



Thursday, January 30, 2014

The Austin City Council will convene at 10:00 AM on
Thursday, January 30, 2014 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

Pastor Rodney Shaw, New Life Pentecostal Church

10:00 AM – City Council Convenes

Consent

Approval of Minutes

1. Approve the minutes of the Austin City Council work session of January 21, 2014 and regular meeting of January 23, 2014.

Austin Energy

2. Authorize negotiation and execution of an agreement with Cedars International Academy, to provide a performance-based incentive for the generation of solar energy at its facility located at 8416 North IH 35 in Austin, Texas, for an estimated \$17,434 per year, for a total amount not to exceed \$174,340 over a 10-year period.
3. Authorize reimbursement of costs to Austin 18 Hotel, LLC, an Indiana Limited Liability Company, for the purchase of heat exchangers required to interconnect the JW Marriott Hotel to Austin Energy's Downtown District Cooling System, in an amount not to exceed \$295,000.

Economic Development Department

4. Authorize negotiation and execution of a Family Business Loan Program loan to 11E5 LLC consisting of a building renovation loan not to exceed \$167,345 and a working capital loan not to exceed \$166,484, for a total loan amount not to exceed \$333,829, for redevelopment of property at 1100 East Fifth Street to create a farmer's market.

Health and Human Services

5. Authorize negotiation and execution of Amendment # 4 to the Agreement with CAPITAL INVESTING IN DEVELOPMENT AND EMPLOYMENT OF ADULTS, INC. (CAPITAL IDEA), to increase funding in an amount not to exceed \$200,000, for a total 30-month contract not to exceed \$3,520,200 for the period April 1, 2012 through September 30,

2014, with two (2) 12-month contract extension options in the amount of \$1,130,650 per extension option, for a total contract amount not to exceed \$4,878,250.

6. Authorize negotiation and execution of Amendment # 1 to the Agreement with SKILLPOINT ALLIANCE, to increase funding in an amount not to exceed \$150,000 for programs to ensure that residents of Central Texas have the opportunity for career advancement and lifelong learning, and extend the contract period to September 30, 2014, for a contract amount not to exceed \$300,000 with one 12-month contract renewal in the amount of \$150,000, for a total contract amount not to exceed \$450,000.

Law

7. Approve a settlement of claims asserted by the United States Department of Justice concerning hiring practices within the Austin Fire Department.

Office of Real Estate Services

8. Authorize negotiation and execution of a 36-month lease renewal for approximately 1,440 square feet of nutritional counseling space for the Women Infants and Children Program of the Health and Human Services Department, located at 443 Highway 71 West, Bastrop, Texas, from BASTROP MARKETPLACE, LTD., in an amount not to exceed \$73,800.

Planning and Development Review

9. Approve an ordinance amending Ordinance No. 20100930-038 to correct an error on the approved Exhibit B of the Castle Hill Local Historic District.
10. Approve an ordinance authorizing acceptance of \$3,444 in grant funds from the Texas Historical Commission and amending the Fiscal Year 2013-2014 Planning and Development Review Department Operating Budget Special Revenue Fund (Ordinance No. 20130909-001) to appropriate funds for rehabilitating the roof on a historic building in the City's Oakwood Cemetery Annex.

Purchasing Office

11. Authorize award, negotiation, and execution of a contract with AMATERRA ENVIRONMENTAL, INC. to provide cemetery consulting services in an amount not to exceed \$200,934.
(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.)
12. Authorize award and execution of a 24-month supply contract through the

Houston-Galveston Area Council Cooperative with TOTER, LLC for the purchase of residential garbage, organic materials, and single-stream recycling carts in an amount not to exceed \$6,693,602.

(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.)

13. Authorize award and execution of a 12-month requirements supply agreement with AUSTIN RIBBON & COMPUTER SUPPLIES INC, for the purchase of laptops, associated docks, and DVR's for use in public safety vehicles in an amount not to exceed \$2,500,000, with three 12-month extension options in an amount not to exceed \$2,500,000 per extension option, for a total contract amount not to exceed \$10,000,000.
(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.)
14. Authorize award and execution of a contract with BULLEX, INC. for the purchase of one Smart Fire Safety and Emergency Training Trailer in an amount not to exceed \$94,900.
(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.)
15. Authorize award and execution of a 36-month requirements supply contract with INDUSTRIAL DISPOSAL SUPPLY CO., INC., to provide OEM Parts and Repair Services for TYMCO Street Sweepers in an amount not to exceed \$384,400, with three 12-month extension options in an amount not to exceed \$140,915 for the first extension option, \$147,861 for the second extension option, and \$155,154 for the third extension option, for a total contract amount not to exceed \$828,330.
(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.)
16. Authorize award, negotiation, and execution of a 24-month requirements service agreement with THE UNITED STATES BUSINESS COUNCIL FOR SUSTAINABLE DEVELOPMENT, or one of the other qualified offerors to RFP SDC0008 to design, develop and maintain a materials exchange system in an amount not to exceed \$415,899, with four 12-month extension options in an amount not to exceed \$156,577 per extension option, for a total contract amount not to exceed \$1,042,207.
(Notes: This contract will be awarded in compliance with City Code Chapter 2-9C (Minority-Owned and Women-Owned Business Enterprise

Procurement Program) through the achievements of Good Faith Efforts with 2.40% MBE and 3.66% WBE subcontractor participation.)

17. Authorize award and execution of a contract through the Texas Local Government Purchasing Cooperative (TXMAS) with POLARIS SALES, INC. for the purchase of four light-duty all-terrain vehicles in an amount not to exceed \$67,947.
(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.)

Transportation

18. Authorize negotiation and execution of an interlocal agreement between the City and The University of Texas to utilize the Sustainable Communities Scenario Software Suite to analyze the Project Connect: Central Corridor high-capacity transit project, for a total contract amount not to exceed \$85,090.

Item(s) from Council

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

Item(s) to Set Public Hearing(s)

20. Set a public hearing to consider a request by the Radisson Hotel, located at 111 E. Cesar Chavez, to construct and operate a deck for its restaurant to be located on parkland directly behind the hotel and adjacent to the Ann and Roy Butler Hike and Bike Trail. (Suggested date and time, February 27, 2014, 4:00 p.m. at 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

21. Approve third reading of an ordinance amending Article 11 of City Code Chapter 25-12, the Residential Code, to require additional accessibility or visitability standards for residential single-family and duplex construction. THE PUBLIC HEARING FOR THIS ITEM WAS HELD AND CLOSED ON MAY 23, 2013.

10:30 AM - Morning Briefings

22. Briefing on potential financial and payment assistance options for small

businesses and minority- and women owned businesses. (Follow-up from Council Resolution No. 20131024-055).

12:00 PM - Citizen Communications: General

Brian McGiverin - TBD

Zoila Vega - Board Working Groups

Jose Quintero - Jose Quintero with the Greater East Austin Neighborhood Associations. The # one racist city in the United States. Gentrification planners, displacement of poor neighborhoods, closing of schools, code enforcement criminals, and high taxes.

Pat Smith - The indirect connection plumbing requirement for childcare centers where food is not prepared.

Debra Parker - Airgap provisions for childcare centers.

Edward Sledge - Distracted driving.

Danielle Wright - Slaughter East Development.

John Goldstone - Affordable Housing and Land Development Regulations.

Ronnie Reefersseed - Peace and Freedom.

Alan Roddy - Lake Austin Taskforce.

Executive Session

23. Discuss legal issues related to Open Government matters (Private consultation with legal counsel - Section 551.071 of the Government Code).
24. 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).
25. Discuss legal issues related to Austin Fire Department hiring process (Private consultation with legal counsel - Section 551.071 of the Government Code).

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

26. C14-2013-0057 – City of Austin-Austin Water Utility – Approve second/third readings of an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 3500 West 35th Street (Taylor Slough North Watershed; Huck’s Slough Watershed) from family residence (SF-3) district zoning to public (P) district zoning. First Reading approved on

August 22, 2013. Vote: 7-0. Owner/Applicant: City of Austin-Austin Water Utility (Chris Wolter). Agent: AECOM Technical Services, Inc. (Allison Kennaugh). City Staff: Wendy Rhoades, 512-974-7719.

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

27. C14-2013-0110 - 6507, 6603, 6505 E. Riverside Drive & 2108 Thrasher Lane - Conduct a public hearing and approve an ordinance amending Ordinance 20130509-039, which included the adoption of the East Riverside Corridor Regulating Plan, to amend Figure 1-2 (East Riverside Corridor Subdistrict Map) of the East Riverside Corridor Regulating Plan, from Neighborhood Residential subdistrict to Corridor Mixed Use subdistrict, for that portion of the property which is designated Neighborhood Residential subdistrict, on property locally known as 6507, 6603, 6505 East Riverside Drive and 2108 Thrasher Lane (Carson Creek Watershed). Staff Recommendation: To grant an amendment to Figure 1-2 of the East Riverside Corridor Regulating Plan to Neighborhood Mixed Use subdistrict, for the property described above. Planning Commission Recommendation: To be reviewed on April 22, 2014. Owner: Dempsey Buchanan LP (David Buchanan). Applicant: Binkley & Barfield Consulting Engineers (Rey Gonzalez, P.E.). City Staff: Erica Leak, 512-974-2856; Lee Heckman, 512-974-7604.
28. C14-2013-0144 – Crescent Tract - Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 812 ½ West Second Street (Lady Bird Lake Watershed) from downtown mixed use-conditional overlay (DMU-CO) combining district zoning to public (P) district zoning. Staff Recommendation: To grant public (P) district zoning. Planning Commission Recommendation: To grant public (P) district zoning. Owner: Austin Energy (Sonny Poole). Applicant: Austin Energy (Eben Kellogg). City Staff: Lee Heckman, 512-974-7604.
29. C14H-2013-0140 – Louis C., Jr. and Virginia Nalle Page House - Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 2507 Kenmore Court (Shoal Creek Watershed) from family residence-neighborhood plan (SF-3-NP) combining district zoning to family residence-historic landmark-neighborhood plan (SF-3-H-NP) combining district zoning. Staff Recommendation: To grant family residence-historic landmark-neighborhood plan (SF-3-H-NP) combining district zoning. Historic Landmark Commission Recommendation: To grant family residence-historic landmark-neighborhood plan (SF-3-H-NP) combining district zoning. Planning Commission Recommendation: To grant family residence-historic landmark-neighborhood plan (SF-3-H-NP) combining district zoning. Applicant: Sarah Crocker, Crocker Consulting, agent. City Staff: Steve Sadowsky, 512-974-6454.
30. C14-2013-0146 - Volente Business Park - Conduct a public hearing and

approve an ordinance amending City Code Chapter 25-2 by zoning property locally known as 11901 Anderson Mill Road (Lake Travis Watershed) from interim-rural residence (I-RR) district zoning to community commercial (GR) district zoning for Tract 1 and commercial-liquor sales (CS-1) district zoning for Tract 2. Staff Recommendation: To grant community commercial-conditional overlay (GR-CO) combining district zoning for Tract 1 and commercial-liquor sales-conditional overlay (CS-1-CO) combining district zoning for Tract 2. Zoning and Platting Commission Recommendation: To grant community commercial-conditional overlay (GR-CO) combining district zoning for Tract 1 and commercial-liquor sales-conditional overlay (CS-1-CO) combining district zoning for Tract 2. Owner/Applicant: Johnson Four Corners (Brent Johnson). Agent: McLean & Howard, LLP (Jeffrey S. Howard). City Staff: Sherri Sirwaitis, (512) 974-3057.

31. C14-02-0183(RCT) - Restrictive Covenant Termination - Conduct a public hearing and approve a restrictive covenant termination on property locally known as 1120 Tillery Street (Boggy Creek Watershed). Staff Recommendation: To grant the restrictive covenant termination. Planning Commission Recommendation: To deny the restrictive covenant termination. Owner: Paul Sastrup. Applicant: Hector Avila. City Staff: Heather Chaffin, 512-974-2122.
32. C814-88-0001.10 (RCA) - Canyons @ Rob Roy Rezoning - Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 800 North Capital of Texas Highway (Bee Creek Watershed) from planned unit development (PUD) district zoning to planned unit development (PUD) district zoning, to change a condition of zoning. Staff Recommendation: To grant planned unit development (PUD) district zoning, to change a condition of zoning. Zoning and Platting Commission Recommendation: To grant planned unit development (PUD) district zoning, to change a condition of zoning. Applicant: Brandywine Acquisition Partners (Ralph Bistline). Agent: Armbrust & Brown, PLLC (Richard Suttle). City Staff: Wendy Rhoades, 512-974-7719.
33. C814-88-0001.10 - Canyons @ Rob Roy Rezoning - Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 800 North Capital of Texas Highway (Bee Creek Watershed) from planned unit development (PUD) district zoning to planned unit development (PUD) district zoning, to change a condition of zoning. Staff Recommendation: To grant planned unit development (PUD) district zoning, to change a condition of zoning. Zoning and Platting Commission Recommendation: To grant planned unit development (PUD) district zoning, to change a condition of zoning. Applicant: Brandywine Acquisition Partners (Ralph Bistline). Agent: Armbrust & Brown, PLLC (Richard Suttle). City Staff: Wendy Rhoades, 512-974-7719. A valid petition has been filed in opposition to this rezoning request.

34. NPA-2013-0019.01 - 710 East 41st Street (Commodore Perry Estate) - Approve third reading of an ordinance amending Ordinance No. 040826-056, the Central Austin 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 a portion of property locally known as 710 East 41st Street (Waller Creek Watershed) from Civic to Mixed Use land use. First Reading approved on December 12, 2013. Vote: 7-0. Owner/Applicant: Perry Estate, L.L.C. (Clark Lyda). Agent: Smith, Robertson, Elliott, Glen, Klein & Douglas, L.L.P. (David Hartman). City Staff: Maureen Meredith, 512-974-2695.
35. C14-2013-0040 - Commodore Perry Estate - Approve third reading of an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 710 East 41st Street (Waller Creek Watershed) from family residence-conditional overlay-neighborhood plan (SF-3-CO-NP) combining district zoning for Tracts 1, 2 and 1A to community commercial-mixed use-conditional overlay-neighborhood plan (GR-MU-CO-NP) combining district zoning for Tracts 1 and 2, and community commercial-mixed use-conditional overlay-historic landmark-neighborhood plan (GR-MU-CO-H-NP) combining district zoning for Tract 1A, with conditions. First Reading approved on December 12, 2013. Vote: 7-0. Applicant: Perry Estate, L.L.C. (Clark Lyda). Agent: Smith, Robertson, Elliot, Glen, Klein & Douglas, L.L.P. (David Hartman). City Staff: Jerry Rusthoven, 512-974-3207.

4:00 PM - Public Hearings and Possible Actions

36. 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.
37. Conduct a public hearing and consider approving the Master Plan for Holly Shores/Edward Rendon Sr. Park at Festival Beach, Fiesta Gardens as developed in conjunction with Michael Van Valkenburgh & Associates, Inc. and the Austin Parks and Recreation Department. The Master Plan area includes approximately 9 acres of newly dedicated parkland and approximately 90 acres of existing parkland along the north shore of Lady Bird Lake from I-35 east to Pleasant Valley Road and south of Canterbury Street.
38. Conduct a public hearing and consider an ordinance creating an economic development program with athenahealth, Inc., and authorizing the negotiation and execution of an Economic Development Agreement with athenahealth, Inc.
39. 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.

40. Conduct a public hearing and consider an appeal by co-applicants Rick Engel, Joseph Longaro, and Jimmy Nassour regarding the Planning Commission's denial of a conditional use permit and waiver for Little Woodrow's, located at 5425 Burnet Road.

5:30 PM - Live Music

Nathan Felix

5:30 PM - Proclamations

Proclamation -- Mack and Sally Brown Day -- to be presented by Mayor Lee Leffingwell and to be accepted by the honorees

Distinguished Service Award -- Karon Teague, OCC -- to be presented by Mayor Lee Leffingwell and to be accepted by the honoree

Proclamation -- National Black HIV/AIDS Awareness Day -- to be presented by Mayor Pro Tem Sheryl Cole and to be accepted by Carlos Rivera, Clyde Boyd and Sam Price

Proclamation -- Teen Dating Violence Awareness and Prevention Month -- to be presented by Council Member Laura Morrison and to be accepted by Kirsha Haverlah

Adjourn

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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.