



**Thursday, October 03, 2013**

The Austin City Council will convene at 10:00 AM on  
Thursday, October 03, 2013 at Austin City Hall  
301 W. Second Street, Austin, TX



**Mayor Lee Leffingwell**  
**Mayor Pro Tem Sheryl Cole**  
**Council Member Chris Riley, Place 1**  
**Council Member Mike Martinez, Place 2**  
**Council Member Kathie Tovo, Place 3**  
**Council Member Laura Morrison, Place 4**  
**Council Member William Spelman, Place 5**

For meeting information, contact the City Clerk, (512) 974-2210

*The City Council may go into a closed session as permitted by the Texas Open Meetings Act, (Chapter 551 of the Texas Government Code) regarding any item on this agenda.*

**All of the following items may be acted upon by one motion. No separate discussion or action on any of the items is necessary unless desired by a Council Member.**

**9:55 AM – Invocation**

Minister Karla Saldana, Director, Bendicion Musical Ministries

**10:00 AM – City Council Convenes**

**Consent**

**Approval of Minutes**

1. Approve the minutes of the Austin City Council discussion meeting of September 19, 2013, work session meeting of September 24,, 2013 and regular meeting of September 26, 2013.

**Austin Water Utility**

2. Authorize the negotiation and execution of a cost participation agreement with Continental Homes of Texas, LP (d.b.a. DR Horton America's Builder) for the City to reimburse the developer for up to \$1,673,857.20 in costs associated with the design and construction of an oversized wastewater interceptor, lift station, force main and appurtenances related to Service Extension Request No. 3247 to provide wastewater service to the Fort Dessau development located at 13700 Dessau Rd.

**Aviation**

3. Approve a resolution authorizing acceptance of grants from the Federal Aviation Administration, the Department of Homeland Security, and other state and federal agencies to the City of Austin, Department of Aviation, for Austin-Bergstrom International Airport for Fiscal Year 2013-2014 in an amount not to exceed \$30,000,000.
4. Authorize negotiation and execution of an interlocal agreement between City of Austin Department of Aviation and the Capital Area Council of Governments to facilitate an Environmental Protection Agency Diesel Emission Reduction Act grant to replace diesel powered equipment operated by Southwest Airlines with electric equipment.

**Budget**

5. Approve an ordinance amending the Fiscal Year 2013-2014 Building Services

Department Capital Budget (Ordinance No. 20130909-002) to transfer in and appropriate \$100,000 from the Fiscal Year 2013-2014 General Fund Operating Budget (Ordinance No. 20130909-001) and transfer in and appropriate \$400,000 from the Fiscal Year 2013-2014 Critical One-Time Fund Operating Budget (Ordinance No. 20130909-001) for the Austin Resource Center for the Homeless renovations.

### **Contract Management**

6. Authorize execution of a change order to the construction contract with MUNIZ CONCRETE AND CONTRACTING, INC. for ADA Sidewalk, Ramp, and Bikeway Improvements 2011 Group 11 Citywide in the amount of \$821,133, for a total contract amount not to exceed \$6,842,775.  
( Notes: This contract was awarded in compliance with City Code Chapter 2-9A (Minority Owned and Women Owned Business Enterprise Procurement Program) with 2.94% MBE and 6.22% WBE subcontractor participation to date including this change order. )
7. Authorize execution of a construction contract with G. HYATT CONSTRUCTION, INC. for the Town Lake Metropolitan Park - Auditorium Shores Trailhead project in the amount of \$2,201,000 plus a \$110,050 contingency, for a total contract amount not to exceed \$2,311,050. Related to Item #16.  
( Notes: This contract will be awarded in compliance with City Code Chapter 2-9A (Minority Owned and Women Owned Business Enterprise Procurement Program) through the achievements of good faith efforts with 3.14% MBE and 22.83% WBE subcontractor participation. )
8. Authorize the negotiation and execution of an amendment to the professional services agreement with JACOBS ENGINEERING GROUP, INC. for engineering services for the Boardwalk Trail at Lady Bird Lake project in the amount of \$440,000 for a total contract amount not to exceed \$3,470,000.  
( Notes: This contract was awarded in compliance with City Code Chapter 2-9B (Minority Owned and Women Owned Business Enterprise Procurement Program) with 18.33% MBE and 20.66% WBE subconsultant participation to date. )

### **Health and Human Services**

9. Approve negotiation and execution of a 12-month social service contract with RIVER CITY YOUTH FOUNDATION for a total amount not to exceed \$146,000 for the period beginning October 1, 2013 through September 30, 2014, for at risk youth services in the 78744 zip code area.
10. Approve an ordinance amending City Code Chapter 10-7 (Pools and Spas), to establish regulations and permitting requirements for Public Interactive Water Features and Fountains.

## **Law**

11. Authorize negotiation and execution of an amendment to a legal services contract with Renea Hicks for services related to City of Austin v. Harry M. Whittington, et al, Cause No. D-1-GV-07-00942 in the 353rd District Court of Travis County Texas, in the amount of \$50,000, for a total contract amount not to exceed \$197,000.
12. Approve a settlement related to Jill Turner's personal injury and property damage claim.

## **Office of Real Estate Services**

13. Authorize the negotiation and execution of all documents and instruments necessary to acquire in fee simple a tract of land totaling approximately 2.508 acres in Travis County, Texas, located on Old San Antonio Road from the Riddell Family Limited Partnership, for a total amount not to exceed \$1,638,727.
14. Authorize the negotiation and execution of all documents and instruments necessary or desirable to acquire approximately 0.575-acre of land for a permanent wastewater easement, approximately 0.722-acre of land for a permanent access easement, approximately 0.497-acre of land for a temporary ingress and egress easement and approximately 0.465-acre of land for a temporary working space easement for the North Acres Wastewater Tunnel, situated in the J.O. Rice Survey No. 31, Abstract No. 675, in Travis County, Texas, located on Dessau Road, from CONTINENTAL HOMES, L.P., in an amount not to exceed \$72,630.

## **Parks and Recreation**

15. Approve a resolution authorizing the Parks and Recreation Department's application for up to \$500,000 in grant funding from the Texas Parks and Wildlife Department's Boating Access Grant to improve facilities and resources at Walsh Boat Landing and committing to providing matching funds, as required.
16. Approve an ordinance amending the Fiscal Year 2013-2014 Parks and Recreation Department Capital Budget (Ordinance No. 20130909-002) to appropriate \$1,000,000 for the renovation and further development of the Auditorium Shores Trailhead. Related to Item #7.

## **Police**

17. Authorize negotiation and execution of an interlocal agreement with the Texas Department of Public Safety to define respective responsibilities for significant events, maintenance, street closures, traffic enforcement, and general security in the Capitol Complex, including private property within the

Capitol Complex.

### **Purchasing Office**

18. Authorize negotiation and execution of a 36-month rewards program administration agreement with THANKS AGAIN, LLC. to provide an airport centered loyalty/rewards program for the Austin Aviation Department in an amount not to exceed \$180,000.  
( Notes: This contract will be awarded in compliance with City Code Chapter 2-9C (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this contract. )
19. Authorize award and execution of a 12-month supply requirements contract with NIAGARA CONSERVATION, for the purchase of high efficiency bathroom and kitchen faucet aerators and showerheads for the Austin Water Utility in an amount not to exceed \$32,550, with two 12-month extension options in an amount not to exceed \$32,550 per extension option, for a total contract amount not to exceed \$97,650.  
( 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. )
20. Approve ratification of Amendment No. 1 to the contract with THE ANFIELD GROUP for North American Electric Reliability Corporation Critical Infrastructure Protection audit preparation services, in an amount not to exceed \$220,000, for a total revised contract amount not to exceed \$276,000.  
( 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. )
21. Authorize award, negotiation and execution of a 36-month contract with ENOSERV, LLC, for the purchase of PowerBase software including implementation, maintenance and support services for Austin Energy in an amount not to exceed \$250,000.  
( 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. )
22. Authorize award and execution of a 24-month services requirements contract with SUNBELT RENTALS, INC., for the rental of trench safety shoring equipment for the Austin Water Utility (AWU) in an amount not to exceed \$50,000 and Watershed Protection Department (WPD) in an amount not to exceed \$60,000 for a total amount not to exceed \$110,000, with two 12-

month extension options in amounts not to exceed \$55,000 per extension option for a total contract amount not to exceed \$220,000.

( 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. )

23. Authorize award and execution of a 12-month requirements supply contract with POWER SUPPLY, INC., for the purchase of capacitor banks and associated parts for Austin Energy, in an amount not to exceed \$400,930, with four 12-month extension options in an amount not to exceed \$400,930 per extension option, for a total contract amount not to exceed \$2,004,650.  
( 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. )
24. Authorize award and execution of a 24-month requirements supply contract with COMMUNITY TRUCKING, LLC, for the purchase of aggregate materials for the Austin Water Utility in an amount not to exceed \$229,000, with two 12-month extension options in an amount not to exceed \$114,500 per extension option, for a total contract amount not to exceed \$458,000.  
( 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. )
25. Authorize award and execution of a contract with SMITH PUMP COMPANY, INC., for the rehabilitation and startup of a horizontal, split-case pump for the Austin Water Utility for a total contract amount not to exceed \$71,750.  
( 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. )
26. Authorize award and execution of a 36-month requirement supply contract with BADGER METER, INC., for the supply of fire service cold-water meters for the Austin Water Utility (AWU) in an amount not to exceed \$1,482,621 with two 12-month extension options in an amount not to exceed \$494,207 per extension option, for a total contract amount not to exceed \$2,471,035.  
( 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. )
27. Authorize award and execution of a 36-month supply requirements contract

with PVS TECHNOLOGIES, INC., for the purchase of liquid ferrous chloride and liquid ferric chloride for the Austin Water Utility in an amount not to exceed \$1,194,000, with one 12-month extension option in an amount not to exceed \$398,000, for a total contract amount not to exceed, \$1,592,000.

( 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. )

28. Authorize award and execution of a 36-month revenue contract with VERTEX ENERGY, INC., DBA H&H OIL COMPANY, for the sale of waste oil and disposal of used oil/fuel filters, and floor dry with an estimated revenue of \$258,930, with three 12-month extension options with an estimated revenue of \$86,310 per extension option, for a total estimated revenue of \$517,860.

( 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. )

29. Authorize award and execution of a 36-month requirements service agreement with VOIANCE LANGUAGE SERVICES, LLC, to provide Interpretation service for APD in an amount not to exceed \$131,027, with three 12-month extension options in an amount not to exceed \$43,676 per extension option, for an total contract amount not to exceed \$262,054.

( 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. )

30. Authorize award and execution of a contract with DREHER & ASSOCIATES INC., for the purchase of cooling tower fan decking and eight high-efficiency fans at Austin Energy's Paul Robbins District Cooling Plant in an amount not to exceed \$195,146.

( 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. )

31. Approve ratification of contracts with C & M AIR COOLED ENGINE INC., in an amount not to exceed \$188,939, TOM LOFTUS INC., in an amount not to exceed \$45,818 and PROFESSIONAL TURF PRODUCTS LP, in an amount not to exceed \$32,994, for emergency repairs and equipment replacements required due to a fire at Morris Williams Golf Course.

( Notes: This contract will be awarded in compliance with City Code Chapter 2-9C (Minority-Owned and Women-Owned Business Enterprise

Procurement Program). This is an emergency service contract; therefore, it is exempted under Chapter 791 of the Texas Local Government Code and no goals were established for this solicitation. )

32. Authorize award and execution of a 12-month requirements service agreement with METALINK CORPORATION, for fence installation and repair services at various Austin Energy and City of Austin sites in an amount not to exceed \$443,000, with four 12-month extension options in an amount not to exceed \$443,000 per extension option, for a total contract amount not to exceed \$2,215,000.  
( Notes: This contract will be awarded in compliance with City Code Chapter 2-9C (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation. )
33. Authorize award and execution of a 12-month requirements service agreement with DEALERS ELECTRICAL SUPPLY, for preventative and corrective maintenance services for the main switchboard and for a warranty extension of related switchgear at the Combined Transportation, Emergency & Communications Center, in an amount not to exceed \$54,715, with four 12-month extension options in an amount not to exceed \$54,715 per extension option, for a total contract amount not to exceed \$273,575.  
( 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. )
34. Authorize award and execution of a 36-month requirements supply contract with GRAPHIC SOLUTIONS GROUP to provide decals for vehicles in an amount not to exceed \$472,723, with three 12-month extension options in an amount not to exceed \$173,486 for the first extension option, \$182,110 for the second extension option, and \$191,166 for the third extension option, for a total contract amount not to exceed \$1,019,485.  
( 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. )
35. Authorize award and execution of a 36-month requirements supply contract with LONGHORN INTERNATIONAL TRUCKS LTD, or one of the other qualified bidders for IFB-BV JSD0221, to provide motor vehicle air conditioner repair parts for vehicles and equipment in a total amount not to exceed \$50,288 with three 12-month extension options in a total amount not to exceed \$18,364 for the first extension option, \$19,233 for the second extension option, and \$20,144 for the third extension option, for a total contract amount not to exceed \$108,029.  
( 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. )

36. Authorize award and execution of a 36-month requirements supply contract with LONGHORN INTERNATIONAL TRUCKS LTD to provide OEM Parts and Repair Services for Crane Carrier Car Chassis Trucks in a total amount not to exceed \$349,302, with three 12-month extension options in a total amount not to exceed \$128,165 for the first extension option, \$134,523 for the second extension option, and \$141,200 for the third extension option, for a total contract amount not to exceed \$753,190.

( 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. )

37. Authorize award, negotiation and execution of a 12-month contract with FALCON INSURANCE AGENCY, INC. or one of the other qualified offerors to RFP No. JSD0137, to provide aircraft liability and physical damage insurance in an amount not to exceed \$67,464 with five 12-month extension options in amount not to exceed \$74,210 for the first extension and \$79,651 for the second extension, and \$87,616 for the third extension, \$96,378 for the fourth extension, \$106,016 for the fifth extension, for a total contract amount not to exceed \$511,335.

( 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. )

38. Authorize award, negotiation and execution of a 60-month requirements service agreement with WEST NOTIFICATIONS, INC. dba TWENTY FIRST CENTURY COMMUNICATIONS, to provide a high-volume-call answering system for Austin Energy in an amount not to exceed \$750,000.

( 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. )

39. Authorize award and execution of a contract with ROBERTS AND SPENCER DISTRIBUTORS for the purchase of replacement hydrogen dryers for Austin Energy's Decker Creek Power Station in an amount not to exceed \$148,796.

( 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. )

40. Authorize award and execution of a 36-month service contract with VEOLIA ES TECHNICAL SOLUTIONS LLC for the disposal and

destruction of hazardous chemicals and materials for the Austin Police Department (APD) in an amount not to exceed \$34,332, with three 12-month extension options in an amount not to exceed \$11,444 per extension option, for a total contract amount not to exceed \$68,664.

( 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. )

41. Authorize award, negotiation and execution of two contracts for actuarial audit services with GABRIEL, ROEDER, SMITH & COMPANY in an amount not to exceed \$42,000 and with THE SEGAL COMPANY in amount not to exceed \$38,400 or one of the other qualified offerors to RFP No. JSD0135, for a total combined contract amount not to exceed \$80,400.  
( 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. )
42. Authorize recurring exempted procurements (Advertising) under Local Government Code Chapter 252 for expenditures to conduct routine City of Austin business with multiple agencies and vendors in separate amounts not to exceed totals listed below and a total expenditure amount not to exceed \$2,255,000.  
( Notes: These expenses will be expended 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. )
43. Authorize recurring exempted procurements (Appraisal District Fees) under Local Government Code Chapter 252 for expenditures to conduct routine City of Austin business with multiple agencies and vendors in separate amounts not to exceed totals listed below and a total expenditure amount not to exceed \$2,425,000.  
( Notes: These expenses will be expended 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. )
44. Authorize recurring exempted procurements (Utilities) under Local Government Code Chapter 252 for expenditures to conduct routine City of Austin business with multiple agencies and vendors in separate amounts not to exceed totals listed below and a total expenditure amount not to exceed \$2,675,000.  
( Notes: These expenses will be expended 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. )

45. Authorize recurring exempted procurements (Permits) under Local Government Code Chapter 252 for expenditures to conduct routine City of Austin business with the Texas Commission on Environmental Quality in separate amounts not to exceed totals listed below and a total expenditure amount not to exceed \$1,000,000.
46. Authorize recurring exempted procurements (Subscriptions, Postage, Memberships, Licenses) under Local Government Code Chapter 252 for expenditures to conduct routine City of Austin business with multiple agencies and vendors in separate amounts not to exceed totals listed below and a total expenditure amount not to exceed \$4,655,000.  
( Notes: These expenses will be expended 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. )
47. Authorize recurring Procurement Card expenditures to conduct routine City of Austin business with multiple agencies and vendors in separate amounts not to exceed totals listed below and a total expenditure amount not to exceed \$2,270,000.  
( Notes: These expenses will be expended 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. )
48. Authorize negotiation and execution of a 12-month contract with the ASIAN CONTRACTOR ASSOCIATION (ACA); the AUSTIN AREA BLACK CONTRACTORS ASSOCIATION, INC. (to be assigned to BUSINESS RESOURCE CONSULTANTS (BRC); and the U. S. HISPANIC CONTRACTORS ASSOCIATION (USHCA), for outreach services for increased certification and minority participation on City projects, and each contract shall be in an amount not to exceed \$100,000, with four 12-month extension options in an amount not to exceed \$100,000 per extension option, for a total contract amount not to exceed \$500,000 for each entity.  
( Notes: These contracts 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 these contracts. )
49. Authorize award and execution of a 24-month requirements service agreement with EMERGE KNOWLEDGE DESIGN INC., or one of the other qualified offerors to RFP No. SDC0010 to design, develop and maintain a secure Web-based data collection and reporting system for Austin Resource Recovery in an amount not to exceed \$200,000, with four 12-month extension options in an amount not to exceed \$100,000 per extension option for a total contract amount not to exceed \$600,000.  
( 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. )

**Item(s) from Council**

50. Approve appointments and certain related waivers to citizen boards and commissions, to Council subcommittees and other intergovernmental bodies and removal and replacement of members.
51. Approve an ordinance waiving certain fees and requirements for the Affordable Housing Fair sponsored by People Organized in Defense of Earth and Her Resources which is to be held on Saturday, October 5, 2013 at the Montopolis Recreation Center.  
( Notes: SPONSOR: Council Member Mike Martinez CO 1: Council Member Chris Riley )
52. Approve an ordinance waiving certain fees and requirements for the Diwali Giving Event sponsored by the Hindu Charities of Texas which is to be held on Saturday, November 16, 2013 at the Asian American Resource Center.  
( Notes: SPONSOR: Mayor Pro Tem Sheryl Cole CO 1: Mayor Lee Leffingwell CO 2: Council Member Mike Martinez )
53. Approve an ordinance reimbursing certain fees for the Centroamericano Fest 2013 sponsored by La Peña, Inc. which was held on Saturday, September 28, 2013, at the Zilker Hillside Theater.  
( Notes: SPONSOR: Council Member Mike Martinez CO 1: Council Member Laura Morrison CO 2: Council Member Kathie Tovo )
54. Approve a resolution initiating amendments to the City Code and directing the City Manager to develop an ordinance, consistent with a recent change in State law, simplifying the process for breweries to have on-site consumption of alcoholic beverages.  
( Notes: SPONSOR: Council Member Chris Riley CO 1: Council Member Mike Martinez )
55. Approve a resolution directing the City Manager to negotiate and execute agreements with Reviving Baseball in Inner Cities (RBI Austin) and Greater East Austin Youth Association (GEAYA) to provide field improvements, field maintenance, and youth sports recreation programming at Mabson Field, located at East 12th Street and Alexander Avenue.  
( Notes: SPONSOR: Council Member Mike Martinez CO 1: Council Member Chris Riley )
56. Approve a resolution supporting the Project Connect Vision Plan adopted by the CAMPO Transit Working Group for high capacity transit; and directing the City Manager to develop interlocal agreements and ordinances providing value capture revenues in support of the Capital Metro Commuter and Urban

Rail Service Projects and creating a restricted fund available to Capital Metro for implementing the urban rail system.

( Notes: SPONSOR: Council Member Mike Martinez CO 1: Council Member Chris Riley )

57. Approve a resolution directing the City Manager to initiate amendments to City Code Chapter 25-2 (Zoning) to make the Rainey Street Subdistrict eligible to participate in the Downtown Density Bonus Program and to address other density regulations affecting the Rainey Street Subdistrict.  
( Notes: SPONSOR: Mayor Pro Tem Sheryl Cole CO 1: Council Member Chris Riley CO 2: Council Member William Spelman )
58. Approve an ordinance amending City Code Chapter 4-14 establishing a pilot program requiring rental registration for multi-family rental properties in the general area in and around the North Austin Civic Association (NACA) and "Restore Rundberg"; establishing a penalty; and establishing pilot program evaluation criteria.  
( Notes: SPONSOR: Council Member Kathie Tovo CO 1: Council Member Mike Martinez )
59. Approve an ordinance amending City Code Chapter 4-14 establishing a pilot program requiring rental registration for multi-family rental properties in East Riverside/Oltorf Combined Neighborhood (EROC); establishing a penalty; and establishing pilot program evaluation criteria.  
( Notes: SPONSOR: Council Member Kathie Tovo CO 1: Council Member Mike Martinez )
60. Approve an ordinance amending City Code Chapter 4-14 establishing a pilot program requiring rental registration for multi-family rental properties in the Central Austin Neighborhood Advisory Committee (CANPAC) Planning Areas, the Hyde Park, Northfield, and North Loop neighborhoods, and certain single-family and duplex rental properties; establishing a penalty; and establishing pilot program evaluation criteria.  
( Notes: SPONSOR: Council Member Kathie Tovo CO 1: Council Member Mike Martinez )

#### **Item(s) to Set Public Hearing(s)**

61. Set a public hearing to consider an ordinance amending the Imagine Austin Comprehensive Plan (Suggested date and time: October 24, 2013, 4:00 p.m. at Austin City Hall, 301 W. Second Street, Austin, TX).

#### **Non-Consent**

#### **Action on Item(s) with Closed Public Hearings - per City Code Section 2-5-27, additional speakers will not be registered**

62. Approve second and third readings of an ordinance amending City Code

Section 25-2-921 to allow properties that are primarily used for certain civic uses to obtain temporary use permits for public assembly. THE PUBLIC HEARING FOR THIS ITEM WAS HELD AND CLOSED ON APRIL 25, 2013.

### **10:30 AM - Morning Briefings**

63. Drought Briefing and Annual Update.

### **12:00 PM - Citizen Communications: General**

CAROLANNROSE FROM THE DEAD KENNEDY - "FROM YOUR UNCLE SAM I'VE RUN".

Alan Roddy - The River Hill Sportsplex.

Zenobia Joseph - Education Initiatives.

Robert Morrow - Lyndon Johnson and his sexual relationship with his Grandmother, Ruth Ament Huffman, and other LBJ degredation and insanities.

Charlotte Garza - A park for Highland at 401 W St. Johns.

Mark Gentle - Austin Energy pole replacement project.

Koo-Hyun Kim - Austin citizens democracy.

Kaiba White - Solar energy goals.

Susana Almanza - No Fair Hearing for East Austin Communities of Color on Proposed Urban Farm Ordinance. Request for Neutral body to review ordinance, taking in communities of color concerns & urban farmers. Fair Process!

Scott Burton - Solar Power and Austin Energy.

### **Executive Session**

64. Discuss legal issues related to regulation of aerial advertising (Private consultation with legal counsel - Section 551.071 of the Government Code).
65. Discuss legal issues related to Open Government matters ( Private consultation with legal counsel-Section 551.071 of the Government Code).
66. Discuss legal issues related to Chapter 245 of the Local Government Code and related provisions of City Code Chapter 25-1, Article 12 (Project Duration) (Private consultation with legal counsel pursuant to Section 551.071 of the Government Code).

67. 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).

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

68. C814-2012-0160 - 211 South Lamar Boulevard Planned Unit Development - Approve second reading of an ordinance amending City Code Chapter 25-2 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. First Reading approved on August 8, 2013. Vote: 5-2, Council Members Morrison and Tovo voted nay. Second Reading approved on August 22, 2013. Vote: 5-2, Council Members Morrison and Tovo voted nay. Owner: Post Paggi, LLC (Jason Post). Applicant: Winstead PC (Stephen O. Drenner). City Staff: Lee Heckman, 512-974-7604.
69. C14-2013-0031 - Clawson Patio Homes - Approve third reading of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 3907 Clawson Road (West Bouldin Creek Watershed) from family residence (SF-3) district zoning to urban family residence-conditional overlay (SF-5-CO) combining district zoning with conditions. First and Second reading approved on August 22, 2013. Vote 5-2, Council Members Morrison and Tovo voted nay. Owner: Dean Chen. Applicant: Bleyl Interests, Inc. (Vincent G. Huebinger). City Staff: Lee Heckman, 974-7604. A valid petition has been filed in opposition to this rezoning request.
70. C14-2013-0032 - Clawson Patio Homes II - Approve third reading of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 3903 Clawson Road (West Bouldin Creek Watershed) from family residence (SF-3) district zoning to townhouse and condominium residence-conditional overlay (SF-6-CO) combining district zoning with conditions, as amended. First and Second reading approved on August 22, 2013. Vote 5-2, Council Members Morrison and Tovo voted nay. Owner: Roy G. Crouse. Applicant: Bleyl Interests, Inc. (Vincent G. Huebinger). City Staff: Lee Heckman, 974-7604.
71. NPA-2013-0025.02 – Lantana Tract 32 – Approve second/third reading of an ordinance amending Ordinance No. 20081211-096, the Oak Hill Combined Neighborhood Plan, an element of the Imagine Austin Comprehensive Plan, to change the land use designation on the future land use map (FLUM) on property locally known as 6401 Rialto Boulevard (Barton Creek Watershed-Barton Springs Zone) from Office to Multifamily land use. First reading approved on September 26, 2013. Vote 7-0. Lantana Tract 32, LP. Applicant/Agent: Smith Robertson Elliott Glen Klein &

Douglas, LLP (David Hartman). City Staff: Maureen Meredith, 512-974-2695.

72. C14-2013-0044 – Lantana Tract 32 – Approve second/third reading of an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 6401 Rialto Boulevard (Barton Creek Watershed-Barton Springs Zone) from general office-neighborhood plan (GO-NP) combining district zoning to multi-family residence-moderate-high density-conditional overlay-neighborhood plan (MF-4-CO-NP) combining district zoning, with conditions. First reading approved on September 26, 2013. Vote 7-0. Owner: Lantana Tract 32, L.P. (John Poston). Applicant: Smith, Robertson, Elliott & Douglas, L.L.P. (David Hartman). City Staff: Lee Heckman, 974-7604.

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

73. C14-85-288.8(RCA) - Lantana Tract 32 Restrictive Covenant Amendment - Conduct a public hearing to amend a restrictive covenant on property locally known as 6401 Rialto Boulevard (Barton Creek Watershed-Barton Springs Zone). Staff Recommendation: To grant the restrictive covenant amendment to incorporate conditions of an associated rezoning request. Planning Commission Recommendation: To grant the restrictive covenant amendment to incorporate conditions of an associated rezoning request. Owner: Lantana Tract 32, L.P. (John Poston). Applicant: Smith, Robertson, Elliott & Douglas, L.L.P. (David Hartman). City Staff: Lee Heckman, 974-7604.
74. NPA-2013-0009.01 – 1311 East 12th Street – Conduct a public hearing and approve an ordinance amending Ordinance No. 20011213-41, the Central East Neighborhood Plan, an element of the Imagine Austin Comprehensive Plan, to change the land use designation on the future land use map (FLUM) on property locally known as 1311 East 12th Street (Boggy Creek) from Single Family land use to Neighborhood Mixed Use land use. Staff Recommendation: To grant Neighborhood Mixed Use land use. Planning Commission Recommendation: To grant Neighborhood Mixed Use land use. Owner/Applicant: Four Springs Investments, LLC (Darrell Pierce). Agent: City of Austin, Planning and Development Review Department (Jerry Rusthoven). City Staff: Maureen Meredith, 512-974-2695.
75. C14-2013-0066 – 1311 East 12th Street – Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 1311 East 12th Street (Boggy Creek Watershed) from family residence-neighborhood conservation combining district-neighborhood plan (SF-3-NCCD-NP) combining district zoning to neighborhood commercial-mixed use-neighborhood conservation combining district-neighborhood plan (LR-MU-NCCD-NP) combining district zoning. Staff Recommendation: To grant neighborhood commercial-mixed use-neighborhood conservation combining district-neighborhood plan (LR-MU-NCCD-NP) combining district zoning. Planning Commission



Recommendation: To grant neighborhood commercial-mixed use-neighborhood conservation combining district-neighborhood plan (LR-MU-NCCD-NP) combining district zoning. Owner: Four Springs Investments, LLC (Darrell Pierce). Applicant: City of Austin, Planning and Development Review Department (Jerry Rusthoven). City Staff: Heather Chaffin, 512-974-2122.

76. C14-2013-0023 - 6.11 Acre Tract - Westgate and Davis Lane - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 2901 Davis Lane (South Boggy Creek; Slaughter Creek-Barton Springs Zone) from rural residence (RR) district zoning to townhouse and condominium residence (SF-6) district zoning. Staff Recommendation: To grant townhouse and condominium residence-conditional overlay (SF-6-CO) combining district zoning. Zoning and Platting Commission Recommendation: To grant townhouse and condominium residence-conditional overlay (SF-6-CO) combining district zoning. Owner/Applicant: Susan Parker Leigh. Agent: Bleyl & Associates (Vincent G. Huebinger). City Staff: Wendy Rhoades, 974-7719.
77. C14-2013-0064 - Limerick Center - Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 12412 Limerick Avenue (Walnut Creek Watershed) from neighborhood office (NO) district zoning to general office (GO) district zoning. Staff Recommendation: To grant limited office-mixed use-conditional overlay (LO-MU-CO) combining district zoning. Zoning and Platting Commission Recommendation: To grant limited office-mixed use-conditional overlay (LO-MU-CO) combining district zoning.. Owner/Applicant: First Network Realty (Son Thai). City Staff: Sherri Sirwaitis, 512-974-3057.
78. C14-2013-0076 - Rogers Juice Bar - Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 5201 Rogers Lane (Walnut Creek Watershed) from single family residence-standard lot (SF-2) district zoning to neighborhood commercial (LR) district zoning. Staff Recommendation: To grant neighborhood commercial-mixed use-conditional overlay (LR-MU-CO) combining district zoning. Zoning and Platting Commission Recommendation: To grant neighborhood commercial-mixed use-conditional overlay (LR-MU-CO) combining district zoning. Owner/Applicant: Auspicious Investments, LLC (Jason Jagoda). City Staff: Heather Chaffin, 512-974-2122.
79. C14-2013-0093 – Lynnbrook Condos – Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by zoning property locally known as 2312 Lynnbrook Drive (Slaughter Creek Watershed) from interim-rural residence (I-RR) district zoning to townhouse and condominium residence (SF-6) district zoning. Staff Recommendation: To grant townhouse and condominium residence (SF-6) district zoning. Zoning

and Platting Commission Recommendation: To grant townhouse and condominium residence (SF-6) district zoning. Owner/Applicant: X-Six Properties, LLC (Rob A. and Kathy L. Steele). Agent: Rob A. Steele. City Staff: Wendy Rhoades, 974-7719.

80. C814-2012-0055.01 – Covered Bridge PUD Amendment #1 – Conduct a public hearing and approve an amendment to Ordinance No. 20130307-056 to correct and replace Exhibit C, the Land Use Plan, on property locally known as 6714 Covered Bridge Drive (Williamson Creek Watershed-Barton Springs Zone). The land in the Covered Bridge PUD is within the area known as the Barton Springs Zone in which the City's Save Our Springs (SOS) ordinance applies. PUD zoning may modify City ordinances applicable to development of the land. Staff Recommendation: To grant the amendment to the Covered Bridge PUD. Planning Commission Recommendation: To grant the amendment to the Covered Bridge PUD. Owners: PPF AMLI Covered Bridge Drive, LLC; CBAL Whitecove LLC; Covered Bridge Section 8, LLC. (Ron Thrower). Applicant: City of Austin, Planning and Development Review Department (Jerry Rusthoven). City Staff: Heather Chaffin, 512-974-2122.

#### **4:00 PM - Public Hearings and Possible Actions**

81. Conduct a public hearing for the full purpose annexation of the Wildhorse Ranch annexation area (approximately 2,380 acres in eastern Travis County south of US Highway 290 East at the intersection of State Highway 130 and US Highway 290 East).
82. Conduct a public hearing for the full purpose annexation of the Goodnight Ranch South annexation area (approximately 458 acres in southern Travis County, approximately 670 feet east of the intersection of East Slaughter Lane and Old Lockhart Road).
83. Conduct a public hearing for the full purpose annexation of the Morse Tract annexation area (approximately 180 acres in Travis County east of the intersection of Ed Bluestein Blvd and US 290 East and west of Springdale Road/Manor Road).
84. Conduct a public hearing for the full purpose annexation of the Ace Auto Salvage annexation area (approximately 6 acres in northwestern Travis County north of Spicewood Springs Road approximately 250 feet west of the intersection of Spicewood Springs Road and Yaupon Drive).
85. Conduct a public hearing for the full purpose annexation of the Preserve at Thomas Springs Road annexation area (approximately 13 acres in southwestern Travis County south of Thomas Springs Road, approximately three tenths of a mile west of the intersection of State Highway 71 and Thomas Springs Road).

86. Conduct a public hearing for the full purpose annexation of the Avaña-Spillar annexation area (approximately 293 acres in southwestern Travis County and northeastern Hays County, approximately one and one quarter miles south of the intersection of State Highway 45 and Escarpment Blvd).
87. Conduct a public hearing for the full purpose annexation of the Marbella annexation area (approximately 133 acres in southern Travis County east of IH 35 South approximately 3,400 feet north of the intersection of IH 35 South and Slaughter Lane).
88. Conduct a public hearing for the full purpose annexation of the Prosperity Business Park annexation area (approximately 13 acres in southern Travis County south of Slaughter Lane approximately 280 feet east of the intersection of IH 35 South and Oak Hill Lane).
89. Conduct a public hearing for the full purpose annexation of the State Highway 71 East annexation area (approximately 407 acres in southeastern Travis County south of State Highway 71 East, at the southwest corner of the intersection of State Highway 71 and State Highway 130).
90. Conduct a public hearing and consider an ordinance amending City Code Chapters 25-2, 25-7, and 25-8 relating to the review and approval of variance requests for projects within 1000 feet of the Lake Austin shoreline.
91. Conduct a public hearing and consider an ordinance adopting a Strategic Partnership Agreement (SPA) between the City of Austin and Shady Hollow Municipal Utility District (MUD), and regarding future full purpose annexation of the MUD (approximately 451 acres in southwestern Travis County located along Brodie Lane approximately eight-tenths of a mile south of the intersection of Slaughter Lane and Brodie Lane).
92. Conduct a public hearing and consider an ordinance amending City Code Chapters 25-1 and 25-5 relating to vested development rights under Chapter 245 and Section 43.002 of the Texas Local Government Code.
93. Conduct a public hearing and consider an ordinance amending Title 25 to allow placement of Americans with Disabilities Act compliant ramps in required yards setback.
94. Conduct a public hearing and consider an ordinance regarding floodplain variances for the construction of a new single-family residence at 4406 Avenue F 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 Waller Creek.
95. Conduct a public hearing and consider an ordinance amending City Code Chapter 25-2 relating to the use classifications of off-site accessory parking in the Limited Office zoning district.

96. Conduct a public hearing and consider an ordinance amending City Code Chapter 25-2, regarding the calculation of development bonuses in a Planned Unit Development (PUD).
97. Conduct a public hearing and consider approval of an ordinance amending Chapter 15-5 of the Austin City Code related to on-site sewage facilities.
98. Conduct a public hearing and approve an ordinance adopting the eighth plan modification to the East 11th and 12th Streets URBAN RENEWAL PLAN which modifies the East 12th Street corridor to include the addition of commercial and mixed use as a conditional site use for Tear Sheet 12-5 solely for 1311 East 12th Street.
99. Conduct a public hearing and consider an ordinance to (a): repeal and replace City Code Chapters 25-7 and 30-4 relating to drainage; (b) amend sections of City Code Chapters 25-8, Subchapter A and 30-5 relating to water quality; (c) amend sections of City Code Titles 25 and 30 relating to environmental protection; and (d) establish water supply and riparian zone mitigation funds. This ordinance will amend Chapter 25-8, Subchapter A, Article 12 (Save Our Springs Initiative).

#### **5:30 PM - Live Music**

Peterson Brothers

#### **5:30 PM - Proclamations**

Proclamation -- Meet the Lender -- to be presented by Mayor Lee Leffingwell and to be accepted by Vicky Valdez

Certificates of Appreciation -- PARD Arts & Humanities Award Winners -- to be presented by Mayor Lee Leffingwell, Cora Wright and Laura Esparza and to be accepted by the honorees


Proclamation -- Moonshine's 10th Anniversary -- to be presented by Mayor Lee Leffingwell and to be accepted by Chuck Smith


Proclamation -- Disability Mentoring Month -- to be presented by Council Member Laura Morrison and to be accepted by Denise Sonleitner

Proclamation -- Austin Creates Month -- to be presented by Council Member Laura Morrison and to be accepted by Megan Crigger

Proclamation -- Bi-National Health Week -- to be presented by Council Member Laura Morrison and to be accepted by Paige Menking

**Adjourn**

 *The City of Austin is committed to compliance with the Americans with Disabilities Act. Reasonable modifications and equal access to communications will be provided upon request.*

 *For assistance please call (512) 974-2210 OR (512) 974-2445 TDD.*

A person may request a Spanish language interpreter be made available by contacting the Office of the City Clerk not later than twenty-four hours before the scheduled time of the item on which the person wishes to speak. Please call (512) 974-2210 in advance or inform the City Clerk's staff present at the council meeting.

Cualquier persona puede solicitar servicios de intérprete en español comunicándose con la oficina del Secretario/a Municipal a no más tardar de veinte y cuatro horas antes de la hora determinada para el asunto sobre el cual la persona desea comentar. Por favor llame al (512) 974-2210 con anticipo o informe al personal del Secretario/a Municipal presente en la sesión del Consejo.