

**AUSTIN CITY COUNCIL
MINUTES****REGULAR MEETING
THURSDAY, JUNE 20, 2013**

Invocation: Mark Washington, City of Austin

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, June 20, 2013 in the Council Chambers of City Hall, 301 West Second Street, Austin, Texas.

Mayor Leffingwell called the Council Meeting to order at 10:05 a.m.

CONSENT AGENDA

The following items were acted on by one motion.

1. Approve the minutes of the Austin City Council work session of June 4, 2013 and regular meeting of June 6, 2013.

The minutes from the City Council work session of June 4, 2013 and regular meeting of June 6, 2013 were approved on consent on Mayor Pro Tem Cole's motion, Council Member Martinez' second on a 7-0 vote.

Item 2 was pulled for discussion.

3. Authorize negotiation of two power purchase agreements with Duke Energy Renewables, Inc. for terms of up to 25 years for up to 200 megawatts of wind-generated electricity under each agreement, in an estimated amount of \$20,000,000 per year for each agreement, for an estimated total contract amount of \$500,000,000 for each agreement. Unanimously approved by the Electric Utility Commission on a 7-0 vote; Due to lack of a quorum, the Resource Management Commission did not vote on this item.

The motion authorizing the negotiation of two power purchase agreements with Duke Energy Renewables, Inc. was approved on consent on Mayor Pro Tem Cole's motion, Council Member Martinez' second on a 7-0 vote.

4. Authorize negotiation of a power purchase agreement with E.ON Climate and Renewables North America, LLC, for a term of up to 25 years for up to 170 megawatts of wind-generated electricity in an estimated amount of \$15,500,000 per year, for an estimated total contract amount of \$387,500,000. Unanimously approved by the Electric Utility Commission on a 7-0 vote; Due to lack of a quorum, the Resource Management Commission did not vote on this item.

The motion authorizing the negotiation of a power purchase agreement with E.ON Climate and Renewables North America, LLC was approved on consent on Mayor Pro Tem Cole's motion, Council Member Martinez' second on a 7-0 vote.

5. Approve an ordinance amending the Fiscal Year 2012-2013 Austin Water Utility Operating Budget (Ordinance No. 20120910-001) by increasing appropriations in the amount of \$3,000,000 and reducing the ending balance by the same amount for costs of extinguishing a fire at the Hornsby Bend Biosolids Treatment Plant. Related to Item #36.
Ordinance No. 20130620-005 was approved on consent on Mayor Pro Tem Cole's motion, Council Member Martinez' second on a 7-0 vote.
6. Authorize negotiation and execution of a professional services agreement with HARUTUNIAN ENGINEERING, INC. (WBE/FW - 63.50%) (staff recommendation) or one of the other qualified responders to RFQ Solicitation No. CLMP126, to provide engineering services for the South Austin Regional Wastewater Treatment Plant - Electrical Substation No. 1 Replacement in an amount not to exceed \$3,020,000. (Notes: This contract will be awarded in compliance with City Code Chapter 2-9B (Minority Owned and Women Owned Business Enterprise Procurement Program) by meeting the goals with 20.50% MBE subconsultant participation, 63.50% WBE prime and 1.00% subconsultant participation.)
The motion authorizing the negotiation and execution of a professional services agreement with Harutunian Engineering, Inc. was approved on consent on Mayor Pro Tem Cole's motion, Council Member Martinez' second on a 7-0 vote.
7. Authorize execution of a construction contract with MID-STATE PLUMBING & MECHANICAL, INC., (WBE/FW-39.43%) for ABIA Terminal Fire Protection Improvements - Phase 2, in the amount of \$2,878,000, plus a \$287,800 contingency, for a total contract amount not to exceed \$3,165,800. (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 10.04% MBE and 1.00% WBE subcontractor participation and 39.43% prime participation.)
The motion authorizing the execution of a construction contract with Mid-State Plumbing & Mechanical, Inc. was approved on consent on Mayor Pro Tem Cole's motion, Council Member Martinez' second on a 7-0 vote.
8. Authorize execution of a construction contract with SMITH CONTRACTING CO. INC., for the North Acres Water and Wastewater Improvements - South project in an amount not to exceed \$5,542,230.50, plus a \$554,223 contingency for a total contract amount not to exceed \$6,096,453.50. (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 7.08% MBE and 2.32% WBE subcontractor participation.)
The motion authorizing the execution of a construction contract with Smith Contracting Co. Inc. was approved on consent on Mayor Pro Tem Cole's motion, Council Member Martinez' second on a 7-0 vote.
9. Authorize execution of a construction contract with PRISM DEVELOPMENT for the Austin Bicycle Commuting Project for the Waller Creek Center and Parks and Recreation Department Headquarters in the amount of \$515,000 plus a \$51,500 contingency, for a total contract amount not to exceed \$566,500. (Notes: This contract will be awarded in compliance with the requirements of 49 CFR Part 26 (Disadvantaged Business Enterprise Program) and City Code Chapter 2-9A (Minority Owned and Women Owned Business Enterprise Procurement Program) by meeting the goal with 80.94% DBE prime participation and 19.06% DBE subcontractor participation.) Approved by the Water and Wastewater Commission on a 6-0-1 vote
The motion authorizing the execution of a construction contract with Prism Development was approved on consent on Mayor Pro Tem Cole's motion, Council Member Martinez' second on a 7-0 vote.
10. Authorize execution of a construction contract with SMITH CONTRACTING CO. INC., for changes to Davis and Deer Lanes that will provide a connection between Brodie Lane to Corran Ferry in the amount

of \$4,285,741, plus a \$214,300 contingency, for a total contract amount not to exceed \$4,500,041. (Notes: This contract will be awarded in compliance with Chapter 2-9A of the City Code (Minority Owned and Woman Owned Business Enterprise Program) by meeting the goals with 7.10% MBE and 2.85% WBE participation.)

The motion authorizing the execution of a construction contract with Smith Contracting Co. Inc. was approved on consent on Mayor Pro Tem Cole's motion, Council Member Martinez' second on a 7-0 vote.

11. Authorize additional funding for PARD Aquatic Complex Improvements Design-Build Agreement, West Enfield Pool Complex construction phase services, with Design-Builder CHASCO CONSTRUCTORS, LTD., L.L.P., in the amount of \$2,526,593, plus \$379,007 owner contingency, for a total amount not to exceed \$2,905,600. (Notes: The Design-Build contract and approved Amendments have been awarded in compliance with Chapter 2-9A of the City Code (Minority Owned and Women Owned Business Enterprise Procurement Program.)

The motion authorizing the additional funding for PARD Aquatic Complex Improvements Design-Build Agreement was approved on consent on Mayor Pro Tem Cole's motion, Council Member Martinez' second on a 7-0 vote.

12. Authorize negotiation and execution of an amendment to the professional services agreement with PARSONS BRINCKERHOFF INC. for engineering services related to the IH-35 Corridor Development Program, a 2010 MOBILITY BOND PROJECT, in the amount of \$400,000 for a total contract amount not to exceed \$2,600,000. (Notes: This contract was awarded in compliance with City Code Chapter 2-9B (Minority Owned and Women Owned Business Enterprise Procurement Program) with 17.38% MBE and 28.23% WBE subconsultant participation to date.)

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

13. Authorize execution of an extension option to the construction contract with FACILITIES REHABILITATION INC., (MBE/MH-91.74%) for Annual Service Agreement for Wastewater Manhole Rehabilitation Indefinite Delivery / Indefinite Quantity Service Contract to extend the contract duration by 7 months to February 28, 2014, at no additional cost to the City for a contract amount not to exceed \$3,601,780. (Notes: This contract was awarded in compliance with City Code Chapter 2-9A (Minority Owned and Women Owned Business Enterprise Procurement Program) with 91.74% MBE prime participation, 1.18% MBE and 7.08% WBE subcontractor participation to date including this change order.)

The motion authorizing the execution of an extension option to the construction contract with Facilities Rehabilitation Inc. was approved on consent on Mayor Pro Tem Cole's motion, Council Member Martinez' second on a 7-0 vote.

14. Authorize execution of a change order to the construction contract with PEABODY GENERAL CONTRACTORS (WBE/FW-62.64%) for Wastewater Line Relay and Spot Repair Indefinite Delivery / Indefinite Quantity service contract to extend the contract duration by 7 months to February 28, 2014, at no additional cost to the City for a contract amount not to exceed \$11,492,441.90. (Notes: This contract was awarded in compliance with City Code Chapter 2-9A (Minority Owned and Women Owned Business Enterprise Procurement Program) with 4.43% MBE and 3.31% WBE subcontractor participation; and 62.64% WBE prime participation to date including this change order.)

This item was withdrawn on consent on Mayor Pro Tem Cole's motion, Council Member Martinez' second on a 7-0 vote.

Item 15 was pulled for discussion.

16. Approve an ordinance designating Blackland Community Development Corporation, Chestnut Neighborhood Revitalization Corporation and the Guadalupe Neighborhood Development Corporation as Community Land Trusts and granting those corporations property tax exemptions on certain properties, and declaring an emergency.

Ordinance No. 20130620-016 was approved on consent on Mayor Pro Tem Cole's motion, Council Member Martinez' second on a 7-0 vote.

17. Authorize the negotiation and execution of all documents and instruments necessary or desirable to acquire a permanent drainage easement of approximately 5.153 acres, a permanent slope easement of approximately 1.618 acres, a temporary drainage easement of approximately 4.126 acres, and a temporary working spaces easement of approximately 5.674 acres for the Howard Lane Extension II, from Cameron Road to SH 130 and Cameron Road Interceptor Improvement Project, all being out of and a part of the Mariquita Castro League Survey No. 50, Abstract No. 160, in Travis County, Texas, located at Cameron Road and Boyce Lane, Austin, Texas 78653, from AUSTIN HB RESIDENTIAL PROPERTIES, LTD., a Texas Limited Partnership, in a total amount not to exceed \$101,000.

The motion authorizing the negotiation and execution of all documents and instruments necessary or desirable to acquire a permanent drainage easement was approved on consent on Mayor Pro Tem Cole's motion, Council Member Martinez' second on a 7-0 vote.

Items 18 and 19 were pulled for discussion.

20. Authorize the Parks and Recreation Department to issue a lifetime swim pass to Barton Springs Pool to Nancy McMeans Richey.

The motion authorizing the Parks and Recreation Department to issue a lifetime swim pass was approved on consent on Mayor Pro Tem Cole's motion, Council Member Martinez' second on a 7-0 vote.

Item 21 was pulled for discussion.

Item 22 was pulled to be heard after the related item.

Items 23 and 24 were pulled for discussion.

25. Authorize award and execution of a 60-month supply requirements contract with BASF CORPORATION, for the purchase of liquid emulsion polymer for the Austin Water Utility in an estimated amount not to exceed \$3,763,339, with three 12-month extension options in estimated amounts not to exceed \$869,236 for the first extension option, \$912,698 for the second extension option, and \$958,333 for the third extension option, for a total estimated contract amount not to exceed \$6,503,606. (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 supply requirements contract with BASF Corporation was approved on consent on Mayor Pro Tem Cole's motion, Council Member Martinez' second on a 7-0 vote.

26. Authorize award and execution of a 24-month requirements supply agreement with WESTCOAST ROTOR, INC., for the purchase of Robbins and Myers progressive cavity pump repair parts for the Austin Water Utility in a estimated amount not to exceed \$300,000 with two 12-month extension options in an estimated amount not to exceed \$150,000 per extension option for a total estimated contract amount not to exceed \$600,000. (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 Westcoast Rotor, Inc. was approved on consent on Mayor Pro Tem Cole's motion, Council Member Martinez' second on a 7-0 vote.

27. Authorize award and execution of a contract with THIELSCH ENGINEERING, INC. for site clean-up related to the decommissioned Williamson Creek Wastewater Treatment Plant, in a total amount not to exceed \$84,398. (Notes: This contract will be awarded in compliance with City Code Chapter 2-9C (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore no goals were established for this solicitation.)

The motion authorizing the award and execution of a contract with Thielsch Engineering, Inc. was approved on consent on Mayor Pro Tem Cole's motion, Council Member Martinez' second on a 7-0 vote.

28. Authorize award and execution of a 36-month requirements Service contract with MCCOURT & SONS EQUIPMENT, INC., for the rental of a front-end loader and trommel screener for the Austin Water Utility in an amount estimated not to exceed \$192,000, with two 12-month extension options in an estimated amount not to exceed \$64,000 each for a total contract amount estimated not to exceed \$320,000. (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 McCourt & Sons Equipment, Inc. was approved on consent on Mayor Pro Tem Cole's motion, Council Member Martinez' second on a 7-0 vote.

29. Authorize award and execution of two 36-month requirements supply contracts for the purchase of brass and copper fittings of various types and sizes for the Austin Water Utility with TECHLINE PIPE LP, in an estimated amount not to exceed \$1,219,269, with two 12-month extension options in an estimated amount not to exceed \$406,423, per extension option, for a total estimated contract amount not to exceed \$2,032,115; and FERGUSON ENTERPRISES, dba FERGUSON WATERWORKS in an estimated amount not to exceed \$31,350, with two 12-month extension options in an estimated amount not to exceed \$10,450 per extension option for a total estimated contract amount no to exceed \$52,250. (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 contracts with Techline Pipe LP and Ferguson Enterprises doing business as Ferguson Waterworks was approved on consent on Mayor Pro Tem Cole's motion, Council Member Martinez' second on a 7-0 vote.

30. Authorize award and execution of a contract with BIOAIR SOLUTIONS, LLC, for the purchase and installation of a vapor phase bio trickling filter odor control system for the Austin Water Utility in a total contract amount of \$142,680. (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 with BioAir Solutions, LLC was approved on consent on Mayor Pro Tem Cole's motion, Council Member Martinez' second on a 7-0 vote.

31. Authorize award and execution of a 24-month requirements supply contract with ALLAN BAKER, INC., dba Korrek Optical for the purchase of prescription safety eyewear for City employees in an estimated amount not to exceed \$72,000 with two 12-month extension options in an estimated amount not to exceed \$36,000 per extension for a total estimated contract amount not to exceed \$144,000. (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 Allan Baker, Inc. doing business as Korreect Optical was approved on consent on Mayor Pro Tem Cole's motion, Council Member Martinez' second on a 7-0 vote.

Item 32 was pulled for discussion.

33. Authorize award and execution of a contract through the Texas Multiple Award Schedule with TENNANT SALES AND SERVICE COMPANY for the purchase of two floor scrubbers for the Austin Convention Center Department in an amount not to exceed \$96,098. (Notes: This contract is in compliance with City Code Chapter 2-9D (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this contract.)

The motion authorizing the award and execution of a contract through the Texas Multiple Award Schedule with Tennant Sales and Service Company was approved on consent on Mayor Pro Tem Cole's motion, Council Member Martinez' second on a 7-0 vote.

34. Authorize award, negotiation and execution of a 4-month service contract with ELECTRONIC DATA, INC. (EDI), for software maintenance enhanced support for The Department of Aviation Tivoli Maximo Asset Management version 7.1 software, IBM Tivoli BIRT Reporting, EDI SuiteReq software modules and EDI PART 139 for Airport Operations mandated security procedures reporting requirements in an estimated amount not to exceed \$9,667, with two 12-month extension options in an amount not to exceed \$33,500 per extension option, for a total contract amount not to exceed \$76,667. (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 Electronic Data, Inc. (EDI) was approved on consent on Mayor Pro Tem Cole's motion, Council Member Martinez' second on a 7-0 vote.

35. Authorize award and execution of a 36-month requirements service agreement with ONE TOUCH POINT GINNY'S for flat sheet printing services for the Austin Resource Recovery Department in an amount not to exceed \$909,000, with three 12-month extension options in an amount not to exceed \$303,000 per extension option, for a total contract amount not to exceed \$1,818,000. (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 service agreement with One Touch Point Ginny's was approved on consent on Mayor Pro Tem Cole's motion, Council Member Martinez' second on a 7-0 vote.

36. Approve ratification of an emergency contract with OMI ENVIRONMENTAL SOLUTIONS, LLC, for emergency fire control services at Austin Water Utility's Hornsby Bend Biosolids Treatment Plant, in an amount of \$2,943,505. Related to Item #5. (Notes: This contract was awarded in compliance with City Code Chapter 2-9C (Minority-Owned and Women-Owned Business Enterprise Procurement Program). This was an emergency purchase; therefore, it is exempted under Chapter 791 of the Texas Local Government Code and no goals were established for this solicitation.)

The motion to ratify an emergency contract with OMI Environmental Solutions, LLC was approved on consent on Mayor Pro Tem Cole's motion, Council Member Martinez' second on a 7-0 vote.

Item 37 was pulled for discussion.

38. Authorize award and execution of a 36-month service agreement with GRUENE ENVIRONMENTAL COMPANIES, for rapid response remediation services and transportation and disposal of non-hazardous and hazardous solid wastes for the Watershed Protection Department in an amount not to exceed \$145,500, with three 12-month extension options in an amount not to exceed \$48,500 per option, for a total contract amount not to exceed \$291,000. (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 service agreement with Gruene Environmental Companies was approved on consent on Mayor Pro Tem Cole's motion, Council Member Martinez' second on a 7-0 vote.
39. Authorize award and execution of a 36-month requirements supply contract with UNIFIRST CORPORATION, for the rental of work uniforms for the Field Operations Division of Watershed Protection, in an estimated amount not to exceed \$50,880, with three 12-month extension options in an amount not to exceed \$16,960 per extension option, for a total contract amount not to exceed \$101,760. (Notes: This contract will be awarded in compliance with Chapter 2-9D of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation.)
The motion authorizing the award and execution of a requirements supply contract with Unifirst Corporation was approved on consent on Mayor Pro Tem Cole's motion, Council Member Martinez' second on a 7-0 vote.
40. Approve award and execution of a professional services contract with ZARA ENVIRONMENTAL LLC, for structure design and implementation for recharge feature maintenance of caves in the Blowing Sink Balcones Canyonland Preserve (BCP) for the Watershed Protection Department in an amount not to exceed \$246,345. (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 professional services contract with Zara Environmental LLC was approved on consent on Mayor Pro Tem Cole's motion, Council Member Martinez' second on a 7-0 vote.
41. Authorize award, negotiation, and execution of a 12-month service agreement through The Cooperative Purchasing Network (TCPN), with CARAHSOFT TECHNOLOGY CORP., to provide cloud-based subscriptions with Box.com for secure online file sharing and collaboration tools in an amount not to exceed \$40,000, with two 12-month extension options in an estimated amount not to exceed \$42,000 for the first extension option and \$48,000 for the second extension option, for a total estimated contract amount not to exceed \$130,000. (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, negotiation and execution of a service agreement through the Cooperative Purchasing Network (TCPN) with Carahsoft Technology Corp. was approved on consent on Mayor Pro Tem Cole's motion, Council Member Martinez' second on a 7-0 vote.
42. Authorize award, negotiation, and execution of a 60-month requirements service and supply contract with ZOLL MEDICAL CORPORATION or the other qualified offeror to RFP No. CEA0114, to provide portable monitor-defibrillators, supplies, and maintenance and repair services for the Emergency Medical Services Department in an amount not to exceed \$10,000,000, with five 12-month extension options in an amount not to exceed \$2,000,000 per extension option, for a total contract amount not to exceed \$20,000,000. (Notes: This contract will be awarded in compliance with City Code Chapter 2-9D

(Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation.)

The motion authorizing the award, negotiation and execution of a requirements service and supply contract with Zoll Medical Corporation was approved on consent on Mayor Pro Tem Cole's motion, Council Member Martinez' second on a 7-0 vote.

43. Authorize award, negotiation and execution of a 12-month service contract with CUES, INC., Orlando, FL for software maintenance and support for Granite XP software for Austin Water pipeline operations in an estimated amount not to exceed \$21,560, with four 12-month extension options in estimated amounts not to exceed \$23,716 for the first extension option, and \$25,200 for each of the remaining extension options, for a total estimated contract amount not to exceed \$120,876. (Notes: This contract will be awarded in compliance with Chapter 2-9C of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this contract.)

The motion authorizing the award, negotiation and execution of a service contract with Cues, Inc. was approved on consent on Mayor Pro Tem Cole's motion, Council Member Martinez' second on a 7-0 vote.

44. Authorize award and execution of a contract through the Texas Local Government Purchasing Cooperative (BuyBoard) with PHILPOTT MOTORS, LTD., for the purchase of medium-duty vehicles in an amount not to exceed \$2,103,767.81. (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.) Unanimously approved by the Electric Utility Commission on a 7-0 vote.

The motion authorizing the award and execution of a contract through the Texas Local Government Purchasing Cooperative (BuyBoard) with Philpott Motors, Ltd. was approved on consent on Mayor Pro Tem Cole's motion, Council Member Martinez' second on a 7-0 vote.

45. Authorize award and execution of three contracts through the Houston-Galveston Area Council with MAGNUM TRAILERS for the purchase of assorted trailers in an amount not to exceed \$114,109 and SANTEX TRUCK CENTERS for the purchase of International Cab & Chassis in an amount not to exceed \$1,796,872. (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 three contracts through the Houston-Galveston Area Council with Magnum Trailers and Santex Truck Centers was approved on consent on Mayor Pro Tem Cole's motion, Council Member Martinez' second on a 7-0 vote.

46. Authorize award, negotiation and execution of a 36-month requirements service contract with LOCKHEED MARTIN DESKTOP SOLUTIONS, INC., or with another qualified respondent to RFP No. BKH0156, for a hosted software solution to provide an enterprise-wide Public Information Request System in an amount not to exceed \$263,924. (Notes: This contract will be awarded in compliance with Chapter 2-9C of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this contract.)

This item was withdrawn on consent on Mayor Pro Tem Cole's motion, Council Member Martinez' second on a 7-0 vote.

47. Authorize award and execution of a contract through the Texas Multiple Award Schedule (TXMAS) with TIME MANUFACTURING CO., dba Versalift Southwest for the purchase of truck-mounted aerial lifts in an amount not to exceed \$661,638.00. (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 Texas Multiple Award Schedule (TXMAS) with Time Manufacturing Co. doing business as Versalift Southwest was approved on consent on Mayor Pro Tem Cole's motion, Council Member Martinez' second on a 7-0 vote.

48. Approve issuance of a street event permit under City Code Chapter 14-8 for the 9th Annual Bat Fest, a fee-paid event in the 100 to 300 blocks of Ann Richards Bridge / Congress Avenue Bridge between Cesar Chavez Street and Barton Springs Road which is to be held on Saturday, August 24, 2013.
The motion to approve issuance of a street event permit for the 9th Annual Bat Fest was approved on consent on Mayor Pro Tem Cole's motion, Council Member Martinez' second on a 7-0 vote.

49. Approve an ordinance authorizing negotiation and execution of an Advanced Funding Agreement between the Texas Department of Transportation (TxDOT) and the City to construct a back-up transportation management center, purchase additional dynamic message signs and related equipment, and purchase additional equipment to enhance the operation of the Austin Advance Transportation System; accepting funds in the amount of \$2,884,000 from the TxDOT; amending the Fiscal Year 2012-2013 Austin Transportation Department Operating Budget Special Revenue Fund (Ordinance No. 20120910-001) to appropriate \$2,884,000; and amending the Fiscal Year 2012-2013 Austin Transportation Department Capital Budget (Ordinance No. 20120910-002) to transfer in and appropriate \$2,884,000 from the Austin Transportation Department Operating Budget Special Revenue Fund to be used for these transportation projects.
Ordinance No. 20130620-049 was approved on consent on Mayor Pro Tem Cole's motion, Council Member Martinez' second on a 7-0 vote.

50. Approve an ordinance amending the Fiscal Year 2012-2013 Austin Transportation Department Capital Budget (Ordinance No. 20120910-002) to reallocate \$50,000 from the Intelligent Transportation System (ITS) United States Highway 290 Project to the ITS Loop 360 Project.
Ordinance No. 20130620-050 was approved on consent on Mayor Pro Tem Cole's motion, Council Member Martinez' second on a 7-0 vote.

Item 51 was pulled for discussion.

Item 52 was pulled to be heard after the related item.

53. 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 Martinez' second on a 7-0 vote.

Nominations

Board/Nominee

Nominated by

Mexican American Cultural Center Advisory Board
 Veronica Forsyth

Council Member Tovo

Nominations to Intergovernmental Bodies

Board/Nominee

Nominated by

Capital Area Council of Governments, Criminal Justice Advisory Committee
 Dr. Jerome Schmidt

Council

Waivers

Approve a waiver of the attendance requirement in Section 2-1-26 of the City Code for the service of Cory Coles and Angelica Noyola on the Community Development Commission. The waiver includes absences through today's date.

Approve a waiver of the attendance requirement in Section 2-1-26 of the City Code for the service of Katherine Nicely on the Sustainable Food Policy Board. The waiver includes absences through today's date.

54. Approve a resolution directing the City Manager to initiate a code amendment to allow off-site accessory parking as a conditional or permitted use in the Limited Office District Designation. (Notes: SPONSOR: Council Member Chris Riley CO 1: Council Member William Spelman)
Resolution No. 20130620-054 was approved on consent on Mayor Pro Tem Cole's motion, Council Member Martinez' second on a 7-0 vote.
55. Approve a resolution directing the City Manager to assess the public health risk from the transport of hazardous materials through the City, determine an appropriate process and potential timeline in the event the City chooses to pursue a designated route for the transport of hazardous materials, and report back to the City Council on all findings. (Notes: SPONSOR: Council Member Laura Morrison CO 1: Council Member Chris Riley CO 2: Mayor Pro Tem Sheryl Cole)
Resolution No. 20130620-055 was approved on consent on Mayor Pro Tem Cole's motion, Council Member Martinez' second on a 7-0 vote.
56. Approve a resolution directing the City Manager to ensure that the Neighborhood Connectivity Division of the Public Works Department and the transportation planners reviewing zoning cases include in the staff report what effects, if any, the zoning change or its conditions may have on connectivity. (Notes: SPONSOR: Council Member Chris Riley CO 1: Council Member Kathie Tovo)
Resolution No. 20130620-056 was approved on consent on Mayor Pro Tem Cole's motion, Council Member Martinez' second on a 7-0 vote.
57. Approve a resolution directing the City Manager to include funding in the FY2014 budget to create a citywide staff coordinator and implement recommendations from the Economic Growth and Redevelopment Services Office local food system economic impact analysis and the Sustainable Food Policy Board regarding local food production, distribution, and consumption. (Notes: SPONSOR: Council Member Chris Riley CO 1: Council Member Mike Martinez)
This item was withdrawn on consent on Mayor Pro Tem Cole's motion, Council Member Martinez' second on a 7-0 vote.
58. Approve a resolution supporting the inclusion into the IH-35 National Environmental Policy Act study process of a fully recessed "Cut & Cap" alternative for reconnecting East & West Austin from approximately River Street to Martin Luther King, Jr. Boulevard and directing the City Manager to develop an economic impact study and associated financing options. (Notes: SPONSOR: Mayor Pro Tem Sheryl Cole CO 1: Council Member Chris Riley)
Resolution No. 20130620-058 was approved on consent on Mayor Pro Tem Cole's motion, Council Member Martinez' second on a 7-0 vote.
59. Approve a resolution directing the City Manager to present options for funding the Congregate Meals Program that provides free meals for senior citizens through the end of the fiscal year, and determine if next fiscal year's allocation to the Capital Area Council of Governments for this purpose can be increased to maintain current levels of service. (Notes: SPONSOR: Council Member Kathie Tovo CO 1: Council Member Mike Martinez CO 2: Council Member Laura Morrison)

Resolution No. 20130620-059 was approved on consent on Mayor Pro Tem Cole's motion, Council Member Martinez' second on a 7-0 vote.

60. Set a public hearing and consider an ordinance amending City Code Chapter 25-1 to change the requirements for neighborhood plan amendment procedures. (Suggested date and time: August 8, 2013, 4:00 p.m. at Austin City Hall, 301 W. Second Street, Austin, TX).
The public hearing was set on consent for August 8, 2013 at 4:00 p.m., City Hall at 301 W. Second Street, Austin, TX on Mayor Pro Tem Cole's motion, Council Member Martinez' second on a 7-0 vote.
61. Set a public hearing and consider an ordinance regarding floodplain variances for the remodeling of and construction of an addition to an existing single-family residence at 4518 Avenue D as requested by the owner of the property. The property is partially in the 25-year and 100-year floodplains of Waller Creek. (Suggested date and time: June 27, 2013, at 4:00 p.m., Austin City Hall, 301 West Second Street, Austin, TX).
The public hearing was set on consent for June 27, 2013 at 4:00 p.m., City Hall at 301 W. Second Street, Austin, TX on Mayor Pro Tem Cole's motion, Council Member Martinez' second on a 7-0 vote.
62. Set a public hearing and consider a rate review mechanism for reviewing the gas rates of Atmos Energy Corporation, Mid-Tex Division. (Suggested date and time: June 27, 2013, 4:00 p.m., Austin City Hall, 301 W. Second Street, Austin, TX)
The public hearing was set on consent for June 27, 2013 at 4:00 p.m., City Hall at 301 W. Second Street, Austin, TX on Mayor Pro Tem Cole's motion, Council Member Martinez' second on a 7-0 vote.
63. Set a public hearing and consider an ordinance amending Article 1 of City Code Chapter 25-12, the Building Code, to address noise mitigation for high rise residential Group R structures. (Suggested date and time: August 22, 2013, 4:00 p.m. at Austin City Hall, 301 W. Second Street, Austin, TX)
The public hearing was set on consent for August 22, 2013 at 4:00 p.m., City Hall at 301 W. Second Street, Austin, TX on Mayor Pro Tem Cole's motion, Council Member Martinez' second on a 7-0 vote.

Items 64 and 65 were items with closed public hearings.

Items 66 and 67 were briefing items set for 10:30 a.m.

Items 68 through 73 were Executive Session items.

Items 74 through 85 were zoning items set for 2:00 p.m.

Items 86 through 92 were public hearing items set for 4:00 p.m.

DISCUSSION ITEMS

Items 21 and 23 were acted on in a combined motion.

21. Approve an ordinance authorizing negotiation and execution of a joint development agreement and related documents between Waller Creek Conservancy, the City and the Waller Creek Local Government Corporation concerning the revitalization of the Waller Creek District. Related to Item #23.
Ordinance No. 20130620-021 was approved with the following amendments, friendly amendments and direction on Mayor Pro Tem Cole's motion, Mayor Leffingwell's second on a 7-0 vote.

Direction was given to staff to include the Mexican American Cultural Center Advisory Board in the discussions.

There was a motion made by Council Member Morrison and seconded by Council Member Tovo to amend the design guideline to include cocktail lounge use as a conditional use. The motion passed on a 6-1 vote. Mayor Leffingwell voted nay.

There was a friendly amendment made by Council Member Morrison to include in the master plan the language “for ground floor residential we would recommend promoting a separation between the residential and the public space by design.” The amendment was accepted by the maker of the motion and Mayor Leffingwell, who made the second.

There was a friendly amendment made by Council Member Morrison to add language to the Refuge sub-district to read, “4. The encroachment maintains a minimum eight foot clear zone to facilitate and ensure public circulation and access way through Creek Corridor encroachment areas.” The amendment was accepted by the maker of the motion and Mayor Leffingwell, who made the second.

Council Member Morrison gave direction to staff to help craft direction for the Local Government Corporation that it is ensured that waivers to City policies are not allowed without Council approval and restrictions on City property, to make it clear that waivers approved by the Local Government Corporation would be limited to minor adjustments that are needed for successful construction purposes.”

Council Member Morrison gave direction to staff to have the value statement added to the naming section.

Council Member Morrison gave direction to staff to add a statement in section 6.01 that states the art projects will be presented for discussion to the Arts Commission. The amendment was accepted by the maker of the motion and Mayor Leffingwell, who made the second.

Mayor Pro Tem Cole gave direction to staff to include language that we will maintain flexibility with respect to the public land.

23. Approve the Waller Creek Design Plan as developed by Michael Van Valkenburgh Associates/Thomas Phifer & Partners. Related to Item #21.

The motion to approve the Waller Creek Design Plan was approved on Mayor Pro Tem Cole’s motion, Mayor Leffingwell’s second on a 7-0 vote.

2. Approve an ordinance amending City Code Chapter 15-9 regarding utility service, billing and adjustments, and administrative reviews and hearings. Unanimously approved by the Water & Wastewater Commission with a change incorporated in the revised draft ordinance; Not approved by the Electric Utility Commission on a vote of 7-0 due to questions regarding the billing section of the ordinance.

Ordinance No. 20130620-002 giving the authority to go ahead with administrative reviews and hearings only was approved on Council Member Spelman’s motion, Mayor Pro Tem Cole’s second on a 7-0 vote. Direction was given to staff to understand that there are continuing issues to be discussed and the section being approved today will be considered for improvement or recommendation from the Electric Utility Commission.

CITIZEN COMMUNICATIONS: GENERAL

Kunda Wicce - Costs of Fayette powerplant

Suzanne Rittenberry - Coal plant **Not present when name was called.**

Paul Robbins - City issues

Kathy Correa - Lamar/Justin Lane Austin Energy Site Development Scenerio Report

Walt Olenick - Water fluoridation

Heidi Johnson - Crestview Park

Jamie Lezine - Proposed park at Austin Energy site

Hope Young - Indoor air quality health risk concerns (smoke related)

Adrian Moore - At risk youth

Roy Cavanaugh - Managed Growth Agreement Application

BRIEFINGS

66. Briefing on the Colony Park Sustainable Community Initiative consultant selection.
The presentation was made by Rolando Fernandez, Assistant Director, Contract and Land Management Department; Betsy Spencer; Director, Neighborhood Housing; Urban Design Group: Laura Toups, Urban Design Group; Doug Farr, President and CEO and Courtney Kashima, Farr Associates; and Scott Bernstein, President, Center for Neighborhood Technology; McCann Adams Studio: Jana McCann, AIA-Principal; Jim Adams, AIA, Leed AP-Principal; and Jim Musbach, Managing Principal, Economic & Planning Systems, Inc.

Mayor Leffingwell recessed the Council Meeting to go into Executive Session at 1:22 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.

68. 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.
69. Discuss legal issues related to Open Government matters (Private consultation with legal counsel-Section 551.071 of the Government Code).
This item was withdrawn.
73. Discuss legal issues related to the City Auditor (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 2:05 p.m.

BOND SALES

Items 74 and 75 were acted on in a combined motion.

74. Approve an ordinance authorizing the issuance of City of Austin Water and Wastewater System Revenue Refunding Bonds, Series 2013A, by December 31, 2013, in an amount not to exceed \$500,000,000 in accordance with the parameters set out in the ordinance, authorizing related documents, and approving related fees.

Ordinance No. 20130620-074 was approved on Mayor Pro Tem Cole's motion, Council Member Spelman's second on a 7-0 vote.

75. Approve an ordinance authorizing the issuance of City of Austin Water and Wastewater System Revenue Refunding Bonds, Taxable Series 2013B, by December 31, 2013, in an amount not to exceed \$200,000,000 in accordance with the parameters set out in the ordinance, authorizing related documents, and approving related fees.

Ordinance No. 20130620-075 was approved on Mayor Pro Tem Cole's motion, Council Member Spelman's second on a 7-0 vote.

Mayor Leffingwell recessed the Council Meeting to go into Executive Session at 2:08 p.m.

EXECUTIVE SESSION CONTINUED

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.

70. Discuss legal issues related to ZFB, Ltd. v. City of Austin; Cause No. 12-0336-C26; In the District Court of Williamson County, Texas 26th Judicial District (Private consultation with legal counsel-Section 551.071 of the Government Code).
71. Evaluate the performance of and consider compensation and benefits for the City Clerk (Personnel matters-Section 551.074 of the Government Code).
72. Evaluate the performance of and consider the compensation and benefits for the City Auditor (Personnel Matters - Section 551.074 of the Government Code).

Executive Session ended and Mayor Leffingwell called the Council Meeting back to order at 4:01 p.m.

ZONING CONSENT ITEMS

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

78. C814-2012-0160 - 211 South Lamar Boulevard Planned Unit Development - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 211 South Lamar Boulevard (Lady Bird Lake Watershed) from general commercial services (CS) district zoning and general commercial services-vertical mixed use building (CS-V) combining district zoning to planned unit development (PUD) district zoning. Staff Recommendation: To grant planned unit development (PUD) district zoning. Planning Commission Recommendation: To grant planned unit development (PUD) district zoning. Owner: Post Paggi, LLC (Jason Post). Applicant: Winstead PC (Stephen O. Drenner). City Staff: Lee Heckman, 974-7604.

This item was postponed on consent to August 8, 2013 at the neighborhood's request on Council Member Riley's motion, Council Member Spelman's second on a 7-0 vote.

79. C14-2012-0100 - Woodland Commercial Park - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 1640 South IH-35 (Harper's Branch Watershed) from community commercial-conditional overlay-neighborhood plan (GR-CO-NP) combining district zoning to general commercial services-conditional overlay-neighborhood plan (CS-CO-NP) combining district zoning. Staff Recommendation: To grant general commercial services-conditional overlay-neighborhood plan (CS-CO-NP) combining district zoning, with conditions. Planning Commission Recommendation: To be reviewed on June 25, 2013. Owner: Woodland I-35, LP (Billy Reagan II). Applicant: Brown McCarroll LLP (Nikelle Meade). City Staff: Lee Heckman, 974-7604.
This item was postponed on consent to June 27, 2013 at the staff's request on Council Member Riley's motion, Council Member Spelman's second on a 7-0 vote.
80. C14-2013-0012 - Hopper Communities - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by zoning and rezoning property locally known as 9710-9718 Anderson Mill Road (Lake Creek Watershed; Bull Creek Watershed) from general commercial services-conditional overlay (CS-CO) combining district zoning and interim-rural residence (I-RR) district zoning to general commercial services-mixed use-conditional overlay (CS-MU-CO) combining district zoning. Staff Recommendation: To grant general commercial services-mixed use-conditional overlay (CS-MU-CO) combining district zoning. Zoning and Platting Commission Recommendation: To grant general commercial services-mixed use-conditional overlay (CS-MU-CO) combining district zoning. Owner/Applicant: Pohl Partners, Inc. (Kristiana Alfsen). Agent: ZFB, Ltd. (William Pohl, General Partner). City Staff: Sherri Sirwaitis, 974-3057.
The public hearing was conducted and the motion to close the public hearing and adopt Ordinance No. 20130620-080 for general commercial services-mixed use-conditional overlay (CS-MU-CO) combining district zoning was approved on consent on Council Member Riley's motion, Council Member Spelman's second on a 7-0 vote.
81. C14-2013-0020 - Oak Creek Village - Approve second/third reading of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 2324 Wilson Street (Bouldin Creek Watershed) from multi-family residence medium density-neighborhood plan (MF-3-NP) combining district zoning to multi-family residence-highest density-conditional overlay-neighborhood plan (MF-6-CO-NP) combining district zoning. First reading approved with conditions on June 6, 2013. Vote: 7-0. Owner: 2007 Travis Heights, LP (Rene D. Campos). Applicant/Agent: Winstead PC (John Donisi). City Staff: Lee Heckman, 974-7604.
This item was postponed on consent to June 27, 2013 at the staff's request on Council Member Riley's motion, Council Member Spelman's second on a 7-0 vote.
82. C14-2013-0025 - Spicewood Springs Homes - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 4101 Spicewood Springs Road (Shoal Creek Watershed) from family residence (SF-3) district zoning to townhouse condominium residence (SF-6) district zoning. Staff Recommendation: To grant townhome condominium residence-conditional overlay (SF-6-CO) combining district zoning. Zoning and Platting Commission Recommendation: To grant townhome condominium residence-conditional overlay (SF-6-CO) combining district zoning. Applicant: Harold Silberberg. Agent: PSW Real Estate (Ryan Diepenbrock). City Staff: Clark Patterson, 974-7691.
This item was postponed on consent to June 27, 2013 at the applicant's request on Council Member Riley's motion, Council Member Spelman's second on a 7-0 vote.
83. C14-2013-0034 - Ross-Conley Lot 1, L.L.P. - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 3447 Northland Drive (Shoal 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. Zoning and Platting Commission Recommendation: To be

reviewed on June 18, 2013. Applicant: David C. Conley, P.C. (David C. Conley). Agent: Thrower Design (Ron Thrower). City Staff: Clark Patterson, 974-7691.

This item was postponed on consent to June 27, 2013 at the applicant's request on Council Member Riley's motion, Council Member Spelman's second on a 7-0 vote.

84. C14-2013-0058 - Cedars Montessori School (East) - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 9528 and 9600 Circle Drive (Williamson Creek Watershed; Slaughter Creek Watershed-Barton Springs Zone) from rural residence-neighborhood plan (RR-NP) combining district zoning to limited office-neighborhood plan (LO-NP) combining district zoning. Staff Recommendation: To grant limited office-mixed use-conditional overlay-neighborhood plan (LO-MU-CO-NP) combining district zoning. Planning Commission Recommendation: To grant limited office-mixed use-conditional overlay-neighborhood plan (LO-MU-CO-NP) combining district zoning. Owner: Cedars Montessori School, Inc. (Jill Young). Applicant: Brown McCarroll, LLP (Kell Mercer). Agent: Stansberry Engineering Co, Inc. (Blayne Stansberry). City Staff: Lee Heckman, 974-7604.

The public hearing was conducted and the motion to close the public hearing and adopt Ordinance No. 20130620-084 for limited office-mixed use-conditional overlay-neighborhood plan (LO-MU-CO-NP) combining district zoning was approved on consent on Council Member Riley's motion, Council Member Spelman's second on a 7-0 vote.

85. C14-2013-0059 - Cedars Montessori School (West) - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 9704 Circle Drive (Williamson Creek Watershed; Slaughter Creek Watershed-Barton Springs Zone) from rural residence-neighborhood plan (RR-NP) combining district zoning to limited office-neighborhood plan (LO-NP) combining district zoning. Staff Recommendation: To grant limited office-mixed use-conditional overlay-neighborhood plan (LO-MU-CO-NP) combining district zoning. Planning Commission Recommendation: To grant limited office-mixed use-conditional overlay-neighborhood plan (LO-MU-CO-NP) combining district zoning. Owner: Cedars Montessori School, Inc. (Jill Young). Applicant: Brown McCarroll, LLP (Kell Mercer). Agent: Stansberry Engineering Co, Inc. (Blayne Stansberry). City Staff: Lee Heckman, 974-7604.

The public hearing was conducted and the motion to close the public hearing and adopt Ordinance No. 20130620-085 for limited office-mixed use-conditional overlay-neighborhood plan (LO-MU-CO-NP) combining district zoning was approved on consent on Council Member Riley's motion, Council Member Spelman's second on a 7-0 vote.

DISCUSSION ITEMS CONTINUED

37. Authorize award, negotiation, and execution of a professional services contract with NATIONAL ECONOMIC RESEARCH ASSOCIATES, INC (NERA), or one of the other qualified responders to RFQS No. SMW0051, to conduct an availability and disparity study of minority owned and women owned business enterprise, disadvantaged business enterprise, and veteran owned businesses in an estimated amount not to exceed \$1,000,000. (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. However, NERA will subcontract with Bryan Cave LLP, D'Moriea Consulting Agency, CR Dynamics & Associates, Inc., J&D Data Services, and Business Resource Consultants (MBE).)

The motion authorizing the award, negotiation and execution of a professional services contract with National Economic Research Associates, Inc. (NERA) was approved on Council Member Martinez' motion, Council Member Spelman's second on a 7-0 vote.

15. Approve a resolution amending to the City personnel policies, Section III.B.1.c, relating to FMLA including the establishment of a new Parental Leave Benefit and insertion of language that aligns City policy with Federally Mandated Military Exigency and Military Caregiver requirements.

Resolution No. 20130620-015 with the following friendly amendment was approved on Council Member Spelman's motion, Council Member Martinez' second on a 6-0 vote. Mayor Leffingwell abstained.

There was a friendly amendment made by Council Member Martinez to have Part 1, (2) read, "Paid Parental Leave is available to mothers and fathers for the birth of the employee's child and the placement of a child with the employee for adoption or foster care without regard to the marital status or sexual orientation of the parenting individual. All employees in regular budgeted positions that qualify for FMLA leave can utilize the Parental Leave except those employees whose terms and conditions of employment with the City are negotiated through a collective bargaining agreement or a meet and confer agreement." The amendment was accepted by the maker of the motion.

Direction was given to staff to report back to Council in a year regarding this item.

18. Authorize the negotiation and execution of an 84-month lease for approximately 14,037 square feet of office space located at 3701 Lake Austin Boulevard from the LOWER COLORADO RIVER AUTHORITY, in an amount not to exceed \$2,846,304.52.
The motion authorizing the negotiation and execution of a lease for approximately 14,037 square feet of office space from the Lower Colorado River Authority was approved on Council Member Spelman's motion, Council Member Martinez' second on a 7-0 vote. Direction was given to staff to consult with Council on who moves and where they will move and to negotiate a possible parking cash-out program with the Lower Colorado River Authority consistent with the City's parking cash-out program.
19. Authorize negotiation and execution of a 48-month lease for approximately 27,971 square feet of office space located at 200 West Cesar Chavez from SILICON LABORATORIES, INC., in an amount not to exceed \$5,620,000.
The motion authorizing the negotiation and execution of a lease for approximately 27,971 square feet of office space from Silicon Laboratories, Inc. was approved on Council Member Spelman's motion, Mayor Leffingwell's second on a 7-0 vote. Direction was given to staff to consult with Council on who moves and where they will move.
24. Approve an ordinance accepting funds in the amount of \$150,000 from BIKE SHARE OF AUSTIN for a portion of the local matching funds necessary to meet the grant requirements for the Bike Share Program; amending the Public Works Department Operating Budget Special Revenue Fund (Ordinance No. 20120910-001) in the amount of \$150,000; and amending the Public Works Department Capital Budget (Ordinance No.20120910-002) to transfer in and appropriate \$150,000 from the Public Works Department Operating Budget Special Revenue Fund for the Bike Share Program. Related to Item #32.
Ordinance No. 20130620-024 was approved on Council Member Morrison's motion, Council Member Spelman's second on a 7-0 vote.
32. Authorize award, negotiation, and execution of a supply contract with B-CYCLE LLC, or the other qualified offeror to RFP EAG0111 for the purchase of bicycles, kiosks, and software for the Bike Share Program for the Public Works Department for a total estimated contract amount not to exceed \$2,000,000. Related to Item #24. (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 supply contract with B-Cycle LLC was approved on Council Member Morrison's motion, Council Member Spelman's second on a 7-0 vote.

51. Approve an ordinance amending City Code Chapter 13-2 (Ground Transportation Passenger Services) to revise the definitions, amend the regulations, and add requirements related to the operation of charter services.

Ordinance No. 20130620-051 was approved with the following friendly amendment on Council Member Morrison's motion, Council Member Spelman's second on a 7-0 vote.

There was a friendly amendment made by Council Member Spelman to add the following definition, "Prearranged Service means ground transportation that is scheduled by an initial reservation a minimum of one half hour in advance of the trip, excluding performance under a corporate contract." The amendment was accepted by the maker of the motion.

22. Authorize negotiation and execution of the Estancia Hill Country Final Annexation and Development Agreement, concerning annexation and development of approximately 600 acres in southern Travis County, west of IH 35 South, approximately eight tenths of a mile south of the intersection of IH 35 South and Onion Creek Parkway. Related to Items #52, #64, #65, #76, #77, and #90.

The motion authorizing the negotiation and execution of the Estancia Hill Country final annexation and development agreement was approved on Council Member Morrison's motion, Mayor Pro Tem Cole's second on a 7-0 vote.

ACTION ON ITEM(S) WITH CLOSED PUBLIC HEARINGS

Items 64 and 65 were acted on in a combined motion.

64. Approve second and third reading of an ordinance to annex the Estancia annexation area for limited purposes (approximately 600 acres in southern Travis County west of IH 35 South approximately eight tenths of a mile south of the intersection of IH 35 South and Onion Creek Parkway). THE PUBLIC HEARINGS FOR THIS ITEM WERE HELD AND CLOSED ON MARCH 21, 2013 AND MARCH 28, 2013. Related to Items #22, #52, #65, #76, #77, and #90.

Ordinance No. 20130620-064 was approved on Mayor Pro Tem Cole's motion, Council Member Morrison's second on a 7-0 vote.

65. Approve second and third reading of an ordinance approving a regulatory plan for the Estancia annexation area, which is being annexed for limited purposes. THE PUBLIC HEARINGS FOR THIS ITEM WERE HELD AND CLOSED ON MARCH 21, 2013 AND MARCH 28, 2013. Related to Items #22, #52, #64, #76, #77, and #90.

Ordinance No. 20130620-065 was approved on Mayor Pro Tem Cole's motion, Council Member Morrison's second on a 7-0 vote.

ZONING DISCUSSION ITEM

77. C814-2012-0085 - Estancia Hill Country PUD - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by zoning property locally known as 12814 Interstate Highway 35 South and FM 1327 (Puryear Road) at South IH 35 Service Road Southbound (Onion Creek Watershed) from unzoned to planned unit development (PUD) district zoning, with conditions. First Reading approved on May 9, 2013. Vote: 6-1, Council Member Tovo voted nay. Owner/Applicant: Sevensgreen One LTD; Quartersage II LTD; Reverde Three LTD; IV Capitol Pointe LTD; Stone Pointe Five LTD; Saladia VI LTD; Paol Grande Seven LTD; High Point Green VIII LTD; Golondrina Nine LTD; X Cordoniz LTD; Ciero Eleven LTD; Zaguan XII LTD; Thirteen Canard LTD; Ruissea XIV LTD; Dindon Fifteen LTD; Bois de Chene XVI LTD; Etourneau Seventeen LTD; Moineau XVIII LTD; SLF III - Onion Creek LP (The Stratford Company) (Ocie Vest). Agent: Metcalfe Wolff Stuart & Williams, LLP (Michele Rogerson Lynch). City Staff: Wendy Rhoades, 974-7719. Related to Items #22, #52, #64, #65, #76, and #90.

Ordinance No. 20130620-077 for planned unit development (PUD) district zoning, with conditions was approved on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.

PUBLIC HEARINGS AND POSSIBLE ACTIONS

90. Conduct a public hearing relating to the proposed assessments on the Public Improvement District for the Estancia Hill Country project (approximately 600 acres in southern Travis County west of IH 35 South approximately eight tenths of a mile south of the intersection of IH 35 South and Onion Creek Parkway). Related to Items #22, #52, #64, #65, #76, and #77.
The public hearing was conducted and the motion to close the public hearing was approved on Mayor Pro Tem Cole's motion, Council Member Morrison's second on a 7-0 vote.

DISCUSSION ITEMS CONTINUED

52. Approve an ordinance accepting and approving a Service and Assessment Plan and Assessment Roll related to the property located in the Estancia Hill Country Public Improvement District and further related to the City of Austin, Texas Special Assessment Revenue Bonds Series 2013 (Estancia Hill Country Public Improvement District) and levying special assessments on the property within the Estancia Hill Country Public Improvement District. Related to Items #22, #64, #65, #76, #77, and #90.
Ordinance No. 20130620-052 was approved on Council Member Morrison's motion, Council Member Spelman's second on a 7-0 vote.

BOND SALES CONTINUED

76. Approve an ordinance authorizing the issuance of City of Austin, Texas Special Assessment Revenue Bonds, Series 2013 (Estancia Hill Country Public Improvement District), in an amount not to exceed \$12,590,000 and authorizing all related documents and fees. Related to Items #22, #52, #64, #65, #77, and #90.
Ordinance No. 20130620-076 was approved on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.

PUBLIC HEARINGS AND POSSIBLE ACTIONS CONTINUED

86. Conduct a public hearing to receive citizen comments on the City's Draft Fiscal Year 2013-2014 Action Plan, as required by the U.S. Department of Housing and Urban Development, and the Community Development 2013-2014 Program as required by Texas Local Government Code Chapter 373.
The public hearing was conducted and the motion to close the public hearing was approved on Council Member Spelman's motion, Council Member Morrison's second on a 7-0 vote.
87. Conduct a public hearing and consider a resolution regarding approval of the permanent use of approximately 7,508 square feet of land and temporary working space use of approximately 5,108 square feet of land for construction, use, maintenance, repair, and replacement of a wastewater line for the Austin Water Utility Wastewater Line Relay and Spot Repair Services, 2506 Hartford Road to 2614 Jefferson Street Project through dedicated parkland known as Hartford Park in accordance with Texas Parks and Wildlife Code, Section 26.001 et seq.
This item was withdrawn on Mayor Pro Tem Cole's motion, Mayor Leffingwell's second on a 7-0 vote.

Items 88 and 89 were acted on in a combined motion.

88. Conduct a public hearing and consider an ordinance amending City Code Section 25-2-861 relating to heli-facilities or heliports. Related to Item #89.

The public hearing was conducted and the motion to close the public hearing and approve Ordinance No. 20130620-088 was approved on Council Member Morrison's motion, Council Member Tovo's second on a 7-0 vote.

89. Conduct a public hearing and consider an ordinance amending the City Code Title 13 relating to Heli-Facilities. Related to Item #88.

The public hearing was conducted and the motion to close the public hearing and approve Ordinance No. 20130620-089 with the following amendments was approved on Council Member Morrison's motion, Council Member Tovo's second on a 7-0 vote.

The amendments were:

In section 13-1-188 the title should read, "Inspection Authorized".

Part II, section 13-1-181, (D)(1)(c)(ii) should read, "within 10 days of the receipt of an administratively complete application, individual notice shall be delivered by mail to property owners, and utility customers within 500 feet of the proposed helistop and to property owners and utility customers within the proposed helistop's 65 Leq dB noise contour as modeled by the FAA noise model."

Part II, section 13-1-181, (D)(2) should read, "The public comment period shall commence on the date the required notice has been provided and end 30 days after a filed application is administratively complete in all respects."

91. Conduct a public hearing and consider an ordinance amending City Code Chapter 25-2, Subchapter C, Article 3, Division 9 (University Neighborhood Overlay District Requirements) relating to affordable housing regulations in the university neighborhood overlay (UNO) district.

This item was postponed to June 27, 2013 on Council Member Morrison's motion, Council Member Spelman's second on a 7-0 vote.

92. Conduct a public hearing and consider an ordinance amending City Code Chapter 25-2 relating to the use classifications of electronic prototype assembly and electronic testing in the downtown mixed use and central business district base zoning districts.

The public hearing was conducted and the motion to close the public hearing and approve Ordinance No. 20130620-092 was approved on Mayor Pro Tem Cole's motion, Council Member Spelman's second on a 7-0 vote.

Mayor Leffingwell recessed the Council Meeting for Live Music and Proclamations at 5:24 p.m.

LIVE MUSIC

Este Vato

PROCLAMATIONS

Certificate of Appreciation -- Walmart -- to be presented by Mayor Lee Leffingwell and to be accepted by Walmart representatives

Proclamation -- World Refugee Day -- to be presented by Mayor Lee Leffingwell and to be accepted by Jo Kathryn Quinn

Proclamation -- Love Your Rescue Pet Day -- to be presented by Council Member Chris Riley and to be accepted by Austin's Rescue Community members

Mayor Leffingwell called the Council Meeting back to order at 6:33 p.m.

BRIEFINGS CONTINUED

67. Briefing on the Downtown Plan Density Bonus Program.
The presentation was made by **Jim Robertson, Manager, Planning and Development Review and Robert Wolcheski, Economist, HR & A Advisors.**

Mayor Leffingwell adjourned the meeting at 7:21 p.m. without objection.

The minutes were approved on this the 27th day of June 2013 on Mayor Pro Tem Cole's motion, Council Member Martinez' second on a 7-0 vote.