 26, 2013, 4:00 p.m. at Austin City Hall, 301 W. Second Street, Austin, TX).
The public hearing was set on consent for September 26, 2013 at 4:00 p.m. at City Hall, 301 West Second Street, Austin, TX on Council Member Morrison’s motion, Council Member Spelman’s second on a 7-0 vote.

Item 112 was pulled for discussion.

113. Approve a resolution initiating an amendment to City Code Title 25 to create a zoning overlay within 1,000 feet of Lake Austin.
Resolution No. 20130829-113 was approved on consent on Council Member Morrison’s motion, Council Member Spelman’s second on a 7-0 vote.

114. Set a public hearing to consider an ordinance amending Title 25 to allow placement of Americans with Disabilities Act compliant ramps in required yards setback. (Suggested date and time: October 3, 2013, 4:00 p.m. at Austin City Hall, 301 W. Second Street, Austin, TX).
The public hearing was set on consent for October 3, 2013 at 4:00 p.m. at City Hall, 301 West Second Street, Austin, TX on Council Member Morrison’s motion, Council Member Spelman’s second on a 7-0 vote.

Items 84 and 85 were briefing items set for 10:30 a.m.

Items 86 through 89 were Executive Session items.

Items 90 through 94 were bond items set for 2:00 p.m.

Items 95 through 104 were zoning items set for 2:00 p.m.

Items 105 through 111 and 115 were public hearing items set for 4:00 p.m.

DISCUSSION ITEMS

76. Approve a resolution directing the City Manager to work with stakeholders to identify potential site locations within the Austin Parks system for a monument to be donated to the City of Austin by House the Homeless, and to report recommendations to Council. (Notes: SPONSOR: Council Member Mike Martinez CO 1: Council Member Laura Morrison CO 2: Mayor Pro Tem Sheryl Cole)
This item was withdrawn without objection.

BRIEFINGS

- 84. Mayor's Task Force on Seniors Briefing.
The presentation was made by Ken Gladish, Chair; Bobbie Barker, Chair; Angela Atwood; and David Evans, Mayor's Task Force on Aging.

- 85. Staff presentation summarizing urban rail return on investment scenarios developed with a next generation analytic tool.
The presentation was made by Kevin Johns, Director and Greg Kiloh, Project Manager, Economic Growth and Redevelopment Services.

CITIZEN COMMUNICATIONS: GENERAL

Gus Peña - 1.) Please voters, vote for the 65 million dollar Affordable Housing Bond Proposal 2.) The gap widens between the haves and the have-nots 3.) This town is not affordable for many. Many people, families losing their jobs, losing their homes, becoming homeless. 4.) Little to no affordable housing left in Austin, needs transitional housing, rental units, and more affordable houses for people to buy. 5.) We need more jobs, economic development with livable sustaining wages. 6.) Poverty in Austin increasing. You Elected Officials need to do a better job to make Austin more affordable, create better paying jobs, and have justice for all 7.) Fully fund Social Service Agencies. A society's worth is measured by it's treatment of the less fortunate.

Bill Oakey - To discuss Austin's affordability concerns

Paul Robbins - City issues - Budget and Utility

Ronnie Reefersseed - Stopping war and corruption and saving lives.

Alisa Walker - Small business in East Austin. **Not present when name was called.**

Robert Mac Donald - Austin world class city?

Richard Troxell - Homelessness prevention

Julian Reyes - Austin Police Department shooting of dogs

Mona Gonzalez - The River City Youth Foundation Youth and Family Program

Raul Castillo - Issues with Austin Energy

Mayor Leffingwell recessed the Council Meeting to go into Executive Session at 12:40 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.

The Mayor announced that Council would discuss item number 74 on the regular agenda during Executive Session.

86. Discuss legal issues related to Open Government matters (Private consultation with legal counsel- Section 551.071 of the Government Code).
This item was withdrawn.
87. Discuss legal issues related to the transition to electing the council from single-member districts (Private consultation with legal counsel -Section 551.071 of the Government Code).
This item was withdrawn.
89. Discuss legal issues related to the July 26, 2013 officer-involved shooting (Private consultation with legal counsel-Section 551.071 of the Government Code).

Executive Session ended and Mayor Leffingwell called the Council Meeting back to order at 1:50 p.m.

DISCUSSION AND POSSIBLE ACTION ON BOND SALES

Items 90 through 94 were acted on in a combined motion.

90. Approve an ordinance authorizing the issuance of City of Austin Certificates of Obligation, Series 2013 in an amount not to exceed \$25,355,000, authorizing all related documents, and approving related fees. These funds will be used for environmental remediation projects and the Waller Creek Tunnel Project.
Ordinance No. 20130829-090 was approved on Mayor Pro Tem Cole's motion, Council Member Spelman's second on a 7-0 vote.
91. Approve an ordinance authorizing the issuance of City of Austin, Public Property Finance Contractual Obligations, Series 2013 in an amount not to exceed \$51,240,000, authorizing related documents, and approving related fees. Contractual obligations will be used to finance the purchase of equipment for Austin Resource Recovery, Austin Transportation, Communications & Technology Management, Financial Services Department, Fire, Fleet, Police, Public Works, and Austin Water Utility. The financing of this equipment is consistent with the Financial Policies for non-voter approved debt as noted in Attachment A which is back-up to this request for Council action.
Ordinance No. 20130829-091 was approved on Mayor Pro Tem Cole's motion, Council Member Spelman's second on a 7-0 vote.
92. Approve an ordinance authorizing the issuance of City of Austin, Public Improvement Refunding Bonds, Taxable Series 2013B, in an amount not to exceed \$95,000,000 in accordance with the parameters set out in the ordinance, approving all related documents, and approving related fees. These funds will be used to refund certain previously-issued Public Improvement Refunding Bonds. Refunding these obligations is intended to result in present value savings exceeding the City's target guideline of 4.25%.
Ordinance No. 20130829-092 was approved on Mayor Pro Tem Cole's motion, Council Member Spelman's second on a 7-0 vote.
93. Approve an ordinance authorizing the issuance of City of Austin, Public Improvement Refunding Bonds, Series 2013A, in an amount not to exceed \$107,225,000 in accordance with the parameters set out in the ordinance, and all related documents, and approving related fees. These funds will be used to refund certain previously-issued Certificates of Obligation as well as Public Improvement and Refunding Bonds. Refunding these obligations is intended to result in present value savings exceeding the City's target guideline of 4.25%.
Ordinance No. 20130829-093 was approved on Mayor Pro Tem Cole's motion, Council Member Spelman's second on a 7-0 vote.

94. Approve an ordinance authorizing the issuance of City of Austin, Public Improvement Bonds, Series 2013, in an amount not to exceed \$113,250,000, and approving all related documents, and related fees. These bonds are being issued to provide funding relating to reimbursement resolutions previously approved by Council for 2006, 2010, and 2012 bond election projects. The funds will be used as described in the council-approved bond sale schedule for drainage master plan projects, health and human services facilities, library facilities, open space, parks and recreation projects, public safety facilities, and transportation and mobility infrastructure.
Ordinance No. 20130829-094 was approved on Mayor Pro Tem Cole's motion, Council Member Spelman's second on a 7-0 vote.

DISCUSSION ITEMS CONTINUED

74. Approve a resolution directing the City Manager with respect to the City's response to the Texas voter identification law that created a new requirement for voters to show photo identification when voting in person, including appropriate legal actions on behalf of Austin's citizens. (Notes: SPONSOR: Council Member William Spelman CO 1: Mayor Pro Tem Sheryl Cole CO 2: Council Member Mike Martinez)
Resolution No. 20130829-074 was approved on Council Member Spelman's motion, Mayor Leffingwell's second on a 7-0 vote.

ZONING CONSENT ITEMS

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

96. NPA-2011-0002.01 - Jaylee, Ltd. (1601 and 1645 East 6th Street) - Conduct a public hearing and approve an ordinance amending Ordinance No. 19990513-70 the East Cesar Chavez Neighborhood Plan, an element of the Imagine Austin Comprehensive Plan, to change the land use designation on the future land use map (FLUM) on property locally know as 1601 and 1645 East 6th Street (Town Lake Watershed) from Specific Regulating District to Specific Regulating District land use. Staff Recommendation: Pending. Planning Commission Recommendation: To be reviewed on August 27, 2013. Owner: Jaylee, Ltd (Jim Arnold). Agent: Winstead PC (Amanda Swor). City Staff: Maureen Meredith, 974-2695.
The public hearing was conducted and the motion to close the public hearing and adopt the ordinance on first reading to change the land use designation on the future land use map (FLUM) to specific regulated districted was approved on consent on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a vote of 7-0.
97. C14-2011-0091 - Jaylee, Ltd. - Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 1601 and 1645 East 6th Street (Lady Bird Lake Watershed) from transit oriented district-neighborhood plan (TOD-NP) combining district zoning to transit oriented district-neighborhood plan-central urban redevelopment (TOD-NP-CURE) combining district zoning. Staff Recommendation: To grant transit oriented district-neighborhood plan-central urban redevelopment (TOD-NP-CURE) combining district zoning. Planning Commission Recommendation: To be reviewed on August 27, 2013. Owner: Jaylee, Ltd. (Jim Arnold). Agent: Winstead PC (Amanda Swor). City Staff: Heather Chaffin, 512-974-2122.
The public hearing was conducted and the motion to close the public hearing and adopt the ordinance on first reading for transit oriented district-neighborhood plan-central urban redevelopment (TOD-NP-CURE) combining district zoning was approved on consent on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a vote of 7-0.
98. C14R-85-149.100(RCA) - Scofield Farms Phase 3 Section 2 - Conduct a public hearing and approve a restrictive covenant amendment for property locally known as 13103 Wingate Way (Walnut Creek Watershed) to amend a restrictive covenant approved with the North Lamar Area Study. Staff Recommendation: To grant the Restrictive Covenant Amendment. Zoning and Platting Commission

Recommendation: To grant the restrictive covenant amendment.. Owner/Applicant: James E. McCarn. Agent: Coats Rose Yale Ryman & Lee, PC (John M. Joseph). City Staff: Sherri Sirwaitis, 512-974-3057.

The public hearing was conducted and the motion to close the public hearing and approve the restrictive covenant amendment was approved on consent on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a vote of 7-0.

99. C14-2013-0050 - Donaldson - Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 13033 FM 2769 Road (Lake Travis Watershed) from development reserve (DR) district zoning to neighborhood commercial-conditional overlay (LR-CO) combining district zoning. Staff Recommendation: To grant neighborhood commercial-conditional overlay (LR-CO) combining district zoning. Zoning and Platting Commission Recommendation: To grant neighborhood commercial-conditional overlay (LR-CO) combining district zoning. Owner/Applicant: Brand and Debra Donaldson. Agent: Livin Austin Realty (Babs Yarbrough). City Staff: Sherri Sirwaitis, 512-974-3057.
The public hearing was conducted and the motion to close the public hearing and adopt Ordinance No. 20130829-099 for neighborhood commercial-conditional overlay (LR-CO) combining district zoning was approved on consent on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a vote of 7-0.
100. C14-2013-0064 - Limerick Center - Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 12412 Limerick Avenue (Walnut Creek Watershed) from neighborhood office (NO) district zoning to general office (GO) district zoning. Staff Recommendation: To grant limited office-mixed use-conditional overlay (LO-MU-CO) combining district zoning. Zoning and Platting Commission Recommendation: To be reviewed on September 3, 2013. Owner/Applicant: First Network Realty (Son Thai). City Staff: Sherri Sirwaitis, 512-974-3057.
This item was postponed on consent to September 26, 2013 at the staff's request on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a vote of 7-0.
102. C14-2013-0076 - Rogers Juice Bar - Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 5210 Rogers Lane (Walnut Creek Watershed) from single family residence-standard lot (SF-2) district zoning to neighborhood commercial (LR) district zoning. Staff Recommendation: To grant neighborhood commercial-mixed use-conditional overlay (LR-MU-CO) combining district zoning. Zoning and Platting Commission Recommendation: To grant neighborhood commercial-mixed use-conditional overlay (LR-MU-CO) combining district zoning. Owner/Applicant: Auspicious Investments, LLC (Jason Jagoda). City Staff: Heather Chaffin, 512-974-2122.
This item was postponed on consent to September 26, 2013 at the applicant's request on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a vote of 7-0.
103. C14-2013-0077.SH - Garden Terrace Phase 3 - Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 1015 West William Cannon Drive (South Boggy Creek Watershed; Williamson Creek Watershed) from multi-family residence-low density-conditional overlay (MF-2-CO) combining district zoning to multi-family residence-low density-conditional overlay (MF-2-CO) combining district zoning, to change a condition of zoning. Staff Recommendation: To grant multi-family residence-low density-conditional overlay (MF-2-CO) combining district zoning, to change a condition of zoning. Zoning and Platting Commission Recommendation: To grant multi-family residence-low density-conditional overlay (MF-2-CO) combining district zoning, to change a condition of zoning. Owner/Applicant: Garden Terrace Housing Corporation (Vicki McDonald). Agent: Austin Community Design and Development Center (Michael Gatto). City Staff: Wendy Rhoades, 512-974-7719.
The public hearing was conducted and the motion to close the public hearing and adopt Ordinance No. 20130829-103 for multi-family residence-low density-conditional overlay (MF-2-CO) combining

district zoning, to change a condition of zoning was approved on consent on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a vote of 7-0.

104. C14-2013-0079 - Summit Oaks Lot C Block B Resubdivision - Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 11720 Bell Avenue (Walnut Creek Watershed) from single family residence-standard lot (SF-2) district zoning to family residence (SF-3) district zoning. Staff Recommendation: To grant family residence (SF-3) district zoning. Zoning and Platting Commission Recommendation: To grant family residence (SF-3) district zoning. Owner/Applicant: Amouzandeh Family Trust. Agent: I.T. Gonzalez Engineers (Bill Graham). City Staff: Sherri Sirwaitis, 512-974-3057.
The public hearing was conducted and the motion to close the public hearing and adopt Ordinance No. 20130829-104 for family residence (SF-3) district zoning was approved on consent on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a vote of 7-0.

Mayor Leffingwell recessed the Council Meeting to go into Executive Session at 2:08 p.m.

EXECUTIVE SESSION CONTINUED

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

The Mayor announced that Council would discuss items number 69-72 on the regular agenda during Executive Session.

Executive Session ended and Mayor Leffingwell called the Council Meeting back to order at 3:53 p.m.

ZONING DISCUSSION ITEM

101. C14-2013-0074 - Ozone Technology Inc. - Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 2610 1/2 South Lakeline Boulevard (Buttercup Creek Watershed) from townhouse and condominium residence (SF-6) district zoning to community commercial (GR) district zoning. Staff Recommendation: To grant neighborhood commercial (LR) district zoning. Zoning and Platting Commission Recommendation: To grant neighborhood commercial (LR) district zoning. Owner/Applicant: Thomas J. Wolf, Jr. Agent: Pohl Partners (Jennie Braasch). City Staff: Sherri Sirwaitis, 512-974-3057.
The public hearing was conducted and the motion to close the public hearing and adopt Ordinance No. 20130829-101 for neighborhood commercial (LR) district zoning was approved on Council Member Morrison's motion, Mayor Pro Tem Cole's second on a 7-0 vote.
95. C14-2013-0045 - Huber Family Tract - Approve second/third readings of an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 4200 Rivercrest Drive (Lake Austin Watershed) from Lake Austin residence (LA) district zoning to single family residence-standard lot-conditional overlay (SF-2-CO) combining district zoning. First reading approved on June 27, 2013. Vote 5-1, Council Member Morrison voted nay. Council Member Spelman was off the dais. Applicant: Brian Huber. Agent: Land Answers (Jim Wittliff). City Staff: Clark Patterson, 512-974-7691.
This item was postponed to September 26, 2013 on Council Member Morrison's motion, Mayor Leffingwell's second on a 7-0 vote.

DISCUSSION ITEM CONTINUED

- 50. Authorize award and execution of a 12-month requirements supply contract with COMM GEAR SUPPLY, or the following qualified bidder, consistent with local preference law, GT DISTRIBUTORS, INC, for the purchase of tactical ear gadgets, portable radio microphones and accessories in an amount not to exceed \$60,000, with three 12-month extension options in an amount not to exceed \$60,000 per extension option, for a total contract amount not to exceed \$240,000. (Notes: This contract will be awarded in compliance with City Code Chapter 2-9D (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 with GT Distributors, Inc was approved on Council Member Morrison’s motion, Council Member Spelman’s second on a 7-0 vote.

Items 69 through 72 were acted on in a combined motion.

- 69. Approve a resolution relating to the compensation and benefits of the City Clerk. (Notes: SPONSOR: Mayor Lee Leffingwell CO 1: Mayor Pro Tem Sheryl Cole)
Resolution No. 20130829-069 with the following amendment was approved on Mayor Pro Tem Cole’s motion, Mayor Leffingwell’s second on a 6-0 vote. Council Member Martinez was off the dais.

The amendment is to have number one of the resolution read, “Annual salary of \$113,464.00, plus a cost-of-living wage adjustment in the same amount and under the same conditions as base pay adjustments that non-sworn employees receive as part of the annual budget process for the 2013-14 budget. If the non-sworn employee base pay adjustment is tied to the annual Performance Review process, the adjustment will be equal to the base percentage amount established for non-sworn employees who achieve a “successful” rating for that fiscal year.”

- 70. Approve an ordinance relating to the compensation and benefits for the Municipal Court Clerk. (Notes: SPONSOR: Mayor Lee Leffingwell CO 1: Mayor Pro Tem Sheryl Cole)
Ordinance No. 20130829-070 with the following amendments was approved on Mayor Pro Tem Cole’s motion, Mayor Leffingwell’s second on a 6-0 vote. Council Member Martinez was off the dais.

The amendments to the ordinance were to:

Have Part 1(A)read, “Compensation for the municipal court clerk, salary of \$118,539.20, plus a cost-of-living wage adjustment in the same amount and under the same conditions as base pay adjustments that non-sworn employees receive as part of the annual budget process for the 2013-14 budget. If the non-sworn employee base pay adjustment is tied to the annual Performance Review process, the adjustment will be equal to the base percentage amount established for non-sworn employees who achieve a “successful” rating for that fiscal year.”

Add a new Part 1(B)(11) (number remaining items accordingly) to read, “automobile allowance equivalent to \$2,759.90, per year will be eliminated and converted to base pay after any wage adjustment referenced in Part 1, (A) above is applied.

- 71. Approve a resolution relating to the compensation and benefits of the City Manager. (Notes: SPONSOR: Mayor Lee Leffingwell CO 1: Mayor Pro Tem Sheryl Cole)
Resolution No. 20130829-071 with the following amendments was approved on Mayor Pro Tem Cole’s motion, Mayor Leffingwell’s second on a 5-0 vote. Council Member Spelman abstained. Council Member Martinez was off the dais.

The amendments to the resolution were to:

Have number one read, “Annual salary of \$256,755.20, plus a cost-of-living wage adjustment in the same amount and under the same conditions as base pay adjustments that non-sworn employees receive as part of the annual budget process for the 2013-14 budget. If the non-sworn employee base pay adjustment is tied to the annual Performance Review process, the adjustment will be equal to the base percentage amount established for non-sworn employees who achieve a “successful” rating for that fiscal year.”

Have number three read, “Executive allowance equivalent to \$7,200.00 per year, subject to applicable taxes. The automobile allowance equivalent to \$8,400.00 per year will be eliminated and converted to base pay after any wage adjustment reference in #1 above is applied.”

72. Approve a resolution relating to the compensation and benefits of the City Auditor. (Notes: SPONSOR: Mayor Lee Leffingwell CO 1: Mayor Pro Tem Sheryl Cole)
Resolution No. 20130829-072 was approved on Mayor Pro Tem Cole’s motion, Mayor Leffingwell’s second on a 6-0 vote. Council Member Martinez was off the dais.
65. Approve a resolution supporting the Project Connect High-Capacity Transit System Plan, a high-capacity transit system that will connect population centers across Texas.
Resolution No. 20130829-065 was approved on Council Member Spelman’s motion, Mayor Leffingwell’s second on a 7-0 vote.
16. Authorize negotiation and execution of an amendment to the professional services agreement with URS CORPORATION for engineering services for the Austin Urban Rail NEPA Environmental Services Project in the amount of \$800,000, for a total contract amount not to exceed \$1,553,000. (Notes: This contract was awarded in compliance with the requirements of 49 CFR Part 26 (Disadvantaged Business Enterprise Program) and City Code Chapter 2-9B (Minority-Owned and Women-Owned Business Enterprise Procurement Program) with 50.09% DBE sub-consultant participation to date.)
The motion authorizing the negotiation and execution of an amendment to the professional services agreement with URS Corporation was approved on Council Member Spelman’s motion, Council Member Martinez’ second on a 7-0 vote.
77. Approve a resolution supporting the regional Vision adopted by the CAMPO Transit Working Group for high capacity transit and directing the city manager to develop interlocal agreements and ordinances in support of the LSTAR Project (LONESTAR RAIL), and to create a restricted fund to be available to Lone Star Rail District in the event it becomes operational. (Notes: SPONSOR: Council Member William Spelman CO 1: Mayor Lee Leffingwell CO 2: Mayor Pro Tem Sheryl Cole)
Resolution No. 20130829-077 with a friendly amendment and direction to staff 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 provide Council with a briefing in October . and decision and draft documents on November 4, 2013.
- There was a friendly amendment made by Council Member Riley to amend the first “Be It Further Resolved” paragraph of the resolution to read, “The City Council directs the City Manager to work with Lone Star Rail District and Capital Metro Transportation Authority in the development...” The amendment was accepted by the maker of the motion and Council Member Spelman, who made the second.**
64. Authorize negotiation and execution of Amendment No. 3 to the interlocal agreement with the Capital Metropolitan Transportation Authority to continue the Regional Transit System Plan known as "Project Connect", extend the agreement duration, and increase the interlocal agreement in the amount of \$350,000, for a total contract amount not to exceed \$1,100,000.

The motion authorizing the negotiation and execution of amendment number three to the interlocal agreement with the Capital Metropolitan Transportation Authority was approved on Council Member Spelman’s motion, Mayor Leffingwell’s second on a 7-0 vote.

- 112. Authorize execution of a 9-month contract with the Austin Independent Business Alliance in an amount not to exceed \$50,000 for managing and supporting Independent Business Investment Zone Districts. **The motion authorizing the execution of a contract with the Austin Independent Business Alliance was approved on Council Member Morrison’s motion, Council Member Spelman’s second on a 7-0 vote.**

Mayor Leffingwell recessed the Council Meeting for Live Music and Proclamation at 5:31 p.m.

LIVE MUSIC

Riders Against the Storm

PROCLAMATIONS

Proclamation -- Take a Loved One for a Check-Up -- to be presented by Mayor Pro Tem Sheryl Cole and to be accepted by Deborah Duncan

Proclamation – Direct Support Professionals Recognition Week – to be presented by Mayor Pro Tem Sheryl Cole and to be accepted by Nancy Crowther and Cathy Cranston

Proclamation -- Tour de Cure -- to be presented by Council Member Mike Martinez and to be accepted by Jim Hackbarth and Jeff Vice

Certificates of Appreciation -- Wooldridge Square Advocates -- to be presented by Council Member Chris Riley and to be accepted by the honorees

Mayor Leffingwell called the Council Meeting back to order at 7:07 p.m.

PUBLIC HEARINGS AND POSSIBLE ACTIONS

Items 109, 110 and 115 were acted on in a combined motion.

- 109. Conduct a public hearing and consider an ordinance amending City Code Chapters 25-1 and 25-5 relating to vested development rights under Chapter 245 and Section 43.002 of the Texas Local Government Code. **This item was postponed to October 3, 2013 on Council Member Morrison’s motion, Council Member Martinez’ second on a 7-0 vote.**
- 110. Conduct a public hearing and consider an ordinance amending City Code Chapter 25-1 to change the requirements for neighborhood plan amendment procedures. **This item was postponed indefinitely on Council Member Morrison’s motion, Council Member Martinez’ second on a 7-0 vote.**
- 115. Conduct a public hearing and consider an ordinance approving a consent agreement for the Cascades Municipal Utility District No. 1 ("MUD") subject to adoption of an ordinance approving a strategic partnership agreement between the City and the MUD. **This item was postponed to September 26, 2013 on Council Member Morrison’s motion, Council Member Martinez’ second on a 7-0 vote.**

39. Approve second and third reading of an ordinance adopting site-specific amendments to City Code Chapter 25-8, Article 12 (Save Our Springs Initiative) and variances to City Code Sections 25-8-281, 25-8-483, and 25-8-65 for property generally located at 3712 Ben Garza Lane; and waiving City Code Section 25-1-502. This action concerns land located in the Barton Springs Zone.
This item was postponed to September 26, 2013 on Council Member Tovo's motion, Council Member Spelman's second on a 7-0 vote.
45. Authorize award and execution of Amendment No. 1 to a contract with SOLIX, INC. for administrator services related to the qualification and automatic enrollment for Austin Energy's Utility Discount Program, to increase the contract amount for the current contract period in an amount not to exceed \$61,433, and the three remaining extensions in an amount not to exceed \$112,620 each, for a revised total contract amount not to exceed \$1,975,083. (Notes: This contract was awarded in compliance with City Code Chapter 2-9C (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 Solix, Inc. was approved on Council Member Morrison's motion, Council Member Martinez' second on a 7-0 vote.
78. Approve a resolution initiating amendments to the City Code in response to recommendations of the Lake Austin Task Force and directing the City Manager to process code amendments relating to shoreline and dock development and to the registration and identification of docks and; directing the City Manager to prepare an ordinance related to wake zones, evaluate implementation of certain fees and implement enforcement of water quality protections designed to ensure environmental and related health, safety, welfare, sustainability, and coordinated lake management relevant to Lake Austin. (Notes: SPONSOR: Council Member Laura Morrison CO 1: Council Member Kathie Tovo CO 2: Council Member Chris Riley)
Resolution No. 20130829-078 was approved on Council Member Morrison's motion, Council Member Tovo's second on a 6-1 vote. Mayor Leffingwell voted nay.
79. Approve an ordinance establishing a temporary program to extend certain site plans expired prior to the repeal of project duration; and waiving certain provisions of City Code Chapters 25-1 and 25-5. (Notes: SPONSOR: Council Member William Spelman CO 1: Mayor Lee Leffingwell)
There was a motion made by Council Member Spelman and seconded by Mayor Leffingwell to approve the ordinance with the following amendment.
- The amendment was to have part 2, (B)(2) read, "the site plan expired under former City Code Chapter 25-1, Article 12 (Project Duration); or, if a project is located in the desired development zone, within one year of the expiration date established under that article."**
- There was a friendly amendment made by Mayor Pro Tem Cole to not have the resolution apply to projects in the Barton Springs Zone. The amendment was accepted by the maker of the motion and Mayor Leffingwell, who made the second.**
- There was a substitute motion made by Council Member Tovo and seconded by Council Member Morrison to postpone this item to September 26, 2013 with direction to staff to have this item reviewed by the Land Use Commissions. The motion failed on a vote of 2-5. Those voting aye were: Council Members Morrison and Tovo. Those voting nay were: Mayor Leffingwell, Mayor Pro Tem Cole and Council Members Martinez, Riley and Spelman.**
- There was a friendly amendment made by Council Member Morrison that would require any site plans that have Board of Adjustment variances or Save Our Spring variances be brought before Council for approval. The amendment was not accepted by the maker of the motion.**

There was a friendly amendment made by Council Member Tovo to add a new Part 2(B)(5) to read, "Notice shall be provided of the director's decision as required under section 25-5-62(B) and an interested party may appeal the director's decision as provided for in section 25-5-62(D)." The amendment was not accepted by the maker of the motion.

There was a motion made by Council Member Tovo and seconded by Council Member Morrison to add a new Part 2(B)(B) to read, "Notice shall be provided of the director's decision as required under section 25-5-62(B) and an interested party may appeal the director's decision as provided for in section 25-5-62(D)" The motion failed on a vote of 2-5. Those voting aye were: Council Members Morrison and Tovo. Those voting nay were: Mayor Leffingwell, Mayor Pro Tem Cole and Council Members Martinez, Riley and Spelman.

Ordinance No. 20130829-079 was approved with the amendment and friendly amendment listed above on Council Member Spelman'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 Members Morrison and Tovo.

PUBLIC HEARINGS AND POSSIBLE ACTIONS CONTINUED

105. Conduct a public hearing and consider an ordinance amending various sections of City Code Title 25 to clarify regulations related to bicycle and motor vehicle parking requirements, calculations and reductions. **The public hearing was conducted and the motion to close the public hearing and approve Ordinance No. 20130829-105 was approved on Council Member Spelman's motion, Council Member Tovo's second on a 7-0 vote.**
106. Conduct a public hearing and consider an ordinance amending City Code Chapter 25-11 to change the deadline for holding a public hearing on an application for demolition, relocation, or a building permit. **The public hearing was conducted and the motion to close the public hearing and approve Ordinance No. 20130829-106 was approved on Council Member Riley's motion, Council Member Spelman's second on a 7-0 vote.**

Mayor Leffingwell recessed the Council Meeting to go into Executive Session at 8:28 p.m.

EXECUTIVE SESSION CONTINUED

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

88. Discuss legal issues related to SOAH Docket No. 582-09-1617 TCEQ Docket No. 2008-1858-MWD, Application of Jeremiah Venture, LP for a new TLAP permit No. WQ0014785001 (Private consultation with legal counsel - Section 551.071 of the Government Code). Related to Item #33.

Executive Session ended and Mayor Leffingwell called the Council Meeting back to order at 9:22 p.m.

The motion to waive the rules and allow Council to meet after 10 p.m. was approved on Council Member Spelman's motion, Council Member Martinez' second on a 7-0 vote.

PUBLIC HEARING CONTINUED

107. Conduct a public hearing and consider an ordinance amending previously granted floodplain variances for the remodeling of an existing single-family residence at 4518 Avenue D (Ordinance No. 20130627-107)

to add floodplain variances for construction of an addition to the existing structure as requested by the owner. The property is partially in the 25-year and 100-year floodplains of Waller Creek.

The public hearing was conducted and the motion to close the public hearing and approve Ordinance No. 20130829-107 was approved on Council Member Spelman’s motion, Council Member Martinez’ second on a 6-1 vote. Council member Morrison voted nay.

- 111. Conduct a public hearing on the proposed property (ad valorem) tax rate for Fiscal Year 2013-2014.
The public hearing was conducted and the motion to close the public hearing was approved on Mayor Pro Tem Cole’s motion, Council Member Martinez’ second on a 7-0 vote.

DISCUSSION ITEMS CONTINUED

- 33. Approve a settlement in SOAH Docket No. 582-09-1617 TCEQ Docket No. 2008-1858-MWD, Application of Jeremiah Venture, LP for a new TLAP permit No. WQ0014785001. Related to Item #88.
There was a motion made by Council Member Tovo and seconded by Council Member Morrison to deny the settlement.

There was a substitute motion made by Council Member Martinez and seconded by Council Member Spelman to accept the settlement in SOAH docket number 582-09-1617 TCEQ docket number 2008-1858-MWD, application of Jeremiah Venture, LP with the following agreement. The motion was approved on a 4-3 vote. Those voting aye were: Mayor Leffingwell, Mayor Pro Tem Cole and Council Members Martinez and Spelman. Those voting nay were: Council Members Morrison, Riley and Tovo.

The developer agreed to:

- install a wastewater treatment system capable of achieving the best treatment limits of currently marketed technology;
- meet a lower concentration of total phosphorus than what the TCEQ Draft Permit requires, and also agrees to a limit on total nitrogen which is not required by TCEQ;
- require homeowners and contractors to abide by an integrated pest management plan to control pesticide applications on the property;
- allow the City to perform dye tracing studies from up to 5 features on site;
- exclude the use of residential lawn areas from the total permitted acreage available for land application; and
- that if monitoring wells demonstrate that nutrients are making their way through the soils, then a remediation plan will commence which requires the developer to lower application rates to 2.5 acre feet in the triggering application field, until the monitoring wells demonstrate that nutrients are no longer making their way through the soils; and

In exchange, the City will withdraw its protest of the TCEQ draft permit, but remain a party to the proceeding to support the settlement terms as a part of the permit.

PUBLIC HEARING CONTINUED

- 108. Conduct a public hearing to receive public comment on the City of Austin Fiscal Year 2013-2014 Proposed Budget.
The public hearing was conducted and the motion to close the public hearing was approved on Mayor Pro Tem Cole’s motion, Council Member Spelman’s second on a 7-0 vote.

Mayor Leffingwell adjourned the meeting at 11:50 p.m. without objection.

The minutes were approved on this the 26th day of September 2013 on Mayor Pro Tem Cole’s motion, Council Member Spelman’s second on a 7-0 vote.