

**AUSTIN CITY COUNCIL  
MINUTES****REGULAR MEETING  
THURSDAY, APRIL 10, 2014**

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, April 10, 2014 in the Council Chambers of City Hall, 301 West Second Street, Austin, Texas.

Mayor Leffingwell called the Council Meeting to order at 1:51 p.m.

**CONSENT AGENDA**

The following items were acted on by one motion.

1. Approve the minutes of the Austin City Council work session of March 25, 2014 and regular meeting of March 27, 2014.  
**The minutes from the City Council work session of March 25, 2014 and regular meeting of March 27, 2014 were approved on consent on Mayor Pro Tem Cole's motion, Council Member Spelman's second on a 7-0 vote.**
2. Authorize negotiation and execution of an agreement with the Austin Independent School District, to provide a performance-based incentive for the generation of solar energy at North Central Elementary School located at 2011 W. Rundberg Lane, Austin, Texas 78758, for an estimated \$31,635 per year, for a total amount not to exceed \$316,350 over a 10-year period.  
**The motion authorizing the negotiation and execution of an agreement with the Austin Independent School District was approved on consent on Mayor Pro Tem Cole's motion, Council Member Spelman's second on a 7-0 vote.**
3. Authorize negotiation and execution of an agreement with Lynxs Austin Cargoport, LLC for the refinancing, lease, and operation for cargo facilities at Austin-Bergstrom International Airport.  
**The motion authorizing the negotiation and execution of an agreement with Lynxs Austin Cargoport, LLC was approved on consent on Mayor Pro Tem Cole's motion, Council Member Spelman's second on a 7-0 vote.**

**Item 4 was pulled for discussion.**

5. Authorize execution of a change order to the construction contract with AUSTIN FILTER SYSTEMS, INC., for Roy G. Guerrero Colorado River Park Rebid in the amount of \$45,000 for a total contract amount not to exceed \$5,473,712.04. (Notes: This contract was awarded in compliance with City Code Chapter 2-9A (Minority Owned and Women Owned Business Enterprise Procurement Program) with 7.10% MBE and 2.20% WBE subcontractor participation to date including this change order.)

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

6. Approve a resolution re-appointing Art Alfaro and appointing Anthony Snipes to the Board of Directors of Austin Convention Enterprises, Inc. (ACE).  
**Resolution No. 20140410-006 was approved on consent on Mayor Pro Tem Cole's motion, Council Member Spelman's second on a 7-0 vote.**
7. Approve an ordinance authorizing acceptance of \$47,631 in grant funds from the TEXAS DEPARTMENT OF STATE HEALTH SERVICES, and amending the Fiscal Year 2013-2014 Health and Human Services Department Operating Budget Special Revenue Fund (Ordinance No. 20130909-001) to appropriate \$47,631 and add one additional full-time employee to staff the Foodborne Outbreak Investigation Epidemiology Project.  
**Ordinance No. 20140410-007 was approved on consent on Mayor Pro Tem Cole's motion, Council Member Spelman's second on a 7-0 vote.**
8. Authorize the negotiation and execution of all documents and instruments necessary or desirable to acquire a temporary access easement of 9,328 square feet of land and a temporary construction easement of 595,590 square feet of land for the Harris Branch Interceptor Lower B Project, located at East Parmer Lane and Hill Lane, in Austin, Texas, being a portion of the James Manor Survey No. 40, Abstract No. 546, the James Gilleland Survey No. 41, Abstract No. 305, and the Josiah Wilbarger Survey No. 42, Abstract No. 794 in Travis County, Texas, from THE BUTLER FAMILY PARTNERSHIP, LTD., A TEXAS LIMITED PARTNERSHIP, in an amount not to exceed \$155,464.  
**The motion authorizing the negotiation and execution of all documents and instruments necessary or desirable to acquire a temporary access easement from The Butler Family Partnership, Ltd., a Texas Limited Partnership was approved on consent on Mayor Pro Tem Cole's motion, Council Member Spelman's second on a 7-0 vote.**
9. Authorize negotiation and execution of an encroachment agreement with GW APARTMENTS LLC, A DELAWARE LIMITED LIABILITY COMPANY, for the retention of the six foot encroachment of a section of a retaining wall in a 451 square foot section of the right-of-way of Cesar Chavez and the extension of a section of decking improvements up to the retaining wall adjacent to and abutting that portion of Block 1 of the Green Water Treatment Plant Redevelopment Project, at the request of the City Arborist in order to preserve the arboreal integrity of designated heritage trees. Related to Item #10  
**This item was postponed to April 17, 2014 on consent on Mayor Pro Tem Cole's motion, Council Member Spelman's second on a 7-0 vote.**
10. Approve an ordinance waiving the requirements of an appraisal and the payment of appraised value under Section 14-11-52 of the City Code and approving the reimbursement of the \$1,000 encroachment agreement application fee for the retention and maintenance of the encroachment of a section of a retaining wall in a 451 square foot section of the right-of-way of Cesar Chavez and the extension of a section of decking improvements up to the retaining wall at the request of the City of Austin under an Encroachment Agreement with GW APARTMENTS LLC, A DELAWARE LIMITED LIABILITY COMPANY in connection with the Green Water Treatment Plant Block 1 Redevelopment Project. Related to Item #9  
**This item was postponed to April 17, 2014 on consent on Mayor Pro Tem Cole's motion, Council Member Spelman's second on a 7-0 vote.**
11. Approve an ordinance amending City Code Chapter 25-12 to correct miscellaneous errors in the 2013 local amendments of the Residential Code, Building Code, Plumbing Code, and Mechanical Code.  
**Ordinance No. 20140410-011 was approved on consent on Mayor Pro Tem Cole's motion, Council Member Spelman's second on a 7-0 vote.**

12. Approve execution of an amendment to the interlocal agreement for the Austin Regional Intelligence Center to include the following agencies as new partners: Austin Community College through its Police Department, Texas State University through its Police Department, the City of Cedar Park through its Police Department, Pflugerville Independent School District through its Police Department, the City of Kyle through its Police Department, and the City of Buda through its Police Department. Related to Item #13  
**This item was postponed to April 17, 2014 on consent on Mayor Pro Tem Cole's motion, Council Member Spelman's second on a 7-0 vote.**
13. Approve execution of an amendment to the interlocal agreement for the Austin Regional Intelligence Center (ARIC) to include the following new partner agencies in the funding mechanism established to sustain the operations of ARIC: Austin Community College through its Police Department, Texas State University through its Police Department, the City of Cedar Park through its Police Department, Pflugerville Independent School District through its Police Department, the City of Kyle through its Police Department, and the City of Buda through its Police Department. Related to Item #12  
**This item was postponed to April 17, 2014 on consent on Mayor Pro Tem Cole's motion, Council Member Spelman's second on a 7-0 vote.**
14. Approve a resolution authorizing the application for \$601,778 in grant funding from the Texas Automobile Burglary and Theft Prevention Authority to implement the Austin Police Department Auto Burglary and Theft Interdiction Project.  
**Resolution No. 20140410-014 was approved on consent on Mayor Pro Tem Cole's motion, Council Member Spelman's second on a 7-0 vote.**
15. Authorize award and execution of Amendment No. 4 to the contract with BILT RITE SCAFFOLD COMPANY, AUSTIN SALES, INC., BASIC INDUSTRIES OF SOUTH TEXAS, and SAFWAY SERVICES, LLC, to provide scaffold services for Austin Energy, to increase the contract authorization for the current contract period in an amount not to exceed \$350,000, for a revised total contract amount not to exceed \$1,268,000. (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 award and execution of amendment number four to the contract with Bilt Rite Scaffold Company, Austin Sales, Inc., Basic Industries of South Texas and Safway Services, LLC was approved on consent on Mayor Pro Tem Cole's motion, Council Member Spelman's second on a 7-0 vote.**
16. Authorize negotiation and execution of an Interlocal Agreement with THE UNIVERSITY OF TEXAS AT AUSTIN to allow for cooperative procurement of goods and services. (Notes: This Interlocal Agreement 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 negotiation and execution of an interlocal agreement with the University of Texas at Austin was approved on consent on Mayor Pro Tem Cole's motion, Council Member Spelman's second on a 7-0 vote.**
17. Authorize award and execution of a 36-month requirements supply contract with POWER SUPPLY INC, for the purchase of three-phase reclosers for Austin Energy, in an amount not-to-exceed \$172,485, with three 12-month extension options in an amount not to exceed \$57,495 per extension option, for a total contract amount not to exceed \$344,970. (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 Power Supply Inc. was approved on consent on Mayor Pro Tem Cole's motion, Council Member Spelman's second on a 7-0 vote.**

18. Authorize award, negotiation, and execution of a 36-month requirements supply contract with LONGHORN INTERNATIONAL TRUCKS LTD, to provide Original Equipment Manufacturer (OEM) and Aftermarket Parts for Navistar Truck Engines in a total amount not to exceed \$2,181,483, with three 12-month extension options in a total amount not to exceed \$727,161 per extension option, for a total contract amount not to exceed \$4,362,966. (Notes: This contract will be awarded in compliance with City Code Chapter 2-9D (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this contract.)  
**The motion authorizing the award, negotiation and execution of a requirements supply contract with Longhorn International Trucks Ltd was approved on consent on Mayor Pro Tem Cole's motion, Council Member Spelman's second on a 7-0 vote.**
19. Authorize award and execution of a 12-month requirements service contract with COMPASSCOM SOFTWARE CORPORATION, for the purchase of automatic vehicle location (AVL) software and services in an amount not to exceed \$35,000, with four 12-month extension options in an amount not to exceed \$35,000 per extension option, for a total contract amount not to exceed \$175,000. (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 contract with Compasscom Software Corporation was approved on consent on Mayor Pro Tem Cole's motion, Council Member Spelman's second on a 7-0 vote.**
20. Authorize award, negotiation and execution of a contract with POWER SUPPLY INC., for the purchase of generator circuit breakers for the switchgear at Austin Energy's Sand Hill Energy Center in an amount not to exceed \$196,450. (Notes: This contract will be awarded in compliance with City Code Chapter 2-9D (Minority Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation.)  
**The motion authorizing the award, negotiation and execution of a contract with Power Supply Inc. was approved on consent on Mayor Pro Tem Cole's motion, Council Member Spelman's second on a 7-0 vote.**
21. Authorize negotiation and execution of a 12-month interlocal agreement between the City and the Capital Area Council of Governments to provide funding and extend the City's involvement in clean air programs and technical projects, in a total amount not to exceed \$15,000.  
**The motion authorizing the negotiation and execution of an interlocal agreement between the City and the Capital Area Council of Governments was approved on consent on Mayor Pro Tem Cole's motion, Council Member Spelman's second on a 7-0 vote.**
22. Approve a resolution authorizing negotiation and execution of Amendment No. 1 to the Advance Funding Agreement between the City and the Texas Department of Transportation to integrate and install an Advance Transportation Management System.  
**Resolution No. 20140410-022 was approved on consent on Mayor Pro Tem Cole's motion, Council Member Spelman's second on a 7-0 vote.**
23. Approve appointments and certain related waivers to citizen boards and commissions, to Council subcommittees and other intergovernmental bodies and removal and replacement of members.  
**The following appointments and waivers were approved on consent on Mayor Pro Tem Cole's motion, Council Member Spelman's second on a 7-0 vote.**

## Nominations

Board/NomineeNominated byDowntown Commission

Jim Nix

Mayor Leffingwell

Asian American Quality of Life Advisory Commission

Richard Jung

Mayor Leffingwell

## Waivers

Approve a waiver of the residency requirement in Section 2-1-21 of the City Code for the service of Richard Jung on the Asian American Quality of Life Advisory Commission.

24. Approve a resolution that establishes a new long-term goal for reductions in community-wide greenhouse gas emissions and directs the City Manager to work with stakeholders to create a comprehensive Climate Protection Plan to meet the new long-term goal. (Notes: SPONSOR: Council Member Chris Riley CO 1: Council Member William Spelman)

**Resolution No. 20140410-024 was approved on consent on Mayor Pro Tem Cole's motion, Council Member Spelman's second on a vote of 6-1. Mayor Leffingwell voted nay.**

25. Approve an ordinance waiving or reimbursing fees for the 2014 South Asian New Year Festival sponsored by Texas Bengali Cultural Alliance which is to be held Saturday, April 12, 2014 at Zilker Hillside Theater. (Notes: SPONSOR: Council Member Laura Morrison CO 1: Council Member Chris Riley CO 2: Mayor Lee Leffingwell)

**Ordinance No. 20140410-025 was approved on consent on Mayor Pro Tem Cole's motion, Council Member Spelman's second on a 7-0 vote.**

**Item 26 was pulled for discussion.**

27. Approve a resolution amending the City's state legislative agenda to include support for legislation that increases the statewide minimum wage, or authorizes municipal governments to enact higher local minimum wages. (Notes: SPONSOR: Council Member Mike Martinez CO 1: Council Member William Spelman CO 2: Council Member Laura Morrison)

**Resolution No. 20140410-027 was approved on consent on Mayor Pro Tem Cole's motion, Council Member Spelman's second on a 7-0 vote.**

28. Approve an ordinance encouraging support of the Lemonade Day Austin 2014 event on Sunday, May 4, 2014 taking place City-wide, waiving the requirement and fees for a temporary food permit under City Code Chapter 10-3 and waiving the requirement and fees for a license agreement under City Code Chapter 14-11. (Notes: SPONSOR: Mayor Lee Leffingwell CO 1: Council Member Kathie Tovo CO 2: Council Member Laura Morrison)

**Ordinance No. 20140410-028 was approved on consent on Mayor Pro Tem Cole's motion, Council Member Spelman's second on a 7-0 vote.**

29. Approve an ordinance waiving or reimbursing fees and requirements for the Centex Open Karate Championship which is to be held Saturday, April 26, 2014 at Oswaldo A.B. Cantu/Pan American Recreation Center. (Notes: SPONSOR: Council Member Mike Martinez CO 1: Mayor Pro Tem Sheryl Cole CO 2: Council Member Laura Morrison)

**Ordinance No. 20140410-029 was approved on consent on Mayor Pro Tem Cole's motion, Council Member Spelman's second on a 7-0 vote.**

30. Approve an ordinance waiving or reimbursing fees for the Flores De Mayo Dinner Reception sponsored by the Austin Filipino American Association which is to be held Saturday, May 10, 2014 at the Asian American Resource Center. (Notes: SPONSOR: Council Member Laura Morrison CO 1: Mayor Pro Tem Sheryl Cole CO 2: Council Member Kathie Tovo)  
**Ordinance No. 20140410-030 was approved on consent on Mayor Pro Tem Cole's motion, Council Member Spelman's second on a 7-0 vote.**
31. Approve a resolution directing the City Manager to report annually to City Council on issues related to a potential increase to the partial ad valorem (property) tax exemption for seniors and people with disabilities. (Notes: SPONSOR: Council Member Laura Morrison CO 1: Council Member Mike Martinez CO 2: Mayor Pro Tem Sheryl Cole)  
**Resolution No. 20140410-031 was approved on consent on Mayor Pro Tem Cole's motion, Council Member Spelman's second on a 7-0 vote.**

**Item 32 was pulled for discussion.**

33. Approve a resolution creating an Austin Water Resource Planning Task Force to evaluate the City's water needs, to examine and make recommendations regarding future water planning, and to evaluate potential water resource management scenarios for Council consideration. (Notes: SPONSOR - Council Member Kathie Tovo CO 1: Council Member Chris Riley CO 2: Mayor Pro Tem Sheryl Cole)  
**Resolution No. 20140410-033 was approved on consent on Mayor Pro Tem Cole's motion, Council Member Spelman's second on a vote of 6-1. Mayor Leffingwell voted nay.**

**Items 34 and 35 were pulled for discussion.**

Item 36 was a briefing item set for 10:30 a.m.

Items 37 and 38 were Executive Session items.

Items 39 through 50 were zoning items set for 2:00 p.m.

Item 51 was an AHFC item.

Items 52 and 53 were public hearing items set for 4:00 p.m.

### **BRIEFINGS**

36. Briefing on universal city-wide Translation Service Policy (Follow-up from Council Resolution No. 20131017-038).  
**This item was postponed to April 17, 2014 without objection.**

### **CITIZEN COMMUNICATIONS: GENERAL**

**Citizens scheduled to speak at this Council Meeting have been rescheduled to speak at the April 17, 2014 Council Meeting.**

Marcos De Leon - Pre-4th of July Parade in the Barrio honoring our neighborhood veterans for their service to our country- June 28, 2014

Gavino Fernandez, Jr - Pre-4th of July in the Barrio parade honoring our neighborhood veterans and their families, Saturday, June 28, 2014/ 9 am Broadway and Cesar Chavez St. West on Cesar Chavez St., to Chicon St., turn left to Jesse Segovia St. to Fiesta Gardens for a military ceremony and join the Cristo Rey Jamaica.

Sara E LeVine - I would like to discuss what changes can occur to city codes in regard to ride share companies. We need to address the severe shortage of taxis and viable alternatives in Austin for people looking to get around the city. I started a petition Monday, the 24th that has over 2400 signatures and hundreds of intelligent and thoughtful comments from taxpayers asking for better public transportation, the legalization of ride share companies, and an easing of ticketing and towing practices on cars left overnight downtown. Please take a minute to read your constituents thoughts on how Austin can improve on both the drinking and driving problem and for the average commuter.

Bill Oakey - Austin affordability

David Carter - Sidewalk improvement

Joy Pecoraro - MBE/WBE Program and Economic Development

Rae Nadler-Olenick - Water Fluoridation

Robert Reynolds - Public transportation especially the new 801 bus

Mike Metschan - COA transportation

Krista Clark - Safety of the drinking water for which I am paying

### **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.**

37. Discuss legal issues related to Open Government matters (Private consultation with legal counsel - Section 551.071 of the Government Code).  
**This item was withdrawn.**
38. 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.**

**Mayor Leffingwell recessed the Council Meeting at 1:52. p.m.**

**Mayor Leffingwell called the Council Meeting back to order at 2:30 p.m.**

### **DISCUSSION ITEMS**

4. Approve an ordinance amending the Fiscal Year 2013-2014 Operating Budget (Ordinance No. 20130909-001) to revise the City's financial policy related to amendments to the Adopted Budget.  
**Ordinance No. 20140410-004 was approved with the following friendly amendments on Council Member Martinez' motion, Council Member Spelman's second on a 7-0 vote.**

**There were friendly amendments made by Mayor Leffingwell to amend the "General Fund Financial Policy" to read as follows. The amendments were accepted by the maker of the motion and Council Member Spelman, who made the second.**

- Amend 3-ii to read, “there is verifiable evidence that significant costs or risks associated with delaying funding until the new budget cycle; or”; and
- Delete section 3-iii.

32. Approve a resolution directing the City Manager to explore potential opportunities for the City to help offset the impact of impending funding cuts to the 21st Century Community Learning Center Grant Program. (Notes: SPONSOR: Council Member Mike Martinez CO 1: Council Member Kathie Tovo CO 2: Council Member Chris Riley)

**Resolution No. 20140410-032 was approved with the following friendly amendment on Council Member Martinez’ motion, Council Member Morrison’s second on a 7-0 vote.**

**There was a friendly amendment made by Council Member Morrison to add a new “Whereas” after the last “Whereas” to read, Whereas, efforts through the Joint Subcommittees of the City of Austin, AISD, and Travis County are currently examining the potential for shared use of specific facilities and evaluating the possible overlaps of centers for service and programs; Now, Therefore,” The amendment was accepted by the maker of the motion.**

### **ZONING AND NEIGHBORHOOD PLAN AMENDMENTS**

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

39. C14-2013-0113 - Lamar Center - Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 11421 and 11423 North Lamar Boulevard (Walnut Creek Watershed) from neighborhood commercial (LR) district zoning to community commercial (GR) district zoning. Staff Recommendation: To grant community commercial-conditional overlay (GR-CO) combining district zoning, with conditions. Zoning and Platting Commission Recommendation: To be reviewed on May 20, 2014. Owner/Applicant: Rundberg Square LLC (Son Thai). City Staff: Sherri Sirwaitis, 512-974-3057.

**This item was postponed on consent to June 12, 2014 at the staff’s request on Council Member Spelman’s motion, Council Member Morrison’s second on a 7-0 vote.**

40. C14-2013-0136 - Austin Elm Terrace, LP - Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 3215 Exposition Boulevard (Taylor Slough South Watershed) from unzoned (UNZ) and family residence (SF-3) district zoning to multi-family residence-low density (MF-2) district zoning. Staff Recommendation: To grant townhouse & condominium residence-conditional overlay (SF-6-CO) combining district zoning. Planning Commission Recommendation: To grant townhouse & condominium residence-conditional overlay (SF-6-CO) combining district zoning. Owner/Applicant: Austin Elm Terrace, LP (Steve Beuerlein). Agent: Husch Blackwell, LLP (Jerry L. Harris). City Staff: Sherri Sirwaitis, 512-974-3057.

**This item was postponed on consent to April 17, 2014 at the applicant’s request on Council Member Spelman’s motion, Council Member Morrison’s second on a 7-0 vote.**

41. C14-2014-0007 - Drew Lane Zoning - Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 2507 Mitchell Lane (Slaughter Creek Watershed) from single family residence-standard lot-conditional overlay (SF-2-CO) combining district zoning to family residence (SF-3) district zoning. Staff Recommendation: To grant family residence-conditional overlay (SF-3-CO) combining district zoning. Zoning and Platting Commission Recommendation: To grant single family residence-standard lot-conditional overlay (SF-2-CO) combining district zoning. Owner/Applicant: Brian Winterowd; Geryl W. Winterowd. Agent: Site Specifics (John Hussey). City Staff: Wendy Rhoades, 512-974-7719.

**This item was postponed on consent to April 17, 2014 at the applicant’s request on Council Member Spelman’s motion, Council Member Morrison’s second on a 7-0 vote.**



42. C14-2014-0022 - 7800 Old Manor Road - Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by zoning property locally known as 7718 and 7800 Old Manor Road, and 7815 Springdale Road (Walnut Creek Watershed) from interim-rural residence (I-RR) district zoning to public (P) district zoning. Staff Recommendation: To grant public (P) district zoning. Zoning and Platting Commission Recommendation: To grant public (P) district zoning. Owner/Applicant: Travis County, Facilities Management Department (Roger El Khoury). City Staff: Heather Chaffin, 512-974-2122.  
**The public hearing was conducted and the motion to close the public hearing and adopt Ordinance No. 20140410-042 for public (P) district zoning was approved on consent on Council Member Spelman's motion, Council Member Morrison's second on a 7-0 vote.**
43. C14-2014-0035 - Adams House - Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 4300 Avenue G (Waller Creek Watershed) from family residence-neighborhood conservation combining district-neighborhood plan (SF-3-NCCD-NP) combining district zoning to family residence-neighborhood conservation combining district-neighborhood plan (SF-3-NCCD-NP) combining district zoning, to change a condition of zoning. Staff Recommendation: To grant family residence-neighborhood conservation combining district-neighborhood plan (SF-3-NCCD-NP) combining district zoning, to change a condition of zoning. Planning Commission Recommendation: To be reviewed April 22, 2014. Owner: Sidney Lock; Applicant: McHone Real Estate (Mike McHone). City Staff: Heather Chaffin, 512-974-2122.  
**This item was postponed on consent to May 1, 2014 at the staff's request on Council Member Spelman's motion, Council Member Morrison's second on a 7-0 vote.**
44. C814-2012-0055.02 - Covered Bridge Planned Unit Development - Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by rezoning for property locally known as 6714 Covered Bridge Drive (Williamson Creek Watershed-Barton Springs Zone) from planned unit development-neighborhood plan (PUD-NP) combining district zoning to planned unit development-neighborhood plan (PUD-NP) combining district zoning, to change a condition of zoning. The land in the PUD is within the area known as the Barton Springs Zone in which the City's Save Our Springs (SOS) ordinance applies. PUD zoning may modify City ordinances applicable to development of the land. Staff Recommendation: To grant planned unit development-neighborhood plan (PUD-NP) combining district zoning, to change a condition of zoning. Planning Commission Recommendation: To grant planned unit development-neighborhood plan (PUD-NP) combining district zoning to planned unit development-neighborhood plan (PUD-NP) combining district zoning, to change a condition of zoning. Owner: PPF AMLI Covered Bridge Drive, LLC; Covered Bridge Section 8, LLC. Applicant: Thrower Design (Ron Thrower). City Staff: Heather Chaffin, 512-974-2122.  
**The public hearing was conducted and the motion to close the public hearing and adopt the first reading of the ordinance for planned unit development-neighborhood plan (PUD-NP) combining district zoning, to change a condition of zoning was approved on consent on Council Member Spelman's motion, Council Member Morrison's second on a 7-0 vote. The conditions were as follows, Tract 1: 235 residential units, with 230 for multi-family and 5 for condominium use; Tracts 2 and 4: lower height amount from 55 feet to 45 feet (a reduction of 10 feet) and density would equate to 0.173 to 1.**
45. C14-2014-0017 - Westgate Neighborhood Plan Area Rezoning - Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by rezoning property locally known as the Westgate Neighborhood Planning Area, generally bounded by West Ben White Boulevard on the north, Manchaca Road on the east, West Stassney Lane on the south, and generally along the lot line and Westgate Boulevard on the west (Williamson Creek Watershed). The proposed zoning changes will create a Neighborhood Plan Combining District (NPCD) covering the entire area described above. The proposed zoning changes also implement the land use recommendations of the South Austin Combined Neighborhood Plan, NP-2013-0030, on 537.02 acres. Under the proposed Westgate NPCD, the following are proposed to be applied area-wide: 1) infill options including small-lot amnesty, cottage lot, urban home, secondary apartments and corner store; 2) design tools including parking placement and

impervious cover restrictions, garage placement, and front porch setback, and 3) mobile food establishment restrictions. Staff Recommendation: To grant rezonings that implement the land use recommendations of the Westgate Neighborhood Plan. Planning Commission Recommendation: To be reviewed on April 22, 2014. Applicant and Agent: City of Austin, Planning and Development Review Department. City Staff: Francis Reilly, 512-974-7657.

**This item was postponed on consent to May 1, 2014 for a time certain of 4:00 p.m. at the staff's request on Council Member Spelman's motion, Council Member Morrison's second on a 7-0 vote.**

46. C14-2014-0018 - South Manchaca Neighborhood Plan Area Rezonings - Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by rezoning property locally known as the South Manchaca Neighborhood Planning Area, generally bounded by West Ben White Boulevard on the north, South 1st Street on the east, West Stassney Lane on the south, and Manchaca Road on the west (West Bouldin Creek Watershed; Williamson Creek Watershed). The proposed zoning changes will create a Neighborhood Plan Combining District (NPCD) covering the entire area described above. The proposed zoning changes also implement the land use recommendations of the South Austin Combined Neighborhood Plan, NP-2013-0030, on 889 acres. Under the proposed South Manchaca NPCD, the following are proposed to be applied area-wide: 1) infill options including small-lot amnesty, cottage lot, urban home, secondary apartments and corner store; 2) design tools including parking placement and impervious cover restrictions, garage placement, and front porch setback, and 3) mobile food establishment restrictions. Staff Recommendation: To grant rezonings that implement the land use recommendations of the South Manchaca Neighborhood Plan. Planning Commission Recommendation: To be reviewed on April 22, 2014. Applicant and Agent: City of Austin, Planning and Development Review Department. City Staff: Francis Reilly, 512-974-7657.

**This item was postponed on consent to May 1, 2014 for a time certain of 4:00 p.m. at the staff's request on Council Member Spelman's motion, Council Member Morrison's second on a 7-0 vote.**

47. C14-2014-0019 - Garrison Park Neighborhood Plan Area Rezonings - Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by rezoning property locally known as the Garrison Park Neighborhood Planning Area, generally bounded by West Stassney Lane on the north, South 1st Street on the east, West William Cannon Drive on the south, and Deatonhill Drive and generally along the lot line, and Westgate Boulevard on the west (Williamson Creek Watershed). The proposed zoning changes will create a Neighborhood Plan Combining District (NPCD) covering the entire area described above. The proposed zoning changes also implement the land use recommendations of the South Austin Combined Neighborhood Plan, NP-2013-0030, on 1,257.6 acres. Under the proposed Garrison Park NPCD, the following are proposed to be applied area-wide: 1) infill options including small-lot amnesty, cottage lot, urban home, secondary apartments and corner store; 2) design tools including parking placement and impervious cover restrictions, garage placement, and front porch setback, and 3) mobile food establishment restrictions. Staff Recommendation: To grant rezonings that implement the land use recommendations of the Garrison Park Neighborhood Plan. Planning Commission Recommendation: To be reviewed on April 22, 2014. Applicant and Agent: City of Austin, Planning and Development Review Department. City Staff: Francis Reilly, 512-974-7657.

**This item was postponed on consent to May 1, 2014 for a time certain of 4:00 p.m. at the staff's request on Council Member Spelman's motion, Council Member Morrison's second on a 7-0 vote.**

48. C14-2013-0147 - 707 West Avenue Rezoning - Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 707 West Avenue (Shoal Creek Watershed) from general commercial services-conditional overlay (CS-CO) combining district zoning to downtown mixed use (DMU) district zoning. Staff Recommendation: To grant downtown mixed use-conditional overlay (DMU-CO) combining district zoning. Planning Commission Recommendation: To grant downtown mixed use-conditional overlay (DMU-CO) combining district zoning. Owner: Cirrus Logic, Inc. (Thurman Case). Applicant: Armbrust & Brown, P.L.L.C. (Richard Suttle). City Staff: Heather Chaffin, 512-974-2122.

**This item was postponed on consent to April 17, 2014 at the staff's request on Council Member Spelman's motion, Council Member Morrison's second on a 7-0 vote.**

49. C14H-2014-0001 - Baylor House - Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 1607 West 10th Street (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 forward to Planning Commission without a recommendation. Historic Landmark Commission Recommendation: To grant family residence-historic landmark-neighborhood plan (SF-3-H-NP) combining district zoning. Planning Commission Recommendation: To forward to City Council without a recommendation. Applicant: Historic Landmark Commission. City Staff: Steve Sadowsky, Historic Preservation Office, Planning and Development Review Department, 512-974-6454.

**This item was postponed on consent to April 17, 2014 at the neighborhood's request on Council Member Spelman's motion, Council Member Morrison's second on a 7-0 vote.**

50. Conduct a public hearing and consider an ordinance amending the Imagine Austin Comprehensive Plan by adopting the South Austin Combined Neighborhood Plan. The boundaries for the South Austin Combined Neighborhood Planning Area are Ben White Blvd. on the north, South 1st St. on the east, William Cannon Drive on the south, and the Sunset Valley City Limits on the west.

**This item was postponed on consent to May 1, 2014 for a time certain 4:00 p.m. at the staff's request on Council Member Spelman's motion, Council Member Morrison's second on a 7-0 vote.**

**The items from the Board of Directors' Meeting of the Austin Housing Finance Corporation were postponed to April 17, 2014 without objection.**

#### **PUBLIC HEARINGS AND POSSIBLE ACTIONS**

**Items 52 and 53 were acted on in a combined motion.**

52. Conduct a public hearing and consider an ordinance amending City Code Chapters 25-1 and 25-5 relating to vested development rights and continuing use rights under the Texas Local Government Code and amending Chapters 25-4 and 30-2 relating to subdivision plats.

**This item was postponed to April 17, 2014 on Council Member Martinez' motion, Council Member Morrison's second on a 7-0 vote.**

53. Conduct a public hearing and consider an ordinance amending City Code Title 25 to allow breweries to sell beer and ale produced on-site, for on-site consumption.

**This item was postponed to April 17, 2014 on Council Member Martinez' motion, Council Member Morrison's second on a 7-0 vote.**

#### **DISCUSSION ITEMS CONTINUED**

34. Approve a resolution initiating a renaming process under City Code Section 14-1-34 to rename the Rosewood Recreation Center the "Delores Duffie Recreation Center." (Notes: SPONSOR: Mayor Pro Tem Sheryl Cole CO 1: Council Member Kathie Tovo CO 2: Council Member Laura Morrison)

**Resolution No. 20140410-034 was approved on Mayor Pro Tem Cole's motion, Council Member Morrison's second on a 6-0 vote. Mayor Leffingwell was off the dais.**

35. Set a public hearing to consider an ordinance adopting local standards of care for the Parks and Recreation Department's Youth Recreation Programs for 2014. (Suggested date and time: May 22, 2014, 4:00 p.m. at City Hall, 301 W. Second Street, Austin, Texas)

**The public hearing was set for May 22, 2014 at 4:00 p.m. at City Hall, 301 W. Second Street, Austin, Texas on Mayor Pro Tem Cole's motion, Council Member Spelman's second on a 7-0.**

26. Approve a resolution initiating a code amendment to amend the "Transit" criteria included in Section 25-1-703(B)(4) related to the S.M.A.R.T. Housing Program requirements that specifies that a project needs to be within 1/2 mile of a transit stop, and that the route from the project to the transit stop is an accessible route for pedestrians and people with disabilities and directing the City Manager to present the amendment to Council in conjunction with the 2014-2019 Consolidated Plan or as soon as possible thereafter. (Notes: SPONSOR: Council Member Chris Riley CO 1: Mayor Pro Tem Sheryl Cole CO 2: Council Member Mike Martinez)

**There was a motion made by Council Member Riley and seconded by Council Member Martinez to approve the resolution with the following friendly amendments.**

**There was a friendly amendment made by Council Member Spelman to amend the resolution as follows. The amendment was accepted by the maker and Council Member Martinez, who made the second.**

**Add after the fourth "Whereas"**

**"Whereas, the number of units built under S.M.A.R.T. housing has diminished in recent years, suggesting that the program no longer provides the benefits to housing developers that it once did; and**

**Whereas, outreach to housing developers who have built or considered building under S.M.A.R.T. housing may help to identify opportunities for program improvement, thus increasing participation; and"**

**Amend the second "Be It Resolved" to read,**

**"Be It Further Resolved:**

**The City Manager is directed to gather input from stakeholders including the Community Development Commission, affordable housing advocates, and housing developers on the benefits and costs to developers of building under S.M.A.R.T. housing and on the effects of amending the "Transit" criteria. The code amendment process should consider distinguishing the S.M.A.R.T. transit requirements for Austin projects applying for the Competitive 9% TDHCA Housing Tax Credit Program versus other projects desiring to use City of Austin affordable housing funds. The code amendment process should also include consideration of any potential exceptions or adjustments to the 1/2-mile requirement. Staff should present all stakeholder feedback, and any alternative recommendations on strengthening the S.M.A.R.T. Housing Program and the transit requirement, at the same time as the draft code amendment."**

**There was a friendly amendment made by Council Member Tovo to remove the first "Be It Resolved" and edit the second "Be It Further Resolved" to read as follows in the resolution. The amendment was not accepted by the maker of the motion.**

**The amendment was to have the second "Be It Further Resolved" read,**

**"The City Manager is directed to gather input from stakeholders on whether the "Transit" criteria related to the S.M.A.R.T. Housing Program requirements in City Code Section 25-1-703 (B)(4) should require a project to be within 1/2 mile of a transit stop, measured by the actual travel distance, at the time the project is occupied, and should require the route from the project to the transit stop to be accessible for pedestrians and people with disabilities.**

**Stakeholders should include Capital Metro, affordable housing advocates, housing developers, Capital Metro, and the Community Development Commission."**

**Amend the last "Be It Further Resolved" to read,**

**"The City Manager is directed to summarize stakeholder feedback and report back to City Council with any recommended code amendments by August 30, 2014."**

There was an amendment made by Council Member Tovo and seconded by Council Member Morrison to amend the resolution as follows. The amendment failed on a vote of 3-4. Those voting aye were: Council Members Morrison, Spelman and Tovo. Those voting nay were: Mayor Leffingwell, Mayor Pro Tem Cole and Council Members Martinez and Riley.

The amendments were to:

Remove the First "Be It Resolved" clause.

Amend the second "Be It Resolved" to read,

The City Manager is directed to gather input from stakeholders including the Community Development Commission, Capital Metro, affordable housing advocates, and housing developers on the benefits and costs to developers of building under S.M.A.R.T. housing and on the effects of amending the "Transit" criteria. Staff and Stakeholders should consider distinguishing the S.M.A.R.T. transit requirements for Austin projects applying for the Competitive 9% TDHCA Housing Tax Credit Program versus other projects desiring to use City of Austin affordable housing funds. They should also include consideration of any potential exceptions or adjustments to the ½-mile requirement that S.M.A.R.T. housing projects be located within ½ mile of a transit stop, measured by the actual travel distance, at the time the project is occupied, and requiring the route from the project to the transit stop to be accessible for pedestrians and people with disabilities. Staff should present all stakeholder feedback, and any alternative recommendations on strengthening the S.M.A.R.T. Housing Program and the transit requirement."

Amend the last "Be It Resolved" to read, "The City Manager is directed to summarize stackholder feedback and any alternative recommendations on strengthening the S.M.A.R.T. Housing Program and the transit requirement and report back to City Council with any recommended code amendments by August 30, 2014."

Resolution No. 20140410-026 was approved with friendly amendments listed above on Council Member Riley's motion, Council Member Martinez' second on a 5-2 vote. Those voting aye were: Mayor Leffingwell, Mayor Pro Tem Cole and Council Members Martinez, Riley and Spelman. Those voting nay were: Council Members Morrison and Tovo.

Mayor Leffingwell adjourned the meeting at 4:30 p.m. without objection.

### LIVE MUSIC

The Sun Machine

### PROCLAMATIONS

Honorary Citizen Certificates -- Koblenz High School Sister City Exchange Students -- to be presented by Mayor Lee Leffingwell and to be accepted by the honorees

Certificates of Congratulations -- Maddie's Fund (animal) Lifesaving Award Winners -- to be presented by Mayor Lee Leffingwell and to be accepted by Dr. Ellen Jefferson, Frances Jonon and Abigail Smith

Proclamation -- Purple Party 6 (The Long Center's 6th Annual Birthday Celebration) and The Greater Austin High School Music Theatre Awards -- to be presented by Mayor Lee Leffingwell and to be accepted by Jamie Grant

Proclamation -- Bob Pickett's 30th Anniversary on KVET/KASE -- to be presented by Mayor Lee Leffingwell and to be accepted by the honoree

Proclamation -- Austin Safe Digging Month -- to be presented by Mayor Pro Tem Sheryl Cole and to be accepted by Doug Meeks

Proclamation -- Fair Housing Month -- to be presented by Mayor Pro Tem Sheryl Cole and to be accepted by Jonathan Babiak

Proclamation -- Fusebox Festival 2014 -- to be presented by Mayor Pro Tem Sheryl Cole and to be accepted by Ron Berry

Certificate of Congratulations -- Manuel Navarro -- 50th Anniversary of the Golden Glove -- to be presented by Council Member Mike Martinez and to be accepted by the honoree

**The minutes were approved on this the 17th day of April, 2014 on Council Member Tovo's motion, Council Member Morrison's second on a 6-0 vote. Vice President Cole was absent.**