

**AUSTIN CITY COUNCIL  
MINUTES****REGULAR MEETING  
THURSDAY, DECEMBER 12, 2013**

**Invocation:** Elder Jack D. Gause, St. Peter's United Methodist Church

The following represents the actions taken by the Austin City Council in the order they occurred during the meeting. While the minutes are not in sequential order, all agenda items were discussed. The City Council of Austin, Texas, convened in a regular meeting on Thursday, December 12, 2013 in the Council Chambers of City Hall, 301 West Second Street, Austin, Texas.

Mayor Leffingwell called the Council Meeting to order at 10:07 a.m.

**CONSENT AGENDA**

The following items were acted on by one motion.

1. Approve the amended minutes of the Austin City Council regular meeting of September 26, 2013 and minutes of the Austin City Council work session of November 19, 2013 and regular meeting of November 21, 2013.  
**The amended minutes for the City Council regular meeting of September 26, 2013 and minutes of the Austin City Council work session of November 19, 2013 and regular meeting of November 21, 2013 were approved on consent on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**
2. Authorize negotiation and execution of an agreement with 9900 Spectrum LLC, to provide a performance-based incentive for the generation of solar energy at its facility located at 9900 Spectrum Dr., Austin, Texas 78717, for an estimated \$41,564 per year, for a total amount not to exceed \$415,640 over a 10-year period.  
**The motion authorizing the negotiation and execution of an agreement with 9900 Spectrum LLC was approved on consent on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**
3. Authorize negotiation and execution of an agreement with Austin Central/Texas Realty Information Service, to provide a performance-based incentive for the generation of solar energy at its facility located at 4800 Spicewood Springs Road, Austin, Texas 78759, for an estimated \$16,590 per year, for a total amount not to exceed \$165,900 over a 10-year period.  
**The motion authorizing the negotiation and execution of an agreement with Austin Central Texas Realty Information Service was approved on consent on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**
4. Authorize negotiation and execution of an agreement with Expo 2 Partners, Ltd., to provide a performance-based incentive for the generation of solar energy at its facility located at 6411 Burleson Road, Austin, Texas 78744, for an estimated \$41,599 per year, for a total amount not to exceed \$415,990 over a 10-year period.  
**The motion authorizing the negotiation and execution of an agreement with Expo 2 Partners, Ltd. was approved on consent on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**

5. Approve issuance of a rebate to HEB Grocery Company, LP, for the installation of energy efficient equipment at its facility located at 1801 E. 51st St., Austin, Texas 78752, in an amount not to exceed \$67,901.  
**The motion to approve an issuance of a rebate to HEB Grocery Company, LP was approved on consent on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**
6. Approve issuance of a rebate to US Farathane Corporation, for the installation of energy efficient equipment at its facility located at 820 W. Howard Lane, Austin, Texas 78753, in an amount not to exceed \$70,498.  
**The motion to approve an issuance of a rebate to US Farathane Corporation was approved on consent on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**

**Item 7 was pulled for discussion.**

8. Authorize negotiation and execution of a Community Facilities Agreement with Seaholm Power Development, LLC, or the successor developer, for the design and construction of certain reclaimed water improvements and water main improvements required with the development of the Seaholm Power Plant Redevelopment Project and the new Central Library, for a cost reimbursement amount not to exceed \$191,000.  
**The motion authorizing the negotiation and execution of a Community Facilities Agreement with Seaholm Power Development, LLC, was approved on consent on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**
9. Authorize negotiation and execution of a Community Facilities Agreement with Green Water Master Developer, LLC, or the successor developer, for the design and construction of certain reclaimed water improvements required with the development of the GWTP Development Project, for a cost reimbursement amount not to exceed \$125,000.  
**The motion authorizing the negotiation and execution of a Community Facilities Agreement with Green Water Master Developer, LLC was approved on consent on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**
10. Authorize negotiation and execution of a professional services agreement with TRC ENGINEERS, INC. or one of the other qualified responders to RFQ Solicitation No. CLMP134, to provide engineering services necessary for Telecom/Fiber Make-Ready Work, 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). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation.)  
**The motion authorizing the negotiation and execution of a professional services agreement with TRC Engineers, Inc. was approved on consent on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**
11. Authorize execution of an indefinite delivery/indefinite quantity construction contract with MUNIZ CONCRETE & CONTRACTING, INC., for Americans with Disabilities Act Sidewalk & Ramp Improvements 2013 Group #15 City Wide in an amount not to exceed \$6,000,000. (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 70.85% MBE Prime participation, and 10.46% MBE and 2.79% WBE subcontractor participation.)  
**The motion authorizing the execution of an indefinite delivery/indefinite quantity construction contract with Muniz Concrete & Contracting, Inc. was approved on consent on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**
12. Authorize execution of a change order to the construction contract with TEXAS STERLING CONSTRUCTION COMPANY for the Shoal Creek - Allandale Storm Drain Improvements in the amount of \$161,735.08, for a total contract amount not to exceed \$6,894,196.73. (Notes: This contract was awarded in compliance with City Code Chapter 2-9A (Minority Owned and Women Owned Business Enterprise Program) with 20.12% MBE and 1.99% WBE subcontractor participation to date including this change order.)

**The motion authorizing the execution of a change order to the construction contract with Texas Sterling Construction Company was approved on consent on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**

13. Authorize negotiation and execution of an amendment to the professional services agreement with RVi for landscape-architectural services for the Roy G. Guerrero Colorado River Park in the amount of \$40,000, for a total contract amount not to exceed \$364,615. (Notes: This contract was awarded in compliance with City Code Chapter 2-9B (Minority Owned and Women Owned Business Enterprise Procurement Program) with 9.11% MBE and 9.04% WBE subconsultant participation to date.)

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

14. Authorize negotiation and execution of an amendment to the professional services agreement with KBR/RPS Espey Joint Venture for engineering services related to coordination of the Waller Creek Tunnel Program with the Waller Creek Conservancy Design in the amount of \$600,000 for a total contract amount not to exceed \$850,000. (Notes: This contract was awarded in compliance with City Code Chapter 2-9B (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 negotiation and execution of an amendment to the professional services agreement with KBR/RPS Espey Joint Venture was approved on consent on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**

15. Approve an ordinance amending the Fiscal Year 2013-2014 Economic Development Department Operating Budget Special Revenue Fund (Ordinance No. 20130909-01) to adopt a budget for the Austin Downtown Public Improvement District, with a beginning balance of \$318,523, revenue of \$3,710,084, and requirements of \$3,740,551.

**Ordinance No. 20131212-015 was approved on consent on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**

16. Approve an ordinance amending the Fiscal Year 2013-2014 Economic Development Department Operating Budget Special Revenue Fund (Ordinance No. 20130909-001) to adopt a budget for the East Sixth Street Public Improvement District, with a beginning balance of \$84,124, revenue of \$106,611, and requirements of \$118,273.

**Ordinance No. 20131212-016 was approved on consent on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**

17. Approve a resolution committing City support for the federal Promise Zone Initiative program, which provides a program for local governments to work with the federal government to accelerate revitalization in areas meeting certain poverty, crime and population levels and other criteria, if the U.S. Department of Housing and Urban Development approves the City's application to designate the Rundberg area as a Promise Zone.

**Resolution No. 20131212-017 was approved on consent on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**

18. Approve an ordinance authorizing acceptance of \$3,000 in grant funds from the Texas Music Office, a division of the Governor's Office, and amending the Fiscal Year 2013-2014 Economic Development Operating Budget Special Revenue Fund (Ordinance No. 20130909-01) to appropriate \$3,000 for free live music concerts at Plaza Saltillo..

**Ordinance No. 20131212-018 was approved on consent on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**

**Item 19 was pulled for discussion.**

20. Approve an ordinance amending City Code Chapter 10-8 relating to the delegation of public education and enforcement responsibilities concerning the feeding of deer.  
**Ordinance No. 20131212-020 was approved on consent on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**
21. Approve execution of an amendment to an interlocal agreement with TRAVIS COUNTY for the Summer Youth Employment Program to clarify that funds appropriated by the City and the County are available to pay for services provided during both the initial term of the agreement and the 2013 renewal term.  
**The motion authorizing the execution of an amendment to an interlocal agreement with Travis County was approved on consent on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**
22. Authorize negotiation and execution of a one-year agreement for social services with The Salvation Army, Inc. to fund the continuation of the Safe Sleep program for single women at the downtown Pathways shelter in an amount not to exceed \$200,000 in grant funds from the TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS, HOMELESS HOUSING AND SERVICES PROGRAM.  
**The motion authorizing the negotiation and execution of an agreement with The Salvation Army, Inc. was approved on consent on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**
23. Authorize negotiation and execution of Amendment # 6 to the agreement with AFRICAN AMERICAN MEN AND BOYS HARVEST FOUNDATION, Inc., Austin, TX to increase funding in an amount not to exceed \$102,000 for programs that enhance the quality of life for African American youth and families for the period October 1, 2013 through September 30, 2014, for a total contract amount not to exceed \$715,430.  
**The motion authorizing the negotiation and execution of amendment number six to the agreement with African American Men and Boys Harvest Foundation, Inc. was approved on consent on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**
24. Approve an ordinance amending the Fiscal Year 2013-2014 Sustainability Fund Operating Budget (Ordinance No. 20130909-001) to increase the beginning balance in the amount of \$250,795, and to appropriate \$102,000 for the African American Men and Boys Harvest Foundation.  
**Ordinance No. 20131212-024 was approved on consent on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**
25. Authorize negotiation and execution of an amendment to a legal services contract with Greenberg Traurig, LLP for services related to a contractual dispute with NAES Corporation over payment for boiler repair work at the Sand Hill Energy Center, in the amount of \$300,000, for a total contract amount not to exceed \$356,000.  
**The motion authorizing the negotiation and execution of an amendment to a legal services contract with Greenberg Traurig, LLP was approved on consent on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**
26. Approve a resolution authorizing the City's Municipal Court to record proceedings before the court, as allowed by the Texas Government Code, instead of providing a court reporter.  
**Resolution No. 20131212-026 was approved on consent on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**
27. Authorize negotiation and execution of all documents and instruments necessary or desirable to purchase in fee simple a tract of land totaling approximately 15.60 acres in Travis County, Texas, located along Old Manor Road from the APOSTOLIC ASSEMBLY OF THE FAITH IN CHRIST JESUS, INC., for city parkland in a total amount not to exceed \$747,489.  
**The motion authorizing the negotiation and execution of all documents and instruments necessary or desirable to purchase in fee simple a tract of land from the Apostolic Assembly of the Faith in Christ Jesus, Inc. was approved on consent on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**

28. Authorize the negotiation and execution of all documents and instruments necessary or desirable to purchase in fee simple a tract of land totaling approximately 606.7 acres in Hays County, Texas, located on FM 967, from JEREMIAH VENTURE, LP, through an assignment of an Option Contract for the Purchase of Real Estate, assigned by The Nature Conservancy, for a total amount not to exceed \$18,060,000.  
**The motion authorizing the negotiation and execution of all documents and instruments necessary or desirable to purchase in fee simple a tract of land from Jeremiah Venture, LP was approved on consent on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**
29. Authorize negotiation and execution of all documents and instruments necessary or desirable to purchase in fee simple Lots 63, 64, 65 and 66, in Austin, Travis County, Texas, located at 1704, 1708, 1712 and 1716 Astor Place, from the AUSTIN HOUSING FINANCE CORPORATION, A TEXAS NON-PROFIT CORPORATION, for city parkland in a total amount not to exceed \$221,000.  
**The motion authorizing the negotiation and execution of all documents and instruments necessary or desirable to purchase in fee simple lots from the Austin Housing Finance Corporation was approved on consent on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**
30. Approve negotiation and execution of a 24-month lease renewal for approximately 1,893 square feet of office space for the Construction Inspection Division of the Public Works Department, located at 105 West Riverside Drive, Suite 220, from BY WELL I, LTD., in an amount not to exceed \$73,824.  
**The motion authorizing the negotiation and execution of a lease renewal from By Well I, Ltd. was approved on consent on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**

**Item 31 was pulled for discussion.**

**Item 32 was pulled to be heard after the related item 133.**

**Item 33 was pulled for discussion.**

34. Authorize negotiation and execution of a new management and operation agreement with Umlauf Sculpture Garden and Museum (USGM) with an initial term of 50 years with two 25 year renewal options in exchange for USGM's commitment to develop the home and studio property and manage and operate the museum and sculpture garden. Approved by the Parks and Recreation Board on a vote of 6-0, with Board Member Roth absent.  
**The motion authorizing the negotiation and execution of a new management and operation agreement with Umlauf Sculpture Garden and Museum (USGM) was approved on consent on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**
35. Approve an ordinance amending the Fiscal Year 2013-2014 Parks and Recreation Special Revenue Fund Operating Budget (Ordinance No. 20130909-001) to accept and appropriate up to \$275,000 from the Trail of Lights Foundation, and authorize the waiver of certain fees and requirements for the 2013 Trail of Lights Event in an amount not to exceed \$166,699.  
**Ordinance No. 20131212-035 was approved on consent on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**
36. Authorize negotiation and execution of an interlocal agreement with Travis County to reimburse Travis County for utility relocations needed for the Slaughter Lane - Goodnight Ranch Road Improvement Project, in an amount not to exceed \$25,622.50.  
**The motion authorizing the negotiation and execution of an interlocal agreement with Travis County was approved on consent on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**
37. Authorize award and execution of a 12-month requirements service agreement with IMS INFRASTRUCTURE MANAGEMENT, to provide pavement data collection services for the Public Works Department, in an amount not to exceed \$108,750, with three 12-month extension options in amounts not to exceed \$119,350 for the first

extension option, \$108,750 for the second extension option, and \$119,350 for the third extension option, for a total contract amount not to exceed \$456,200. (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 agreement with IMS Infrastructure Management was approved on consent on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**

38. Authorize award and execution of a 36-month requirements supply agreement with MCCAIN, INC. for the purchase of automated traffic signal controllers for the Transportation Department in an amount not to exceed \$764,250, with three 12-month extension options in an amount not to exceed \$254,750 for each extension option, a total contract amount not to exceed \$1,528,500. (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 supply agreement with McCain, Inc. was approved on consent on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**

39. Authorize award and execution of three 24-month requirements supply contracts for ball and gate valves, cold water meters, and brass fittings for the Austin Water Utility with HD SUPPLY WATERWORKS, in an amount not to exceed \$591,932 with two 12-month options in an amount not to exceed \$295,966 per extension option for a total contract amount not to exceed \$1,183,864; with BADGER METER, INC., in an amount not to exceed \$223,526 with two 12-month extension options in an amount not to exceed \$111,763 per extension option for a total contract amount not to exceed \$447,052; and TEXAS IRRIGATION SUPPLY, in an amount not to exceed \$109,952 with two 12-month extension options in an amount not to exceed \$54,976 per extension option for a total contract amount not to exceed \$219,904. (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 supply contracts with HD Supply Waterworks, Badger Meter, Inc. and Texas Irrigation Supply was approved on consent on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**

40. Authorize negotiation and execution of a 12-month requirements service contract with JB TEMPLETON CONSULTING or the other qualified offeror to RFP No. GAL0013, JIN SIM & ASSOCIATES, INC. for the purchase of power transformer consulting services for Austin Energy in an amount not to exceed \$50,000, with four 12-month extension options in an amount not to exceed \$50,000 per extension option, for a total contract amount not to exceed \$250,000. (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 negotiation and execution of a requirements service contract with JB Templeton Consulting was approved on consent on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**

41. Authorize award and execution of a 36-month requirements service contract with TITUS SYSTEMS, LP, to provide installation and maintenance of single mode fiber optic cable for the Transportation Department in an amount not to exceed \$1,020,613, with three 12-month extension options in an amount not to exceed \$340,204 for each extension option, for a total contract amount not to exceed \$2,041,227. (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 Titus Systems, LP was approved on consent on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**

42. Authorize negotiation and execution of a three-year agreement with CHARGEPOINT, INC. for subscription to its electric vehicle plug-in charging station software platform, network applications, and support services, in an amount not to exceed \$210,540. (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 negotiation and execution of an agreement with Chargepoint, Inc. was approved on consent on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**

43. Authorize award and execution of five 24-month requirements supply agreements for the purchase of lighting supplies for Austin Energy with: BATTERIES PLUS #142 in an amount not to exceed \$59,706 with two 12-month extension options in an amount not to exceed \$29,853 per extension option, for a total contract amount not to exceed \$119,412; FACILITY SOLUTIONS GROUP in an amount not to exceed \$35,398 with two 12-month extension options in an amount not to exceed \$17,699 per extension option, for a total contract amount not to exceed \$70,796; POWER SUPPLY INC. in an amount not to exceed \$21,240, with two 12-month extension options in an amount not to exceed \$10,620 per extension option, for a total contract amount not to exceed \$42,480; TECHLINE INC. in an amount not to exceed \$12,160, with two 12-month extension options in an amount not to exceed \$6,080 per extension option, for a total contract amount not to exceed \$24,320 and with CRAWFORD ELECTRIC SUPPLY in an amount not to exceed \$6,976, with two 12-month extension options in an amount not to exceed \$3,488 per extension option, for a total contract amount not to exceed \$13,952. The amount for all lighting supplies required under these contracts will be for a total each and combined amount not to exceed \$67,740. (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 requirements supply agreements with Batteries Plus #142, Facility Solutions Group, Power Supply Inc., Techline Inc. and Crawford Electric Supply was approved on consent on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**

44. Authorize award and execution of a purchase with 5 STAR FILTER for intake air filters for a combustion turbine at Austin Energy's Sand Hill Energy Center in an amount not to exceed \$69,687. (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 purchase with 5 Star Filter was approved on consent on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**

45. Authorize negotiation and execution of a supply contract with TBEA USA CORPORATION, for the purchase of 362kV voltage transformers to be installed at Austin Energy's Lost Pines Substation in an amount not to exceed \$157,500. (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 negotiation and execution of a supply contract with TBEA USA Corporation was approved on consent on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**

46. Authorize award and execution of a 36-month sole source requirements service agreement with three 12-month extension options periods with TEXAS EXCAVATION SAFETY SYSTEM INC., to provide one-call notification of excavation request for the Austin Water Utility in a contract amount not to exceed \$48,450, with three 12-month extension options in an amount not to exceed \$16,150 per extension option, for a total contract

amount not to exceed \$96,900. (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 sole source requirements service agreement with Texas Excavation Safety System Inc. was approved on consent on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**

47. Authorize negotiation and execution of Amendment No. 4 to a services agreement through the STATE OF TEXAS DEPARTMENT OF INFORMATION RESOURCES (DIR) cooperative purchasing program with TIME WARNER TELECOM, for the purchase of telecommunications and internet services at the Austin-Bergstrom International Airport in an amount not to exceed \$45,181 for Option 1, \$65,458 for Option 2, \$88,777 for Option 3, and \$115,593 for Option 4, for a total contract amount not to exceed \$815,009. (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 contract.)

**The motion authorizing the negotiation and execution of amendment number four to a services agreement through the State of Texas Department of Information Resources (DIR) with Time Warner Telecom was approved on consent on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**

48. Authorize ratification of a 24-month requirements contract through the STATE OF TEXAS DEPARTMENT OF INFORMATION RESOURCES (DIR) cooperative purchasing program with SHI, for a Microsoft Enterprise License Agreement and software assurance in an amount not to exceed \$3,045,393 for Year 1 and \$3,045,393 for year 2 plus a 20% contingency for annual true-up in an amount not to exceed \$1,218,157, for a total contract amount not to exceed \$7,308,943. (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 ratifying a requirements contract through the State of Texas Department of Information Resources (DIR) was approved on consent on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**

49. Authorize award and execution of a 36-month requirements service contract with ON SITE AUTO TRIM INC. DBA AUSTIN AUTO INTERIORS, to provide upholstery repair services for vehicles and equipment for the Fleet Services Department in an amount not to exceed \$144,863, with three 12-month extension options in an amount not to exceed \$53,093 for the first extension option, \$55,698 for the second extension option, and \$58,433 for the third extension option, for a total contract amount not to exceed \$312,087. (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 On Site Auto Trim Inc. doing business as Austin Auto Interiors was approved on consent on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**

50. Authorize award and execution of a 36-month requirements service contract with LONGHORN MOBILE GLASS SERVICE INC., or one of the other qualified bidders for IFB-BV JSD0219REBID, to provide automotive glass repair and replacement services for automobiles, trucks, and other City equipment for the Fleet Services Department in an amount not to exceed \$273,438, with three 12-month extension options in an amount not to exceed \$98,322 for the first extension option, \$102,663 for the second extension option, and \$107,221 for the third extension option, for a total contract amount not to exceed \$581,644. (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 Longhorn Mobile Glass Service Inc. was approved on consent on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**

51. 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.)

**The motion authorizing the award and execution of a requirements service contract with San Antonio Brake & Clutch SVC, Inc. doing business as Lone Star Brake & Clutch was approved on consent on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**

52. Authorize ratification of a 12-month Interlocal Agreement with THE UNIVERSITY OF TEXAS OFFICE OF TELECOMMUNICATION SERVICES for Internet Services through THENet (Texas Higher Education Network) in the amount of \$60,113 with one 12-month option in an amount not to exceed \$64,202 for a total contract amount not to exceed \$124,315. (Notes: This Interlocal Agreement 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 to ratify an interlocal agreement with The University of Texas Office of Telecommunication Services was approved on consent on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**

53. Authorize award, negotiation, and execution of Amendment No. 7 to a requirements service contract with CSDC SYSTEMS, INC., to add four 12-month extension options for maintenance and support for the AMANDA software system and for additional licenses, modules, and services as part of the system upgrade in an estimated amount not to exceed \$1,537,079 for Option No. 6, \$1,365,176 for Option No. 7, \$723,968 for Option No.8, and \$662,347 Option No. 9 for a total revised contract amount not to exceed \$6,257,319. (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 amendment number seven to a requirements service contract with CSDC Systems, Inc. was approved on consent on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**

54. Authorize award and execution of a 12-month requirements service agreement with AGH20 HOLDINGS, LLC for spoils removal for the Parks and Recreation Department in an amount not to exceed \$43,000, with four 12-month extension options in an amount not to exceed \$43,000 per extension option, for a total contract amount not to exceed \$215,000. (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.)

**The motion authorizing the award and execution of a requirements service agreement with AGH20 Holdings, LLC was approved on consent on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**

55. Authorize award and execution of a contract through the Texas Local Government Purchasing Cooperative (BuyBoard) with PROFESSIONAL TURF PRODUCTS, LP for the purchase of seven mowers for the Parks and Recreation Department in an amount not to exceed \$92,230. (Notes: This Cooperative Purchase is exempt from

the MBE/WBE Ordinance. This exemption is 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 Professional Turf Products, LP was approved on consent on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**

56. Authorize award and execution of a contract with SOUTHWEST DESTRUCTORS, A DIVISION OF SOUTHWEST CONSTRUCTORS, INC. for the removal of low water crossing structure and natural area restoration on Tabor Tract of the Austin Water Utility's Water Quality Protection Lands, for a total contract amount not to exceed \$88,880. (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 contract with Southwest Destructors, a division of Southwest Constructors, Inc. was approved on consent on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**

57. Authorize negotiation and execution of a professional services agreement with RICHARD HOFFPAUIR CONSULTING, for water rights and water supply related hydrological analyses in the Colorado River basin and associated basins for the Austin Water Utility in an amount of \$55,000, with four 12-month extension options in an amount not to exceed \$55,000 per extension option, for a total contract amount not to exceed \$275,000. (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 negotiation and execution of a professional services agreement with Richard Hoffpauir Consulting was approved on consent on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**

58. Authorize award and execution of a requirements service contract through the U.S. Communities cooperative with UNICOM GOVERNMENT, INC., for the agreement of upgraded television editing and broadcasting systems related to the City of Austin television channel facilities in an amount not to exceed \$2,300,000. (Notes: This contract will be awarded in compliance with City Code Chapter 2-9C (Minority Owned and Women Owned Business Enterprise Procurement Program). The Small and Minority Business Resource Department will work with the vendor to meet the 4.88% MBE and 0.40% WBE subcontractor participation goals established for this contract.)

**The motion authorizing the award and execution of a requirements service contract through the U.S. Communities cooperative with Unicom Government, Inc. was approved on consent on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**

59. Authorize negotiation and execution of a 3-year Interlocal Agreement with AUSTIN STATE SUPPORTED LIVING CENTER (ASSLC), to provide packet assembly, material storage, and deliveries for employee and retiree benefit materials in an amount not to exceed \$150,000, with three 12-month extension options in an amount not to exceed \$50,000 per extension option, for a total contract amount not to exceed \$300,000. (Notes: This Interlocal Agreement is exempt from the MBE/WBE Ordinance. This exemptions 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 negotiation and execution of an interlocal agreement with Austin State Supported Living Center (ASSLC) was approved on consent on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**

60. Authorize award and execution of a 36-month requirements supply contract with ADVANCED FILTRATION PRODUCTS, LLC, to provide air conditioning and heating equipment replacement filters for the Aviation

Departments in an amount not to exceed \$38,544, with three 12-month extension options in an amount not to exceed \$12,848 per extension option, a total contract amount not to exceed \$77,088. (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 supply contract with Advanced Filtration Products, LLC was approved on consent on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**

61. Authorize award and execution of a 36-month requirements service contract with GIVENS COURT REPORTING to provide court reporting services in an amount not to exceed \$100,238, with three 12-month extension options in an amount not to exceed \$33,413 per extension option, for a total contract amount not to exceed \$200,475. (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 Givens Court Reporting was approved on consent on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**

62. Authorize award and execution of a 36-month requirements supply contract with DRIVETRAIN SPECIALIST, LLC, to provide vehicle driveline components and installation for the Fleet Services Department in an amount not to exceed \$116,338, with three 12-month extension options in an amount not to exceed \$42,517 for the first extension option, \$44,543 for the second extension option, and \$46,670 for the third extension option, for a total contract amount not to exceed \$250,068. (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 supply contract with Drivetrain Specialist, LLC was approved on consent on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**

63. Authorize award, negotiation, and execution of a 36-month requirements service contract with ATHLETES SERVICES NETWORK AMERICA, or other qualified offered for RFP No. TVN0033, to provide late night youth recreation services in an amount not to exceed \$342,000, with three 12-month extension options in an amount not to exceed \$114,000 per extension option, for a total contract amount not to exceed \$684,000. (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.)

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

64. Authorize award and execution of a 24-month service requirements agreement with ALL POINTS INSPECTION SERVICES, INC. (WBE/FB) or one of the other qualified bidders for IFB SDC0185, for cleaning and closed circuit television inspection of storm drain infrastructure for the Watershed Protection Department in an amount not to exceed \$738,149, with three 12-month extension options in an amount not to exceed \$369,075 per option, for a total contract amount not to exceed \$1,845,375. (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 service requirements agreement with All Points Inspection Services, Inc. was approved on consent on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**

65. Authorize award and execution of a 12-month requirement service agreement with the CENTER FOR CHILD PROTECTION for program expenses related to the protection of abused children in an amount not to exceed \$369,396, with five 12-month extension options in an amount not to exceed \$369,396 per extension option, for a total contract amount not to exceed \$2,216,376. (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 requirement service agreement with the Center for Child Protection was approved on consent on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**
66. Approve an ordinance amending the City Code relating to utility infrastructure joint-use agreements and management of utility infrastructure in City rights-of-way.  
**This item was postponed to January 23, 2014 on consent on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**

**Item 67 was set for a time certain of 4:00 p.m.**

68. Approve a resolution approving the form of the Paying Agent/Registrar Agreement relating to the issuance of City of Austin, Texas, 4.5% Hotel Occupancy Tax Revenue Refunding Bonds, Series 2013.  
**Resolution No. 20131212-068 was approved on consent on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**
69. 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 were approved on consent on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**

#### Nominations

##### Board/Nominee

##### Nominated by

Asian American Resource Advisory Commission  
Vincent Cobalis

Council Member Morrison

Austin Airport Advisory Commission  
Teddy McDaniel

Mayor Pro Tem Cole

Austin Music Commission  
Marc Fort

Mayor Pro Tem Cole

Austin Community Technology and Telecommunications Commission  
Chelsea McCullough

Mayor Leffingwell

Building and Fire Code Board of Appeals  
Herman Lamme

Council Member Tovo

Construction Advisory Committee  
Thomas Dodd

Mayor Leffingwell

Hispanic/Latino Quality of Life Resource Advisory Commission  
Frank Rodriguez

Council Member Morrison

Human Rights Commission  
Will Krueger

Council Member Riley

Sustainable Food Policy Board  
Martha Kooock Ward

Council Member Morrison

Urban Forestry Board  
Keith Brown

Council Member Riley

Water and Wastewater Commission  
Colin Clark

Council Member Morrison

#### **Intergovernmental Bodies**

Central Health Board of Managers  
Lynne Hudson

Council

#### **Waivers**

There are no waivers scheduled for today.

**Item 70 was pulled for discussion.**

**Action was taken on item 71 but was reconsidered later in the meeting. See below.**

72. Approve a resolution directing the City Manager and City Clerk to work together to create a team of stakeholders from relevant City departments that will develop recommendations for implementing compliance and monitoring to ensure that personally identifiable information that is collected or stored by the City is effectively protected in a way that is consistent with the Public Information Act and other applicable law. (Notes: SPONSOR: Mayor Pro Tem Sheryl Cole CO 1: Council Member Laura Morrison CO 2: Council Member William Spelman)  
**Resolution No. 20131212-072 was approved on consent on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**
73. Approve a resolution directing the City Manager to negotiate and execute amendments to the agreements between the City of Austin, the Circuit of the Americas, and the Circuit Events Local Organizing Committee to (1) provide for submission of a sustainable site operations and maintenance plan by the end of the year in lieu of achieving 2 Stars in the Sustainable Sites Initiative and (2) clarify that the Circuit of the Americas and/or the Circuit Events Local Organizing Committee will submit a plan to reduce emissions of particulate matter NOx (nitrogen oxides) and CO2 (carbon dioxide) before any F1 U.S. Grand Prix Event being held between April 1 and October 31 of any year. (Notes: SPONSOR: Council Member Chris Riley CO 1: Council Member William Spelman CO 2: Council Member Mike Martinez)  
**Resolution No. 20131212-073 was approved on consent on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**

74. Approve a resolution directing the City Manager to pursue strategies to address problems associated with mental health and self-medication identified in by the African American Resource Advisory Commission in a resolution dated October 2, 2013. (Notes: SPONSOR: Mayor Pro Tem Sheryl Cole CO 1: Council Member Chris Riley CO 2: Council Member Kathie Tovo)  
**Resolution No. 20131212-074 was approved on consent on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**
75. Approve a resolution directing the City Manager to launch the formal process required to designate Hazardous Materials Routes through the City of Austin and to keep City Council apprised as funding sources are identified and implementation strategies are developed for the related Commodities Flow Study. (Notes: SPONSOR: Council Member Laura Morrison CO 1: Mayor Pro Tem Sheryl Cole CO 2: Council Member Chris Riley)  
**Resolution No. 20131212-075 was approved on consent on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**
76. Approve a resolution directing the City Manager to communicate to relevant agencies the City's concerns about the construction of MoPac sound wall #3 north of Bullard Drive; to re-poll eligible individuals about whether they are in favor of the construction of sound wall #3; and to report back to Council with poll results and an outline of available options related to sound wall #3. (Notes: SPONSOR: Council Member Kathie Tovo CO 1: Council Member Laura Morrison CO 2: Council Member William Spelman)  
**Resolution No. 20131212-076 was approved on consent on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**
77. Approve a resolution directing the City Manager to consider entering into discussions with Ecology Action regarding their future facility needs and possible lease of City property. (Notes: SPONSOR: Council Member Mike Martinez CO 1: Council Member Chris Riley CO 2: Mayor Lee Leffingwell)  
**Resolution No. 20131212-077 was approved on consent on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**
78. Approve an ordinance reimbursing certain fees required for the Austin Empty Bowl Project event which was held on Sunday, November 24, 2013 at Marchesa Hall & Theatre in Lincoln Village. (Notes: SPONSOR: Council Member Mike Martinez CO 1: Council Member Laura Morrison CO 2: Council Member Kathie Tovo)  
**Ordinance No. 20131212-078 was approved on consent on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**
79. Approve an ordinance waiving or reimbursing certain fees and costs, and waiving certain requirements for the 2014 Austin Farmer's Markets and the 2014 HOPE Farmer's Market at Plaza Saltillo, City co-sponsored events, during the 2014 calendar year. (Notes: SPONSOR: Mayor Pro Tem Sheryl Cole CO 1: Council Member Chris Riley CO 2: Council Member Mike Martinez)  
**Ordinance No. 20131212-079 was approved on consent on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**
80. Approve a resolution directing the City Manager to create and implement a comprehensive Complete Streets program for street design that includes features such as traffic calming elements, street trees, wide sidewalks, and pedestrian, bicycle, and transit access throughout Austin, considering the safety needs of people of all ages and abilities. (Notes: SPONSOR: Council Member Chris Riley CO 1: Council Member Mike Martinez)  
**Resolution No. 20131212-080 was approved on consent on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**
81. Approve a resolution directing the City Manager to propose an appointment process for utility billing hearings officer and necessary code amendments that ensures the highest levels of impartiality and customer service in the dispute process (Notes: SPONSOR: Mayor Pro Tem Sheryl Cole CO 1: Council Member Laura Morrison CO 2: Council Member Kathie Tovo)

**Resolution No. 20131212-081 was approved on consent on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**

82. Approve an ordinance reimbursing certain temporary vending permit fees required under City Code Chapter 10-3 for the Jamaica 2013 event which was held on Saturday, October 19, 2013 at Sta. Julia Catholic Church. (Notes: SPONSOR: Mayor Pro Tem Sheryl Cole CO 1: Council Member Mike Martinez)  
**Ordinance No. 20131212-082 was approved on consent on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**
83. Approve a resolution initiating the Land Development Code amendment process for code changes necessary to allow commercial landscaping to use aggregate instead of plant mulch under circumstances and conditions that will protect the City's environmental and sustainability goals. (Notes: SPONSOR: Mayor Pro Tem Sheryl Cole CO 1: Council Member Chris Riley CO 2: Council Member Mike Martinez)  
**Resolution No. 20131212-083 was approved on consent on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**
139. Approve a resolution directing the City Manager to consider the viability of transplanting a Live Oak tree located near the TXDOT construction project at Highway 290 and William Cannon and authorizing the expenditure of funds for that purpose, in an amount not to exceed \$85,000. (Notes: SPONSOR: Council Member William Spelman CO 1: Council Member Laura Morrison)  
**Resolution No. 20131212-139 was approved on consent on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**
140. Approve an ordinance amending Resolution No. 021003-40 to make the Merry Memories event, hosted by River City Youth Foundation, a City Co-sponsored event and waiving certain fees and requirements for the event which, for Fiscal Year 2013-14, was held on December 7, 2013. (Notes: SPONSOR: Council Member Mike Martinez CO 1: Council Member Laura Morrison CO 2: Council Member Kathie Tovo)  
**Ordinance No. 20131212-140 was approved on consent on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**

Item 84 was an Eminent Domain item.

Items 85 and 86 were Action Items with Closed Public Hearings.

Items 87 and 88 were briefing items set for 10:30 a.m.

Items 89 through 91 were Executive Session items.

Items 92 through 129 were zoning items set for 2:00 p.m.

Item 130 was an AHFC item set for 3:00 p.m.

Items 131 through 138 were public hearing items set for 4:00 p.m.

Items 139 through 141 were addendum items.

### **DISCUSSION ITEMS**

7. Authorize execution of an interlocal agreement with Travis County to promote and implement Zero Waste goals, programs, and initiatives shared between Travis County and the City of Austin.  
**The motion authorizing an execution of an interlocal agreement with Travis County was approved with the following amendment on Council Member Morrison's motion, Council Member Spelman's second on a 7-0 vote.**

The amendment was to add a new subsection C to Section I of the Zero Waste Interlocal Agreement with Travis County to read, "C. The Parties will provide annual reports to the City's Zero Waste Advisory Commission regarding progress made towards achieving the goals of this Agreement."

### **BRIEFINGS**

88. Social Services Request for Application (RFA) Briefing.  
The presentation was made by Bert Lumbreras, Assistant City Manager; Carlos Rivera, Director; and Stephanie Hayden, Assistant Director, Health and Human Services Department.

### **DISCUSSION ITEMS CONTINUED**

19. Authorize the negotiation and execution of an interlocal agreement with LONE STAR RAIL DISTRICT (LSRD) to create a transportation infrastructure zone comprised of several proposed rail stations and adjacent areas within the territory of the City of Austin to facilitate the City's contribution of financing to the LSRD rail.  
There was a motion made by Mayor Pro Tem Cole and seconded by Council Member Spelman to authorize the negotiation and execution of an interlocal agreement with Lone Star Rail District (LSRD).

There was a substitute motion made by Council Member Morrison and seconded by Council Member Tovo to postpone this item to April 30, 2014. 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.

The motion authorizing the negotiation and execution of an interlocal agreement with Lone Star Rail District (LSRD) was approved on Mayor Pro Tem Cole's motion, Council Member Spelman's second on a 6-1 vote. Council Member Morrison voted nay.

31. Approve second and third readings of an ordinance vacating approximately 6,215 square feet of alley right-of-way in the City of Austin, being a portion of a 20 foot wide alley located in Block 2, Driskill's and Rainey's Subdivision of a part of Outlots 72 and 73, Division E, Austin, Texas, known as "South East End", a Subdivision of record in Book 1, Page 22 of the Plat Records of Travis County, Texas to AUSTIN RAINEY ST. D/E/P, LLC. Ordinance No. 20131212-031 was approved with the following amendments and friendly amendment on Council Member Morrison's motion, Council Member Tovo's second on a 7-0 vote.

The amendments were:

Part 3 should read, "A drainage easement and a public utility easement over the vacated portion is reserved from the vacation by the City over and across the area described in Exhibit A which the owner may request a release of under Chapter 14-11, Division B, City Code, if the existing utility and drainage infrastructure are removed from the vacated portion of the alley, new easements are dedicated to the City, and replacement utility lines are installed."

Add a new part to the ordinance as follows:

"Additional conditions of the vacation described in Part 1 are as identified in Exhibit B to this ordinance."

Exhibit B:

- (A) At the closing of the vacation of the property, Austin Rainey St. D/E/P, LLC (the "Owner") shall dedicate to the City an Access Easement Tract that is at least 20 feet wide and 20 feet tall and that connects Rainey Street to the portion of the alley way not vacated allowing public pedestrian and vehicle use as well as a public utility easement through the access easement tract.
- (B) At the closing of the vacation of the property, Owner shall deposit an amount equal to \$283,915.00 with the City to pave the remaining portion of the alley not vacated between Rainey Street and East



Avenue and Driskill Street and River Street and with the remainder of funds to be directed toward funding a Downtown Alley Master Plan.

- (C) At the closing of the vacation of the property, Owner shall place a restrictive covenant on the property with the following additional terms and conditions, that shall run with the land:

**(1) Affordable Housing**

At least five (5) percent of the dwelling units on the Property must be reserved as affordable for persons whose household income is equal to or less than eight (80) percent of the median family income in the Austin statistical metropolitan area, as determined by the director of the Neighborhood Housing and Community Development Department.

The affordable units will be reserved for a period of:

- (i) 40 years from the date a certificate of occupancy is issued for rental units; and
- (ii) 99 years from the date of certificate of occupancy is issued for ownership units.

Ownership units must be transferred to the owner subject to a resale restricted shared equity agreement approved by the director of Neighborhood Housing and Community Development.

For purposes hereof, a unit is affordable for purchase if the household is required to spend no more than 30 percent of its gross monthly income on utilities and mortgage payments for the unit as determined by the City's Neighborhood Housing and Community Development Department, based on the current Annual Median Family Income for the Austin Metropolitan Statistical Area.

The base rent charged by the owner of the Project for the affordable rental units shall be equal to the rent limit for 80% AMFI households as established by HUD and published by the City or AHFC from time to time under the Texas Department of Housing and Community Affairs (TDHCA) rent limits (Austin) by unit size.

The City shall develop procedures to monitor and enforce this requirement.

**(2) Design of Alley/Access Area**

- (a) Owner will design and finish out the entrance to the access easement from Rainey Street acceptable in writing to the City to make the area more attractive to pedestrians and communicate the entrance and space as public space and access to the remaining Rainey Street alley way.
- (b) Owner will provide a commercial space that faces Rainey Street and the alley way, in the southern portion of the building next to the alley cut through. This could include a storefront glass from 10 to 15 foot of width, with access from the internal back wall (via separate door), substantially in the location and configuration as illustrated in Exhibit C. Owner will finish out with drywall, paint and LED lighting.
- (c) Utilitarian elements (e.g. transformers, trash receptacles, etc.) in the alley and access easement are designed in a manner acceptable in writing to the City that enhances the pedestrian environment and are not simply screened from view.
- (d) Owner will reach out to Agora property owner in coordination with the City about allowing a mural or similar artwork to be located on the wall of the Agora building on the east side of the alley.

- (e) Owner will provide pedestrian-friendly lighting in the access easement/alley space acceptable in writing to the City.

**(3) Alley Activation**

**In the interest of activating Austin's downtown alleys as public spaces:**

- (a) Owner will allow events in the Access Easement Tract once every month for a period of 24 months after the building has initially achieved ninety percent occupancy.
- (b) Owner and the City will collaborate to coordinate with other property owners adjacent to the alley to get their cooperation for alley events.
- (c) At the closing of the vacation of the property, Owner shall deposit an amount equal to \$9,600 with the City to produce quarterly events in the Rainey Street alley and Access Easement Tract.

There was a friendly amendment made by Council Member Riley to add a new part to the ordinance as follows and renumber the remaining parts. The amendment was accepted by the maker and Council Member Tovo, who made the second. The amendment should read, "As a condition of the vacation described in Part 1, at the closing of the vacation of the property Austin Rainey St. D/E/P, LLC must grant to the City a Temporary Access Easement in the vacated property described in Part 1 until such time as the reserved drainage and public utility easement in Part 3 is released by the City and a release of the Temporary Access Easement is filed for record in the Official Public Records of the Texas county in which the easement tract is located."

**CITIZEN COMMUNICATIONS: GENERAL**

Al Braden - Resolution Requesting Analysis of Fayette Power Project

Susana Almanza - Latino/Hispanic quality of life issues

Jerre Locke - City planning for drought

Naomi Payette - Code Compliance

Scott Johnson - Ethanol and air quality

Will McLeod - 1. Bag Ordinance 2. TBD

Gus Peña - 1. Discuss issues with Social Service Agencies 2. Austin has a big poverty and homeless population. We need to do a better job helping the less fortunate. 3. The gap widens between the haves and the have-nots. 4. Prepare earlier for the budget process. Merry Christmas and a Blessed Happy New Year!

Carlos Leon - 1. Chemtrails sprayed in Austin skies on Thanksgiving, disgracefully disrespecting an American tradition 2. Truth destroys lies 3.) Repent. Fear GOD. Pray to the LORD to help us defeat evil and rebuild the Republic.

Paul Robbins - City and budget issues

Ronnie Reefersseed - Peace, liberty and saving our world.

Mayor Leffingwell recessed the Council Meeting to go into Executive Session at 12:39 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.

89. Discuss legal issues related to Open Government matters (Private consultation with legal counsel - Section 551.071 of the Government Code).
90. 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.**
91. Discuss legal issues related to the city council/city manager form of government (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 2:49 p.m.

### **ZONING CONSENT ITEMS**

92. C14-2013-0048 - Westlake Zoning - Approve third reading of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 3715 Westlake Drive (Lake Austin Watershed) from lake austin (LA) to single family residence-standard lot (SF-2) district zoning. First reading approved on August 22nd 2013. Vote 6-1. Council Member Tovo voted nay. Second reading approved on October 24th, 2013. Vote 7-0. Applicant: John Mayes. Agent: Permit Partners, Inc. (David Cancialosi) City Staff: Clark Patterson, (512) 974-7691.  
**Ordinance No. 20131212-092 for single family residence-standard lot (SF-2) district zoning was approved with the following amendment on consent on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 6-1 vote. Council Member Tovo voted nay. The amendment was to strike part 3, paragraph H on page two of three of the ordinance.**
96. NPA-2013-0008.01 - 2804 Sol Wilson Avenue - Conduct a public hearing and approve an ordinance amending Ordinance No. 011129-67, the Rosewood 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 2804 Sol Wilson Avenue (Boggy Creek Watershed) from Commercial to Mixed Use land use. Staff Recommendation: To grant Mixed Use land use. Planning Commission Recommendation: To grant Mixed Use land use. Owner/Applicant: Bih-Jau Sheu. Agent: Noa Levy. City Staff: Maureen Meredith, 512-974-2695.  
**The public hearing was conducted and the motion to close the public hearing and adopt Ordinance No. 20131212-096 to change the land use designation on the future land use map (FLUM) to Mixed Use land use was approved on consent on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**
97. C14-2013-0091 - 2804 Sol Wilson-Zoning Change - Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 2804 Sol Wilson Avenue (Boggy Creek Watershed) from general commercial services-conditional overlay-neighborhood plan (CS-CO-NP) combining district zoning to general commercial services-mixed use-conditional overlay-neighborhood plan (CS-MU-CO-NP) combining district zoning. Staff Recommendation: To grant general commercial services-mixed use-conditional overlay-neighborhood plan (CS-MU-CO-NP) combining district zoning. Planning Commission Recommendation: To grant general commercial services-mixed use-conditional overlay-neighborhood plan (CS-

MU-CO-NP) combining district zoning. Owner: Bih-Jau Sheu. Applicant: Noa Levy. City Staff: Heather Chaffin, 512-974-2122.

**The public hearing was conducted and the motion to close the public hearing and adopt Ordinance No. 20131212-097 for general commercial services-mixed use-conditional overlay-neighborhood plan (CS-MU-CO-NP) combining district zoning was approved on consent on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**

98. NPA-2013-0010.01 - 2416 East Sixth Street - Conduct a public hearing and approve an ordinance amending Ordinance No. 011213-43, 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 December 10, 2013. Owner/Applicant: 2416 East Sixth Street, LP. Agent: Big Red Dog Engineering (Bob Brown). City Staff: Maureen Meredith, 512-974-2695.

**This item was postponed on consent to February 13, 2014 at the staff's request on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**

99. 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 December 10, 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.

**This item was postponed on consent to February 13, 2014 at the staff's request on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**

100. NPA-2013-0011.02 - 4914 Bennett Avenue (Tomlinson's Feed & Pets, Inc.) - Conduct a public hearing and approve an ordinance amending Ordinance No. 020523-30, the North Loop 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 4914 Bennett Avenue (Tannehill Branch Watershed) from Single Family to Mixed Use land use. Staff Recommendation: To grant Mixed Use/Office land use. Planning Commission Recommendation: To grant Mixed Use land use. Owner/Applicant: Tomlinson's Feed & Pets, Inc. (Scott Click). Agent: Thrower Design (A. Ron Thrower). City Staff: Maureen Meredith, 512-974-2695.

**This item was postponed on consent to January 23, 2014 at the staff's request on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**

101. C14-2013-0021 - Tomlinson's Feed & Pets Rezoning - Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 4914 Bennett Avenue (Boggy Creek Watershed) from family residence-neighborhood plan (SF-3-NP) combining district zoning to community commercial-mixed use-neighborhood plan (GR-MU-NP) combining district zoning. Staff Recommendation: To grant general office-mixed use-neighborhood plan (GO-MU-NP) combining district zoning. Planning Commission Recommendation: To grant general office-mixed use- neighborhood plan (GO-MU-NP) combining district zoning. Applicant: Tomlinson's Feed & Pets, Inc. (Scott Click). Agent: Thrower Design (Ron Thrower). City Staff: Clark Patterson, 512-974-7691.

**This item was postponed on consent to January 23, 2014 at the staff's request on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**

102. NPA-2013-0019.01 - 710 East 41st Street (Commodore Perry Estate) - Conduct a public hearing and approve 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 property locally known as 710 East 41st Street (Waller Creek Watershed) from Civic to Mixed Use land use.

Staff Recommendation: To grant Mixed Use land use. Planning Commission Recommendation: To grant Mixed Use land use. 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.

**The public hearing was conducted and the motion to leave open the public hearing and adopt the first reading of the ordinance to change the land use designation on the future land use map (FLUM) to Mixed Use land use was approved on consent on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**

103. C14-2013-0040 - Commodore Perry Estate - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code 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 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. Staff Recommendation: To grant 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. Planning Commission Recommendation: To grant 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. Applicant: Perry Estate, L.L.C. (Clark Lyda). Agent: Smith, Robertson, Elliot, Glen, Klein & Douglas, L.L.P. (David Hartman). City Staff: Clark Patterson, (512) 974-7691.

**The public hearing was conducted and the motion to leave open the public hearing and adopt the first reading of the ordinance for 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 was approved on consent on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**

104. C14-2013-0070 - Old Manor Road Development (37.74 Acres) - Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by zoning property locally known as 7805 1/2 Old Manor Road (Walnut Creek Watershed) from interim-rural residence (I-RR) district zoning to family residence (SF-3) district zoning. Staff Recommendation: To grant single family residence-standard lot (SF-2) district zoning, with conditions. Zoning and Platting Commission Recommendation: To grant single family residence (SF-2) district zoning, with conditions. Owner: Kanton Labaj. Applicant: Hector Avila. City Staff: Heather Chaffin, 512-974-2122.

**The public hearing was conducted and the motion to close the public hearing and adopt Ordinance No. 20131212-104 for single family residence (SF-2) district zoning, with conditions was approved on consent on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**

105. C14-2013-0071 - Old Manor Road Development - Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by zoning property locally known as 7701 1/2 Old Manor Road (Walnut Creek Watershed) from interim-rural residence (I-RR) district zoning to general commercial services (CS) district zoning and multi-family residence-medium density (MF-3) district zoning. Staff Recommendation: To grant community commercial (GR) district zoning and multi-family residence-low density-conditional overlay (MF-2-CO) combining district zoning, with conditions. Zoning and Platting Commission Recommendation: To grant community commercial (GR) district zoning and multi-family residence-low density-conditional overlay (MF-2-CO) combining district zoning, with conditions. Owner: Kanton Labaj. Applicant: Hector Avila. City Staff: Heather Chaffin, 512-974-2122.

**The public hearing was conducted and the motion to close the public hearing and adopt Ordinance No. 20131212-105 for community commercial (GR) district zoning and multi-family residence-low density-conditional overlay (MF-2-CO) combining district zoning, with conditions was approved on consent on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**

106. C14-2013-0087 - 1402 West Ave. - Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 1402 West Avenue (Shoal Creek Watershed) from limited office-historic landmark (LO-H) combining district zoning to downtown mixed use-historic landmark (DMU-H) combining district zoning. Staff Recommendation: To grant downtown mixed use-historic landmark-conditional overlay (DMU-H-CO) combining district zoning. Planning Commission Recommendation: To grant downtown mixed use-historic landmark-conditional overlay (DMU-H-CO) combining district zoning. Applicant: Saleem Tawil. Agent: Husch Blackwell, L.L.C. (Jerry Harris). City Staff: Clark Patterson, 512-974-7691.  
**The public hearing was conducted and the motion to close the public hearing and adopt Ordinance No. 20131212-106 for downtown mixed use-historic landmark-conditional overlay (DMU-H-CO) combining district zoning was approved with the following prohibited uses on consent on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote. The prohibited uses were: cocktail lounge, liquor sales, bail bond services, pawn shop services, drive thru, auto rental, auto repair, auto sales, auto washing (of any type), service station, outdoor entertainment, group residential, and vehicle storage.**
107. C14-2013-0089 - Marbella Multifamily Phase 2 and Marbella Multifamily Phase 1 - Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by zoning and rezoning property locally known as 8001 and 8111 South IH 35 Service Road Northbound (South Boggy Creek Watershed) from interim-rural residence (I-RR) district zoning and general office (GO) district zoning to multi-family residence-medium density (MF-3) district zoning. Staff Recommendation: To grant multi-family residence-medium density (MF-3) district zoning, with conditions. Zoning and Platting Commission Recommendation: To grant multi-family residence-medium density (MF-3) district zoning, with conditions. Owner/Applicant: Kalogridis & Kalogridis Development, LLC (Mitchell Kalogridis); Ethos (Austin) LP (Donald L. Hudgins, Jr.). Agent: Urban Design Group (John Noell). City Staff: Wendy Rhoades, 512-974-7719.  
**The public hearing was conducted and the motion to close the public hearing and adopt Ordinance No. 20131212-107 for multi-family residence-medium density (MF-3) district zoning, with conditions was approved on consent on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 6-0 vote. Council Member Tovo recused herself.**
108. C14-2013-0092 - Eastside Lumber Rezoning - Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 2915 and 3013 East Cesar Chavez Street (Lady Bird Lake Watershed) from family residence-neighborhood plan (SF-3-NP) combining district zoning to general commercial services-mixed use-conditional overlay-neighborhood plan (CS-MU-CO-NP) combining district for Tract One, and from general commercial services-mixed use-conditional overlay-neighborhood plan (CS-MU-CO-NP) combining district zoning to family residence-neighborhood plan (SF-3-NP) combining district zoning for Tract Two. Staff Recommendation: To grant general commercial services-mixed use-conditional overlay-neighborhood plan (CS-MU-CO-NP) combining district for Tract One, and family residence-neighborhood plan (SF-3-NP) combining district zoning for Tract Two. Planning Commission Recommendation: To be reviewed on December 10, 2013. Owner: RAM Ventures LLC (Randall A. Meek). Applicant: Land Answers, Inc. (Jim Wittliff). City Staff: Heather Chaffin, 512-974-2122.  
**This item was postponed on consent to January 23, 2014 at the staff's request on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**
109. C14-2013-0105 - Central Freight Industrial Lot - Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by zoning property locally known as 8601 Tuscany Way (Walnut Creek Watershed) from interim-rural residence (I-RR) district zoning to limited industrial services (LI) district zoning. Staff Recommendation: To grant limited industrial services-conditional overlay (LI-CO) combining district zoning. Zoning and Platting Commission Recommendation: To grant limited industrial services-conditional overlay (LI-CO) combining district zoning. Owner: Austin Shared Logistics LLC (Larry Farrell). Applicant: Land Answers, Inc. (Jim Wittliff). City Staff: Heather Chaffin, 512-974-2122.  
**The public hearing was conducted and the motion to close the public hearing and adopt Ordinance 20131212-109 for limited industrial services-conditional overlay (LI-CO) combining district zoning was**

**approved with the prohibited use of food sales on consent on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**

110. C14-2013-0106 - The Azur Tract - Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 5016 1/2 East Ben White Boulevard Westbound (Carson Creek Watershed; Country Club West Watershed) from community commercial-neighborhood plan (GR-NP) combining district zoning to general commercial services-conditional overlay-neighborhood plan (CS-CO-NP) combining district zoning for Tract 1 and community commercial-conditional overlay-neighborhood plan (GR-CO-NP) combining district zoning for Tract 2, with conditions. Staff Recommendation: To grant general commercial services-conditional overlay-neighborhood plan (CS-CO-NP) combining district zoning for Tract 1 and community commercial-conditional overlay-neighborhood plan (GR-CO-NP) combining district zoning for Tract 2, with conditions. Planning Commission Recommendation: To grant general commercial services-conditional overlay-neighborhood plan (CS-CO-NP) combining district zoning for Tract 1 and community commercial-conditional overlay-neighborhood plan (GR-CO-NP) combining district zoning for Tract 2, with conditions. Owner: Azur Property Investments (USA) Inc. (Haidar Khazen). Applicant: Land Strategies (Erin Welch). City Staff: Lee Heckman, 512-974-7604.

**The public hearing was conducted and the motion to close the public hearing and adopt Ordinance No. 20131212-110 for general commercial services-conditional overlay-neighborhood plan (CS-CO-NP) combining district zoning for Tract 1 and community commercial-conditional overlay-neighborhood plan (GR-CO-NP) combining district zoning for Tract 2, with conditions was approved on consent on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**

111. C14-2013-0109 - River Place Center - Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 10819 FM 2222 Road (Bull Creek Watershed; Panther Hollow Watershed) from community commercial (GR) district zoning and limited office (LO) district zoning to community commercial (GR) district zoning. Staff Recommendation: To grant community commercial-conditional overlay (GR-CO) combining district zoning. Zoning and Platting Commission Recommendation: To grant community commercial-conditional overlay (GR-CO) combining district zoning. Applicant: Capella Commercial-Riverplace, L.L.C. (Todd Daily). Agent: Jones Carter, Inc. (Darren Webber). City Staff: Clark Patterson, 512-974-7691.

**The public hearing was conducted and the motion to close the public hearing and adopt Ordinance No. 20131212-111 for community commercial-conditional overlay (GR-CO) combining district zoning was approved on consent on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**

112. C14-2013-0112 - Parmer US 290 Retail - Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 9513 1/2 East Parmer Lane (Gilleland Creek Watershed) from development reserve (DR) district zoning to commercial highway services-conditional overlay (CH-CO) combining district zoning. Staff Recommendation: To grant commercial highway services-conditional overlay (CH-CO) combining district zoning. Zoning and Platting Commission Recommendation: To grant commercial highway services-conditional overlay (CH-CO) combining district zoning. Owner: Spirit of Texas Retail Partners, Ltd. (Andy Pastor). Applicant: Endeavor Real Estate Group (Dan Frey). City Staff: Heather Chaffin, 512-974-2122.

**The public hearing was conducted and the motion to close the public hearing and adopt Ordinance No. 20131212-112 for commercial highway services-conditional overlay (CH-CO) combining district zoning was approved on consent on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**

113. C14-2013-0114 - 2439 SH 71 East Rezoning - Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by zoning property locally known as 2439 East State Highway 71 Westbound (Colorado River Watershed) from interim-single family residence-standard lot (I-SF-2) district zoning to general commercial services (CS) district zoning. Staff Recommendation: To grant general commercial services-conditional overlay (CS-CO) combining district zoning. Zoning and Platting Commission Recommendation: To grant general

commercial services-conditional overlay (CS-CO) combining district zoning. Owner/Applicant: William E. Kunz. Agent: Thrower Design (Ron Thrower). City Staff: Wendy Rhoades, 512-974-7719.

**The public hearing was conducted and the motion to close the public hearing and adopt Ordinance No. 20131212-113 for general commercial services-conditional overlay (CS-CO) combining district zoning was approved on consent on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**

114. C14-2013-0115 - 2415 SH 71 East Rezoning - Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by zoning property locally known as 2415 East State Highway 71 Westbound (Colorado River Watershed) from interim-rural residence (I-RR) district zoning to general commercial services (CS) district zoning. Staff Recommendation: To grant general commercial services-conditional overlay (CS-CO) combining district zoning. Zoning and Platting Commission Recommendation: To grant general commercial services-conditional overlay (CS-CO) combining district zoning. Owner/Applicant: Byrdson Ramsey Ltd. (Tim Ramsey). Agent: Thrower Design (Ron Thrower). City Staff: Wendy Rhoades, 512-974-7719.

**The public hearing was conducted and the motion to close the public hearing and adopt Ordinance No. 20131212-114 for general commercial services-conditional overlay (CS-CO) combining district zoning was approved on consent on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**

115. C14-2013-0122 - Holy Cross Lutheran Church - Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 4622 South Lamar Boulevard Southbound (Barton Creek Watershed-Barton Springs Zone) from single family residence-standard lot (SF-2) district zoning to limited office-conditional overlay (LO-CO) combining district zoning, as amended. Staff Recommendation: To grant community commercial-conditional overlay (GR-CO) combining district zoning. Planning Commission Recommendation: To grant limited office-conditional overlay (LO-CO) combining district zoning. Owner: Holy Cross Lutheran Church (Magdalene Holm-Roesler). Applicant: Kari Blachly. City Staff: Lee Heckman, 512-974-7604.

**The public hearing was conducted and the motion to close the public hearing and adopt Ordinance No. 20131212-115 for limited office-conditional overlay (LO-CO) combining district zoning was approved on consent on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**

116. C14-2013-0124 - Oaks at Techridge, Lot 4B - Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 14400 The Lakes Boulevard (Walnut Creek Watershed; Harris Branch Watershed) from multi-family residence-medium density (MF-3) district zoning to general commercial services-mixed use (CS-MU) combining district zoning. Staff Recommendation: To grant general commercial services-mixed use (CS-MU) combining district zoning. Zoning and Platting Commission Recommendation: To grant general commercial services-mixed use (CS-MU) combining district zoning. Owner/Applicant: Tech Ridge Spectrum B.C., L.P. Agent: Smith, Robertson, Elliott, Glen, Klein & Douglas, L.L.P. (David Hartman). City Staff: Sherri Sirwaitis, 512-974-3057.

**The public hearing was conducted and the motion to close the public hearing and adopt Ordinance No. 20131212-116 for general commercial services-mixed use (CS-MU) combining district zoning was approved on consent on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**

118. C14-2013-0127 - 3109 South Lamar - Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 3109 South Lamar Boulevard (West Bouldin Creek Watershed) from general commercial services-vertical mixed use building (CS-V) combining district zoning to commercial-liquor sales-vertical mixed use building (CS-1-V) combining district zoning. Staff Recommendation: To grant commercial-liquor sales-vertical mixed use building (CS-1-V) combining district zoning. Planning Commission Recommendation: To grant commercial-liquor sales-vertical mixed use building (CS-1-V) combining district zoning. Owner: Residences at the Spoke, LLC (by Josh Delk with Transwestern). Applicant: Bury + Partners, Inc. (Melissa Neslund). City Staff: Lee Heckman, 512-974-7604.

**The public hearing was conducted and the motion to close the public hearing and adopt Ordinance No. 20131212-118 for commercial-liquor sales-vertical mixed use building (CS-1-V) combining district zoning was approved on consent on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**



119. C14-2013-0128 - Planet K - Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by zoning and rezoning property locally known as 10730 South IH 35 Service Road Southbound (Onion Creek Watershed) from interim-rural residence (I-RR) district zoning and single family residence-standard lot (SF-2) district zoning to general commercial services-mixed use (CS-MU) combining district zoning. Staff Recommendation: To grant general commercial services-mixed use-conditional overlay (CS-MU-CO) combining district zoning. Zoning and Platting Commission Recommendation: To grant general commercial services-mixed use-conditional overlay (CS-MU-CO) combining district zoning. Owner/Applicant: AusPro Enterprises LP (Michael Kleinman). Agent: Moncada Consulting (Phil Moncada). City Staff: Wendy Rhoades, 512-974-7719.  
**The public hearing was conducted and the motion to close the public hearing and adopt Ordinance No. 20131212-119 for general commercial services-mixed use-conditional overlay (CS-MU-CO) combining district zoning was approved on consent on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**
120. C14-2013-0130 - Domain Entertainment District - Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 11824 Burnet Road (Walnut Creek Watershed) from major industrial-planned development area (MI-PDA) district zoning to major industrial-planned development area (MI-PDA) district zoning, to change a condition of zoning. Staff Recommendation: To grant major industrial-planned development area (MI-PDA) district zoning, with conditions. Planning Commission Recommendation: To grant major industrial-planned development area (MI-PDA) district zoning, with conditions. Owner/Applicant: RREEF Domain LP (Ben Bufkin). Agent: Endeavor Real Estate Group (Dan Frey). City Staff: Sherri Sirwaitis, 512-974-3057.  
**The public hearing was conducted and the motion to close the public hearing and adopt Ordinance No. 20131212-120 for major industrial-planned development area (MI-PDA) district zoning with conditions was approved on consent on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**
121. C14-2013-0135 - UMCB - Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 1701 Red River Street (Lady Bird Lake Watershed) from multi-family residence- moderate-high density (MF-4) district zoning, general commercial services (CS) district zoning and general office (GO) district zoning to public (P) district zoning. Staff Recommendation: To grant public (P) district zoning. Planning Commission Recommendation: To grant public (P) district zoning. Applicant: Board of Regents of The University of Texas System (Florance P. Mayne). Agent: Armbrust & Brown, PLLC (David Armbrust). City Staff: Clark Patterson, 512-974-7691.  
**The public hearing was conducted and the motion to close the public hearing and adopt Ordinance No. 20131212-121 for public (P) district zoning was approved on consent on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**
122. C14-2013-0137 - Austin Aquatics - Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 5513 Southwest Parkway (Barton Creek Watershed - Barton Springs Zone) from general office-mixed use-conditional overlay-neighborhood plan (GO-MU-CO-NP) combining district zoning to community commercial-mixed use-conditional overlay-neighborhood plan (GR-MU-CO-NP) combining district zoning. Staff Recommendation: To grant community commercial-mixed use-conditional overlay-neighborhood plan (GR-MU-CO-NP) combining district zoning. Planning Commission Recommendation: To grant community commercial-mixed use-conditional overlay-neighborhood plan (GR-MU-CO-NP) combining district zoning. Owner: KBT Family Partnership, LP (Kevin B Thompson and Patricia S Thompson). Applicant: Metcalfe, Wolff, Stuart, & Williams, LLP (Michele Rogerson Lynch). City Staff: Lee Heckman, 974-7604.  
**The public hearing was conducted and the motion to close the public hearing and adopt Ordinance No. 20131212-122 for community commercial-mixed use-conditional overlay-neighborhood plan (GR-MU-CO-NP) combining district zoning was approved on consent on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**

123. 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, the change a condition of zoning. Applicant: Brandywine Acquisition Partners (Ralph Bistline). Agent: Armbrust & Brown, PLLC (Richard Suttle). City Staff: Clark Patterson, 512-974-7691. A valid petition has been filed in opposition to this rezoning request.  
**This item was postponed on consent to January 23, 2014 at the neighborhood's request on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**
124. C814-88-0001(RCA) - Canyons @ Rob Roy Rezoning - Conduct a public hearing and approve a restrictive covenant amendment on property locally known as 800 North Capital of Texas Highway (Bee Creek Watershed) as it relates to certain uses and development standards. Staff Recommendation: To grant an amendment to a portion of the Restrictive Covenant as it relates to certain uses and development standards. Zoning and Platting Commission Recommendation: To grant an amendment to a portion of the Restrictive Covenant as it relates to certain uses and development standards. Applicant: Brandywine Acquisition Partners (Ralph Bistline). Agent: Armbrust & Brown, PLLC (Richard Suttle). City Staff: Clark Patterson, 512-974-7691.  
**This item was postponed on consent to January 23, 2014 at the neighborhood's request on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**
125. 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 be reviewed on December 10, 2013. Owner: Paul Saustrup. Applicant: Hector Avila. City Staff: Heather Chaffin, 512-974-2122.  
**This item was postponed on consent to January 23, 2014 at the staff's request on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**
126. C14H-2013-0004 - Halm-Mallory House - Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 1501 Wooldridge Drive (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. Applicants: Tommy and Laura Craddick, owners. City Staff: Steve Sadowsky, Historic Preservation Office, Planning and Development Review Department, 512-974-6454.  
**The public hearing was conducted and the motion to close the public hearing and adopt Ordinance No. 20131212-126 for family residence-historic landmark-neighborhood plan (SF-3-H-NP) combining district zoning was approved on consent on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**
127. C14H-2013-0006 - Eloy and Soledad Guajardo House - Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 805 Lydia Street (Boggy 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. Applicants: David and Mary Anne Ocasio,

owners. City Staff: Steve Sadowsky, Historic Preservation Office, Planning and Development Review Department, 512-974-6454.

**The public hearing was conducted and the motion to close the public hearing and adopt Ordinance No. 20131212-127 for family residence-historic landmark-neighborhood plan (SF-3-H-NP) combining district zoning was approved on consent on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**

128. C14H-2013-0007 - Cranfill-Beacham Apartments - Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 1911 Cliff Street (Shoal Creek Watershed) from multi-family residence-low density-conditional overlay-neighborhood plan (MF-2-CO-NP) combining district zoning to multi-family residence-low density-historic landmark-conditional overlay-neighborhood plan (MF-2-H-CO-NP) combining district zoning. Staff Recommendation: To grant multi-family residence-low density-historic landmark-conditional overlay-neighborhood plan (MF-2-H-CO-NP) combining district zoning. Historic Landmark Commission Recommendation: To grant multi-family residence-low density-historic landmark-conditional overlay-neighborhood plan (MF-2-H-CO-NP) combining district zoning. Planning Commission Recommendation: To grant multi-family residence-low density-historic landmark-conditional-overlay-neighborhood plan (MF-2-H-CO-NP) combining district zoning. Applicant: Ernesto Cragolino. City Staff: Steve Sadowsky, Historic Preservation Office, Planning and Development Review Department, 512-974-6454.

**The public hearing was conducted and the motion to close the public hearing and adopt Ordinance No. 20131212-128 for multi-family residence-low density-historic landmark-conditional-overlay-neighborhood plan (MF-2-H-CO-NP) combining district zoning was approved on consent on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**

129. C14H-2013-0008 - Ethel Pearl's Beauty Salon - Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 1504 East 11th Street (Boggy 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. Applicants: Curtis and Nina Batts, owners. City Staff: Steve Sadowsky, Historic Preservation Office, Planning and Development Review Department, 512-974-6454.

**The public hearing was conducted and the motion to close the public hearing and adopt Ordinance No. 20131212-129 for family residence-historic landmark-neighborhood plan (SF-3-H-NP) combining district zoning was approved on consent on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**

**Mayor Leffingwell recessed the Council Meeting and called the Board of Directors' Meeting of the Austin Housing Finance Corporation to order at 3:08 p.m. See separate minutes.**

**Mayor Leffingwell called the Council Meeting back to order at 3:09 p.m.**

### **DISCUSSION ITEMS CONTINUED**

33. Approve the final design of the Auditorium Shores Improvement Project. Approved by the Parks and Recreation Board on a vote of 5-1, with Board Member Abell voting against and Board Member Roth absent. Animal Advisory Commission approved 7-0.

**The motion to approve the final design of the Auditorium Shores Improvement Project was approved with the following amendings on Council Member Martinez' motion, Council Member Spelman's second on a 7-0 vote.**

**The amendments were:**

- Allow dogs on a leash to traverse the event lawn on their way to the off leash area

- Allow on-leash on middle lawn
- Increase off leash area to approximately 4.7 acres
- Expedite and accommodate Urban Music Fest and Fun Fun Fun Fest

### EMINENT DOMAIN

**This vote applies to all units of property (Item 84) to be condemned.**

84. Approve a resolution authorizing the filing of eminent domain proceedings for the West Bank and Los Altos Lift Stations Rehabilitation Project for approximately 578 square feet of land for a permanent wastewater easement, being a portion of Lot 24, Laguna Loma Subdivision, of Record in Volume 76, Page 208 of the Plat Records of Travis County, Texas; Lot 24 is owned as Tenants in Common by each lot owner and each lot owner shall have a 1/23rd undivided interest, as recorded on said Laguna Loma Subdivision Plat, in the amount of \$2,204. The owners of the needed property interests are BRUCE E. NAKFOOR, AND WENDY WILLIAMSON NAKFOOR (Lot 4), RANDALL W. MCINTYRE AND MARY ELLEN HAMEL (Lot 5), CHERYL COX, INDIVIDUALLY AND CHERYL COX, TRUSTEE, OR ANY SUCCESSORS IN TRUST, UNDER THE JUST TRUST DATED JANUARY 2, 2010 (Lot 6), JOHN S. HOGG AND JANELL C. WHITT (Lot 7), BRIAN ERICKSON (Lot 8), JEV SIKES A/K/A J. NEVILLE SIKES, AND SYDNOR SIKES (Lot 9), CECELIA F. REED, REED-EBANO, LTD., AND UNNAMED TRUSTEE OF THE REED TRUST, AN IRREVOCABLE TRUST CREATED UNDER A TRUST AGREEMENT DATED JUNE 10, 2005 (Lot 10), TRACY S. DAHLBY AND TOSHIKO M. DAHLBY (Lot 11), MICHAEL H. NIXON AND GAYLE A NIXON (Lot 12), JONATHAN R. KASLING (Lot 13), DOROTHY J. MELE AND RICHARD J. BINDER (Lot 14), RICHARD J. BINDER AND DOROTHY J. MELE (Lot 15), MARK RICE AND LINNEA RICE (Lot 16), JAMES L. NEGLEY (Lot 17), DAVID WOLTERS AND MARY M. WOLTERS (Lot 18), RHETT STONE AND CANDACE C. STONE (Lot 19), CHARLES D. HUSTON (Lot 20), MARTIN RIEZEBEEK AND MARGERY K. BADER-RIEZEBEEK (Lot 21), NATHAN A. STEINBERG (Lot 22), ADAM SOLOMON LIPP AND JAMIE STONE LIPP (Lot 23), GARY T. MIZE (Lot 1A), LAWRENCE G. GRIFFIS (Lot 2A), AND WARREN BOWKER AND ROSIE BOWKER, CO-TRUSTEES OF THE BOWKER FAMILY TRUST, SUCH TRUST HAVING BEEN ESTABLISHED UNDER THAT CERTAIN REVOCABLE TRUST AGREEMENT DATED MARCH 15, 2001, BY AND BETWEEN WARREN BOWKER AND ROSIE BOWKER, AS GRANTORS, AND WARREN BOWKER AND ROSIE BOWKER, AS CO-TRUSTEES (LOT 3A). The property is located at the terminus of Lakeshore Drive at Lake Austin, in Austin, Travis County, Texas. The general route covered by this project includes the area west of Lake Austin, in the general vicinity of the West Bank Lift Station, located at 1701 1/2 Lakeshore Drive, and in the general vicinity of the Los Altos Lift Station, located at 1804 Westlake Drive in Austin, Travis County, Texas.
- Resolution No. 20131212-084 was approved on Mayor Pro Tem Cole's motion, Council Member Spelman's second on a 7-0 vote.**

### DISCUSSION ITEMS CONTINUED

70. Approve a resolution adopting the proposed public and non-profit sites for the Google Fiber Community Connection Program. (Notes: SPONSOR: Council Member Laura Morrison CO 1: Council Member Chris Riley)
- Resolution No. 20131212-070 was approved with the following friendly amendment on Council Member Morrison's motion, Council Member Riley's second on a 7-0 vote. There was a friendly amendment made by Council Member Tovo to add the Boys and Girls Club at 303 W. Johanna to the list. The amendment was accepted by the maker of the motion and Council Member Riley, who made the second.**

### PUBLIC HEARINGS

**Items 131, 132 and 135-136 were acted on in a combined motion**

131. 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 January 30, 2014 on Mayor Pro Tem Cole's motion, Council Member Martinez' second on a 7-0 vote.**
132. Conduct a public hearing and consider an ordinance amending the Imagine Austin Comprehensive Plan by correcting typographical errors.  
**The public hearing was conducted and the motion to close the public hearing and approve Ordinance No. 20131212-132 was approved on Mayor Pro Tem Cole's motion, Council Member Martinez' second on a 7-0 vote.**
135. Conduct a public hearing and consider an ordinance amending City Code Title 25 to allow placement of Americans with Disabilities Act compliant ramps in required yards setback.  
**This item was postponed to January 23, 2014 on Mayor Pro Tem Cole's motion, Council Member Martinez' second on a 7-0 vote.**
136. 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 January 23, 2014 on Mayor Pro Tem Cole's motion, Council Member Martinez' second on a 7-0 vote.**
137. 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.  
**This item was postponed to January 23, 2014 on Mayor Pro Tem Cole's motion, Council Member Martinez' second on a 7-0 vote.**
71. Approve an ordinance appointing the Presiding Judge, Associate Judges, including the Downtown Austin Community Court Judge, and Substitute Judges to the Municipal Court of the City of Austin for a term beginning January 1, 2014, and ending December 31, 2017, and establishing compensation and benefits. (Notes: SPONSOR: Mayor Lee Leffingwell CO 1: Council Member Mike Martinez CO 2: Council Member William Spelman)  
**Ordinance No. 20131212-071 was approved on consent on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**

**A motion to reconsider item 71 was approved on Council Member Martinez' motion, Council Member Morrison's second on a 6-1 vote. Mayor Leffingwell voted nay.**

**Ordinance No. 20131212-071 was approved with the following amendment on Council Member Martinez' motion, Mayor Pro Tem Cole's second on a 6-2 vote. Those voting aye were: Mayor Pro Tem Cole and Council Members Martinez, Morrison, Riley, and Tovo. Those voting nay were: Mayor Leffingwell and Council Member Spelman. The amendment was to amend part 4 of the ordinance by adding Celeste Villareal to the list of substitute judges.**

**Mayor Leffingwell recessed the Council Meeting for Live Music and Proclamation at 5:28 p.m.**

### **LIVE MUSIC**

6th Street Cowboy

### **PROCLAMATIONS**

Proclamation -- Blue Santa -- to be presented by Mayor Lee Leffingwell and to be accepted by Blue Santa, Chief Art Acevedo and Bob Cole

Distinguished Service Award - Retirement - Judge Evelyn McKee -- to be presented by Mayor Lee Leffingwell and to be accepted by the honoree

Distinguished Service Awards -- Retirement -- Steve Manning and Mary Gilroy, Watershed Protection Department -- to be presented by Mayor Lee Leffingwell and to be accepted by the honorees

Distinguished Service Award -- Retirement -- Nick Naccarato, Economic Development Department -- to be presented by Mayor Lee Leffingwell and to be accepted by the honoree

Distinguished Service Award - Retirement -- Nancy Coplin, Aviation -- to be presented by Council Member Mike Martinez and to be accepted by the honoree

Certificates of Appreciation -- Halloween Flood Relief -- to be presented by Council Member Mike Martinez and to be accepted by Edward Reyes, Ricardo Zavala, George Morales III and Mona Gonzalez

Proclamation -- Lammes Candies -- to be presented by Council Member Laura Morrison and to be accepted by Pam Teich and Lammes Candies employees

**Mayor Leffingwell called the Council Meeting back to order at 7:09 p.m.**

#### **ACTION ON ITEM(S) WITH CLOSED PUBLIC HEARINGS**

86. Approve second and third readings of an ordinance to annex the Ace Auto Salvage area for full purposes (approximately 6 acres in northwestern Travis County north of Spicewood Springs Road approximately 250 feet west of the intersection of Spicewood Springs Road and Yaupon Drive); and approve a service plan. PUBLIC HEARINGS FOR THIS ITEM WERE HELD AND CLOSED ON SEPTEMBER 26, 2013 AND OCTOBER 3, 2013.

**Ordinance No. 20131212-086 was approved on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**

**The motion to waive the rules and allow Council to meet after 10 p.m. was approved without objection.**

#### **BRIEFINGS CONTINUED**

87. Project Connect Central Corridor Update .  
**The presentation was made by Kyle Keahey, Vice President, HNTB.**

#### **DISCUSSION ITEMS CONTINUED**

67. Approve a resolution endorsing the City Manager's Phase 1 recommendation for Project Connect, a regional, long-range, high-capacity transit system plan, to further evaluate and analyze the East Riverside and Highland Sub-Corridors or alternative sub-corridors as the Central Corridor priority, and directing the City Manager to present a possible Locally Preferred Alternative as part of Phase 2 of the Project effort for Council consideration. Approved by the Central Corridor Advisory Group on December 6, 2013, on a 14-1 vote, with Julie Montgomery voting against the item. Presented to the Downtown Commission on November 20, 2013. Presented to the Urban Transportation Commission and Planning Commission on December 10, 2013.  
**There was a motion made by Council Member Spelman and seconded by Mayor Leffingwell to approve the resolution with the following friendly amendments.**

There was a friendly amendment made by Council Member Riley to add a new “Whereas” paragraph and two new “Be It Further Resolved” paragraphs to read as follows. The amendment was accepted by the maker of the motion and Mayor Leffingwell, who made the second.

“Whereas, the Project Connect team has identified several sub-corridors which are appropriate for high-capacity transit investment; Now Therefore

**Be It Further Resolved:**

The City Manager is directed to work with Project Connect to identify future funding needs and potential sources to prioritize and continue critical Central Corridor project definition and development activities in the remaining identified sub-corridors, including the Lamar, Mueller, and East Austin sub-corridors, and report back to Council by August 1, 2014.

**Be It Further Resolved:**

The City Manager is directed to work with Project Connect and CMTA to continue cultivating a relationship with our regional Federal Transit Administration officials to cooperatively prepare for any future high-capacity transit investments in the Lamar sub-corridor.”

Resolution 20131212-067 was approved with the friendly amendment listed above on Council Member Spelman’s motion, Mayor Leffingwell’s second on a 7-0 vote.

#### **ACTION ON ITEM(S) WITH CLOSED PUBLIC HEARINGS CONTINUED**

85. Approve second and third readings of an ordinance amending the Residential Code, codified in City Code Chapter 25-12, to require additional visitability (accessibility) standards for residential single-family and duplex construction. THE PUBLIC HEARING FOR THIS ITEM WAS HELD AND CLOSED ON MAY 23, 2013. There was a motion made by Council Member Tovo and seconded by Council Member Martinez to approve the ordinance with the following amendments.

The amendments were as follows:

In 320.6.1 remove the waiver of single lot for 3600 square feet or less.

In existing 320.3 delete 4 and 5 and incorporate into a new 320.4. entitled Visitable Light Switches Receptacles and Environmental Controls, to read “Light switches and environmental controls must be no higher than 48 inches above the interior floor level, receptacles shall be a minimum of 15 inches above the interior floor level. This section applies to bathrooms and throughout the first floor.

There was a friendly amendment made by Council Member Spelman to have the waiver apply to lots of 5,750 square feet or less if the slope is greater than 10% or you must use switch backs. The amendment was later withdrawn by Council Member Spelman.

There was a friendly amendment made by Council Member Morrison to change the effective date in part II to January 1, 2015. This was accepted by the maker of the motion and Council Member Martinez, who made the second.

Direction was given to staff to make any necessary renumbering and slight language adjustment.

There was a friendly amendment made by Council Member Spelman to approve this item on second reading only. This was not accepted by the maker.

There was a motion made by Council Member Spelman and seconded by Mayor Pro Tem Cole to approve this item on second reading only. The motion passed on a vote of 6-1. Council Member Tovo voted nay.

The second reading of the ordinance with the amendments, friendly amendment and direction listed above was approved on Council Member Tovo's motion, Council Member Martinez' second on a 7-0 vote.

### **ZONING DISCUSSION ITEMS**

94. C14-2013-0006 - Harper Park Residential - Approve third reading of 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, with conditions. First Reading approved on October 17, 2013. Vote: 6-1, Council Member Morrison voted nay. Second Reading approved on November 21, 2013. Vote: 5-1, Council Member Morrison voted nay; Council Member Martinez was off the dais. Owner: Harper Park Two, L.P. (Gail M. Whitfield). Applicant: The Whitfield Company (Marcus Whitfield). City Staff: Lee Heckman, 512-974-7604.  
**Ordinance No. 20131212-094 for limited office-mixed use-conditional overlay-neighborhood plan (LO-MU-CO-NP) combining district zoning, with conditions was approved with the following amendments on Council Member Riley's motion, Mayor Pro Tem Cole's second on a 5-2 vote. Those voting aye were: Mayor Leffingwell, Mayor Pro Tem Cole and Council Members Martinez, Riley and Tovo. Those voting nay were: Council Members Morrison and Spelman. The amendment was to remove the prohibition of single-family attached housing in the conditions.**
93. NPA-2013-0025.01 - 5816 Harper Park Drive (Harper Park Residential) - Approve third reading of 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. City Council: First Reading approved on October 17, 2013. Vote: 6-1, Council Member Morrison voted nay. Second Reading approved on November 21, 2013. Vote: 5-1, Council Member Morrison voted nay; Council Member Martinez was off the dais. Owner/Applicant: Harper Park Two LP (Gail M. Whitfield). Agent: The Whitfield Company (Marcus Whitfield). City Staff: Maureen Meredith, 512- 974-2695.  
**Ordinance No. 20131212-093 to change the land use designation on the future land use map (FLUM) to Mixed Use/Office land use was approved on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 6-1 vote. Council Member Morrison voted nay.**
95. C14R-86-077(RCA) - Harper Park Residential RCA - Amend a restrictive covenant on property locally known as 5816 Harper Park Drive (Barton Creek Watershed-Barton Springs Zone) to incorporate necessary conditions of an associated rezoning case. Owner: Harper Park Two, L.P. (Gail M. Whitfield). Applicant: The Whitfield Company (Marcus Whitfield). City Staff: Lee Heckman, 512-974-7604. The public hearing for this item was held and closed on October 17, 2013.  
**The public hearing was conducted and the motion to close the public hearing and amend a restrictive covenant was approved on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 6-1 vote. Council Member Morrison voted nay.**
117. C14-2013-0125 - Sawmill Rezoning - Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by zoning property locally known as 4010 Sawmill Drive (Slaughter Creek Watershed-Barton Springs Zone) from interim-rural residence (I-RR) district zoning to single family residence-standard lot (SF-2) district zoning. Staff Recommendation: To grant single family residence-standard lot (SF-2) district zoning. Zoning and Platting Commission Recommendation: To grant single family residence-standard lot-conditional overlay (SF-2-CO) combining district zoning. Owner/Applicant: Atlas Cook, IV. Agent: Frie Planning, Development & Construction (Ross Frie). City Staff: Wendy Rhoades, 512-974-7719.



The public hearing was conducted and the motion to close the public hearing and adopt Ordinance No. 20131212-117 for single family residence-standard lot-conditional overlay (SF-2-CO) combining district zoning was approved on Council Member Spelman's motion, Council Member Morrison's second on a 7-0 vote.

### **PUBLIC HEARINGS CONTINUED**

133. Conduct a public hearing and consider a resolution regarding the installation of parking meters on parkland at Butler Shores Ball Fields located at 1540 Toomey Road, Austin Texas, in accordance with Sec. 26.001 et seq. of the Texas Parks and Wildlife Code. Related to Item #32.

**The public hearing was conducted and the motion to close the public hearing and approve Resolution No. 20131212-133 was approved on Council Member Spelman's motion, Council Member Riley's second on a 6-1 vote. Council Member Tovo voted nay.**

### **DISCUSSION ITEMS CONTINUED**

32. Approve the installation of parking meters at the Butler Shores Ball Fields located at 1540 Toomey Road, Austin, Texas 78704. Related to Item #133.

**The motion to approve the installation of parking meters at the Butler Shores Ball Fields was approved on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 6-1 vote. Council Member Tovo voted nay.**

### **PUBLIC HEARINGS CONTINUED**

134. 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.

**The public hearing was conducted and the motion to leave the public hearing open and to postpone action to January 30, 2014 was approved on Council Member Spelman's motion, Council Member Morrison's second on a 7-0 vote.**

138. Conduct a public hearing and consider a resolution regarding local consent to the Texas Department of Criminal Justice proposal to construct an office building at 3928 Promontory Point Drive to be used as a parole office.

**The public hearing was conducted and the motion to close the public hearing and take no action was approved on Council Member Spelman's motion, Council Member Martinez' second on a 7-0 vote.**

141. Conduct a public hearing and consider an ordinance regarding floodplain variances for the remodeling and construction of an addition to an existing single-family residence at 4508 Speedway as requested by the owner of the property. The property is entirely 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. 20131212-141 was approved on Council Member Spelman's motion, Council Member Riley's second on a 6-1 vote. Council Member Morrison voted nay.**

Mayor Leffingwell adjourned the meeting at 12:15 a.m. without objection.

The minutes were approved on this the 23rd day of January, 2014 on Council Member Spelman's motion, Council Member Morrison's second on a 6-0 vote. Mayor Leffingwell was absent.