

**AUSTIN CITY COUNCIL
MINUTES****REGULAR MEETING
THURSDAY, OCTOBER 3, 2013**

Invocation: Minister Karla Saldana, Director, Bendicion Musical Ministries

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, October 3, 2013 in the Council Chambers of City Hall, 301 West Second Street, Austin, Texas.

Mayor Leffingwell called the Council Meeting to order at 10:06 a.m.

CONSENT AGENDA

The following items were acted on by one motion.

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.
The minutes from the City Council discussion meeting of September 19, 2013, work session meeting of September 24, 2013 and regular meeting of September 26, 2013 were approved on consent on Council Member Martinez' motion, Council Member Spelman's second on a 7-0 vote.
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.
The motion authorizing the negotiation and execution of a cost participation agreement with Continental Homes of Texas, LP doing business as DR Horton America's Builder was approved on consent on Council Member Martinez' motion, Council Member Spelman's second on a 7-0 vote.
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.
Resolution No. 20131003-002 was approved on consent on Council Member Martinez' motion, Council Member Spelman's second on a 7-0 vote.
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.

The motion authorizing the negotiation and execution of an interlocal agreement between City of Austin Department of Aviation and the Capital Area Council of Governments was approved on consent on Council Member Martinez' motion, Council Member Spelman's second on a 7-0 vote.

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.

Ordinance No. 20131003-005 was approved on consent on Council Member Martinez' motion, Council Member Spelman's second on a 7-0 vote.

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.)

The motion authorizing the execution of a change order to the construction contract with Muniz Concrete and Contracting, Inc. was approved on consent on Council Member Martinez' motion, Council Member Spelman's second on a 7-0 vote.

Item 7 was pulled for discussion.

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.)

The motion authorizing the negotiation and execution of an amendment to the professional services agreement with Jacobs Engineering Group, Inc. was approved on consent on Council Member Martinez' motion, Council Member Spelman's second on a 7-0 vote.

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.

The motion authorizing the negotiation and execution of a social service contract with River City Youth Foundation was approved on consent on Council Member Martinez' motion, Council Member Spelman's second on a 7-0 vote.

Item 10 was pulled for discussion.

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.

The motion authorizing the negotiation and execution of an amendment to a legal services contract with Renea Hicks was approved on consent on Council Member Martinez' motion, Council Member Spelman's second on a 7-0 vote.

Item 12 was pulled to be heard after the staff presentation.

Item 13 was pulled for discussion.

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.

The motion authorizing the negotiation and execution of all documents and instruments necessary or desirable to acquire land from Continental Homes, L.P. was approved on consent on Council Member Martinez' motion, Council Member Spelman's second on a 7-0 vote.

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.

Resolution No. 20131003-015 was approved on consent on Council Member Martinez' motion, Council Member Spelman's second on a 7-0 vote.

Items 16 through 18 were pulled for discussion.

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.)

The motion authorizing the award and execution of a supply requirements contract with Niagara Conservation was approved on consent on Council Member Martinez' motion, Council Member Spelman's second on a 7-0 vote.

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.)

The motion to ratify amendment number one to the contract with The Anfield Group was approved on consent on Council Member Martinez' motion, Council Member Spelman's second on a 7-0 vote.

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.)

The motion authorizing the award, negotiation and execution of a contract with Enoserv, LLC was approved on consent on Council Member Martinez' motion, Council Member Spelman's second on a 7-0 vote.

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.)
The motion authorizing the award and execution of a services requirements contract with Sunbelt Rentals, Inc. was approved on consent on Council Member Martinez' motion, Council Member Spelman's second on a 7-0 vote.
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.)
The motion authorizing the award and execution of a requirements supply contract with Power Supply, Inc. was approved on consent on Council Member Martinez' motion, Council Member Spelman's second on a 7-0 vote.
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.)
The motion authorizing the award and execution of a requirements supply contract with Community Trucking, LLC was approved on consent on Council Member Martinez' motion, Council Member Spelman's second on a 7-0 vote.
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.)
The motion authorizing the award and execution of a contract with Smith Pump Company, Inc. was approved on consent on Council Member Martinez' motion, Council Member Spelman's second on a 7-0 vote.
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.)
The motion authorizing the award and execution of a requirement supply contract with Badger Meter, Inc. was approved on consent on Council Member Martinez' motion, Council Member Spelman's second on a 7-0 vote.

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.)
The motion authorizing the award and execution of a supply requirements contract with PVS Technologies, Inc. was approved on consent on Council Member Martinez' motion, Council Member Spelman's second on a 7-0 vote.
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.)
The motion authorizing the award and execution of a revenue contract with Vertex Energy, Inc. doing business as H&H Oil Company was approved on consent on Council Member Martinez' motion, Council Member Spelman's second on a 7-0 vote.
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 a 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.)
This item was withdrawn on consent on Council Member Martinez' motion, Council Member Spelman's second on a 7-0 vote.
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.)
The motion authorizing the award and execution of a contract with Dreher & Associates Inc. was approved on consent on Council Member Martinez' motion, Council Member Spelman's second on a 7-0 vote.
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.)
The motion to ratify contracts with C&M Air Cooled Engine Inc.; Tom Loftus, Inc.; and Professional Turf Products LP was approved on consent on Council Member Martinez' motion, Council Member Spelman's second on a 7-0 vote.

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.)
The motion authorizing the award and execution of a requirements service agreement with Metalink Corporation was approved on consent on Council Member Martinez' motion, Council Member Spelman's second on a 7-0 vote.
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.)
The motion authorizing the award and execution of a requirements service agreement with Dealers Electrical Supply was approved on consent on Council Member Martinez' motion, Council Member Spelman's second on a 7-0 vote.
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.)
The motion authorizing the award and execution of a requirements supply contract with Graphic Solutions Group was approved on consent on Council Member Martinez' motion, Council Member Spelman's second on a 7-0 vote.
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.)
The motion authorizing the award and execution of a requirements supply contract with Longhorn International Trucks Ltd. was approved on consent on Council Member Martinez' motion, Council Member Spelman's second on a 7-0 vote.
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.)

The motion authorizing the award and execution of a requirements supply contract with Longhorn International Trucks Ltd was approved on consent on Council Member Martinez' motion, Council Member Spelman's second on a 7-0 vote.

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.)

The motion authorizing the award, negotiation and execution of a contract with Falcon Insurance Agency, Inc. was approved on consent on Council Member Martinez' motion, Council Member Spelman's second on a 7-0 vote.

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.)

The motion authorizing the award, negotiation and execution of a requirements service agreement with West Notifications, Inc. doing business as Twenty First Century Communications was approved on consent on Council Member Martinez' motion, Council Member Spelman's second on a 7-0 vote.

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.)

The motion authorizing the award and execution of a contract with Roberts and Spencer Distributors was approved on consent on Council Member Martinez' motion, Council Member Spelman's second on a 7-0 vote.

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.)

The motion authorizing the award and execution of a service contract with Veolia Es Technical Solutions LLC was approved on consent on Council Member Martinez' motion, Council Member Spelman's second on a 7-0 vote.

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.)

The motion authorizing the award, negotiation and execution of two contracts with Gabriel, Roeder, Smith & Company and the Segal Company was approved on consent on Council Member Martinez' motion, Council Member Spelman's second on a 7-0 vote.

Items 42 through 47 were pulled for discussion.

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.)

The motion authorizing the negotiation and execution of a 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) was approved on consent on Council Member Martinez' motion, Council Member Spelman's second on a 7-0 vote.

Items 49 and 50 were pulled for discussion.

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)

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

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)

Ordinance No. 20131003-052 was approved on consent on Council Member Martinez' motion, Council Member Spelman's second on a 7-0 vote.

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)

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

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)

Resolution No. 20131003-054 was approved on consent on Council Member Martinez' motion, Council Member Spelman's second on a 7-0 vote.

Item 55 was pulled for discussion.

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)
This item was withdrawn on consent on Council Member Martinez' motion, Council Member Spelman's second on a 7-0 vote.
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)
This item was postponed on consent to October 17, 2013 on Council Member Martinez' motion, Council Member Spelman's second on a 7-0 vote.
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)
This item was postponed on consent to November 7, 2013 on Council Member Martinez' motion, Council Member Spelman's second on a 7-0 vote.
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)
This item was postponed on consent to November 7, 2013 on Council Member Martinez' motion, Council Member Spelman's second on a 7-0 vote.
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)
This item was postponed on consent to November 7, 2013 on Council Member Martinez' motion, Council Member Spelman's second on a 7-0 vote.
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).
The public hearing was set on consent for October 24, 2013 at 4:00 p.m. at City Hall, 301 W. Second Street, Austin, TX on Council Member Martinez' motion, Council Member Spelman's second on a 7-0 vote.

Item 100 was pulled for discussion.

Item 63 was a briefing item set for 10:30 a.m.

Items 64 through 67 were Executive Session items.

Items 68 through 80 were zoning items set for 2:00 p.m.

Items 81 through 99 were public hearing items set for 4:00 p.m.

Item 100 was an addendum item.

ITEM(S) WITH CLOSED PUBLIC HEARINGS

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.

This item was postponed to October 17, 2013 without objection.

DISCUSSION ITEMS

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. September 30, 2013 - Approved by the Public Health and Human Services Committee on a 2-0 vote with Council Member Morrison off the dais.
Ordinance No. 20131003-010 was approved on Mayor Pro Tem Cole's motion, Council Member Spelman's second on a 7-0 vote.
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.)
The motion authorizing the execution of a construction contract with G. Hyatt Construction, Inc. was approved on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.
16. Approve an ordinance amending the Fiscal Year 2013-2014 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.
Ordinance No. 20131003-016 was approved on Council Member Spelman's motion, Mayor Leffingwell's second on a 7-0 vote.
12. Approve a settlement related to Jill Turner's personal injury and property damage claim.
The motion to settle the above referenced lawsuit, by the City paying a total of \$66,636.64, \$56,636.64 being paid to the lease holder and the remaining balance paid to Jill Turner, was approved on Mayor Pro Tem Cole's motion, Council Member Spelman's second on a 7-0 vote.

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. **The motion authorizing the negotiation and execution of all documents and instruments necessary to acquire in fee simple a tract of land from the Riddell Family Limited Partnership was approved on Council Member Spelman's motion, Council Member Morrison's second on a 7-0 vote.**
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. **The motion authorizing the negotiation and execution of an interlocal agreement with the Texas Department of Public Safety was approved on Council Member Riley's motion, Council Member Spelman's second on a 7-0 vote.**
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.) **The motion authorizing the negotiation and execution of a rewards program administration agreement with Thanks Again, LLC was approved with direction on Mayor Pro Tem Cole's motion, Council Member Morrison's second on a 7-0 vote. Direction was given to staff to come back to Council after six months with an estimate of the amount of revenue being generated from the program.**

Items 42 through 47 were acted on in a combined motion.

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.) **The motion authorizing the recurring exempted procurements (Advertising) was approved with the following direction on Council Member Morrison's motion, Mayor Pro Tem Cole's second on a 7-0 vote. Direction was given to staff to have this item considered and discussed further by the Minority-Owned and Women-owned Business Enterprise (MBEWBE) Committee and to have the Law Department work on a chart outlining requirements.**
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.) **The motion authorizing the recurring exempted procurements (Appraisal District Fees) was approved with the following direction on Council Member Morrison's motion, Mayor Pro Tem Cole's second on a 7-0 vote. Direction was given to staff to have this item considered and discussed further by the Minority-Owned and Women-owned Business Enterprise (MBEWBE) Committee and to have the Law Department work on a chart outlining requirements.**

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.)
The motion authorizing the recurring exempted procurements (Utilities) was approved with the following direction on Council Member Morrison's motion, Mayor Pro Tem Cole's second on a 7-0 vote. Direction was given to staff to have this item considered and discussed further by the Minority-Owned and Women-owned Business Enterprise (MBEWBE) Committee and to have the Law Department work on a chart outlining requirements.
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.
The motion authorizing the recurring exempted procurements (Permits) was approved with the following direction on Council Member Morrison's motion, Mayor Pro Tem Cole's second on a 7-0 vote. Direction was given to staff to have this item considered and discussed further by the Minority-Owned and Women-owned Business Enterprise (MBEWBE) Committee and to have the Law Department work on a chart outlining requirements.
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.)
The motion authorizing the recurring exempted procurements (Subscriptions, Postage, Memberships, Licenses) was approved with the following direction on Council Member Morrison's motion, Mayor Pro Tem Cole's second on a 7-0 vote. Direction was given to staff to have this item considered and discussed further by the Minority-Owned and Women-owned Business Enterprise (MBEWBE) Committee and to have the Law Department work on a chart outlining requirements.
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.)
The motion authorizing the recurring procurement card expenditures was approved with the following direction on Council Member Morrison's motion, Mayor Pro Tem Cole's second on a 7-0 vote. Direction was given to staff to have this item considered and discussed further by the Minority-Owned and Women-owned Business Enterprise (MBEWBE) Committee and to have the Law Department work on a chart outlining requirements.
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.)

The motion authorizing the award and execution of a requirements service agreement with Emerge Knowledge Design Inc. was approved with the following agreements on Council Member Spelman's motion, Council Member Morrison's second on a 7-0.

The agreements were:

The contract will include the following language after the definition of "data" and in section 2.1 under description of services.

"Under no circumstances will the customer seek, or contractor maintain, any identification of, or specific reference to, any private hauler, or any set of information that could be used by any person to identify a private hauler."

The "Recycling Plan" form currently promulgated under section 15-6 will be changed to delete two parts, under the part that says "hide exterior trash containers" and under the part that says "hide exterior recycling containers", it will delete the words "hauler that request" and "if other please specify the name of the company".

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.

There were no appointments or waivers.

Action was taken on item 55 but was reconsidered later in the meeting. See below.

100. Approve a resolution initiating Code amendments that increase the size of the Building and Standards Commission, create a panel system for the Building and Standards Commission, and allow for expedited permits for repairs of dangerous and substandard conditions; and directing the City Manager to process the Code amendments and to utilize the Building and Standards Commission to the fullest extent. (Notes: SPONSOR: Mayor Pro Tem Sheryl Cole CO1: Council Member William Spelman CO2: Mayor Lee Leffingwell)

Resolution No. 20131003-100 was approved with the following friendly amendments on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.

There was a friendly amendment made by Council Member Morrison to have the first "Be It Resolved" to read, "The City Council initiates a Code amendment to increase the size of the BSC to 21 commission members for the purpose of creating three panels that will allow the BSC to meet, as panels, more than once a month, and directs the City Manager to process the Code amendment. The amendment should allow the Mayor to appoint three members and each council member to appoint two members." Council Member Morrison later withdrew the friendly amendment.

There was a friendly amendment made by Council Member Morrison to have the first "Be It Resolved" to read, "The City Council initiates a Code amendment to increase the size of the BSC to 14 commission members for the purpose of creating two panels that will allow the BSC to meet, as panels, more than once a month, and directs the City Manager to process the Code amendment. The amendment should allow the Mayor to appoint two members and each council member to appoint two members." The amendment was accepted by the maker of the motion and Mayor Pro Tem Cole, who made the second.

There was a friendly amendment made by Council Member Tovo to have the sixth "Whereas" read, "Whereas, it is the City Council's goal to have all rental properties with the highest number of active complaints of substandard and dangerous conditions based on the International Property Maintenance Code that remain unresolved 90 days after a Notice of Violation is issued be placed on the Building and Standards Commission agenda for possible order and penalty;" The amendment was accepted by the maker of the motion and Mayor Pro Tem Cole, who made the second.

There was a friendly amendment made by Council Member Tovo to add a “Be It Further Resolved” paragraph to read, “The City Manager is directed to request that the Building and Standards Commission provide a recommendation about these proposed process changes in advance of the ordinances returning to Council.” The amendment was accepted by the maker of the motion and Mayor Pro Tem Cole, who made the second.

Mayor Leffingwell recessed the Council Meeting at 11:55 a.m.

Mayor Leffingwell called the Council Meeting back to order at 12:03 p.m.

CITIZEN COMMUNICATIONS: GENERAL

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 degradation and insanities.

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

Charlotte Garza - A park for Highland at 401 W St. Johns. **Not present when name was called.**

Mark Gentle - Austin Energy pole replacement project.

Koo-Hyun Kim - Austin citizens democracy.

Kaiba White - Solar energy goals. **Not present when name was called.**

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.

Mayor Pro Tem Cole recessed the Council Meeting to go into Executive Session at 12:31 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.

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).
This item was withdrawn.

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).
This item was withdrawn.

Executive Session ended and Mayor Leffingwell called the Council Meeting back to order at 2:50 p.m.

ZONING CONSENT ITEMS

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

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.
This item was postponed on consent to October 17, 2013 at the staff's request on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.
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.
Ordinance No. 20131003-069 for to urban family residence-conditional overlay (SF-5-CO) combining district zoning with conditions was approved on consent on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.
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.
Ordinance No. 201301003-070 for townhouse and condominium residence-conditional overlay (SF-6-CO) combining district zoning with conditions was approved on consent on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.
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.

Ordinance No. 201301003-071 to change the land use designation on the future land use map (FLUM) to Multifamily land use was approved on consent on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.

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.

Ordinance No. 201301003-072 for multi-family residence-moderate-high density-conditional overlay-neighborhood plan (MF-4-CO-NP) combining district zoning, with conditions was approved on consent on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.

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.

The public hearing was conducted and the motion to close the public hearing and adopt the restrictive covenant amendment was approved on consent on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.

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.

This item was postponed on consent to October 24, 2013 at the applicant's request on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.

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.

The public hearing was conducted and the motion to close the public hearing and adopt Ordinance No. 20131003-079 for townhouse and condominium residence (SF-6) district zoning was approved on consent on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.

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 Whitecrowe 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.

The public hearing was conducted and the motion to close the public hearing and adopt Ordinance No. 20131003-080 for the amendment to the Covered Bridge PUD was approved on consent on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.

ZONING DISCUSSION ITEMS

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.

The public hearing was conducted and the motion to close the public hearing and approve Ordinance 20131003-076 for townhouse and condominium residence-conditional overlay (SF-6-CO) combining district zoning was approved with the following friendly amendment on Mayor Pro Tem Cole's motion, Council Member Martinez' second on a 7-0 vote. There was a friendly amendment made by Council Member Riley to include the wording "public pedestrian access shall be provided to Kentish Drive" in the ordinance. The amendment was accepted by the maker of the motion and Council Member Martinez, who made the second.

The prohibited uses were:

- **limited to 2,000 vehicular trips per day; and**
- **prohibit vehicular access to Kentish Drive and West Gate Boulevard.**

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.

The public hearing was conducted and the motion to close the public hearing and adopt Ordinance No. 20131003-078 for neighborhood commercial-mixed use-conditional overlay (LR-MU-CO) combining district zoning was approved on Council Member Martinez' motion, Mayor Pro Tem Cole's second on a 7-0 vote.

The prohibited uses were:

- **service station;**
- **limiting vehicular trips per day to less than 300; and**
- **no vehicular access to 969**

There was a friendly amendment made by Council Member Riley to prohibit drive through. The amendment was not accepted by the maker of the motion.

BRIEFINGS

63. Drought Briefing and Annual Update.
The presentation was made by Greg Meszaros, Director of Austin Water Utility.

PUBLIC HEARINGS AND POSSIBLE ACTIONS

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.
The public hearing was conducted and the motion to close the public hearing and approve Ordinance No. 20131003-098 was approved on Council Member Martinez' motion, Mayor Pro Tem Cole's second on a 6-0 vote. Council Member Spelman recused himself.

ZONING DISCUSSION ITEMS CONTINUED

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.
The public hearing was conducted and the motion to close the public hearing and adopt Ordinance No. 20131003-074 to change the land use designation on the future land use map (FLUM) Neighborhood Mixed Use land use was approved on Mayor Pro Tem Cole's motion, Council Member Morrison's second on a 7-0.
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.
The public hearing was conducted and the motion to close the public hearing and adopt Ordinance No. 20131003-075 for neighborhood commercial-mixed use-neighborhood conservation combining district-neighborhood plan (LR-MU-NCCD-NP) combining district zoning was approved on Mayor Pro Tem Cole's motion, Council Member Spelman's second on a 7-0.

PUBLIC HEARINGS AND POSSIBLE ACTIONS CONTINUED

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).
The public hearing was conducted and the motion to close the public hearing was approved on Mayor Pro Tem Cole's motion, Council Member Martinez' second on a 7-0 vote.

Items 90, 92, 93 and 95 were acted on in a combined motion.

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.
This item was postponed to October 17, 2013 on Council Member Morrison's motion, Council Member Tovo's second on a 7-0 vote.
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.
This item was postponed to October 17, 2013 on Council Member Morrison's motion, Council Member Tovo's second on a 7-0 vote.
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.
This item was postponed to November 21, 2013 on Council Member Morrison's motion, Council Member Tovo's second on a 7-0 vote.
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.
This item was postponed to October 17, 2013 on Council Member Morrison's motion, Council Member Tovo's second on a 7-0 vote.
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).
The public hearing was conducted and the motion to close the public hearing was approved on Mayor Pro Tem Cole's motion, Council Member Martinez' second on a 6-0 vote. Council Member Riley was off the dais.
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).
The public hearing was conducted and the motion to close the public hearing was approved on Council Member Martinez' motion, Mayor Pro Tem Cole's second on a 7-0 vote.
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).
The public hearing was conducted and the motion to close the public hearing was approved on Mayor Pro Tem Cole's motion, Council Member Martinez' second on a 7-0 vote.
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).
The public hearing was conducted and the motion to close the public hearing was approved on Council Member Martinez' motion, Council Member Morrison's second on a 7-0 vote.
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).

The public hearing was conducted and the motion to close the public hearing was approved on Council Member Martinez' motion, Mayor Pro Tem Cole's second on a 7-0 vote.

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).

The public hearing was conducted and the motion to close the public hearing was approved on Council Member Spelman's motion, Council Member Martinez' second on a 7-0 vote.

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).

The public hearing was conducted and the motion to close the public hearing was approved on Council Member Morrison's motion, Council Member Martinez' second on a 7-0 vote.

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).

The public hearing was conducted and the motion to close the public hearing was approved on Council Member Martinez' motion, Mayor Pro Tem Cole's second on a 7-0 vote.

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).

The public hearing was conducted and the motion to close the public hearing and approve the first reading of the ordinance was approved on Mayor Pro Tem Cole's motion, Council Member Morrison's second on a 7-0 vote.

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.

The public hearing was conducted and the motion to close the public hearing and approve Ordinance No. 20131003-094 was approved on Mayor Pro Tem Cole's motion, Council Member Spelman's second on a 7-0 vote.

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)

Resolution No. 20131003-055 was approved with direction on Council Member Martinez' motion, Council Member Spelman's second on a 7-0 vote. Direction was given to staff to continue negotiations towards a five year agreement.

A motion to reconsider item 55 was approved on Council Member Martinez' motion, Council Member Riley's second on a 7-0 vote.

Resolution No. 20131003-055 was approved with the following amendment on Council Member Martinez' motion, Council Member Spelman's second on a 7-0 vote. The amendment was to have the second sentence of the the first "Be It Resolved" of the resolution to read, "A five-year initial agreement with a three year option."

Mayor Leffingwell recessed the Council Meeting for Live Music and Proclamation at 5:34 p.m.

LIVE MUSIC

Peterson Brothers

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

Mayor Leffingwell called the Council Meeting back to order at 7:19 p.m.

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).

There was a motion made by Council Member Riley and seconded by Council Member Spelman to close the public hearing and approve the ordinance.

There was a friendly amendment made by Council Member Riley to have Part 1, 1.3.3 of the ordinance read, "Unless the council establishes a different baseline as part of a comment under Section 1.3.2 (*Council Response*), the baseline for determining development bonuses under Section 2.5 (*Development Bonuses*) is determined by the regulations provided in the base zoning districts, combining districts and overlay districts, to the extent the project complies with the requirements for those bonuses..." The amendment was accepted by Council Member Spelman, who made the second.

Council Member Riley made an amendment to the previous friendly amendment to have Part 1, 1.3.3 of the ordinance read, "Unless the council establishes a different baseline as part of a comment under Section 1.3.2 (*Council Response*), the baseline for determining development bonuses under Section 2.5 (*Development Bonuses*) is determined by the applicable site development standards and the regulations provided in the base zoning districts, combining districts and overlay districts, to the extent the project complies with the requirements for those bonuses. The director shall provide an estimate of the property's baseline entitlements in the project assessment report." The amendment was accepted by Council Member Spelman, who made the second.

There was a friendly amendment made by Mayor Pro Tem Cole to have section 1.3.3 read, "Baseline for Determining Development Bonuses; Estimate of Development Under Existing Zoning.

The applicant must recommend and the director of the Planning and Development Review Department shall establish the following in the project assessment report. The zoning district or districts that would be most appropriate for the property if it were developed without PUD zoning. The district or districts must be consistent with all applicable neighborhood plans or a neighborhood plan amendment initiated concurrently with the request for PUD zoning. Unless the council establishes a different baseline as part of a comment under Section 1.3.2 (*Council Response*), the director's determination establishes the baseline for determining development bonuses under Section 2.5 (*Development Bonuses*) is determined by the applicable site development standards and the regulations provided in the base zoning districts, combining districts and overlay districts, to the extent the project complies with the requirements for those bonuses. The director shall provide an estimate of the property's baseline entitlements in the project assessment report." The amendment along with affording the City Attorney the opportunity to make corrections was accepted by the maker and Council Member Spelman, who made the second.

There was a friendly amendment made by Council Member Tovo to delete section 2.5.2(B)(2) and add new language to read, "Council may waive the requirements of section 2.5.3 "Requirements For Rental Housing" and section 2.5.4 "Requirements For Ownership Housing" in extraordinary circumstances and in that case developers would make donations for affordable housing as described in section 2.5.5." The motion was not accepted by the maker of the motion.

There was a motion made by Council Member Tovo and seconded by Council Member Spelman to delete section 2.5.2(B)(2) and add new language to read, "Council may waive the requirements of section 2.5.3 "Requirements For Rental Housing" and section 2.5.4 "Requirements For Ownership Housing" in extraordinary circumstances and in that case developers would make donations for affordable housing as described in section 2.5.5." There was a friendly amendment made by Council Member Spelman to remove the words "in extraordinary circumstances" from the motion. The amendment was accepted by the maker. The motion failed on a vote of 3-4. Those voting aye were: Council Members Morrison, Spelman and Tovo. Those voting nay were: Mayor Leffingwell, Mayor Pro Tem Cole and Council Members Martinez and Riley.

There was a friendly amendment made by Council Member Tovo to amend part 2, subsection 2.5.3 by adding a and subsection 2.5.4(C) both paragraphs reading, "If the Council finds that the prevailing level of affordability of housing in the vicinity of the PUD is lower than the level applicable under paragraph A the Council may establish a lesser percentage in the median family income in the Austin metropolitan statistical area." The amendment was not accepted by the maker of the motion.

The public hearing was conducted and the motion to close the public hearing and approve Ordinance No. 20131003-096 was approved with the friendly amendments listed above on Council Member Riley's motion, Council Member Spelman's second on a 5-2 vote. Those voting aye were: Mayor Leffingwell, Mayor Pro Tem Cole and Council Members Martinez, Riley and Spelman. Those voting nay were: Council Members Morrison and Tovo.

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.
The public hearing was conducted and the motion to close the public hearing and approve Ordinance No. 20131003-097 was approved on Council Member Spelman's motion, Council Member Morrison's second on a 6-0 vote. Mayor Leffingwell was off the dais.
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).

The public hearing was conducted and the motion to close the public hearing and approve the first reading of the ordinance with the following amendments was approved on Council Member Morrison's motion, Mayor Pro Tem Cole's second on a 7-0 vote.

The amendments were to Part 54, 133 and 62.

The amendments should read:

Part 54,

“Section 25-8-453 Uplands Zone,

- (A) This section applies to development in an uplands zone. Density and impervious cover limits are based on net site area.
- (B) For a duplex or single family residential use, density may not exceed:
 - (1) one unit for each two acres, with a minimum lot size of three-quarters acre; or
 - (2) if development intensity is transferred under Section 25-8-454 (*Transfer of Development Intensity*), one unit for each acre, with a minimum lot size of one-half acre.
- (C) This subsection applies to cluster housing.
 - (1) Density may not exceed:
 - (a) one unit for each acre; or
 - (b) if development intensity is transferred under Section 25-8-454 (*Transfer of Development Intensity*), two units for each acre.
 - (2) At least 40 percent of the uplands area of a site must be retained in or restored to its natural state to serve as a buffer. The buffer must be contiguous to the development, and must receive overland drainage from the developed areas of the site unless a water quality control is provided. Use of the buffer is limited to fences, utilities that cannot reasonably be located elsewhere, irrigation lines not associated with wastewater disposal, and access for site construction. A wastewater disposal area may not be located in the buffer.
- (D) This subsection applies to a commercial, multifamily residential use, or mixed use.
 - (1) Impervious cover may not exceed:
 - (a) 20 percent; or
 - (b) if development intensity is transferred under Section 25-8-454 (*Transfer of Development Intensity*), 25 percent.
 - (2) At least 40 percent of the uplands area of a site must be retained in or restored to its natural state to serve as a buffer. The buffer must be contiguous to the development, and must receive overland drainage from the developed areas of the site unless a water quality control is provided. Use of the buffer is limited to fences, utilities that cannot reasonably be located elsewhere, irrigation lines not associated with wastewater disposal, and access for site construction. A wastewater disposal area may not be located in the buffer.”

Part 133

“Section 30-5-453 Uplands Zone.

- (A) This section applies to development in an uplands zone. Density and impervious cover limits are based on net site area.
- (B) For a duplex or single family residential use, density may not exceed:
 - (1) one unit for each two acres, with a minimum lot size of three-quarters acre; or
 - (2) if development intensity is transferred under Section 30-5-454 (*Transfer of Development Intensity*), one unit for each acre, with a minimum lot size of one-half acre.
- (C) This Subsection applies to cluster housing.
 - (1) density may not exceed:
 - (a) one unit for each acre; or
 - (b) if development intensity is transferred under Section 30-5-454 (*Transfer of Development Intensity*) two units for each acre.

- (2) At least 40 percent of the uplands area of a site must be retained in or restored to its natural state to serve as a buffer. The buffer must be contiguous to the development, and must receive overland drainage from the developed areas of the site unless a water quality control is provided. Use of the buffer is limited to fences, utilities that cannot reasonably be located elsewhere, irrigation lines not associated with wastewater disposal, and access for site construction. A wastewater disposal area may not be located in the buffer.
- (D) This subsection applies to a commercial, multifamily residential use or mixed use.
- (1) Impervious cover may not exceed:
- (a) 20 percent; or
 - (b) if development intensity is transferred under Section 30-5-454 (*Transfer of Development Intensity*), 25 percent.
- (2) At least 40 percent of the uplands area of a site must be retained in or restored to its natural state to serve as a buffer. The buffer must be contiguous to the development, and must receive overland drainage from the developed areas of the site unless a water quality control is provided. Use of the buffer is limited to fences, utilities that cannot reasonably be located elsewhere, irrigation lines not associated...

Part 62

“Section 25-8-652 Fills At Lake Austin, Lady Bird Lake, And Lake Walter E. Long.

- (A) Approval by the Parks and Recreation Board is required to place fill in Lake Austin, Lady Bird Lake, or Lake Walter E. Long.
- (B) A person must file a written application with the Parks and Recreation Board for an approval under this section.
- (C) This Subsection applies to a development application that includes a proposal to modify the shoreline of Lake Austin, Lady Bird Lake, or Lake Walter E. Long; or dredge in or along that lake.
- (1) Before the director may approve the development application, the director must submit the development application to the Parks and Recreation Board.
- (2) The board shall review and comment on:
- (a) the navigational safety of the proposed development; and
 - (b) the effect of the development on the recreational and natural character of the lake.
- (3) The board may develop specific criteria for determining:
- (a) the navigational safety of the proposed development; or
 - (b) the effect of the development on the recreational and natural character of Lake Austin, Lady Bird Lake, or Lake Walter E. Long.

Mayor Leffingwell adjourned the meeting at 8:46 p.m. without objection.

The minutes were approved on this the 17th day of October 2013 on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.