

**AUSTIN CITY COUNCIL
MINUTES****REGULAR MEETING
THURSDAY, APRIL 17, 2014**

Invocation: Pastor Steve Manning, Sweet Home Baptist 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, April 17, 2014 in the Council Chambers of City Hall, 301 West Second Street, Austin, Texas.

Mayor Leffingwell called the Council Meeting to order at 10:08 a.m.

Mayor Pro Tem Cole was absent from the meeting.

CONSENT AGENDA

The following items were acted on by one motion.

1. Approve the minutes of the Austin City Council work session of April 8, 2014 and regular meeting of April 10, 2014.
The minutes from the City Council work session of April 8, 2014 and regular meeting of April 10, 2014 were approved on consent on Council Member Tovo's motion, Council Member Morrison's second on a 6-0 vote. Mayor Pro Tem Cole was absent.
2. Approve Service Extension Request No. 3368 for water service to a 11.92 acre tract at 10910 N FM 620 Road located entirely within the Drinking Water Protection Zone and in the City's 2-mile extraterritorial jurisdiction. Related to Item #3.
The motion to approve service extension request number 3368 was approved on consent on Council Member Tovo's motion, Council Member Morrison's second on a 5-1 vote. Council Member Riley voted nay. Mayor Pro Tem Cole was absent.
3. Approve Service Extension Request No. 3369 for wastewater service to an 11.92 acre tract at 10910 N FM 620 Road located entirely within the Drinking Water Protection Zone and in the City's 2-mile extraterritorial jurisdiction. Related to Item #2.
The motion to approve service extension request number 3369 was approved on consent on Council Member Tovo's motion, Council Member Morrison's second on a 5-1 vote. Council Member Riley voted nay. Mayor Pro Tem Cole was absent.
4. Approve a resolution to repeal Resolution Nos. 20090924-007 and 20120802-010, and adopt the Utility Profile & Water Conservation Plan for Municipal and Wholesale Water Use as required by the Texas Commission on Environmental Quality. Recommended by the Resource Management Commission on April 15, 2014 on a 4-1-0-2 vote with Commissioner Biedrzycki voting against.

Resolution No. 20140417-004 was approved on consent on Council Member Tovo's motion, Council Member Morrison's second on a 6-0 vote. Mayor Pro Tem Cole was absent.

5. Authorize execution of a construction contract with SMITH CONTRACTING CO. INC., for Springwoods Non-MUD and Kruger Wastewater Improvements Project in the amount of \$943,246.15 plus a \$94,324.61 contingency, for a total contract amount not to exceed \$1,037,570.76. (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 8.67% MBE and 2.06% WBE subcontractor participation)

The motion authorizing the execution of a construction contract with Smith Contracting Co. Inc. was approved on consent on Council Member Tovo's motion, Council Member Morrison's second on a 6-0 vote. Mayor Pro Tem Cole was absent.

6. Authorize negotiation and execution of an amendment to the professional services agreement with CLOUGH HARBOUR & ASSOCIATES, INC.; CORGAN ASSOCIATES, INC.; and REYNOLDS SMITH AND HILLS, INC. for architectural and engineering services for the Austin-Bergstrom International Airport Architectural & Engineering Rotation List for the years 2012 through 2014 or until available funding authorization is expended, in the amount of \$2,250,000 in additional authorization, for a total not to exceed amount of \$9,750,000. The additional authorization will be distributed as follows: \$750,000 will be allocated to CLOUGH HARBOUR & ASSOCIATES, INC.; \$750,000 will be allocated to CORGAN ASSOCIATES, INC.; and \$750,000 will be allocated to REYNOLDS SMITH AND HILLS, INC. (Notes: This contract was awarded in compliance with City Code Chapter 2-9B of the (Minority Owned and Women Owned Business Enterprise Procurement Program) by meeting the goals with 15.80% MBE and 15.80% WBE sub-consultant participation.)

The motion authorizing the negotiation and execution of an amendment to the professional services agreement with Clough Harbour & Associates, Inc.; Corgan Associates, Inc. and Reynolds Smith and Hills, Inc. was approved on consent on Council Member Tovo's motion, Council Member Morrison's second on a 6-0 vote. Mayor Pro Tem Cole was absent.

7. Authorize funding for the New Central Library Project Construction Manager at Risk Contract with HENSEL PHELPS CONSTRUCTION COMPANY in the revised contractual construction cost limitation amount of \$116,358,200 with a \$1,842,000 contingency, for a total not to exceed amount of \$118,200,200, for the construction of the New Central Library and Related Improvements Project including the 2nd Street bridge, utilities, and roadway improvements. (Notes: This contract was awarded in compliance with City Code Chapter 2-9A (Minority Owned and Women Owned Business Enterprise Procurement Program) by meeting the goals for Preconstruction Phase Services of the Construction Manager at Risk agreement of 7.69% MBE and 3.02% WBE. Current and future work packages for Construction Phase Services contain MBE/WBE goals which are: 2.07% African American; 7.26% Hispanic; 0.80% Native/Asian; and 2.44% WBE.)

The motion authorizing funding for the New Central Library Project Construction Manager at Risk Contract with Hensel Phelps Construction Company was approved on consent on Council Member Tovo's motion, Council Member Morrison's second on a 6-0 vote. Mayor Pro Tem Cole was absent.

8. Authorize execution of additional contingency to the construction contract with QUEST CIVIL CONSTRUCTORS TEXAS, LLC for the Barton Springs Pool - General Grounds Improvements Project in the amount of \$312,727.20 for a total contract amount not to exceed \$3,368,726.40. Related to Item #17. (Notes: This contract was awarded in compliance with City Code Chapter 2-9A (Minority Owned and Women Owned Business Enterprise Procurement Program) with 7.54% MBE and 2.02% WBE subcontractor participation to date.)

The motion authorizing the execution of additional contingency to the construction contract with Quest Civil Constructors Texas, LLC was approved on consent on Council Member Tovo's motion, Council Member Morrison's second on a 6-0 vote. Mayor Pro Tem Cole was absent.

9. Authorize execution of a construction contract with SMITH CONTRACTING COMPANY, INC. for the 3rd Street Reconstruction Phase 3 Rebid Project, Congress Avenue to Guadalupe Street, in the amount of \$3,898,248.50 plus a \$389,824.85 contingency, for a total contract amount not to exceed \$4,288,073.35. (Notes: This contract will be awarded in compliance with Chapter 2-9A of the City Code (Minority Owned and Women Owned Business Enterprise Procurement Program) by meeting the goals with 7.23 MBE and 3.32% WBE subcontractor participation.)
The motion authorizing the execution of a construction contract with Smith Contracting Company, Inc. was approved on consent on Council Member Tovo's motion, Council Member Morrison's second on a 6-0 vote. Mayor Pro Tem Cole was absent.
10. Approve an ordinance authorizing the negotiation and execution of a developer participation agreement with GW APARTMENTS, LLC, for cost participation in the construction of streetscape infrastructure associated with Block One of the Green Water Treatment Plant Redevelopment project in an amount not to exceed \$641,000.00, and authorize the use of the Construction Manager at Risk method under Chapter 2269 of the Texas Government Code by TC Green Water Master Developer, its permitted assigns, and construction manager, as a method of providing better value to the city, as required by Section 252.022(d) of the Local Government Code, for the development and construction of the Green Redevelopment Project's Streetscape Improvement Project(s), the Nueces Street Extension, the Environmental Remediation Project(s), and, to the extent applicable, the Reclaimed Water Line and Chilled Water Line Projects.
Ordinance No. 20140417-010 was approved on consent on Council Member Tovo's motion, Council Member Morrison's second on a 6-0 vote. Mayor Pro Tem Cole was absent.
11. Authorize negotiation and execution of an agreement for development and construction of new cultural facilities for public use funded in part with bond funds with the Film Society of Austin, Inc. (Austin Film Society), a Texas non-profit organization, for the City improvements and renovations to the Austin Studios facilities; and approve an ordinance waiving certain requirements of City Code Chapter 14 to authorize Austin Film Society to name buildings subject to ratification by council and areas within the buildings subject to review by the City Manager or his designee.
The motion authorizing the negotiation and execution of an agreement with the Film Society of Austin, Inc. and Ordinance No. 20140417-011 was approved on consent on Council Member Tovo's motion, Council Member Morrison's second on a 6-0 vote. Mayor Pro Tem Cole was absent.
12. Approve recommendations related to the purchase of a wildfire detection system by the City and recommendations to establish coordinated operations of wildfire detection systems owned by the City, Travis County, and the City of Westlake.
This item was postponed on consent to May 1, 2014 on Council Member Tovo's motion, Council Member Morrison's second on a 6-0 vote. Mayor Pro Tem Cole was absent.
13. 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 #14.
The motion authorizing the negotiation and execution of an encroachment agreement with GW Apartments LLC, a Delaware Limited Liability Company was approved on consent on Council Member Tovo's motion, Council Member Morrison's second on a 6-0 vote. Mayor Pro Tem Cole was absent.
14. 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 #13.

Ordinance No. 20140417-014 was approved on consent on Council Member Tovo's motion, Council Member Morrison's second on a 6-0 vote. Mayor Pro Tem Cole was absent.

15. Authorize negotiation and execution of an interlocal agreement with Travis County to conduct a jointly funded market and feasibility study on future uses and improvements of the Walter E. Long Metropolitan Park and Travis County Exposition Center. Related to Item #16.

The motion authorizing the negotiation and execution of an interlocal agreement with Travis County was approved on consent on Council Member Tovo's motion, Council Member Morrison's second on a 6-0 vote. Mayor Pro Tem Cole was absent.

16. Approve an ordinance amending the Fiscal Year 2013-2014 Special Revenue Fund Operating Budget of the Parks and Recreation Department (Ordinance No. 20130909-001) to accept and appropriate \$50,000 from Travis County and \$25,000 from the Star of Texas Fair and Rodeo for the market and feasibility study on future uses and improvements of the Walter E. Long Metropolitan Park and Travis County Exposition Center. Related to Item #15.

Ordinance No. 20140417-016 was approved on consent on Council Member Tovo's motion, Council Member Morrison's second on a 6-0 vote. Mayor Pro Tem Cole was absent.

17. Approve an ordinance amending the Fiscal Year 2013-2014 Parks and Recreation Department Capital Budget (Ordinance No. 20130909-002) to increase appropriations from donations by \$239,406 for improvements to the Barton Springs Pool. Related to Item #8.

Ordinance No. 20140417-017 was approved on consent on Council Member Tovo's motion, Council Member Morrison's second on a 6-0 vote. Mayor Pro Tem Cole was absent.

18. Approve an ordinance amending Ordinance No. 20140213-081 for the property known as South Shore District Planned Unit Development located at 1201 Town Creek Drive to replace an incorrect version of Sheet 2 of the Land Use Plan that was inadvertently attached to the ordinance.

Ordinance No. 20140417-018 was approved on consent on Council Member Tovo's motion, Council Member Morrison's second on a 6-0 vote. Mayor Pro Tem Cole was absent.

Items 19 and 20 were pulled for discussion.

21. Authorize negotiation and execution of an amendment to the interlocal agreement between the City and Travis County for the Howard Lane II from Cameron Road (Harris Branch Parkway) to State Highway 130 project in an amount not to exceed \$458,098.01 for a total amount not to exceed \$13,218,395.93.

The motion authorizing the negotiation and execution of an amendment to the interlocal agreement between the City and Travis County was approved on consent on Council Member Tovo's motion, Council Member Morrison's second on a 6-0 vote. Mayor Pro Tem Cole was absent.

22. Authorize negotiation and execution of an interlocal agreement between the City and the Texas Department of Transportation (TXDOT) for relocation of existing water and wastewater lines in conflict with TXDOT roadway improvements to be made as part of TXDOT's South Congress Ave.: North Bluff Dr. to Foremost Dr. Project (CSJ: 0116-01-111) in the amount of \$417,756.00 plus a \$41,775.60 contingency, for a total contract amount not to exceed \$459,531.60.

The motion authorizing the negotiation and execution of an interlocal agreement between the City and the Texas Department of Transportation was approved on consent on Council Member Tovo's motion, Council Member Morrison's second on a 6-0 vote. Mayor Pro Tem Cole was absent.

23. Authorize award and execution of a 36-month supply agreements contract through U.S. Communities with THE HOME DEPOT U.S.A., and through The Cooperative Purchasing Network with LOWE'S HOME CENTERS, LLC, for the purchase of building supplies and equipment, in an amount not to exceed \$4,500,000 each and combined, with three 12-month extension options in an amount not to exceed \$1,500,000 each and combined per extension option, for a total contract amount not to exceed \$9,000,000. (Notes: This contract will be awarded in compliance with City Code Chapter 2-9D (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this contract.)
The motion authorizing the award and execution of a supply agreements contract through U.S. Communities with the Home Depot U.S.A. and through the Cooperative Purchasing Network with Lowe's Home Centers, LLC was approved on consent on Council Member Tovo's motion, Council Member Morrison's second on a 6-0 vote. Mayor Pro Tem Cole was absent.
24. Authorize award and execution of Amendment No. 3 to the contract through the State of Texas Procurement and Support Services Cooperative Purchasing Program (State of Texas Coop) with LIBERTY TIRE RECYCLING, LLC, for removal and proper disposal of scrap tires, to increase the current contract period in an amount not to exceed \$75,000 and the remaining three 12-month extension options in amounts not to exceed \$75,000 additional per extension option, for a revised total contract amount not to exceed \$494,365. (Notes: This contract was 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.)
This item was withdrawn on consent on Council Member Tovo's motion, Council Member Morrison's second on a 6-0 vote. Mayor Pro Tem Cole was absent.

Items 25 and 26 were pulled for discussion.

27. Authorize award, negotiation, and execution of a 24-month requirements supply and service agreement with NEC CORPORATION OF AMERICA, to provide maintenance and support for the Private Branch Exchange at Austin- Bergstrom International Airport in an amount not to exceed \$1,035,000, with three 12-month extension options in an amount not to exceed \$446,000 for the first option, \$321,000 for the second option, and \$321,000 for the final option, for a total contract amount not to exceed \$2,123,000. (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 supply and service agreement with NEC Corporation of America was approved on consent on Council Member Tovo's motion, Council Member Morrison's second on a 6-0 vote. Mayor Pro Tem Cole was absent.
28. Authorize negotiation and execution of Amendment No. 8 to the contract with POWERPLAN CONSULTANTS, INC., for the purchase of software upgrades and continued maintenance and support services for Austin Energy's utility asset accounting software, PowerPlant, to add five one-year extension options in amounts not to exceed \$885,499, \$345,758, \$359,588, \$373,972 and \$388,930 respectively, for a revised total contract amount not to exceed \$4,017,247. (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 eight to the contract with Powerplan Consultants, Inc. was approved on consent on Council Member Tovo's motion, Council Member Morrison's second on a 6-0 vote. Mayor Pro Tem Cole was absent.

Item 29 was pulled for discussion.

30. Authorize award and execution of a 36-month requirements supply contract with FSTI, INC. for sodium hypochlorite for the Austin Water Utility in an amount not to exceed \$57,000 with three 12-month extension options in an amount not to exceed \$19,000 per extension option for a total contract amount not to exceed \$114,000. (Notes: This contract will be awarded in compliance with City Code Chapter 2-9D (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore no goals were established for this solicitation.)
The motion authorizing the award and execution of a requirements supply contract with FSTI, Inc. was approved on consent on Council Member Tovo's motion, Council Member Morrison's second on a 6-0 vote. Mayor Pro Tem Cole was absent.
31. Authorize award and execution of a contract through the U.S. Communities cooperative with GRAYBAR ELECTRIC CO. INC., for the removal of two programmable logic controllers and replace with current technology for a total contract amount not to exceed \$394,750. (Notes: This contract will be awarded in compliance with City Code Chapter 2-9D (Minority Owned and Women Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation.)
The motion authorizing the award and execution of a contract through the U.S. Communities cooperative with Graybar Electric Co. Inc. was approved on consent on Council Member Tovo's motion, Council Member Morrison's second on a 6-0 vote. Mayor Pro Tem Cole was absent.
32. Authorize award and execution of a sole source contract with SEEPEX, Inc., for the purchase of two progressive sludge cavity pumps for the Austin Water Utility in a total contract amount of \$60,720. (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 sole source contract with Seepex, Inc. was approved on consent on Council Member Tovo's motion, Council Member Morrison's second on a 6-0 vote. Mayor Pro Tem Cole was absent.
33. Authorize award and execution of a sole source contract with SEEPEX, Inc., for the purchase of six progressive polymer cavity pumps for the Austin Water Utility in a total contract amount of \$58,638. (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 sole source contract with Seepex, Inc. was approved on consent on Council Member Tovo's motion, Council Member Morrison's second on a 6-0 vote. Mayor Pro Tem Cole was absent.
34. Authorize award and execution of a 24-month requirements supply agreement with HACH COMPANY, for the purchase of specialized water quality testing equipment, supplies and chemicals for the Austin Water Utility in an amount not to exceed \$360,000 with three 12-month extension options in an amount not to exceed \$180,000 per extension option, for a total contract amount not to exceed \$900,000. (Notes: This contract will be awarded in compliance with City Code Chapter 2-9D (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore no goals were established for this solicitation.)
The motion authorizing the award and execution of a requirements supply agreement with Hach Company was approved on consent on Council Member Tovo's motion, Council Member Morrison's second on a 6-0 vote. Mayor Pro Tem Cole was absent.
35. Authorize award, negotiation and execution of a contract with AUTOMATED LOGIC CONTRACTING SERVICES, INC., for the purchase and installation of a remote monitoring system for the heating, ventilation and air conditioning controls at Austin Energy's Sand Hill Energy Center, in an amount not to exceed \$64,796. (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 Automated Logic Contracting Services, Inc. was approved on consent on Council Member Tovo's motion, Council Member Morrison's second on a 6-0 vote. Mayor Pro Tem Cole was absent.

36. Authorize award and execution of a 36-month requirements supply agreement with MCCAIN INC. to provide various sizes of section traffic signal heads in an amount not to exceed \$187,900, with three 12-month extension options in an amount not to exceed \$133,000 per extension option, for a total contract amount not to exceed \$586,900. (Notes: This contract will be awarded in compliance with City Code Chapter 2-9D (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this contract.)

The motion authorizing the award and execution of a requirements supply agreement with McCain Inc. was approved on consent on Council Member Tovo's motion, Council Member Morrison's second on a 6-0 vote. Mayor Pro Tem Cole was absent.

37. Authorize award and execution of a 36-month requirements service contract with TEXAS DISPOSAL SYSTEMS, INC., or one of the other qualified bidders for IFB-BV No. JRD0100, to provide refuse and recycling collection and hauling services within the Downtown Central Business District of Austin in an amount not to exceed \$6,234,879, with three 12-month extension options in an amount not to exceed \$2,078,293 per extension option, for a total contract amount not to exceed \$12,469,758. (Notes: This contract will be awarded in compliance with City Code Chapter 2-9C (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this contract.)

The motion authorizing the award and execution of a requirements service contract with Texas Disposal Systems, Inc. was approved on consent on Council Member Tovo's motion, Council Member Morrison's second on a 6-0 vote. Mayor Pro Tem Cole was absent.

38. Authorize award and execution of Amendment No. 4 to the contract with CHASE PAYMENTECH SOLUTIONS, LLP, for credit card processing services, in an amount not to exceed \$424,338 for the first extension option and \$474,343 for the second extension option for a revised total contract amount not to exceed \$6,839,647. (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 amendment number four to the contract with Chase Paymentech Solutions, LLP was approved on consent on Council Member Tovo's motion, Council Member Morrison's second on a 6-0 vote. Mayor Pro Tem Cole was absent.

39. Authorize award, negotiation, and execution of a service contract with INDUSTRIAL ORGANIZATIONAL SOLUTIONS INC, or another qualified offeror to RFP EAD0115 for EMS Promotional Examination Services for Emergency Medical Services Department in an amount not to exceed \$1,007,732 with three 12-month extension options in an amount not to exceed \$335,911 for each extension option, for a total contract amount not to exceed \$2,015,464. (Notes: This contract will be awarded in compliance with City Code Chapter 2-9C (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this contract.)

The motion authorizing the award, negotiation and execution of a service contract with Industrial Organizational Solutions Inc. was approved on consent on Council Member Tovo's motion, Council Member Morrison's second on a 6-0 vote. Mayor Pro Tem Cole was absent.

40. Authorize award and execution of a 36-month requirements supply contract with LEIF JOHNSON FORD DBA TRUCK CITY FORD to provide Repair Services with associated repair parts for Ford Medium and Heavy-Duty Vehicles in a total amount not to exceed \$1,046,694, with three 12-month extension options

in a total amount not to exceed \$348,898 per extension option, for a total contract amount not to exceed \$2,093,388. (Notes: This contract will be awarded in compliance with City Code Chapter 2-9C (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this contract.)

The motion authorizing the award and execution of a requirements supply contract with Leif Johnson Ford doing business as Truck City Ford was approved on consent on Council Member Tovo's motion, Council Member Morrison's second on a 6-0 vote. Mayor Pro Tem Cole was absent.

41. Authorize award, negotiation, and execution of a 24-month revenue contract with ECS REFINING, LLC, or one of the other qualified offerors to RFP No. JRD0301, to provide electronics recycling services which will generate for the City an estimated revenue of \$76,436, with four 12-month extension options with estimated generated revenue of \$38,218 per extension option, for a total estimated revenue for the City of \$229,308. (Notes: This contract will be awarded in compliance with City Code Chapter 2-9C (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this contract.)

The motion authorizing the award, negotiation and execution of a revenue contract with ECS Refining, LLC was approved on consent on Council Member Tovo's motion, Council Member Morrison's second on a 6-0 vote. Mayor Pro Tem Cole was absent.

42. Authorize award and execution of a 12-month requirements supply/service agreement with THOMAS TURFGRASS to provide sod and turfgrass in an amount not to exceed \$208,802, with three 12-month extension options in an amount not to exceed \$208,802 per extension option, for a total contract amount not to exceed \$835,208. (Notes: This contract will be awarded in compliance with City Code Chapter 2-9D (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this contract.)

The motion authorizing the award and execution of a requirements supply/service agreement with Thomas Turfgrass was approved on consent on Council Member Tovo's motion, Council Member Morrison's second on a 6-0 vote. Mayor Pro Tem Cole was absent.

43. Authorize award and execution of a 36-month requirements service contract with SCHINDLER ELEVATOR CORP., or one of the other qualified offerors to RFP No. PAX0107, for elevator and escalator preventive maintenance, repair, and modernization services for various City departments, in an amount not to exceed \$10,323,048, with three 12-month extension options in an amount not to exceed \$1,366,416 per option, for a total contract amount not to exceed \$14,422,296. (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 Schindler Elevator Corp. was approved on consent on Council Member Tovo's motion, Council Member Morrison's second on a 6-0 vote. Mayor Pro Tem Cole was absent.

44. Approve an ordinance amending City Code Chapter 12-5-5 to add a new section establishing regulations authorizing commercial service vehicles to conduct loading and unloading activities from a metered space, commercial loading zone, or curb-side travel lane.

This item was postponed on consent to May 1, 2014 on Council Member Tovo's motion, Council Member Morrison's second on a 6-0 vote. Mayor Pro Tem Cole was absent.

45. Approve an ordinance authorizing a Letter of Credit and Reimbursement Agreement between the City and Sumitomo Mitsui Banking Corporation related to the City's Airport System Revenue Refunding Bonds, Series 2005, and approving and authorizing all related documents, agreements, and fees.

Ordinance No. 20140417-045 was approved on consent on Council Member Tovo's motion, Council Member Morrison's second on a 6-0 vote. Mayor Pro Tem Cole was absent.

46. Approve an ordinance authorizing the extension of credit agreements with JPMorgan Chase Bank, National Association related to the City's Hotel Occupancy Tax Subordinate Lien Variable Rate Revenue Refunding Bonds, Series 2008; and approving and authorizing the execution and delivery of all related agreements, documents, and fees.

Ordinance No. 20140417-046 was approved on consent on Council Member Tovo's motion, Council Member Morrison's second on a 6-0 vote. Mayor Pro Tem Cole was absent.

Action was taken on item 47 but was reconsidered later in the meeting. See below.

Items 48 and 49 were pulled for discussion.

50. Approve a resolution establishing a policy to require entities that contract with the City to provide their non-retaliation policy to the City, and prohibiting such entities from retaliating against employees who disclose their pay. (Notes: SPONSOR: Mayor Pro Tem Sheryl Cole CO 1: Council Member William Spelman)

Resolution No. 20140417-050 was approved on consent on Council Member Tovo's motion, Council Member Morrison's second on a 6-0 vote. Mayor Pro Tem Cole was absent.

51. Approve a resolution directing the City Manager to report back to Council with an implementation plan to require pay equity reporting for entities that contract with the City by providing reports on compensation data paid to employees by race and gender. (Notes: SPONSOR: Council Member Mike Martinez CO 1: Council Member William Spelman CO 2: Council Member Laura Morrison)

Resolution No. 20140417-051 was approved on consent on Council Member Tovo's motion, Council Member Morrison's second on a 6-0 vote. Mayor Pro Tem Cole was absent.

52. Approve a resolution stating the City's goal of providing \$11 as a minimum hourly wage for all City employees, including those working part-time, and directing the City Manager to prepare an analysis of the impact of this adjustment for consideration during the Fiscal Year 2014-15 budget process. (Notes: SPONSOR: Mayor Pro Tem Sheryl Cole CO 1: Council Member Laura Morrison CO 2: Council Member Kathie Tovo)

Resolution No. 20140417-052 was approved on consent on Council Member Tovo's motion, Council Member Morrison's second on a 6-0 vote. Mayor Pro Tem Cole was absent.

53. Approve an ordinance waiving or reimbursing fees and waiving certain requirements for the 8th Annual Make A Movie, Make A Difference event sponsored by the Travis County Sheriff's Office which is to be held Wednesday, May 14, 2014 at the George Washington Carver Museum and Cultural Center. (Notes: SPONSOR: Mayor Pro Tem Sheryl Cole CO 1: Mayor Lee Leffingwell CO 2: Council Member Mike Martinez)

Ordinance No. 20140417-053 was approved on consent on Council Member Tovo's motion, Council Member Morrison's second on a 6-0 vote. Mayor Pro Tem Cole was absent.

54. Approve a resolution initiating amendments to City Code Chapters 25-10 and 14-9 relating to the regulation of sidewalk signs and the placement of merchandise and accessories on sidewalks adjacent to a business. (Notes: SPONSOR: Mayor Pro Tem Sheryl Cole CO 1: Council Member Chris Riley)

Resolution No. 20140417-054 was approved on consent on Council Member Tovo's motion, Council Member Morrison's second on a 6-0 vote. Mayor Pro Tem Cole was absent.

55. Approve a resolution declaring that freedom from domestic violence is a fundamental human right, directing the City to incorporate this principle into its policies, and requesting that the Austin/Travis County Family Violence Task Force study the issue and report periodically to the council. (Notes: SPONSOR: Council Member Laura Morrison CO 1: Mayor Pro Tem Sheryl Cole CO 2: Council Member Kathie Tovo)

Resolution No. 20140417-055 was approved on consent on Council Member Tovo's motion, Council Member Morrison's second on a 6-0 vote. Mayor Pro Tem Cole was absent.

56. Approve an ordinance amending Ordinance no. 20121011-069, relating to pedicabs, by extending the moratorium on new pedicab permits until July 23, 2014, and providing for emergency passage. (Notes: SPONSOR: Council Member Chris Riley CO 1: Council Member William Spelman)
Ordinance No. 20140417-056 was approved on consent on Council Member Tovo's motion, Council Member Morrison's second on a 6-0 vote. Mayor Pro Tem Cole was absent.
57. Approve an ordinance waiving or reimbursing certain fees for the 16th Annual Austin Dragon Boat Festival which is to be held on Saturday, April 26, 2014 at Festival Beach. (Notes: SPONSOR: Mayor Lee Leffingwell CO 1: Mayor Pro Tem Sheryl Cole CO 2: Council Member Kathie Tovo)
Ordinance No. 20140417-057 was approved on consent on Council Member Tovo's motion, Council Member Morrison's second on a 6-0 vote. Mayor Pro Tem Cole was absent.
58. Approve a resolution directing the City Manager to conduct a parking occupancy study of the parking lot serving the Terrazas Branch of the Austin Public Library and to make excess capacity available to the public at large or nearby businesses, and to work with the neighborhood on ways to use the property more efficiently in the long term, such as for affordable housing or other uses, while integrating parking for that library branch. (Notes: SPONSOR: Council Member Chris Riley CO 1: Council Member William Spelman CO 2: Council Member Mike Martinez)
Resolution No. 20140417-058 was approved on consent on Council Member Tovo's motion, Council Member Morrison's second on a 6-0 vote. Mayor Pro Tem Cole was absent.
59. Set a public hearing to consider an ordinance regarding floodplain variances for the construction of a new single-family residence at 1120 Eleanor Street as requested by the owner of the property. The property is partially in the 25-year and entirely in the 100-year floodplains of Fort Branch. (Suggested date and time: May 1, 2014, 4:00 p.m. at Austin City Hall, 301 W. Second Street).
The public hearing was set for May 1, 2014 at 4:00 p.m. at City Hall, 301 W. Second Street, Austin TX on Council Member Tovo's motion, Council Member Morrison's second on a 6-0 vote. Mayor Pro Tem Cole was absent.

Items 60 and 61 were briefing items set for 10:30 a.m.

Items 62 through 69 were Executive Session items.

Items 70 through 75 were zoning items set for 2:00 p.m.

Item 76 was an AHFC item set for 3:00 p.m.

Items 77 through 82 were public hearing items set for 4:00 p.m.

DISCUSSION ITEMS

Items 19 and 20 were acted on in a combined motion.

19. 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 #20.

The motion authorizing the execution of an amendment to the interlocal agreement for the Austin Regional Intelligence Center was approved with the following amendments on Council Member Morrison's motion, Council Member Spelman's second on a 6-0 vote. Mayor Pro Tem Cole was absent.

The amendments were to remove 2.0, "Amendments", C and have paragraph five of "Recitals" read, "The purpose of this Amendment One to the Original ARIC Agreement is to add the New Partner Agencies to the Original ARIC Agreement."

20. 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 #19.

The motion authorizing the execution of an amendment to the interlocal agreement for the Austin Regional Intelligence Center was approved with the following amendments on Council Member Morrison's motion, Council Member Spelman's second on a 6-0 vote. Mayor Pro Tem Cole was absent.

The amendments were to remove 2.0, "Amendment to Section 7", C and have paragraph five of "Recitals" read, "The purpose of this Amendment One to the ARIC Sustainment Funding Agreement is to add the New Partner Agencies to the ARIC Sustainment Funding Agreement."

BRIEFINGS

60. Creative Content Program Briefing.
The presentation was made by Rodney Gonzales, Deputy Director and Natalie Betts, Economic Development Specialist, Economic Development Department.
61. Briefing on universal city-wide Translation Service Policy (Follow-up from Council Resolution No. 20131017-038).
This item was postponed to May 1, 2014 without objection.

DISCUSSION ITEMS CONTINUED

Items 25 and 26 were acted on in a combined motion.

25. Authorize award and execution of three 36-month requirements supply agreements for the purchase of tape and adhesive products for Austin Energy and the Aviation Department with: TECHLINE INC. in an amount not to exceed \$143,511 with three 12-month extension options in an amount not to exceed \$47,837 per extension option, for a total contract amount not to exceed \$287,022; WILDCAT ELECTRIC SUPPLY in an amount not to exceed \$46,440 with three 12-month extension options in an amount not to exceed \$15,480 per extension option, for a total contract amount not to exceed \$92,880; and with NUNN ELECTRIC SUPPLY in an amount not to exceed \$20,943, with three 12-month extension options in an amount not to exceed \$6,981 per extension option, for a total contract amount not to exceed \$41,886. The annual amount for all tape and adhesive products required under these contracts will be for a total each and combined amount not to exceed \$70,298; or, consistent with the City's authority under state statute to consider a bidder's local presence in awarding contracts, authorize award and execution of two 36-month requirements supply agreements for the purchase of tape and adhesive products for Austin Energy and the Aviation Department with: TECHLINE INC. in an amount not to exceed \$190,311 with three 12-month extension options in an amount not to exceed \$63,437 per extension option, for a total contract amount not to exceed \$380,622; and with NUNN ELECTRIC SUPPLY in an amount not to exceed \$20,943, with

three 12-month extension options in an amount not to exceed \$6,981 per extension option, for a total contract amount not to exceed \$41,886. The annual amount for all tape and adhesive products required under these contracts will be for a total each and combined amount not to exceed \$70,418. (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 two requirements supply agreements with Techline Inc. in the amount not to exceed \$190,311 with three 12-month extension options in the amount not to exceed \$63,437 per extension for a total contract amount not to exceed \$380,622 and Nunn Electric Supply in an amount not to exceed \$20,943 with three-12 month extension options in an amount not to exceed \$6,981 per extension option for a total contract not to exceed \$41,886 was approved on Council Member Martinez' motion, Council Member Riley's second on a 6-0 vote. Mayor Pro Tem Cole was absent.

26. Authorize award and execution of two 36-month requirements supply agreements for the purchase of rope, cords and slings for Austin Energy and the Austin Water Utility with: STUART C. IRBY CO. in an amount not to exceed \$62,016 with three 12-month extension options in an amount not to exceed \$20,672 per extension option, for a total contract amount not to exceed \$124,032; and with TECHLINE INC. in an amount not to exceed \$44,505 with three 12-month extension options in an amount not to exceed \$14,835 per extension option, for a total contract amount not to exceed \$89,010. The annual amount for all rope, cords and slings required under these contracts will be for a total each and combined amount not to exceed \$35,507; or, consistent with the City's authority under state statute to consider a bidder's local presence in awarding contracts, authorize award and execution of two 36-month requirements supply agreements for the purchase of rope, cords and slings for Austin Energy and the Austin Water Utility with: STUART C. IRBY CO. in an amount not to exceed \$51,591 with three 12-month extension options in an amount not to exceed \$17,197 per extension option, for a total contract amount not to exceed \$103,182; and with TECHLINE INC. in an amount not to exceed \$55,158, with three 12-month extension options in an amount not to exceed \$18,386 per extension option, for a total contract amount not to exceed \$110,316. The annual amount for all rope, cords and slings required under these contracts will be for a total each and combined amount not to exceed \$35,583. (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 two requirements supply agreements with Stuart C. Irby Co. in an amount not to exceed \$51,591 with three 12-month extension options in an amount not to exceed \$17,197 per extension option for a total contract amount not to exceed \$103,182 and Techline Inc. in an amount not to exceed \$55,158 with three 12-month extension options in an amount not to exceed \$18,386 per extension option, for a total contract amount not to exceed \$110,316 was approved on Council Member Martinez' motion, Council Member Riley's second on a 6-0 vote. Mayor Pro Tem Cole was absent.

29. Authorize award and execution of a 24-month requirements supply contract with BRENNTAG SOUTHWEST, INC. for sodium hypochlorite for the Austin Water Utility to be used at the South Austin Regional Wastewater Treatment Plant in an amount not to exceed \$1,395,249 with two 12-month extension options in an amount not to exceed \$697,625 per extension option for a total contract amount not to exceed \$2,790,498 or the following qualified bidder, consistent with local preference law, FSTI, INC. in amount not to exceed \$1,412,550 with two 12-month options in an amount not to exceed \$706,275 per extension option for a total contract amount not to exceed \$2,825,100. (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 FSTI, Inc. in an amount not to exceed \$1,412,550 with two 12-month options in an amount not to exceed

\$706,275 per extension option for a total contract amount not to exceed \$2,825,100 was approved on Council Member Riley's motion, Council Member Spelman's second on a 6-0 vote. Mayor Pro Tem Cole was absent.

49. Approve a resolution directing the City Manager to identify City-owned properties suitable for development of affordable housing and provide this inventory to the City Council by June 12, 2014. (Notes: SPONSOR: Council Member Kathie Tovo CO 1: Council Member Laura Morrison CO 2: Council Member Mike Martinez)

Resolution No. 20140417-049 was approved on Council Member Tovo's motion, Council Member Morrison's second on a 6-0 vote. Mayor Pro Tem was absent.

CITIZEN COMMUNICATIONS: GENERAL

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, 9am 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 Jamica.

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

Mayor Leffingwell recessed the Council Meeting to go into Executive Session at 12:38 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.

62. Discuss legal issues related to Open Government matters (Private consultation with legal counsel - Section 551.071 of the Government Code).
This item was withdrawn.
63. 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.
64. Provide mid-year performance guidance to the City Manager (Personnel Matter section 551.074 of the Government Code).
This item was withdrawn.
65. Provide mid-year performance guidance to the City Auditor (Personnel Matter Section 551.074 of the Government Code).
This item was withdrawn.
66. Provide mid-year performance guidance to the City Clerk (Personnel Matter Section 551.074 of the Government Code).
This item was withdrawn.
67. Provide mid-year performance guidance to the Municipal Court Clerk (Personnel Matter Section 551.074 of the Government Code).
This item was withdrawn.
68. Discuss legal issues related to the City's water supply and water management in the Lower Colorado River Basin. (Private consultation with legal counsel- Section 551.071 of the Government Code).
This item was withdrawn.
69. Discuss legal issues related to AFD hiring and collective bargaining (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 2:01 p.m.

ZONING CONSENT ITEMS

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

70. C14-2013-0083 - 2416 E. 6th Street - Approve second/third readings of 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 general commercial services-vertical mixed use building-conditional overlay-neighborhood plan (CS-V-CO-NP) combining district zoning, with conditions. First reading approved on February 13, 2014. Vote: 6-0 (Mayor Pro Tem Cole-off the dais). 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 May 1, 2014 at the applicant's request on Council Member Riley's motion, Council Member Martinez' second on a 5-0. Council Member Tovo was off the dais. Mayor Pro Tem Cole was absent.
72. 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 May 1, 2014 at the applicant's request on Council Member Riley's motion, Council Member Martinez' second on a 5-0. Council Member Tovo was off the dais. Mayor Pro Tem Cole was absent.

74. C14-2014-0021 - Town & Country Village Addition, Section 1 - Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by zoning property locally known as 12845 North U. S. Highway 183 (Rattan Creek Watershed) from interim-rural residence (I-RR) 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. Owner/Applicant: Town & Country Village Park, Ltd. (Darcy Shorman). Agent: Cunningham-Allen, Inc. (Jana Rice). City Staff: Sherri Sirwaitis, 512-974-3057.

The public hearing was conducted and the motion to close the public hearing and adopt Ordinance No. 20140417-074 for community commercial-conditional overlay (GR-CO) combining district zoning was approved on consent on Council Member Riley's motion, Council Member Martinez' second on a 5-0. Council Member Tovo was off the dais. Mayor Pro Tem Cole was absent.

75. 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 May 1, 2014 at the property owner's request on Council Member Riley's motion, Council Member Martinez' second on a 5-0. Council Member Tovo was off the dais. Mayor Pro Tem Cole was absent.

DISCUSSION ITEMS CONTINUED

48. Approve a resolution directing the City Manager to process an ordinance that amends Chapter 5-1 (Housing Discrimination) of the City Code to prohibit discrimination based on an individual's "source of income," to seek stakeholder recommendations, to present the proposed code amendment to certain City commissions, and to bring the proposed code amendment back to Council by a date certain. (Notes: SPONSOR: Council Member William Spelman CO 1: Mayor Pro Tem Sheryl Cole CO 2: Council Member Laura Morrison)

Resolution No. 20140417-048 was approved on Council Member Spelman's motion, Council Member Morrison's second on a 6-0 vote. Mayor Pro Tem Cole was absent.

Mayor Leffingwell recessed the Council Meeting and called the Board of Directors' Meeting of the Austin Housing Finance Corporation to order at 3:04 p.m. See separate minutes.

Mayor Leffingwell called the Council Meeting back to order at 3:06 p.m.

ZONING CONSENT ITEMS CONTINUED

71. 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.

The public hearing was conducted and there was a motion made by Council Member Riley and seconded by Council Member Spelman to close the public hearing and adopt the first reading of the ordinance for multi-family residence-low density (MF-2) district zoning with the following conditions.

- **A 75 foot setback from Exposition Boulevard;**
- **construction of a fence is prohibited along the property line adjacent to Exposition Boulevard;**
- **25-foot wide vegetative buffer shall be provided/maintained beginning at the eastern edge of the sidewalk along Exposition Boulevard;**
- **within 25 feet of the 75 foot setback 2 story maximum height, area beyond a maximum of 3 stories;**
- **ingress and egress limited to one driveway at Exposition Boulevard not restricting additional driveway for emergency vehicle use;**
- **all underground parking except for six surface guest visitor spaces;**
- **parking decoupled from the units; and**
- **unit cap of no more than 34 units.**

There was a friendly amendment made by Council Member Spelman to put a condition to limit the ingress and egress until the State School is redeveloped at which time ingress and egress may be considered elsewhere. This was accepted by the maker of the motion.

There was a substitute motion made by Council Member Morrison and seconded by Council Member Tovo to approve staff's recommendation. The motion failed on a vote of 3-3. Those voting aye were: Council Members Martinez, Morrison and Tovo. Those voting nay were: Mayor Leffingwell and Council Members Riley and Spelman. Mayor Pro Tem Cole was absent.

There was a substitute motion made by Council Member Spelman and seconded by Council Member Riley to postpone this item to May 1, 2014 and to keep the public hearing open. The motion passed on a vote of 6-0. Mayor Pro Tem Cole was absent.

PUBLIC HEARINGS AND POSSIBLE ACTION

Items 79 through 81 were acted on in a combined motion.

79. Conduct a public hearing and consider an ordinance amending sections of City Code Chapters 25-1, 25-2, 25-5, 25-7 and 25-8 relating to Lake Austin (LA) District zoning regulations and general regulations for boat dock and shoreline development. Related to Item #80.

This item was postponed to May 15, 2014 on Council Member Spelman's motion, Council Member Morrison's second on a 5-0 vote. Council Member Tovo was off the dais. Mayor Pro Tem Cole was absent.

80. Conduct a public hearing and consider an ordinance amending City Code Chapter 25-2 to create a Lake Austin (LA) district zoning overlay extending environmental protections from the LA base zoning district to certain properties within 1,000 feet of Lake Austin. Related to Item #79.

This item was postponed to May 15, 2014 on Council Member Spelman's motion, Council Member Morrison's second on a 5-0 vote. Council Member Tovo was off the dais. Mayor Pro Tem Cole was absent.

81. 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 May 1, 2014 on Council Member Spelman's motion, Council Member Morrison's second on a 5-0 vote. Council Member Tovo was off the dais. Mayor Pro Tem Cole was absent.

PUBLIC HEARINGS AND POSSIBLE ACTION CONTINUED

77. Conduct a public hearing and consider a resolution regarding the approval of the permanent use of approximately 1,406 square feet of land and temporary working space use of approximately 1,269 square feet of land for construction, use, maintenance, repair, and replacement of a mounted transformer pad and electric facilities for the Barton Springs Solar Project, through dedicated parkland known as Auditorium Shores at Town Lake Metro Park in accordance with Chapter 26 of the Texas Parks and Wildlife Code.

The public hearing was conducted and the motion to close the public hearing and approve Resolution 20140417-077 was approved on Council Morrison's motion, Council Member Spelman's second on a 6-0 vote. Mayor Pro Tem Cole was absent.

47. 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 Tovo's motion, Council Member Morrison's second on a 6-0 vote. Mayor Pro Tem Cole was absent.

Nominations

Board/Nominee

Nominated by

Austin Community Technology & Telecommunications Commission

Marcy Hoen

Council Member Martinez

Austin Water Resource Planning Task Force

Paul Robbins

Mayor Pro Tem Cole

Austin Water Resource Planning Task Force

Lauren Ross

Council Member Morrison

Austin Water Resource Planning Task Force

Sharlene Leurig

Council Member Riley

Austin Water Resource Planning Task Force

Jennifer Walker

Council Member Tovo

Austin Water Resource Planning Task Force

Stefan Schuster

Mayor Leffingwell

Waivers

There are no waivers scheduled for today.

A motion to reconsider item 47 and add Tom Mason to the Water Conservation Task Force as follows was approved on Council Member Spelman's motion, Council Member Morrison's second on a 6-0 vote. Mayor Pro Tem Cole was absent.

Nominations

Board/Nominee**Nominated by**Austin Community Technology & Telecommunications Commission

Marcy Hoen

Council Member Martinez

Austin Water Resource Planning Task Force

Paul Robbins

Mayor Pro Tem Cole

Austin Water Resource Planning Task Force

Lauren Ross

Council Member Morrison

Austin Water Resource Planning Task Force

Sharlene Leurig

Council Member Riley

Austin Water Resource Planning Task Force

Jennifer Walker

Council Member Tovo

Austin Water Resource Planning Task Force

Stefan Schuster

Mayor Leffingwell

Water Conservation Task Force

Tom Mason

Council Member Spelman

Waivers

There are no waivers scheduled for today.

82. 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.

The public hearing was conducted and the motion to close the public hearing and approve Ordinance No. 20140417-082 was approved with the following friendly amendment on Council Member Spelman's motion, Council Member Martinez' second on a 6-0 vote. Mayor Pro Tem Cole was absent.

There was a friendly amendment made by Council Member Riley to add a paragraph E to read, "(E) During the Conditional Use Permitting Process the Council on appeal or Planning Commission may increase the square footage allowed under Subsection B (3)." The amendment was accepted by the maker of the motion and Council Member Martinez, who made the second.

Mayor Leffingwell recessed the Council Meeting at 5:24 p.m.

LIVE MUSIC

Salesman

PROCLAMATIONS

Proclamation -- Jazz Appreciation Month -- to be presented by Mayor Lee Leffingwell and to be accepted by Fito Kahn

Presentation by the American Heart Association recognizing the City with their Fit Friendly Worksite Award to be accepted by Mayor Lee Leffingwell and Mark Washington

Proclamation -- CARY Youth Violence Prevention Month -- to be presented by Mayor Lee Leffingwell and to be accepted by Adrian Moore and Stan Knee

Proclamation -- United Way's 90th Anniversary -- to be presented by Mayor Lee Leffingwell and to be accepted by Debbie Bresette, Catherine Morse and Bill O'Brien

Proclamation -- World Tai Chi Day -- to be presented by Mayor Pro Tem Sheryl Cole and to be accepted by Vince Cobalis

Certificate of Congratulations -- Marvin Douglas, KAZI's Community Leader Award Winner -- to be presented by Mayor Pro Tem Sheryl Cole and to be accepted by the honoree

Mayor Leffingwell called the Council Meeting back to order at 6:52 p.m.

78. Conduct a public hearing and consider an ordinance regarding floodplain variances for the construction of a new single-family residence and a second dwelling at 5505 Jim Hogg Avenue as requested by the owner of the property. The property is partially in the 25-year floodplain and entirely in the 100-year floodplain of the Hancock Branch of Shoal Creek.

This item was postponed to June 26, 2014 on Council Member Tovo's motion, Council Member Morrison's second on a 5-0 vote. Council Member Martinez was off the dais. Mayor Pro Tem Cole was absent.

73. 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 single family residence-standard lot (SF-2) district zoning, as amended. 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.

The public hearing was conducted and the motion to close the public hearing and approve Ordinance No. 20140417-073 for single family residence-standard lot (SF-2) district zoning was approved on Council Member Spelman's motion, Council Member Riley's second on a 5-0 vote. Council Member Martinez was off the dais. Mayor Pro Tem Cole was absent.

Mayor Leffingwell adjourned the meeting at 7:12 p.m. without objection.

The minutes were approved on this the 1st day of May, 2014 on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.