



**Thursday, October 17, 2013**

The Austin City Council will convene at 10:00 AM on  
Thursday, October 17, 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, (512) 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**

Lt. Col. Henry Gonzalez, Austin Area Commander, Salvation Army

**10:00 AM – City Council Convenes**

ICMA Award Presentations

**Consent**

**Approval of Minutes**

1. Approve the minutes of the Austin City Council work session meeting of October 1, 2013 and regular meeting of October 3, 2013.

**Austin Water Utility**

2. Approve an ordinance amending Exhibit A to Ordinance No. 20130909-003, the Fiscal Year 2013-2014 Fees, Fines, and Other Charges to be set or charged by the City, to revise Austin Water Utility Impact Fees Collection Policy. Related to Items #3 and #73.
3. Approve an ordinance amending the City's water and wastewater impact fee program by adopting updated Austin Water and Wastewater impact fee land use assumptions, capital improvements plan, and assessed fees including the impact fee service area amendments. Related to Items #2 and #73.

**City Clerk**

4. Approve an ordinance repealing Exhibits A, B, C, D and G of Ordinance No. 20130808-007B ordering the November 2013 special municipal election, and replacing them with new exhibits that adopt changes to election day and early voting polling places, and list election day judges; and declaring an emergency.

**Contract Management**

5. Authorize the negotiation and execution of a construction contract with MATOUS CONSTRUCTION, LTD. for the Davis Water Treatment Plant Chemical Feed System Improvements Bid Package 2: Lime Slaker/Lime Slurry Feed System Improvements in the amount of \$1,995,000 plus a \$199,500 contingency, for a total contract amount not to exceed \$2,194,500.

( 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 achievements of good faith efforts with 7.32% MBE and 0.20% WBE subcontractor participation. )

6. Authorize the negotiation and execution of a construction contract with MUNIZ CONCRETE AND CONTRACTING, INC., for the Local Area Traffic Management and Intersection Improvement Program, in the amount of \$3,459,035 plus a \$172,951.75 contingency, for a total contract amount not to exceed \$3,631,987.

( 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 77.88% MBE prime participation; 5.81% MBE and 1.89% WBE subcontractor participation. )

### **Fleet Services**

7. Approve an ordinance authorizing acceptance of \$326,250 in grant funds from the Capital Area Council of Governments; amending the Fiscal Year 2013-2014 Fleet Services Operating Budget Special Revenue Fund (Ordinance No. 20130909-001) to appropriate these funds; and amending the Fiscal Year 2013-2014 Fleet Services Capital Budget (Ordinance No. 20130909-002) to transfer in and appropriate \$326,250 from the Fiscal Year 2013-2014 Fleet Services Operating Budget Special Revenue Fund to replace Austin Water Utility vehicles with diesel-powered vehicles with lower emissions.

### **Health and Human Services**

8. Authorize negotiation and execution of a contract for Child Care Voucher Services with YOUNG WOMEN'S CHRISTIAN ASSOCIATION GREATER AUSTIN in the amount of \$283,272 and for three contract renewal options in the amount of \$283,272 each for a total contract amount not to exceed \$1,133,088.
9. Approve an ordinance authorizing acceptance of \$65,770 in grant funds from the TEXAS DEPARTMENT OF FAMILY AND PROTECTIVE SERVICES, 78744 COMMUNITY YOUTH DEVELOPMENT GRANT, and amending the Fiscal Year 2013-2014 Health and Human Services Department Operating Budget Special Revenue Fund (Ordinance No. 20130909-001) to appropriate \$65,770 for the delivery of recreational services.

### **Parks and Recreation**

10. Approve an ordinance accepting \$1,397 in grant funds from the Austin Community Foundation; and amending the Fiscal Year 2013-2014 Parks and Recreation Department Operating Budget Special Revenue Fund (Ordinance No. 20130909-001) to appropriate \$1,397 to provide a polka festival as part of the Parks Global Music Series at the Elisabet Ney Museum.

11. Approve an ordinance amending City Code Section 8-1-72 related to boating concessions, amending City Code Chapter 8-5 to add the definition of inflatable flotation device, and a prohibition on swimming and the use of inflatable devices along a portion of the Colorado River.

### **Planning and Development Review**

12. Authorize payment of the City's annual membership dues for Fiscal Year 2013-2014 in the Lone Star Rail District, in an amount not to exceed \$49,500.
13. Authorize payment of membership fees for Fiscal Year 2013-2014 to the Greater Austin-San Antonio Corridor Council in an amount not to exceed \$100,000.
14. Approve an ordinance amending City Code Chapters 3-12, 10-3, and 14-7 relating to regulations for urban farms. Related to Item #75.

### **Purchasing Office**

15. Authorize award and execution of a 36-month requirements supply contract with RESITECH INDUSTRIES, INC., to provide traffic signal cables for the Transportation Department in an amount not to exceed \$454,479, with three 12-month extension options in an amount not to exceed \$151,493 for each extension option, for a total contract amount not to exceed \$908,958. ( 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. )
16. Authorize award and execution of a contract with HILL COUNTRY FENCE, INC., for the purchase and installation of fencing for the Balcones Canyonlands Preserve at Lime Creek, Park West and Coldwater tracts in an amount not to exceed \$296,488. ( 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. )
17. Authorize award and execution of a 12-month requirements services contract with NATIONAL WORKS, INC., (WBE/FW) to provide cleaning, televising and point repair of sanitary sewer collection systems pipe for the Austin Water Utility in an amount not to exceed \$977,050, with two 12-month extension options in an amount not to exceed \$977,050 per extension option, for a total contract amount not to exceed \$2,931,150. ( 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. )

18. Authorize award and execution of a 24-month requirements service contract with OPEN TEXT CORPORATION to provide electronic conversion of paper-based records for the Aviation Department in an 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. )
19. Authorize award and execution of a contract with PRIESTER-MELL & NICHOLSON INC., for the purchase of a pad-mount automatic transfer operation switchgear for Austin Energy, in an amount not to exceed \$126,000.  
( 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. )
20. Authorize award and execution three 24-month requirement supply contracts for ductile iron fittings and pipe joint restraints for the Austin Water Utility with KLP COMMERCIAL, LLC, (WBE/FN), in an amount not to exceed \$63,428, with two 12-month extension options in an amount not to exceed \$31,714 per extension option, for a total contract amount not to exceed \$126,856; TECHLINE PIPE, LP, in an amount not to exceed \$29,196, with two 12-month extension options in an amount not to exceed \$14,598 per extension option, for a total contract amount not to exceed \$58,392; and with FERGUSON WATERWORKS, in an amount not to exceed \$26,752, with two 12-month extension options in an amount not to exceed \$13,736, for a total contract amount not to exceed \$53,504.  
( 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. )
21. Authorize award and execution of a 12-month requirements service contract with SYNAGRO OF TEXAS – CDR, INC., to provide biosolids hauling and land application for the Austin Water Utility in an amount not to exceed \$4,652,000 with two 12-month extension options in an amount not to exceed \$4,652,000 per extension option for a total contract amount not to exceed \$13,956,000.  
( 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 solicitation. )
22. Authorize award and execution of a 36-month requirements service contract

with SAN ANTONIO BRAKE & CLUTCH SVC, INC. DBA LONE STAR BRAKE & CLUTCH, to provide parts and repair services for custom hitches, trailers, and accessories in a total amount not to exceed \$94,270 with three 12-month extension options in a total amount not to exceed \$34,414 for the first extension option, \$36,034 for the second extension option, and \$37,736 for the third extension option, for a total contract amount not to exceed \$202,454.

( 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. )

23. Authorize award and execution of a 12-month requirements supply contract with ATLANTIC AVIATION SERVICES, Austin, TX for the purchase of Jet A Fuel for the Austin Police Department in an amount not to exceed \$150,000, with three 12-month extension options in an amount not to exceed \$175,000 for the first extension option, and \$200,000 for the second and third year extension option, for a total contract amount not to exceed \$725,000.

( 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. )

24. Authorize award and execution of a contract with SHUR-RIG LLC, for suspension trusses for Palmer Events Center in an amount not to exceed \$93,679.

( 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. )

25. Authorize award, negotiation, and execution of five 12-month service contracts with WEBB & WEBB, PAMELA LANCASTER, OLIVIA B. RUIZ, SHERRY WETSCH, and DONNA HALL KEITH to provide protest hearing officer services in an amount not to exceed \$45,000 each and combined, with two 12-month options not to exceed \$45,000 each for a total estimated contract amount not to exceed \$135,000 each and combined.

( 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. )

26. Authorize award and execution of a 36-month requirements service contract with BIG BOYS COLLISION CENTER, INC., to provide vehicle painting and refurbishment services for vehicles and equipment in a total amount not to exceed \$248,338, with three 12-month extension options in an amount not to exceed \$91,192 for the first extension option, \$95,752 for the second

extension option, and \$100,539 for the third extension option, for a total contract amount not to exceed \$535,821.

( 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. )

27. Authorize award and execution of a 36-month requirements supply contract with ROUND ROCK TOYOTA to provide original equipment manufacturer parts and repair services for Toyota Vehicles in a total amount not to exceed \$395,486, with three 12-month extension options in a total amount not to exceed \$145,124 for the first extension option, \$152,331 for the second extension option, and \$159,897 for the third extension option, for a total contract amount not to exceed \$852,838.

( 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. )

28. Authorize award and execution of a 36-month requirements service agreement with VOIANCE LANGUAGE SERVICES, LLC, to provide interpretation services for the Austin Police, Health and Human Services, Aviation, and Building Services Departments in an amount not to exceed \$281,028, with three 12-month extension options in an amount not to exceed \$93,676 per extension option, for a total contract amount not to exceed \$562,056.

( 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**

29. Approve an ordinance amending City Code Title 4 to add Chapter 4-15 relating to special events and high-capacity venues, repealing and replacing Chapter 14-8 relating the right-of-way closures for special events; amending Section 10-3-96 relating to temporary food establishments; repealing Section 14-6-3 relating to closures for street festivities; initiating code amendments related to temporary signs during a special event; and creating a penalty.

### **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 ending the pilot program which allowed biking on trails on a 24-hour basis by repealing Ordinance No. 20130131-028 and

Ordinance No. 20130228-033.

( Notes: SPONSOR: Mayor Lee Leffingwell CO 1: Council Member Kathie Tovo )

32. Approve a resolution initiating amendments to City Code Chapter 25-2 to make the Rainey Street Subdistrict eligible to participate in the Downtown Density Bonus Program and to address other density regulations affecting the Rainey Street Subdistrict; and directing the City Manager to process the amendments.  
( Notes: SPONSOR: Mayor Pro Tem Sheryl Cole CO 1: Council Member Chris Riley CO 2: Council Member William Spelman )
33. Approve an ordinance waiving certain rental fees for the Homeless Memorial Sunrise Service event sponsored by House the Homeless, which is to be held on Sunday, November 17, 2013, at the Fannie Davis Gazebo on Auditorium Shores.  
( Notes: SPONSOR: Council Member Mike Martinez CO 1: Council Member Kathie Tovo )
34. Approve an ordinance waiving certain temporary vending permit fees required under City Code Chapter 10 for the 15th Annual Green Corn Project Fundraiser which is to be held on Sunday, October 27, 2013 at Boggy Creek Farm.  
( Notes: SPONSOR: Council Member Kathie Tovo CO 1: Council Member Mike Martinez CO 2: Council Member Laura Morrison )
35. Approve a resolution directing the City Manager to provide City Council a financing plan for the City's share of Project Connect including, but not limited to, the use of value capture revenue; to develop interlocal agreements to fund Project Connect; and retain any revenue sources in a restricted fund.  
( Notes: SPONSOR: Council Member Mike Martinez CO 1: Council Member Chris Riley )
36. Approve a resolution designating the 600 to 900 blocks of Red River Street as the Red River Cultural District and directing the City Manager to address parking and loading and unloading issues in the area and to investigate the State process used to designate an area as a cultural district.  
( Notes: SPONSOR: Council Member Mike Martinez CO 1: Council Member Chris Riley CO 2: Mayor Lee Leffingwell )
37. Approve a resolution directing the City Manager to report to Council on the regulatory authorities that provide safeguards for marine animals that are maintained in an aquarium.  
( Notes: SPONSOR: Council Member Laura Morrison CO 1: Council Member Mike Martinez CO 2: Council Member Chris Riley )
38. Approve a resolution directing the City Manager to develop a plan for a universal city wide translation service protocol to serve persons with Limited



English Proficiency.

( Notes: SPONSOR: Council Member Mike Martinez CO 1: Council Member Chris Riley CO 2: Council Member Laura Morrison )

39. Approve an ordinance waiving certain fees and requirements for the Austin Civic Wind Ensemble event sponsored by Austin Civic Wind Ensemble, which is to be held on Saturday, October 19, 2013 at the George Washington Carver Museum and Cultural Center.  
( Notes: SPONSOR: Council Member Kathie Tovo CO 1: Council Member Laura Morrison CO 2: Mayor Lee Leffingwell )
40. Approve an ordinance waiving certain fees and requirements for the 26th annual AIDS Walk Austin event, sponsored by AIDS Services of Austin, which is to be held on Sunday, October 20, 2013.  
( Notes: SPONSOR: Council Member Laura Morrison CO 1: Council Member Mike Martinez CO 2: Mayor Pro Tem Sheryl Cole )
41. Approve a resolution directing the City Manager not to allow the removal of personal items placed on burial plots, to investigate best practices regarding cemetery maintenance and grave ornamentation, and to involve the Parks Board and other interested parties in the stakeholder process regarding cemetery maintenance and grave ornamentation.  
( Notes: SPONSOR: Council Member Kathie Tovo CO 1: Council Member Mike Martinez CO 2: Mayor Pro Tem Sheryl Cole )
42. Approve a resolution directing the City Manager to implement a policy allowing ornamentation within the boundaries of a burial plot, subject to applicable laws allowing removal for health and/or safety reasons, and pending the outcome of a stakeholder process and final policy direction from the City Council.  
( Notes: SPONSOR: Council Member Kathie Tovo CO 1: Council Member Mike Martinez CO 2: Mayor Pro Tem Sheryl Cole )

#### **Item(s) to Set Public Hearing(s)**

43. Set a public hearing to consider an ordinance amending City Code Title 25 to allow temporary staging of equipment, for City of Austin and utility projects, on non-City-owned property. (Suggested date and time: November 21, 2013, 4:00 p.m. at Austin City Hall, 301 W. Second Street, Austin, TX).
44. Set a public hearing regarding ATMOS Energy Corporation's proposal to increase customer rates (Suggested date and time: October 24, 2013, 4:00 p.m., Austin City Hall, 301 W. Second Street, Austin, TX).

#### **Non-Consent**

**Action on Item(s) with Closed Public Hearings - per City Code Section 2-5-27, additional speakers will not be registered**

45. Approve second and third readings of an ordinance amending City Code Section 25-2-921 to allow properties that are primarily used for certain civic uses to obtain temporary use permits for public assembly. THE PUBLIC HEARING FOR THIS ITEM WAS HELD AND CLOSED ON APRIL 25, 2013.
46. Approve second and third readings of an ordinance to repeal and replace City Code Chapters 25-7 and 30-4 relating to drainage; (b) amend sections of City Code Chapters 25-8, Subchapter A and 30-5 relating to water quality; (c) amend sections of City Code Titles 25 and 30 relating to environmental protection; and (d) establish water supply and riparian zone mitigation funds. This ordinance will amend Chapter 25-8, Subchapter A, Article 12 (Save Our Springs Initiative). THE PUBLIC HEARING ON THIS ITEM WAS HELD AND CLOSED ON OCTOBER 3, 2013.

#### **12:00 PM - Citizen Communications: General**

Ronnie Reefersseed - Peace, liberty and the end of tiereny here at home.

Paul Robbins - City and budget issues

Ellen Witt Ortiz - City of Austin's water supply

John Goldstone - The Affordable Housing Bond

Justin Hyatt - Town Lake project- incorrect statements made about my company on October 3, 2013 Council meeting

Julian Reyes - Shiner Bock police accountability

Jo Karr Teddler - Drought- Central Texas Water Coalition, Inc., Pres

Marla Schmitz - 401 W. St. Johns

Jere Locke - Drought and water

Will McLeod - 1. Ted Cruz for President 2016 2. Austin signle-use bag ordinance 3. TBD

#### **Executive Session**

47. Discuss legal issues related to Open Government matters (Private consultation with legal counsel - Section 551.071 of the Government Code)
48. 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)

49. Discuss legal issues related to Austin Fire Department hiring process (Private consultation with legal counsel - Section 551.071 of the Government Code)
50. Discuss legal issues related to White Lodging Services Corp. v. City of Austin et al, No. A:13 CV0825 SS; In the United States District Court for the Western District of Texas, Austin Division (Private consultation with legal counsel - Section 551.071 of the Government Code)
51. Discuss legal issues related to the Petition of North Austin Utility District No. 1, Northtown Municipal Utility District, Travis County Water Control and Improvement District, and Wells Branch Municipal Utility District from the Ratemaking Actions of the City of Austin and Request for Interim Rates; TCEQ Docket No. 2013-065-UCR; SOAH Docket No. 582-134617 (Private consultation with legal counsel - Section 551.071 of the Government Code)

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

52. C814-2012-0160 - 211 South Lamar Boulevard Planned Unit Development - Approve third reading of an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 211 South Lamar Boulevard (Lady Bird Lake Watershed) from general commercial services (CS) district zoning and general commercial services-vertical mixed use building (CS-V) combining district zoning to planned unit development (PUD) district zoning. First Reading approved on August 8, 2013. Vote: 5-2, Council Members Morrison and Tovo voted nay. Second Reading approved on August 22, 2013. Vote: 5-2, Council Members Morrison and Tovo voted nay. Owner: Post Paggi, LLC (Jason Post). Applicant: Winstead PC (Stephen O. Drenner). City Staff: Lee Heckman, 512-974-7604.
53. C14-2013-0041 – Fort Dessau-GR – Approve second/third readings of an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 1602 Fish Lane (Harris Branch) from single family residence-standard lot-conditional overlay (SF-2-CO) combining district zoning to multi-family residence-medium density (MF-3) district zoning. First Reading approved on September 26, 2013. Vote: 7-0. Owner/Applicant: John C. & Dana Fish. Agent: Land Strategies, Inc. (Paul W. Linehan). City Staff: Sherri Sirwaitis, 974-3057.
54. C14-2013-0042 – Fort Dessau-P – Approve second/third readings of an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 13826 Dessau Road (Harris Branch) from single family residence-standard lot-conditional overlay combining (SF-2-CO) district zoning to public (P) district zoning. First Reading approved on September 26, 2013. Vote: 7-0. Owner/Applicant: John C. & Dana Fish. Agent: Land Strategies, Inc. (Paul W. Linehan). City Staff: Sherri Sirwaitis, 974-3057.
55. C14-2013-0043 – Fort Dessau-SF-6 – Approve second/third readings of an

ordinance amending City Code Chapter 25-2 by rezoning property locally known as 13826 Dessau Road (Harris Branch) from neighborhood commercial (LR) district zoning to townhouse & condominium residence (SF-6) district zoning. First reading on September 26, 2013. Vote: 7-0. Owner/Applicant: John C. & Dana Fish. Agent: Land Strategies, Inc. (Paul W. Linehan). City Staff: Sherri Sirwaitis, 974-3057.

56. C14-2013-0060 – Bluff Springs Food Mart – Approve second/third readings of an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 7101 Bluff Springs Road (Onion Creek Watershed) from single family residence-small lot-conditional overlay (SF-4A-CO) combining district zoning and neighborhood commercial-conditional overlay (LR-CO) combining district zoning to neighborhood commercial-conditional overlay (LR-CO) combining district zoning. First Reading approved on September 26, 2013. Vote: 7-0. Owner/Applicant: Bluff Springs Food Mart, Inc. (Tariq Majeed). Agent: Moncada Consulting (Phil Moncada). City Staff: Wendy Rhoades, 974-7719.

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

57. NPA-2013-0010.01 – 2416 East Sixth Street – Conduct a public hearing and approve an ordinance amending Ordinance No. 20011213-43, the Holly 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 known as 2416 East 6th Street (Lady Bird Lake Watershed) from Industry to Mixed Use land use. Staff Recommendation: To grant Mixed Use land use. Planning Commission Recommendation: To be reviewed on October 22, 2013. Owner/Applicant: 2416 East Sixth Street (Timothy Clark). Agent: Big Red Dog Engineering – Austin, L.L.C. (Bob Brown). Agent: City Staff: Maureen Meredith, 512-974-2695.
58. C14-2013-0083 – 2416 E. 6th Street – Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 2416 East 6th Street (Lady Bird Lake Watershed) from limited industrial service-conditional overlay-neighborhood plan (LI-CO-NP) combining district zoning to multi-family residence-highest density-conditional overlay-neighborhood plan (MF-6-CO-NP) combining district zoning. Staff Recommendation: To grant general commercial services-vertical mixed use building-conditional overlay-neighborhood plan (CS-V-CO-NP) combining district zoning. Planning Commission Recommendation: To be reviewed on October 22, 2013. Owner: 2416 East Sixth Street LP (M. Timothy Clark). Applicant: Big Red Dog – Austin, LLC (Bob Brown). City Staff: Heather Chaffin, 512-974-2122.
59. NPA-2013-0015.01 - 1137 & 1139 Airport Boulevard and 1138 Gunter Street (Airport Café) - Conduct a public hearing and approve an ordinance amending Ordinance No. 20021107-Z-11 the East MLK Combined

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 known as 1137 and 1139 Airport Boulevard, and 1138 Gunter Street (Boggy Creek Watershed) from Single Family to Civic land use. Staff Recommendation: To grant Neighborhood Mixed Use land use. Planning Commission Recommendation: To grant Mixed Use land use. Owner: R & J Partners, LLC (Ron Meyeres). Applicant/Agent: Alice Glasco Consulting (Alice Glasco). City Staff: Maureen Meredith, 512-974-2695.

60. C14-2013-0055 - Airport Café - Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 1137 and 1139 Airport Boulevard, and 1138 Gunter Street (Boggy Creek Watershed) from family residence-neighborhood plan (SF-3-NP) combining district zoning to general commercial services-mixed use-neighborhood plan (CS-MU-NP) combining district zoning. Staff Recommendation: To grant neighborhood commercial-mixed use-conditional overlay-neighborhood plan (LR-MU-CO-NP) combining district zoning. Planning Commission Recommendation: To grant general commercial services-mixed use-conditional overlay-neighborhood plan (CS-MU-CO-NP) combining district zoning, with added prohibited land uses provided by neighborhood association. Owner: R & J Partners LLC (Ronnie and Joellen Meyeres). Agent: Alice Glasco Consulting (Alice Glasco). City Staff: Heather Chaffin, 512-974-2122.
61. NPA-2013-0025.01 - 5816 Harper Park Drive (Harper Park Residential) - Conduct a public hearing and approve an ordinance amending Ordinance No. 20081211-096, the Oak Hill Combined 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 known as 5816 Harper Park Drive (Barton Creek Watershed-Barton Springs Zone) from Office to Mixed Use/Office land use. Staff Recommendation: To grant Mixed Use/Office land use. Planning Commission Recommendation: To grant Mixed Use/Office land use. Owner: Harper Park Two LP (Gail M. Whitfield). Applicant/Agent: The Whitfield Company (Marcus Whitfield). City Staff: Maureen Meredith, 512-974-2695.
62. C14-2013-0006 - Harper Park Residential - Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 5816 Harper Park Drive (Barton Creek Watershed-Barton Springs Zone) from limited office-conditional overlay-neighborhood plan (LO-CO-NP) combining district zoning to limited office-mixed use-conditional overlay-neighborhood plan (LO-MU-CO-NP) combining district zoning. Staff Recommendation: To grant limited office-mixed use-conditional overlay-neighborhood plan (LO-MU-CO-NP) combining district zoning with conditions. Planning Commission Recommendation: To grant limited office-mixed use-conditional overlay-neighborhood plan (LO-MU-CO-NP) combining district zoning with conditions. Owner: Harper Park Two, L.P. (Gail M. Whitfield). Applicant: The Whitfield Company (Marcus

Whitfield). City Staff: Lee Heckman, 512-974-7604. A valid petition has been filed in opposition to this rezoning request.

63. C14-86-077(RCA) - Harper Park Residential RCA - Conduct a public hearing to amend a restrictive covenant on property locally known as 5816 Harper Park Drive (Barton Creek Watershed-Barton Springs Zone). Staff Recommendation: To grant the restrictive covenant amendment to incorporate necessary conditions of an associated rezoning request. Planning Commission Recommendation: To grant the restrictive covenant amendment to incorporate necessary conditions of an associated rezoning request. Owner: Harper Park Two, L.P. (Gail M. Whitfield). Applicant: The Whitfield Company (Marcus Whitfield). City Staff: Lee Heckman, 512-974-7604.
64. C14-2013-0027 – Kincheon Neighborhood Commercial Center – Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 7905 Brodie Lane (Williamson Creek Watershed-Barton Springs Zone) from neighborhood office-conditional overlay (NO-CO) combining district zoning to neighborhood commercial (LR) district zoning. Staff Recommendation: To deny neighborhood commercial (LR) district zoning. Zoning and Platting Commission Recommendation: To deny neighborhood commercial (LR) district zoning. Owner/Applicant: Shelby Michael Minns and Katherine T. Minns. Agent: Land Answers, Inc. (Jim Wittliff). City Staff: Wendy Rhoades, 512-974-7719.
65. C14-2013-0056 – 2505 & 2507 Bluebonnet Lane – Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 2505 and 2507 Bluebonnet Lane (West Bouldin Creek Watershed) from family residence (SF-3) district zoning to multi-family residence-low density (MF-2) district zoning. Staff Recommendation: To grant multi-family residence-low density-conditional overlay (MF-2-CO) combining district zoning. Planning Commission Recommendation: To grant multi-family residence-low density-conditional overlay (MF-2-CO) combining district zoning with conditions. Owner: 2505 Bluebonnet, LLC (Scott Turner). Applicant: Thrower Design (Ron Thrower). City Staff: Lee Heckman, 512-974-7604.
66. C14-2013-0084 - Franklin BBQ Kitchen - Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 901 Juniper Street (Waller Creek Watershed) from multi-family residence-medium density-neighborhood conservation combining district-neighborhood plan (MF-3-NCCD-NP) combining district zoning to community commercial-neighborhood conservation combining district-neighborhood plan (GR-NCCD-NP) combining district zoning. Staff Recommendation: To grant community commercial-neighborhood conservation combining district-neighborhood plan (GR-NCCD-NP) combining district zoning. Planning Commission Recommendation: To grant community commercial-neighborhood conservation combining district-neighborhood plan (GR-NCCD-NP) combining district zoning. Owner:

Bens Long Branch BBQ, Inc. (Perry Lorenz). Applicant: LS Johnston Architects (Linda Johnston). City Staff: Heather Chaffin, 512-974-2122.

67. C14-2013-0085 - Franklin BBQ Kitchen (NCCD Amendment) - Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 to allow food preparation as a conditional land use to the East 11th Street Neighborhood Conservation Combining District for the property locally known as 901 Juniper Street (Waller Creek Watershed). Staff Recommendation: To grant food preparation as a conditional land use. Planning Commission Recommendation: To grant food preparation as a conditional land use. Owner: Ben's Long Branch BBQ, Inc. (Perry Lorenz). Agent: LS Johnston Architects (Linda Johnston). City Staff: Heather Chaffin, 512-974-2122.
68. C14-2013-0095 - 9405 Fourteen Tee Drive - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by zoning and rezoning property locally known as 9405 Fourteen Tee Drive (Bull Creek Watershed) from interim-single family residence-standard lot (I-SF-2) district zoning and rural residence (RR) district zoning to single family residence-large lot (SF-1) district zoning. Staff Recommendation: To grant single family residence-large lot (SF-1) district zoning. Zoning and Platting Commission Recommendation: To deny single family residence-large lot (SF-1) district zoning. Owner/Applicant: Balcones Country Club Membership Association (David Dew). Agent: Hutson Land Planners (Duane Hutson). City Staff: Sherri Sirwaitis, 512-974-3057. A valid petition has been filed in opposition to this rezoning request.
69. C14-2013-0096 - 11512 Spicewood Parkway - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 11512 Spicewood Parkway (Bull Creek Watershed) from rural residence (RR) district zoning to single family residence-large lot (SF-1) district zoning. Staff Recommendation: To grant single family residence-large lot (SF-1) district zoning. Zoning and Platting Commission Recommendation: To deny single family residence-large lot (SF-1) district zoning. Owner/Applicant: Balcones Country Club Membership Association (David Dew). Agent: Hutson Land Planners (Duane Hutson). City Staff: Sherri Sirwaitis, 512-974-3057. A valid petition has been filed in opposition to this rezoning request.
70. C14-2013-0097 - 11300 Spicewood Parkway - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 11300 Spicewood Parkway (Bull Creek Watershed) from rural residence (RR) district zoning to single family residence-large lot (SF-1) district zoning. Staff Recommendation: To grant single family residence-large lot (SF-1) district zoning. Zoning and Platting Commission Recommendation: To deny single family residence-large lot (SF-1) district zoning. Owner/Applicant: Balcones Country Club Membership Association (David Dew). Agent: Hutson Land Planners (Duane Hutson).

City Staff: Sherri Sirwaitis, 512-974-3057. A valid petition has been filed in opposition to this rezoning request.

71. C14-2013-0098 -9900 Mandeville Circle - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 9900 Mandeville Circle (Bull Creek Watershed) from rural residence (RR) district zoning to single family residence-large lot (SF-1) district zoning. Staff Recommendation: To grant single family residence-large lot (SF-1) district zoning. Zoning and Platting Commission Recommendation: To deny single family residence-large lot (SF-1) district zoning. Owner/Applicant: Balcones Country Club Membership Association (David Dew). Agent: Hutson Land Planners (Duane Hutson). City Staff: Sherri Sirwaitis, 512-974-3057. A valid petition has been filed in opposition to this rezoning request.
72. C14-2013-0099 – Dessau Business Park Zonings – Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by zoning property locally known as Tracts 1A & 1B: 13301-13409 Dessau Road; Tract 2: 13500 Lazyridge Drive; Tract 3: 13513 Lazyridge Drive; Tract 4: 1800 Gregg Lane and 2100 Gregg Lane; Tract 5: 13313 Old Gregg Lane; Tract 6: 13321, 13405, 13419, 13500, 13501, 13505, 13514, 13610, 13611, 13620, 13621, 13630, 13631, 13641, 13710, 13711, 13720, 13730, 13740, 13800, 13815, 13816 Immanuel Road, 2201, 2212, 2215, 2300, 2301, 2309 Investment Drive, 2201, 2208, 2218, 2219, 2226, 2300, 2310, 2319, 2320, 2330, 2337, 2340, 2349, 2350, 2400, 2401, 2410, 2411, 2420 Patterson Industrial Drive; Tract 7: Immanuel Road and 2222 Gregg Lane (Gilleland Creek Watershed, Harris Branch Watershed) from interim-rural residence (RR) district zoning and interim-single family-standard lot (I-SF-2) district zoning to multi-family residence-moderate-high density (MF-4) district zoning for Tract 1A, community commercial-mixed use (GR-MU) combining district zoning for Tract 1B, community commercial-mixed use (GR-MU) combining district zoning for Tract 2, public (P) district zoning for Tract 3, general commercial services-conditional overlay (CS-CO) combining district zoning for Tracts 4 and 7, rural residence (RR) district zoning for Tract 5 and limited industrial service (LI) district zoning for Tract 6. Staff Recommendation: To grant multi-family residence-moderate-high density (MF-4) district zoning for Tract 1A, community commercial-mixed use (GR-MU) combining district zoning for Tract 1B, community commercial-mixed use (GR-MU) combining district zoning for Tract 2, public (P) district zoning for Tract 3, general commercial services-conditional overlay (CS-CO) combining district zoning for Tracts 4 and 7, rural residence (RR) district zoning for Tract 5 and limited industrial service (LI) district zoning for Tract 6. Zoning and Platting Commission Recommendation: To grant multi-family residence-moderate-high density (MF-4) district zoning for Tract 1A, community commercial-mixed use (GR-MU) combining district zoning for Tract 1B, community commercial-mixed use (GR-MU) combining district zoning for Tract 2, public (P) district zoning for Tract 3, general commercial services-conditional overlay (CS-CO) combining district zoning for Tracts 4



and 7, rural residence (RR) district zoning for Tract 5 and limited industrial service (LI) district zoning for Tract 6. Applicant: City of Austin-Planning and Development Review Department (Sherri Sirwaitis). City Staff: Sherri Sirwaitis, 512-974-3057.

#### **4:00 PM - Public Hearings and Possible Actions**

73. Conduct a public hearing and receive public comment regarding the update of the City of Austin Water and Wastewater Impact Fee Land Use Assumptions and Capital Improvement Plan, including proposed amendments to impact fees. Related to Items #2 and #3.
74. Conduct a public hearing and consider an ordinance adopting the ninth plan modification to the East 11th and 12th Streets URBAN RENEWAL PLAN, which modifies the East 11th Street corridor to include the addition of commercial use as a permitted use for the property located at 901 Juniper Street.
75. Conduct a public hearing and consider an ordinance amending City Code Title 25 regarding regulations related to urban farms. Related to Item #14.
76. Conduct a public hearing and consider an ordinance amending City Code Title 25 to allow commercial images to be temporarily projected onto building facades in the downtown area during certain special events and to establish permitting requirements.
77. 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.
78. Conduct a public hearing for the full purpose annexation of the Cascades annexation area (approximately 135 acres in southern Travis County east of IH 35 South approximately four-tenths of a mile south of the intersection of IH 35 South and Onion Creek Parkway).
79. Conduct a public hearing and consider an ordinance amending City Code Chapters 25-2, 25-7, and 25-8 relating to the review and approval of variance requests for projects within 1000 feet of the Lake Austin shoreline.
80. 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.
81. Conduct a public hearing and consider an ordinance amending City Code Chapter 25-2 relating to the use classifications of off-site accessory parking in the Limited Office zoning district.

### 5:30 PM - Live Music

Hot Texas Swing Band

### 5:30 PM - Proclamations

Proclamation -- Richard Buckley's 10-year Anniversary with Austin Lyric Opera -- to be presented by Mayor Lee Leffingwell and to be accepted by the honoree

Proclamation -- 50th Anniversary of the UT Center for Transportation Research -- to be presented by Mayor Lee Leffingwell and to be accepted by Dr. Chandra Bhat

Proclamation -- National Reuse Day -- to be presented by Mayor Lee Leffingwell and to be accepted by Rebecca Stuch

Proclamation -- 60th Anniversary of the Battle of the Bell -- to be presented by Mayor Lee Leffingwell and to be accepted by Terry Bray

Proclamation -- National LGBT History Month -- to be presented by Council Member Laura Morrison and to be accepted by Carlos Rivera

### 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.*



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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 (512) 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 (512) 974-2210 con anticipo o informe al personal del Secretario/a Municipal presente en la sesión del Consejo.