

**AUSTIN CITY COUNCIL  
MINUTES****REGULAR MEETING  
THURSDAY, JUNE 12, 2014**

**Invocation:** Pundit Krishna Kumar Sripada, Austin Hindu Temple and Community Center

The following represents the actions taken by the Austin City Council in the order they occurred during the meeting. While the minutes are not in sequential order, all agenda items were discussed. The City Council of Austin, Texas, convened in a regular meeting on Thursday, June 12, 2014 in the Council Chambers of City Hall, 301 West Second Street, Austin, Texas.

Mayor Leffingwell called the Council Meeting to order at 10:07 a.m.

**CONSENT AGENDA**

The following items were acted on by one motion.

1. Approve the minutes of the Austin City Council work session of May 20, 2014, regular meeting of May 22, 2014, budget work session of May 29, 2014 and citizen forum of May 31, 2014.  
**The minutes from the City Council work session of May 20, 2014, regular meeting of May 22, 2014, budget work session of May 29, 2014 and citizen forum of May 31, 2104 were approved on consent on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**
2. Approve issuance of a rebate to CWS Allandale-McKinney LP, for performing energy efficiency improvements at Austin Midtown Apartments located at 2819 Foster Lane, Austin, Texas 78757, in an amount not to exceed \$131,100.  
**The motion to approve the issuance of a rebate to CWS Allandale-McKinney LP was approved on consent on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**
3. Approve issuance of a rebate to CWS Brushy Creek, LP, for performing energy efficiency improvements at The Marquis at Brushy Creek Apartments located at 15510 RR 620 North, Austin, Texas 78717, in an amount not to exceed \$123,680.  
**The motion to approve the issuance of a rebate to CWS Brushy Creek, LP was approved on consent on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**
4. Approve issuance of a rebate to Gables Residential for performing energy efficiency improvements at Central Park Apartments located at 800 West 38th St., Austin, Texas 78705, in an amount not to exceed \$136,712.  
**The motion to approve the issuance of a rebate to Gables Residential was approved on consent on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**

5. Approve issuance of a rebate to Hodson Capital, LLC, for performing energy efficiency improvements at SoNA Apartment Homes located at 7900 San Felipe Blvd., Austin, Texas 78729, in an amount not to exceed \$86,100.  
**The motion to approve the issuance of a rebate to Hodson Capital, LLC was approved on consent on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**
6. Authorize negotiation and execution of an agreement with EEA Building Ltd., to provide a performance-based incentive for the generation of solar energy at its facility located at 6615 Vaught Ranch Rd., Austin, Texas 78730, for an estimated \$8,119 per year, for a total amount not to exceed \$81,190 over a 10-year period.  
**The motion authorizing the negotiation and execution of an agreement with EEA Building Ltd was approved on consent on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**
7. Authorize negotiation and execution of an agreement with Hanover, to provide a performance-based incentive for the generation of solar energy at its facility located at 809 South Lamar Blvd., Austin, Texas 78704, for an estimated \$21,016 per year, for a total amount not to exceed \$210,160 over a 10-year period.  
**The motion authorizing the negotiation and execution of an agreement with Hanover was approved on consent on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**
8. Authorize negotiation and execution of an agreement with Harcon Building Ltd., to provide a performance-based incentive for the generation of solar energy at its facility located at 6601 Vaught Ranch Rd., Austin, Texas 78730, for an estimated \$8,119 per year, for a total amount not to exceed \$81,190 over a 10-year period.  
**The motion authorizing the negotiation and execution of an agreement with Harcon Building Ltd. was approved on consent on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**
9. Authorize negotiation and execution of an agreement with Howdy Honda, to provide a performance-based incentive for the generation of solar energy at its facility located at 5519 E. Ben White Blvd., Austin, Texas 78741, for an estimated \$39,356 per year, for a total amount not to exceed \$393,560 over a 10-year period.  
**The motion authorizing the negotiation and execution of an agreement with Howdy Honda was approved on consent on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**

**Items 10 and 11 were pulled for discussion.**

12. Authorize negotiation and execution of an interlocal agreement between the City and the Texas Department of Transportation for the design and construction of a shared use path from Spirit of Texas Drive to East of Terry Lane on Austin-Bergstrom International Airport.  
**The motion authorizing the negotiation and execution of an interlocal agreement between the City and the Texas Department of Transportation was approved on consent on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**
13. Authorize negotiation and execution of a design-build agreement with TURNER CONSTRUCTION COMPANY for a new Austin Energy office building and parking structure at Riverside Drive and Grove Boulevard for preliminary and design phase services and remaining professional services in an amount not to exceed \$8,300,000 plus \$830,000 contingency for a total amount not to exceed \$9,130,000. (Notes: This contract will be awarded in compliance with City Code Chapter 2-9B (Minority Owned and Women Owned Business Enterprise Procurement Program) by meeting the goals with 16.45% MBE and 15.98% WBE subconsultant participation.)

**This item was postponed on consent to June 26, 2014 on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**

14. Authorize negotiation and execution of a design and commission agreement with Urban Matter Inc. in an amount not to exceed \$88,000 for artwork for the Seaholm Redevelopment Project located at 800 Cesar Chavez Street.  
**The motion authorizing the negotiation and execution of a design and commission agreement with Urban Matter Inc. was approved on consent on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**
15. Authorize negotiation and execution of interlocal agreements between the City, Travis County, and certain Travis County Emergency Service Districts for the purchase of durable and non-durable medical supplies from the City through its Emergency Medical Services Department for 12-month terms.  
**The motion authorizing the negotiation and execution of interlocal agreements between the City, Travis County and certain Travis County Emergency Service Districts was approved on consent on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**
16. Authorize negotiation and execution of an interlocal agreement between the City, Travis County, and certain Travis County Emergency Service Districts to define jurisdiction of fire code enforcement in areas annexed by the City for limited purposes.  
**The motion authorizing the negotiation and execution of an interlocal agreement between the City, Travis County and certain Travis County Emergency Service Districts was approved on consent on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**

**Item 17 was pulled for discussion.**

18. Approve an ordinance authorizing acceptance of \$401,881 in grant funds from the U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES, HEALTH RESOURCES AND SERVICES ADMINISTRATION, and amending the Fiscal Year 2013-2014 Health and Human Services Department Operating Budget Special Revenue Fund (Ordinance No. 20130909-001) to appropriate \$401,881 for the Ryan White Part A HIV Emergency Relief Project and Minority AIDS Initiative Grant Program that provides medical and supportive services to people with the human immunodeficiency virus.  
**Ordinance No. 20140612-018 was approved on consent on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**
19. Approve negotiation and execution of contract amendments with the following four providers of HIV services under the Ryan White Part A HIV Emergency Relief Program: AIDS Services of Austin, Inc., in an amount not to exceed \$57,124, for a revised current 12-month term amount not to exceed \$1,303,253; Central Texas Community Health Centers, Inc., in an amount not to exceed \$32,814, for a revised current 12-month term amount not to exceed 1,597,530; Project Transactions Inc., in an amount not to exceed \$9,600 for a revised current 12-month term amount not to exceed \$112,273; and Wright House Wellness Center, in an amount not to exceed \$5,285, for a revised current 12-month term amount not to exceed \$208,703.  
**The motion authorizing the negotiation and execution of contract amendments with: AIDS Services of Austin, Inc.; Central Texas Community Health Centers Inc.; Project Transactions Inc.; and Wright House Wellness Center was approved on consent on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**
20. Authorize execution of an amendment to an interlocal agreement with TRAVIS COUNTY for the Summer Youth Employment Program to reflect the increased funding of \$72,389 that was approved by council in the Fiscal Year 2014 budget.

**The motion authorizing the execution of an amendment to an interlocal agreement with Travis County was approved on consent on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**

21. Approve an ordinance authorizing acceptance of \$185,000 in additional grant funds from the United States Department of Housing and Urban Development for a partnership program with the Austin Tenants' Council to protect the deaf and hard-of-hearing community, and amending the Fiscal Year 2013-2014 Human Resources Department Operating Budget Special Revenue Fund (Ordinance No. 20130909-001) to appropriate these funds to investigate and settle complaints in discrimination in housing.  
**Ordinance No. 20140612-021 was approved on consent on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**
22. Authorize negotiation and execution of an amendment to the legal services contract with Richards Rodriguez and Skeith, L.L.P. Austin, Texas, for legal services related to Billy Mercer et al v. City of Austin et al, Cause No. 1:13-cv-00830, in the United States District Court for the Western District of Texas, and related claims in the amount of \$259,000 for a total contract not to exceed \$315,000 (related to July 26, 2013 officer-involved shooting).  
**The motion authorizing the negotiation and execution of an amendment to the legal services contract with Richards Rodriguez and Skeith, L.L.P. was approved on consent on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**
23. Authorize negotiation and execution of an amendment to the legal services contract with Robert Icenhauer-Ramirez, Austin, Texas, for legal services related to Billy Mercer et al v. City of Austin et al, Cause No. 1:13-cv-00830, in the United States District Court for the Western District of Texas, and related claims in the amount of \$313, 670 for a total contract not to exceed \$369,670 (related to July 26, 2013 officer-involved shooting).  
**The motion authorizing the negotiation and execution of an amendment to the legal services contract with Robert Icenhauer-Ramirez was approved on consent on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**
24. Authorize negotiation and execution of an amendment to the legal services contract with Webb & Webb Attorneys at Law, for legal representation, advice, and counsel relating to the administrative appeal to Texas Commission on Environmental Quality of City of Austin wholesale water rates, in the amount of \$461,000, for a total contract amount not to exceed \$958,000, and to expand the scope of services to include legal representation relating to the administrative appeal to Texas Commission on Environmental Quality of City of Austin wholesale wastewater rates.  
**The motion authorizing the negotiation and execution of an amendment to the legal services contract with Webb & Webb Attorneys at Law was approved on consent on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**
25. Approve an ordinance waiving permitting and development fees related to the repair of damage resulting from certain flooding events; and declaring an emergency to allow this ordinance to take effect immediately.  
**Ordinance No. 20140612-025 was approved on consent on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**
26. Approve an ordinance designating the Chestnut Neighborhood Revitalization Corporation and the Guadalupe Neighborhood Development Corporation as Community Land Trusts and granting property tax exemptions on certain properties.  
**Ordinance No. 20140612-026 was approved on consent on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**

27. Authorize the negotiation and execution of an interlocal agreement with Travis County for the implementation of the City's Lead Hazard Control and Lead Hazard Reduction Programs in the City's limited purpose annexed areas and extraterritorial jurisdictions.  
**The motion authorizing the negotiation and execution of an interlocal agreement with Travis County was approved on consent on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**

**Item 28 was pulled for discussion.**

29. Approve an ordinance amending City Code Chapters 8-3 and 10-6 relating to alcohol consumption and smoking on a pedestrian bridge.  
**This item was withdrawn on consent on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**

**Item 30 was pulled to be heard after the related item 117.**

31. Authorize negotiation and execution of an agreement with Cirrus Logic, Inc. for partial reimbursement of costs associated with constructing Great Streets streetscape improvements at 800 West 6th Street in an amount not to exceed \$162,630.00.  
**The motion authorizing the negotiation and execution of an agreement with Cirrus Logic, Inc. was approved on consent on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**

**Item 32 was pulled for discussion.**

33. Authorize negotiation and execution of an interlocal agreement between the City and Capital Metropolitan Transit Authority for the design and construction of a new 300 foot long segment of Del Robles Drive from its eastern terminus to end of the City's Right of Way for a total amount not to exceed \$100,000. Related to Item #34.  
**The motion authorizing the negotiation and execution of an interlocal agreement between the City and Capital Metropolitan Transit Authority was approved on consent on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**
34. Approve an ordinance amending the Fiscal Year 2013-2014 Public Works Capital Budget (Ordinance No. 20130909-002) to appropriate \$100,000 for improvements to Del Robles Drive. Related to Item #33.  
**Ordinance No. 20140612-034 was approved on consent on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**
35. Authorize award and execution of a 36-month supply contract with DEALERS ELECTRIC SUPPLY, for the purchase of Ion Meter Parts for Austin Energy, in an amount not to exceed \$442,635, with three 12-month extension options in an amount not to exceed \$147,545 per extension option, for a total amount not to exceed \$885,270. (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 contract with Dealers Electric Supply was approved on consent on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**
36. Authorize award and execution of a 36-month supply contract with JAE CONSTRUCTION INC, for the purchase of substation surface rock for Austin Energy, in an amount not to exceed \$791,043, with three 12-month extension options in an amount not to exceed \$263,681 per extension option, for a total contract amount not to exceed \$1,582,086. (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 contract with JAE Construction Inc. was approved on consent on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**

37. Authorize the negotiation and execution of Amendment No. 23 to the contract with IBM CORPORATION for annual consumables and a software development upgrade of the Customer Care & Billing system, in an amount not to exceed \$5,237,000, for a total revised contract amount not to exceed \$66,976,728. (Notes: This contract was awarded in compliance with City Code Chapter 2-9C (Minority Owned and Women Owned Business Enterprise Procurement Program) with 14.58% MBE and 10.86% WBE subcontractor participation to date.)

**The motion authorizing the negotiation and execution of amendment number twenty three to the contract with IBM Corporation was approved on consent on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**

38. Authorize award and execution of a 36-month requirements supply agreement with SUN TINT, INC. to provide automotive window tinting services in an amount not to exceed \$125,034, with three 12-month extension options in an amount not to exceed \$41,678 per extension option, for a total contract amount not to exceed \$250,068. (Notes: This contract will be awarded in compliance with City Code Chapter 2-9C (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this contract.)

**The motion authorizing the award and execution of a requirements supply agreement with Sun Tint, Inc. was approved on consent on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**

39. Authorize award and execution of a 36 month requirements service contract with DUNBAR ARMORED, INC., or one of the other qualified bidders for IFB-BV No. GLB0100 REBID, to provide Armored Car Services in an amount not to exceed \$301,975 with three 12 month extension options in an amount not to exceed \$121,428 for first extension, \$133,571 for second extension, and \$146,928 for third extension option, for a total contract amount not to exceed \$703,902. (Notes: This contract will be awarded in compliance with City Code Chapter 2-9C (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this contract.)

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

40. Authorize award and execution of a 36-month requirements supply contract with MUNICIPAL EMERGENCY SERVICES INC., to provide Firefighter Air Packs and Replacement Parts for the Austin Fire Department, in an amount not to exceed \$3,387,435, with three 12-month extension options in an amount not to exceed \$1,129,145 per extension option, for a total contract amount not to exceed \$6,774,870. (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 Municipal Emergency Services Inc. was approved on consent on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**

41. Authorize award, negotiation, and execution of a 12-month requirements supply and service agreement with BRAZOS TECHNOLOGY to provide electronic citation and crash software, hardware, and hosting services for the Austin Police Department in an amount not to exceed \$1,593,623, with four 12-month

extension options in an amount not to exceed \$767,000 each for a total estimated contract amount not to exceed \$4,661,623. (Notes: This contract will be awarded in compliance with City Code Chapter 2-9C (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this contract.)

**The motion authorizing the award, negotiation and execution of a requirements supply and service agreement with Brazos Tehnology was approved on consent on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**

**Items 42 and 43 were pulled for discussion.**

44. Authorize award and execution of a 12-month requirements service agreement with GAS CYLINDER SERVICES, LLC dba CYLINDER SERVICES to provide hydrostatic cylinder testing for the Austin Fire Department in an amount not to exceed \$10,260, with five 12-month extension options in an amount not to exceed \$10,260 per extension option, for a total contract amount not to exceed \$61,560. (Notes: This contract will be awarded in compliance with City Code Chapter 2-9D (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation.)

**The motion authorizing the award and execution of a requirements service agreement with Gas Cylinder Services, LLC doing business as Cylinder Services was approved on consent on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**

45. Authorize award and execution of a contract with FREEIT DATA SOLUTIONS, INC., for the purchase and installation of two flash storage arrays for public safety data for the Communications and Technology Department in an amount not to exceed \$330,000. (Notes: This contract will be awarded in compliance with City Code Chapter 2-9D (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this contract.)

**The motion authorizing the award and execution of a contract with Freeit Data Solutions, Inc. was approved on consent on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**

46. Authorize award and execution of a 36-month requirements service and supply agreement with FARRWEST ENVIRONMENTAL SUPPLY, INC., to provide gas monitoring equipment and related services in an amount not to exceed \$120,000, with three 12-month extension options in an estimated amount not to exceed \$15,000 per extension option, for a total contract amount not to exceed \$165,000. (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 and supply agreement with Farrwest Environmental Supply, Inc. was approved on consent on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**

47. Authorize award, negotiation, and execution of a 12-month professional services contract with MOBILE VETERINARY SPECIALIST, PLLC, to provide specialty veterinary surgical services for the Austin Animal Center, in an amount not to exceed \$75,000, with two 12-month extension options in an amount not to exceed \$75,000 per extension option, for a total contract amount not to exceed \$225,000. (Notes: This contract will be awarded in compliance with City Code Chapter 2-9B (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 professional services contract with Mobile Veterinary Specialist, PLLC was approved on consent on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**

48. Authorize ratification of a contract with PEABODY GENERAL CONTRACTORS, INC., for emergency repairs to the Mabel Davis Leachate Lift Station of the Austin Water Utility in a total amount of \$87,515. (Notes: This contract was awarded in compliance with City Code Chapter 2-9C (Minority-Owned and Women-Owned Business Enterprise Procurement Program). This was an emergency 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 a contract with Peabody General Contractors, Inc. was approved on consent on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**

49. Authorize award and execution of a 24-month requirements supply contract with INDUSTRIAL ASPHALT & AGGREGATES, LLC, Austin, TX for the purchase of hot mix - cold laid asphaltic concrete in an amount not to exceed \$1,107,960 with two 12-month extension options in an amount not to exceed \$553,980 per extension option, for a total agreement amount not to exceed \$2,215,920. (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 Industrial Asphalt & Aggregates, LLC was approved on consent on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**

**Item 50 was pulled to be heard after TIF15 meeting.**

51. Authorize award, negotiation, and execution of a contract through the STATE OF TEXAS DEPARTMENT OF INFORMATION RESOURCES cooperative purchasing program with THE WHITLOCK GROUP, for the purchase of Audio/Visual equipment and installation services for planned system upgrades at City Hall including the 10-1 renovation project, in an amount not to exceed \$752,500. (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 through the State of Texas Department of Information Resources cooperative purchasing program with the Whitlock Group was approved on consent on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**

52. Approve an ordinance amending City Code Section 12-4-64 (D) to change the speed limit on East Martin Luther King, Jr. Boulevard from Airport Boulevard to J.J. Seabrook Drive.

**Ordinance No. 20140612-052 was approved on consent on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**

53. Approve an ordinance amending City Code Section 12-4-64(D) to add a 20 miles per hour school zone on a segment of West Rundberg Lane for the safety of students attending Jaime Padron Elementary School; and provide for emergency passage.

**Ordinance No. 20140612-053 was approved on consent on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**

54. Approve a resolution authorizing the City Manager to submit project applications to receive federal funds under the Federal Highway Administration Surface Transportation Program Metropolitan Mobility program.

**Resolution No. 20140612-054 was approved on consent on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**



55. Approve appointments and certain related waivers to citizen boards and commissions, to Council subcommittees and other intergovernmental bodies and removal and replacement of members.  
**The following appointments were approved on consent on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**

### Nominations

#### Board/Nominee

#### Nominated by

Board of Adjustment/ Sign Review Board  
 Vincent Harding

Mayor Pro Tem Cole

Building and Fire Code Board of Appeals  
 Ben Abzug

Council Member Riley

Commission on Veterans Affairs  
 Del Kolbe

Council Member Riley

Downtown Commission  
 Brian Roark (representative – Planning Commission)

Mayor Leffingwell

Planning Commission  
 Richard Hatfield  
 Brian Roark

Mayor Leffingwell  
 Mayor Leffingwell

Zero Waste Advisory Commission  
 Joaquin Mariel

Council Member Martinez

#### Intergovernmental/Nominee

#### Nominated by

Long Center Board of Trustees  
 Liz Arreaga  
 Veronica Fernandez  
 Lynn Yeldell

Mayor Leffingwell  
 Mayor Leffingwell  
 Mayor Leffingwell

### Waivers

There are no waivers scheduled for today.

56. Approve an ordinance waiving certain fees and requirements under City Code Chapter 14-8, certain other fees and requirements, and authorizing payment of certain costs for the City co-sponsored Greater East Austin Youth Association's 2014 Juneteenth Parade and Celebration which is to be held on June 21, 2014, along East Martin Luther King, Jr. Boulevard, Comal Street, and Rosewood Avenue with a celebration at Rosewood Park. (Notes: SPONSOR: Mayor Pro Tem Sheryl Cole CO 1: Council Member Kathie Tovo CO 2: Mayor Lee Leffingwell)  
**Ordinance No. 20140612-056 was approved on consent on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**

**Items 57 and 58 were pulled for discussion.**

59. Approve a resolution directing the City Manager to conduct facilitated discussions in collaboration with community partners regarding the African American, Hispanic/Latino, and Asian American Quality of Life Initiatives to benchmark disparities for these communities among peer cities in Texas and the nation;

to develop strategies to address findings; and to establish a regular schedule for updating these studies. (Notes: SPONSOR: Mayor Pro Tem Sheryl Cole CO 1: Council Member William Spelman CO 2: Council Member Kathie Tovo)

**Resolution No. 20140612-059 was approved on consent on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**

**Item 60 was set for a time certain of 6:15 p.m.**

61. Approve an ordinance waiving or reimbursing fees for Seeds of Hope - A Resource Fair and Celebration for Survivors of Domestic Violence which was held on Saturday, June 7, 2014 at City Hall. (Notes: SPONSOR: Mayor Pro Tem Sheryl Cole CO 1: Council Member Kathie Tovo CO 2: Mayor Lee Leffingwell)

**Ordinance No. 20140612-061 was approved on consent on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**

**Item 62 was set for a time certain of 5:45 p.m.**

**Item 63 was pulled for discussion.**

**Items 64 through 66 were set for a time certain of 6:30 p.m.**

67. Approve a resolution directing the City Manager to conduct a living wage study and provide recommendations to Council regarding the City's current living wage rate, including recommendations for tying the living wage to an index for inflation, cost of living, and/or cost of housing. (Notes: SPONSOR: Council Member Mike Martinez CO 1: Council Member Kathie Tovo CO 2: Council Member Laura Morrison)

**Resolution No. 20140612-067 was approved on consent on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**

**Item 68 was set for a time certain of 6:00 p.m.**

69. Approve a resolution supporting the rules published by the U.S. Environmental Protection Agency on June 2, 2014 to control greenhouse gas pollution from power plants in the United States. (Notes: SPONSOR: Council Member Mike Martinez CO 1: Council Member Kathie Tovo CO 2: Council Member Laura Morrison)

**Resolution No. 20140612-069 was approved on consent on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**

**Item 70 was pulled for discussion.**

71. Approve a resolution directing the City Manager to prepare an item for consideration during the fiscal year 2014-15 budget process to fund a position with a partner community organization and explore a partnership with Travis County to fund, coordinate and facilitate significant Supplemental Nutrition Assistance Program (SNAP) outreach and enrollment, and provide options for the City to facilitate the establishment of effective technology and outreach for use of SNAP, the Women, Infants, and Children (WIC) program, and Farmers' Market Nutrition Program (FMNP) at various retail and farm stand locations. (Notes: SPONSOR: Council Member Mike Martinez CO 1: Council Member Laura Morrison CO 2: Council Member Chris Riley)

**Resolution No. 20140612-071 was approved on consent on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**

72. Approve a resolution supporting the development of cooperative businesses and directing the City Manager to convene stakeholders and to develop recommendations that detail ways the City can promote

the development of new and existing cooperative businesses, commonly referred to as co-ops. (Notes: SPONSOR: Council Member Laura Morrison CO 1: Council Member Kathie Tovo CO 2: Council Member William Spelman)

**Resolution No. 20140612-072 was approved on consent on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**

73. Approve a resolution directing the City Manager to evaluate the impact on small businesses of the charge for electric demand above ten kilowatts, including conducting stakeholder meetings with small businesses, and to report back to the Electric Utility Commission and the City Council with findings and potential policy options for minimizing the cost impact of the demand charge on customers having a demand of between ten and twenty kilowatts. (Notes: SPONSOR: Council Member Kathie Tovo CO 1: Council Member Mike Martinez)

**This item was postponed on consent to June 26, 2014 on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**

74. Approve a resolution affirming the City Council's support of Texas' environment, drinking water, and health and thereby supporting HR 2825 of the 113th Congress, the CLEANER Act, which proposes to close the loopholes that exempt oil and gas production methods commonly referred to as fracking from key provisions of our nation's hazardous waste law. (Notes: SPONSOR: Council Member Mike Martinez CO 1: Council Member Chris Riley CO 2: Council Member Laura Morrison)

**Resolution No. 20140612-074 was approved on consent on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**

75. Approve a resolution directing the City Manager to explore a transition of maintenance responsibility and ownership of Bethany Cemetery with Travis County, to identify costs and possible funding sources for maintenance and ownership of Bethany Cemetery, and to identify the cost of including Bethany Cemetery in the City's Cemetery Master plan. (Notes: SPONSOR: Mayor Pro Tem Sheryl Cole CO 1: Council Member Kathie Tovo)

**Resolution No. 20140612-075 was approved on consent on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**

76. Approve a resolution directing the City Manager to work with the Austin Music Commission and community stakeholders to develop recommendations for incorporating the use of the "C-weighting" of decibels as an auxiliary measure in sound mitigation and measurement processes and bring recommendations back to Council by August 8, 2014. (Notes: SPONSOR: Council Member Laura Morrison CO 1: Council Member Mike Martinez CO 2: Council Member Kathie Tovo)

**Resolution No. 20140612-076 was approved on consent on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**

77. Approve an ordinance reimbursing certain fees for the Asian American Community Leadership Awards event hosted by The University of Texas which was held Wednesday, May 28, 2014 at the Asian American Resource Center. (Notes: SPONSOR: Mayor Pro Tem Sheryl Cole CO 1: Council Member Mike Martinez CO 2: Council Member Laura Morrison)

**Ordinance No. 20140612-077 was approved on consent on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**

78. Set a public hearing to receive citizen comments on the City's Draft Five Year Consolidated Plan for Fiscal Years 2014-19, Action Plan for Fiscal Year 2014-15, and the Community Development 2014-2015 Program. (Suggested date and time: June 26, 2014, 4:00 p.m., at Austin City Hall, 301 W. Second Street, Austin, TX, or other location due to City Hall construction.)

**The public hearing was set on consent for June 26, 2014 at 4:00 p.m. at City Hall, 301 W. Second Street, Austin, TX. or other location due to City Hall construction on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**

79. Set a public hearing to consider amending the Austin Bicycle Master Plan (Suggested date and time: June 26, 2014, at 4:00 p.m., Austin City Hall, Council Chambers, 301 W. Second Street, Austin, Texas)  
**This item was withdrawn on consent on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**
80. Set a public hearing to consider CenterPoint's proposal to increase customer gas rates. (Suggested date and time June 26, 2014; 4:00 p.m. at City Hall; 301 W. Second Street, Austin, TX)  
**The public hearing was set on consent for June 26, 2014 at 4:00 p.m. at City Hall, 301 W. Second Street, Austin, TX. on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**
81. Set a public hearing to consider an ordinance regarding floodplain variances for construction of a mixed-use building and associated parking at 718 W. 5th Street (known as 5th and West) within the 25-year and 100-year floodplains of Shoal Creek. (Suggested date and time: June 26, 2014, 4:00 p.m., at Austin City Hall, 301 West Second Street, Austin, TX)  
**The public hearing was set on consent for June 26, 2014 at 4:00 p.m. at City Hall, 301 W. Second Street, Austin, TX. on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**

**Item 122 was pulled for discussion.**

Items 82 through 84 were action items with closed public hearings.

Items 85 and 86 were briefing items set for 10:30 a.m.

Items 87 through 91 were Executive Session items.

Items 93 through 113 were zoning items set for 2:00 p.m.

Item 114 was a briefing item set for 2:00 p.m.

Item 115 was an AHFC item set for 3:00 p.m.

Item 116 was a TIF item set for 3:00 p.m.

Items 117 through 121 were public hearing items set for 4:00 p.m.

Item 122 was an addendum item

### **DISCUSSION ITEMS**

10. Approve an ordinance amending City Code Chapter 15-6 (Solid Waste Services) regarding recycling and organics diversion at commercial properties. Related to Item #11.  
**Ordinance No. 20140612-010 with shifting the date from "2019" to "2018" was approved on Council Member Morrison's motion, Council Member Riley's second on a 7-0 vote.**
11. Approve amendments to administrative rules associated with City Code Chapter 15-6, (Solid Waste Services) regarding recycling and organics diversion at commercial properties. Related to Item #10.  
**The motion to approve the amendments to administrative rules was approved with any date change to reflect the shift from the "2019" date to "2018" in item 10 on Council Member Morrison's motion, Council Member Riley's second on a 7-0 vote.**

Items 17 and 43 were acted on in a combined motion.

17. Authorize negotiation and execution of an interlocal agreement between the City, the City of Westlake Hills, and Travis County for the coordinated operation of wildfire detection systems. Related to Item #43. **The motion authorizing the negotiation and execution of an interlocal agreement between the City, the City of West Lake Hills and Travis County was approved on Council Member Spelman's motion, Council Member Martinez' second on a 7-0 vote.**
43. Authorize award and execution of a 12-month requirements supply agreement with FIREWATCH AMERICA, LLC, to provide a wildfire detection sensor system and installation services in an amount not to exceed \$350,000, with three 12-month extension options in an estimated amount not to exceed \$10,000 per extension option, for a total contract amount not to exceed \$380,000. Related to Item #17. (Notes: This contract is exempt from the MBE/WBE Ordinance. This exemption is in compliance with City Code Chapter 2-9D (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation.) **The motion authorizing the award and execution of a requirements supply agreement with Firewatch America, LLC was approved on Council Member Spelman's motion, Council Member Martinez' second on a 7-0 vote.**

### **BRIEFINGS**

85. Update: South Central Waterfront Planning Initiative  
**This item was withdrawn without objection.**
86. Municipal Civil Service Rules Briefing  
**The presentation was made by Mark Washington, Human Resource Director and Kim Kovach, Chair, Municipal Civil Service Commission.**

### **DISCUSSION ITEMS CONTINUED**

32. Approve a resolution directing the Planning Commission to consider a planning process and resulting plans for the North Central Austin Study Area which will create new neighborhood plans for the Rosedale, Allandale, and North Shoal Creek Neighborhood Planning Areas; revised neighborhood plans for the Brentwood, Highland, Crestview, and Wooten Neighborhood Planning Areas; and new corridor plans for Burnet Road from 45th Street to US 183 and Anderson Lane from Mopac to the Capital Metropolitan Transportation Authority's railroad track.  
**Resolution No. 20140612-032 was approved with the following friendly amendment and amendments on Council Member Morrison's motion, Mayor Pro Tem Cole's second on a 7-0 vote. There was a friendly amendment made by Council Member Riley to direct staff to allow North Shoal Creek to go ahead with the neighborhood plan. The amendment was accepted by the maker of the motion and Mayor Pro Tem Cole, who made the second.**

**The amendment was to add the following language:**

**"Whereas, Burnet Road and Anderson Lane are identified in the Imagine Austin Growth Concept as Activity Corridors, and are experiencing and will continue to experience development, particularly with the Capitol Metro Rapid bus service that will soon begin operation along burnet Road; and**

**Whereas, creating corridor plans for Burnet Road and Anderson Lane will provide an opportunity to develop a vision and recommendations to guide growth, including character zones with urban design recommendations, a capital improvement plan, and recommendations for tools to achieve the vision, including policies, programs and potential code changes; and**

Whereas, the corridor plans will serve as a pilot for CodeNext development to assess the adequacy of the tools it provides; and

Whereas, the corridor plans will be grounded in priorities and policies set forth in Imagine Austin, including:

to achieve “complete communities” that serve all ages and abilities with amenities and services that are easily accessible, which would serve to address increasing traffic congestion, deficiencies in open space, and the decreasing number of families with children in the general area; to establish harmonious transitions between different types of land uses, specifically between the corridor and the adjacent residential areas and to respect existing neighborhood plans; to create, nurture, and retain small and local businesses and minority- and women-owned businesses; and

Whereas, the planning process will engage a broad array of stakeholders, with attention to engagement of non-english speaking Austinites, and will include participation by Capital Metro and Lone Star Rail to discuss locations of transit stations along the corridors; and

Whereas, the planning process will evaluate current conditions, including demographics of the area, and will address, in particular, populations who might be made vulnerable to displacement or other social disruptions through efforts to attain identified goals for the future, and will leverage the work of the City’s Housing/Transit/Jobs Action Team as appropriate; and

Whereas, staff will identify best practices or modeling tools such as Envision Tomorrow, to incorporate into the planning process to assess foundational information for policy recommendations, including infrastructure capacity and the impact of the mix of housing types on resulting residential population age distributions; Now, Therefore, Be It Resolved By The City Council Of The City Of Austin:

The City Council directs the Planning Commission to consider corridor plans for Burnet Road from 45<sup>th</sup> Street to U.S. 183 and Anderson Land from Mopac to the Capital Metropolitan Transportation Authority’s railroad track with an effective date of June 12, 2014.”

63. Approve an ordinance waiving certain fees and requirements associated with the development of the Seton teaching hospital. (Notes: SPONSOR: Mayor Lee Leffingwell CO 1: Mayor Pro Tem Sheryl Cole) There was a motion made by Council Member Spelman and seconded by Council Member Martinez to approve the ordinance with the following amendments.

The amendment was to:

Remove

- Building permit plan review and inspection fees
- Fire inspection fees
- Water meters installation fee
- Encroachment agreement application fee
- Waiving of requirements for traffic signal improvements and crosswalk signals
- Waiver for water and wastewater impact fees

Retain

- Tower crane permit
- Heliport permit
- Lane closure fees

A substitute motion was made by Mayor Pro Tem Cole and seconded by Mayor Leffingwell to approve the ordinance with the following amendment. This motion failed on a vote of 2-4. Those voting aye were: Mayor Leffingwell and Mayor Pro Tem Cole. Those voting nay were: Council Members Martinez, Morrison, Riley, Spelman and Tovo.

The amendment was to:

Remove

- Building permit plan review and inspection fees
- Fire inspection fees
- Water meters installation fee
- Encroachment agreement application fee
- Waiving of requirements for traffic signal improvements and cross walk signals

Retain

- Tower crane permit
- Heliport permit
- Lane closure fees
- Water and wastewater impact fees

Ordinance No. 20140612-063 was approved with the amendment listed above on Council Member Spelman's motion, Council Member Martinez' second on a 7-0 vote.

#### CITIZEN COMMUNICATIONS: GENERAL

Dale Flatt - AFD Retirement & CCD

Richard Viktorin - Actions of Planning and Development Review Department Director Greg Guernsey to negate Council authority, void city ordinance, in abuse of authority, and other general managerial and organizational concerns. **Not present when name was called.**

Rae Nadler-Olenick - Water Fluoridation

Walter Olenick - Water Fluoridation

Volmer Overton - Trail improvement

Teresa Cochran - The McMansion ordinance

Emilio Chronis - Water Fluoridation Update

Carlos León - 1) Let's repent & ask GOD for his assistance to defeat the enemy; 2) Continue keeping Austin's airspace free of chemtrails; 3) Truth or else

CAROLANNROSEKENNEDY - THE GRAD YOU ATE

Mayor Leffingwell recessed the Council Meeting to go into Executive Session at 12:30 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.

The Mayor announced that Council would discuss item number 65 on the regular agenda during Executive Session

87. Discuss legal issues related to Open Government matters (Private consultation with legal counsel - Section 551.071 of the Government Code).  
**This item was withdrawn.**
88. 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.**
89. Discuss legal issues relating to the November 2014 election (Private consultation with legal counsel - Section 551.071 of the Government Code).
90. Evaluate the performance of and consider compensation and benefits for the City Clerk (Personnel matters - Section 551.074).
91. Evaluate the performance of and consider compensation and benefits for the Municipal Court Clerk (Personnel matters - Section 551.074).

**Executive Session ended and Mayor Leffingwell called the Council Meeting back to order at 3:49 p.m.**

**ZONING ORDINANCES/RESTRICTIVE COVENANTS AND NEIGHBORHOOD PLAN AMENDMENTS**

**Items 92, 97-100, 103, 105-114 were acted on in a combined motion.**

92. C814-2007-0009.01 - The Terrace in Oak Hill PUD (an amendment to West 71 Office Park PUD) - Approve second/third readings of an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 8500 State Highway 71 West (Williamson Creek Watershed-Barton Creek Zone) from planned unit development-neighborhood plan (PUD-NP) combining district zoning to planned unit development-neighborhood plan (PUD-NP) combining district zoning, to change conditions of zoning. First Reading approved on May 22, 2014. Vote: 7-0. Owner: Michael B. Knepp. Applicant: Doucet & Associates (Ted McConaghy). City Staff: Lee Heckman, 512-974-7604, and Mike McDougal, 512-974-6380.

**Ordinance No. 20140612-092 for planned unit development-neighborhood plan (PUD-NP) combining district zoning, to change conditions of zoning was approved with the following changes on consent on Council Member Spelman's motion, Mayor Leffingwell's second on a 7-0 vote.**

**The changes were:**

**Part 7, (C) should read, "Section 25-8-482 (Water Quality Transition Zone) is modified to allow a 3.57 acre portion of the Property associated with Williamson Creek and identified on the Land Use Plan to be classified as Uplands Zone. See Exhibit C, Sheet C-3."**

**Part 6, (B) should read, "The maximum square footage for all uses shall be a total of 60,000 square feet."**

97. C14-2013-0113 - Lamar Center - Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 11421 and 11423 North Lamar Boulevard (Walnut Creek Watershed) from neighborhood commercial (LR) district zoning to community commercial (GR) district zoning. Staff Recommendation: To grant community commercial-conditional overlay (GR-CO) combining district zoning, with conditions. Zoning and Platting Commission Recommendation: To be reviewed on October 21, 2014. Owner/Applicant: Rundberg Square LLC (Son Thai). City Staff: Sherri Sirwaitis, 512-974-3057.

**This item was postponed on consent indefinitely on Council Member Spelman's motion, Mayor Leffingwell's second on a 7-0 vote. (Under City Code, items postponed indefinitely are withdrawn from the active agenda and must be re-noticed before being placed back on the council agenda.)**



98. C14-2013-0118 - Cooper Commercial - Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 7200 Cooper Lane (South Boggy Creek Watershed) from single family residence-standard lot (SF-2) district zoning to community commercial (GR) district zoning. Staff Recommendation: Pending. Zoning and Platting Commission Recommendation: To be reviewed on July 17, 2014. Owner/Applicant: 38 1/2 Street LC (Guy Oliver). Agent: Husch Blackwell, LLP (Nikelle Meade). City Staff: Wendy Rhoades, 512-974-7719.  
**This item was postponed on consent to August 7, 2014 at the staff's request on Council Member Spelman's motion, Mayor Leffingwell's second on a 7-0 vote.**
99. C14-2013-0134 - Dessau Road Commercial Center - Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by zoning property locally known as 12401 Dessau Road (Harris Branch Watershed) from interim-rural residence (I-RR) district zoning to community commercial-mixed use (GR-MU) combining district zoning. Staff Recommendation: To grant community commercial-mixed use (GR-MU) combining district zoning, with conditions. Zoning and Platting Commission Recommendation: To grant community commercial-mixed use (GR-MU) combining district zoning, with conditions. Owner/Applicant: Dessau 21, Ltd. (Paul Joseph). Agent: Urban Design Group (John Noell). City Staff: Sherri Sirwaitis, 512-974-3057.  
**The public hearing was conducted and the motion to close the public hearing and adopt Ordinance No. 20140612-099 for community commercial-mixed use (GR-MU) combining district zoning, with conditions was approved on consent on Council Member Spelman's motion, Mayor Leffingwell's second on a 7-0 vote.**
100. C14-2013-0147 -707 West Avenue Rezoning - Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 707 West Avenue (Shoal Creek Watershed) from general commercial services-conditional overlay (CS-CO) combining district zoning to downtown mixed use (DMU) district zoning. Staff Recommendation: To grant downtown mixed use-conditional overlay (DMU-CO) combining district zoning. Planning Commission Recommendation: To grant downtown mixed use-conditional overlay (DMU-CO) combining district zoning. Owner: Cirrus Logic, Inc. (Thurman Case). Applicant: Armbrust & Brown, P.L.L.C. (Richard Suttle). City Staff: Heather Chaffin, 512-974-2122.  
**The public hearing was conducted and the motion to close the public hearing and adopt Ordinance No. 20140612-100 for downtown mixed use-conditional overlay (DMU-CO) combining district zoning was approved on consent on Council Member Spelman's motion, Mayor Leffingwell's second on a 7-0 vote.**
103. C14-2014-0027 - ACE Discount Glass - Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by zoning property locally known as 6308 Spicewood Springs Road (Bull Creek Watershed) from interim-rural residence (I-RR) district zoning to general commercial services-mixed use (CS-MU) combining district zoning for Tract 1 and commercial recreation (CR) district zoning for Tract 2. Staff Recommendation: To grant townhouse & condominium residence-conditional overlay (SF-6-CO) combining district zoning. Zoning and Platting Commission Recommendation: To be reviewed on June 17, 2014. Owner/Applicant: ACE Discount Glass, Inc.; ACE Auto Salvage (Roy Cavanaugh). Agent: Garrett-Ihnen Civil Engineers, Inc. (Steve Ihnen, P.E.). City Staff: Sherri Sirwaitis, 512-974-3057.  
**This item was postponed on consent to August 7, 2014 at the staff's request on Council Member Spelman's motion, Mayor Leffingwell's second on a 7-0 vote.**
105. C14-2014-0031.SH - Cardinal Point - Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 11108 Zimmerman Lane (Bull Creek Watershed) from townhouse & condominium residence-conditional overlay (SF-6-CO) combining district zoning and development reserve (DR) district zoning to multi-family residence-limited density (MF-1) district zoning. Staff Recommendation: To maintain townhouse & condominium residence-conditional overlay (SF-6-CO) combining district zoning for Tracts 1 and 2, and to grant single family residence-

large lot (SF-1) district zoning for Tract 3. Zoning and Platting Commission Recommendation: Rezoning request was withdrawn by Applicants. Owner/Applicant: Vickie Lynn Clark & Sophia's Investments (Vicki Lynn Clark); Sophia's Investments, LLC (Hamid Zarafsham); Freddie J. Smith. Agent: Civiltude (Fayez Kazi). City Staff: Sherri Sirwaitis, 512-974-3057. A valid petition has been filed in opposition to this rezoning request.

**This item was withdrawn on consent at the applicant's request on Council Member Spelman's motion, Mayor Leffingwell's second on a 7-0 vote.**

106. C14-2014-0037 - The Sealy - Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 801 West Wells Branch Parkway (Harris Branch Watershed) from industrial park-conditional overlay (IP-CO) combining district zoning and community commercial-conditional overlay (GR-CO) combining district zoning to community commercial (GR) district zoning. Staff Recommendation: Pending. Zoning and Platting Commission Recommendation: To be reviewed on June 17, 2014. Owner/Applicant: Sealy & Company (Michael Sealy). Agent: Garrett-Ihnen Civil Engineers, Inc. (Steve Ihnen, P.E.). City Staff: Sherri Sirwaitis, 512-974-3057.

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

107. C14-2014-0038 - The Hopper - Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 801 West Wells Branch Parkway (Harris Branch Watershed) from industrial park-conditional overlay (IP-CO) combining district zoning to single family residence-small lot (SF-4A) district zoning for Tract 1 and rural residence (RR) district zoning for Tract 2. Staff Recommendation: Pending. Zoning and Platting Commission Recommendation: To be reviewed on June 17, 2014. Owner/Applicant: Sealy & Company (Michael Sealy). Agent: Garrett-Ihnen Civil Engineers, Inc. (Steve Ihnen, P.E.). City Staff: Sherri Sirwaitis, 512-974-3057.

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

108. C14-2014-0040 - Hunt Tract - Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 4311 City Park Road (Coldwater Creek Watershed, Turkey Creek Watershed) from development reserve (DR) district zoning to rural residence (RR) district zoning. Staff Recommendation: To grant rural residence (RR) district zoning. Zoning and Platting Commission Recommendation: To grant rural residence (RR) district zoning. Owner/Applicant: JN & H Associates, LLC (Neal Heffron). Agent: Land Answers, Inc. (Jim Wittliff). City Staff: Sherri Sirwaitis, 512-974-3057.

**The public hearing was conducted and the motion to close the public hearing and adopt Ordinance No. 20140612-108 for rural residence (RR) district zoning was approved on consent on Council Member Spelman's motion, Mayor Leffingwell's second on a 7-0 vote.**

109. C14-2014-0042 - 6800 Manchaca - Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 6800 Manchaca Road (Williamson Creek Watershed) from community commercial-conditional overlay (GR-CO) combining district zoning for Tract 1 and limited office-mixed use-conditional overlay (LO-MU-CO) combining district zoning for Tract 2 to community commercial-mixed use-conditional overlay (GR-MU-CO) combining district zoning for Tract 1 and limited office-mixed use-conditional overlay (LO-MU-CO) combining district zoning for Tract 2. Staff Recommendation: To grant community commercial-mixed use-conditional overlay (GR-MU-CO) combining district zoning for Tract 1 and limited office-mixed use-conditional overlay (LO-MU-CO) combining district zoning for Tract 2. Planning Commission Recommendation: To grant community commercial-mixed use-conditional overlay (GR-MU-CO) combining district zoning for Tract 1 and limited office-mixed use-conditional overlay (LO-MU-CO) combining district zoning for Tract 2. Owner/Applicant: James W. Watters, Jr. Agent: CSA Management (Juan Creixell). City Staff: Wendy Rhoades, 512-974-7719.

**The public hearing was conducted and the motion to close the public hearing and adopt Ordinance No. 20140612-109 for community commercial-mixed use-conditional overlay (GR-MU-CO) combining district zoning for Tract 1 and limited office-mixed use-conditional overlay (LO-MU-CO) combining district zoning for Tract 2 was approved on consent on Council Member Spelman's motion, Mayor Leffingwell's second on a 7-0 vote.**

110. C14-2014-0046 - Fort Dessau Condominiums - Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 13826 Dessau Road (Harris Branch Watershed) from single family residence-standard lot-conditional overlay (SF-2-CO) combining district zoning to neighborhood commercial-mixed use (LR-MU) combining district zoning. Staff Recommendation: To grant neighborhood commercial-mixed use (LR-MU) combining district zoning. Zoning and Platting Commission Recommendation: To grant neighborhood commercial-mixed use (LR-MU) combining district zoning. Owner/Applicant: Continental Homes of Texas, LP (Richard Maier). Agent: Alice Glasco Consulting (Alice Glasco). City Staff: Sherri Sirwaitis, 512-974-3057.

**The public hearing was conducted and the motion to close the public hearing and adopt Ordinance No. 20140612-110 for neighborhood commercial-mixed use (LR-MU) combining district zoning was approved on consent on Council Member Spelman's motion, Mayor Leffingwell's second on a 7-0 vote.**

111. C14-2014-0047 - Overlook at Spicewood Springs - Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 4920 Spicewood Springs Road (Bull Creek Watershed) from single family residence-standard lot (SF-2) district zoning to general office (GO) district zoning. Staff Recommendation: To grant general office-conditional overlay (GO-CO) combining district zoning, with conditions. Zoning and Platting Commission Recommendation: To grant general office-conditional overlay (GO-CO) combining district zoning, with conditions. Owner/Applicant: Joseph Benford and Richard A. Haberman Trust (Danny Haberman). Agent: CIVILE, LLC (Lawrence M. Hanrahan). City Staff: Sherri Sirwaitis, 512-974-3057.

**This item was postponed on consent to August 7, 2014 at the neighborhood association's request on Council Member Spelman's motion, Mayor Leffingwell's second on a 7-0 vote.**

112. C14-2014-0048 - Hymeadow - Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by zoning property locally known as 12416 Hymeadow Drive (Lake Creek Watershed) from interim-rural residence (I-RR) district zoning to general office (GO) district zoning. Staff Recommendation: To grant general office (GO) district zoning. Zoning and Platting Commission Recommendation: To grant general office (GO) district zoning. Owner/Applicant: Hymeadow Holdings, LLC (Chris Cottman). Agent: Garrett-Ihnen Civil Engineers (Norman Raven Divine). City Staff: Sherri Sirwaitis, 512-974-3057.

**The public hearing was conducted and the motion to close the public hearing and adopt Ordinance No. 20140612-112 for general office (GO) district zoning was approved on consent on Council Member Spelman's motion, Mayor Leffingwell's second on a 7-0 vote.**

113. C14-2014-0064 - Commodore Perry Estate - Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 710 East 41st Street (Waller Creek Watershed) from community commercial-mixed use-conditional overlay-neighborhood plan (GR-MU-CO-NP) combining district zoning for Tracts 1 and 2, and community commercial-mixed use-conditional overlay-historic landmark-neighborhood plan (GR-MU-CO-H-NP) combining district zoning for Tract 1A to community commercial-mixed use-conditional overlay-neighborhood plan (GR-MU-CO-NP) combining district zoning for Tracts 1 and 2, and community commercial-mixed use-conditional overlay-historic landmark-neighborhood plan (GR-MU-CO-H-NP) combining district zoning for Tract 1A, to change conditions of zoning. Staff Recommendation: To grant community commercial-mixed use-conditional overlay-neighborhood plan (GR-MU-CO-NP) combining district zoning for Tracts 1 and 2, and community commercial-mixed use-conditional overlay-historic landmark-neighborhood plan (GR-MU-CO-H-NP) combining district zoning for Tract 1A, to change conditions of zoning. Planning

Commission Recommendation: To grant community commercial-mixed use-conditional overlay-neighborhood plan (GR-MU-CO-NP) combining district zoning for Tracts 1 and 2, and community commercial-mixed use-conditional overlay-historic landmark-neighborhood plan (GR-MU-CO-H-NP) combining district zoning for Tract 1A, to change conditions of zoning. Owner: Perry Estate, LLC (Clark Lyda). Applicant: Metcalfe, Wolff, Stuart & Williams, LLP (Michelle Rogerson Lynch). City Staff: Lee Heckman, 512-974-7604.

**This item was postponed on consent to June 26, 2014 at the applicant's request on Council Member Spelman's motion, Mayor Leffingwell's second on a 7-0 vote.**

#### **BRIEFING ON PLANNED UNIT DEVELOPMENT ASSESSMENTS**

114. CD-2014-0005.SH - Development Assessment of Colony Park Sustainable Community Initiative Planned Unit Development, located at Loyola Lane and Wentworth Drive, within the Walnut Creek Watershed - Desired Development Zone.

**This item was postponed to June 26, 2014 on Council Member Spelman's motion, Mayor Leffingwell's second on a 7-0 vote.**

**Mayor Leffingwell recessed the Council Meeting and called the Board of Directors' Meeting of the Austin Housing Finance Corporation to order at 4:00 p.m. See separate minutes.**

**Mayor Leffingwell called the Council Meeting back to order at 4:01 p.m.**

**Mayor Leffingwell recessed the Council Meeting and called the Board of Directors' Meeting of the Tax Increment Financing Reinvestment Zone #15 to order at 4:01 p.m. See separate minutes.**

**Mayor Leffingwell called the Council Meeting back to order at 4:02 p.m.**

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

117. Conduct a public hearing and consider the Republic Square Master Plan which covers an area bounded by San Antonio, 5th, Guadalupe and 4th streets. Related to Item #30.

**The public hearing was conducted and the motion to close the public hearing and approve the Republic Square Master Plan was approved with the following friendly amendment on Mayor Pro Tem Cole's motion, Council Member Spelman's second on a 7-0 vote.**

**A friendly amendment was made by Council Member Tovo to include the following language. The amendment was accepted by the maker of the motion and Council Member Spelman, who made the second.**

**"The City Manager is directed to use good faith efforts to ensure that Republic Square Park programming and amenities (such as permanent or temporary interactive art installations) will afford children and others opportunities for active and engaged play."**

#### **DISCUSSION ITEMS CONTINUED**

30. Authorize negotiation and execution of a 15 year parkland improvement agreement between the City and Austin Parks Foundation for the development and management of Republic Square Park. Related to Item #117.

**The motion authorizing the negotiation and execution of a parkland improvement agreement between the City and Austin Parks Foundation was approved with the following friendly amendment on Mayor Pro Tem Cole's motion, Council Member Spelman's second on a 7-0 vote.**

**There was a friendly amendment made by Council Member Morrison to negotiate only and to come back to Council on August 7, 2014. The amendment was accepted by the maker of the motion and Council Member Spelman, who made the second.**

#### **DISCUSSION ITEMS CONTINUED**

42. Authorize award and execution of four 36-month requirements supply contracts with BRIDGESTONE AMERICANS, INC. DBA GCR TIRE CENTERS, HESSELBEIN TIRE SOUTHWEST, INC., KANDO PARTNERS DBA KLINGEMANN AMERICAN CAR CARE CENTER, AND YOUNGBLOOD AUTOMOTIVE & TIRE, LLC to provide tires and tubes in a total amount not to exceed \$4,833,807 each and combined, with three 12-month extension options in a total amount not to exceed \$1,611,269 per extension option each and combined, for a total contract amount not to exceed \$9,667,614 each and combined; or consistent with the City's authority under statute to consider a bidder's local presence in awarding contracts, authorize award and execution of three 36-month requirements supply contracts with BRIDGESTONE AMERICANS INC. DBA GCR TIRE CENTERS, KANDO PARTNERS DBA KLINGEMANN AMERICAN CAR CARE CENTER, AND YOUNGBLOOD AUTOMOTIVE & TIRE, LLC to provide tires and tubes in a total amount not to exceed \$4,845,663 each and combined, with three 12-month extension options in a total amount not to exceed \$1,615,221 per extension option each and combined, for a total contract amount not to exceed \$9,691,326 each and combined.

**The motion authorizing the award and execution of four requirements supply contracts with: Bridgestone Americans, Inc. doing business as GCR Tire Centers; Kando Partners doing business as Klingemann American Car Care Center; and Youngblood Automotive & Tire, LLC was approved on Council Member Riley's motion, Council Member Spelman's second on a 7-0 vote.**

50. Authorize award and execution of a 36-month requirements supply agreement with TBFC, LLC dba EZ HOLIDAY LIGHTS to provide tree lighting and maintenance services for the Economic Development Department, in an amount not to exceed \$117,600 with three 12-month extension options in amounts not to exceed \$39,200 for each extension option, for a total contract amount not to exceed \$235,200. (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 supply agreement with TBFC, LLC doing business as EZ Holiday Lights was approved on Council Member Spelman's motion, Council Member Martinez' second on a 7-0 vote.**

57. Approve a resolution directing the City Manager to plan for full cost recovery of Austin Energy line extensions, with an exemption for certain affordable housing, beginning October 1, 2014. (Notes: SPONSOR: Council Member Kathie Tovo CO 1: Council Member Laura Morrison CO 2: Council Member Mike Martinez)

**Resolution No. 20140612-057 was approved on Council Member Tovo's motion, Council Member Martinez' second on a 7-0 vote.**

58. Approve a resolution directing the City Manager to negotiate and execute an agreement with The Trail Foundation in which The Trail Foundation coordinates with City departments to develop a Butler Trail Public Art Plan Overlay and to suspend the receipt of commissioned or donated new permanent artwork for the Butler Trail until completion of the Butler Trail Public Art Plan Overlay. (Notes: SPONSOR: Mayor Pro Tem Sheryl Cole CO 1: Mayor Lee Leffingwell)

**There was a motion made by Mayor Pro Tem Cole and seconded by Mayor Leffingwell to approve the resolution.**

**The following friendly amendment was made by Council Member Morrison and accepted by the maker of the motion and Mayor Leffingwell, who made the second.**

- add a bullet to the end of the first “Be It Resolved” in the resolution to read, “Engagement of community stakeholders such as park and trail users, public artists and design professionals, adjacent neighborhood and development representatives, and special area interests groups;”

There was a friendly amendment made by Council Member Morrison to strike the execute part in the second “Be it Resolved” and say “the City Manager is authorized to negotiation the agreement and bring the agreement back to Council for execution within 90 days.” and include the language “the City may apply for grant funds and pursuit.” The amendment was not accepted by the maker of the motion.

There was a friendly amendment made by Council Member Morrison to strike the words “and execute” and ask that the resolution come back August 7, 2014. The amendment was accepted by the maker of the motion and Mayor Leffingwell, who made the second.

There was a friendly amendment made by Council Member Morrison to amend the last line of the second “Be it Further Resolved:” to strike the words “or use”. The amendment was not accepted by the maker of the motion.

There was an amendment made by Council Member Morrison and second by Council Member Tovo to amend the last line of the second “Be it Further Resolved:” to strike the words “or use”. The amendment was later withdrawn by Council Member Morrison.

There was an amendment made by Council Member Morrison and seconded by Council Member Martinez to strike the final “Be It Resolved” in the resolution. The amendment failed on a 2-5 vote. Those voting aye were: Council Members Morrison and Martinez. Those voting nay were: Mayor Leffingwell, Mayor Pro Tem Cole and Council Members Riley, Spelman and Tovo.

There was an amendment made by Council Member Martinez and seconded by Council Member Morrison to allow the homeless memorial statute that is currently in the process to continue and eventually make its way to Council with or without a staff recommendation. The amendment passed on a vote of 4-3. Those voting aye were: Council Members Martinez, Morrison, Riley and Tovo. Those voting nay were: Mayor Leffingwell, Mayor Pro Tem Cole and Council Member Spelman.

There was a friendly amendment made by Council Member Tovo to add language in the last “Be it Therefore Resolved” after the clause “the completion of the butler trail public art plan overlay” that reads, “but for a period not to exceed one year from today”. The amendment was accepted by the maker of the motion and Mayor Leffingwell, who made the second.

Resolution No. 20140612-058 was approved with the friendly amendments and amendments listed above on Mayor Pro Tem Cole’s motion, Mayor Leffingwell’s second on a 7-0 vote.

70. Approve a resolution directing the City Manager to create a transition plan for newly-elected Council Members that includes temporary office space located in each Council district, access to City e-mail, and inclusion on the City's website, and provide the transition plan to Council by October 2, 2014. (Notes: SPONSOR: Council Member Mike Martinez CO 1: Council Member Chris Riley CO 2: Council Member Kathie Tovo)

Resolution No. 20140612-070 was approved with the following friendly amendment on Council Member Martinez’ motion, Council Member Spelman’s second on a 6-1 vote. Mayor Leffingwell voted nay.

There was a friendly amendment made by Council Member Spelman to have the “Be it Resolved by the City Council of the City of Austin:” read, “The City Manager is directed to develop a

transition plan whereby newly elected Council Members are provided an opportunity, if they so choose, to have no-cost, temporary office space provided in their respective districts during the transition period that is ADA accessible, is on or near public transit, and has free parking available; and are provided with a City e-mail address and a page on the City's website for posting contact information and office hours within one week of having been elected. The City Manager is directed to provide the proposed transition plan to Council no later than October 2, 2014." The amendment was accepted by the maker of the motion.

There was a friendly amendment made by Council Member Spelman to have the first "Whereas" read: "Whereas, in the City's general election on November 4, 2014, and its December 16, 2014 runoff, if needed, 10 Council Members will be elected from respective single-member districts, and those person elected will be sworn in on January 6, 2015 (The Transition Period – November 5, 2014 through January 6, 2015); and".

#### **ACTION ON ITEM(S) WITH CLOSED PUBLIC HEARINGS**

82. Approve second and third readings of an ordinance to consider amending sections of City Code Chapters 25-1, 25-2, 25-5, 25-7 and 25-8 relating to Lake Austin (LA) District zoning regulations and general regulations for boat dock and shoreline development. (THE PUBLIC HEARING FOR THIS ITEM WAS HELD AND CLOSED ON MAY 15, 2014.) Related to Item #83.

There was a motion made by Council Member Morrison to approve the ordinance. The motion died for lack of a second.

The second reading of the ordinance was approved with the following friendly amendment on Council Member Riley's motion, Council Member Spelman's second on a 6-1 vote. Mayor Leffingwell voted nay. Council Member Tovo recused herself from the following sections of the ordinance:

Part 2, City Code Section 25-2-551(B)(3)(Lake Austin (LA) District Regulations); Part 3, City Code Section 25-2-893(G") and (H) (Accessory Uses for a Principal Residential Use); Part 4, Subsection (D) of City Code Section 25-2-963 (Modification and Maintenance of Noncomplying Structures); Part 5, City Code Section 25-2-964 (C) (Restoration and Use of Damaged or Destroyed Noncomplying Structures); Part 7, City Code Section 25-2-1172(2) and (3) Definitions); Part 8, City Code Section 25-2—1173(A), (B), and (C) (Permit Required for Construction); Part 9, City Code Section 25-2-1174(A), (B), and (C) (Structural Requirements); Part 10, City Code Section 25-2-1175(B) and (C) (Lighting and 28 Electrical Requirements); Part 11. City Code Section 25-2-1176(A) (Regulations); Part 12, City Code Section 25-2-1177(A), (B), and (C) (Dock Exempt from City Licensing); Part 13, City Code Chapter 25-2-1179(A) and (B) (Docks, Bulkheads, and 14 Shoreline Access); Part 15, City Code Section 25-5-2(A) and (L) and new Subsection (M) (Site Plan Exemptions); Part 16, City Code Section 25-5-3(B) (Small Projects); Part 18, City Code Section 25-7-96(B)(2)(ii) (Exceptions in the 25-Year 7 Floodplain); Part 21, City Code Section 25-8-261(C)(1) and (4) (Critical Water Quality Zone Development); and Part 22, City Code Section 25-8-652(A), (B), (C), (D), and (E) (Fills at Lake Austin, Lady Bird Lake, and Lake Walter E. Long).

There was a friendly amendment made by Council Member Morrison to take the ordinance back to having variances go to the Land Use Commission. The amendment was accepted by the maker of the motion and Council Member Spelman, who made the second.

83. Approve second and third readings of an ordinance amending City Code Chapter 25-2 to create a Lake Austin (LA) district zoning overlay extending environmental protections from the LA base zoning district to certain properties within 1,000 feet of Lake Austin. (THE PUBLIC HEARING FOR THIS ITEM WAS HELD AND CLOSED ON MAY 15, 2014.) Related to Item #82.

The second reading of the ordinance was approved on Council Member Riley's motion, Council Member Morrison's second on a 7-0 vote.

Action was taken on item 84 but was reconsidered. See below.

84. Approve third reading of an ordinance amending City Code Chapter 25-1 to add a new Article 12, Divisions 2 and 3, and second and third reading of the remaining provisions of the same ordinance amending City Code Chapter 25-1, 25-4, 25-5, and 30-2, related to vested development rights and continuing use rights under the Texas Local Government Code and the regulation of subdivision plats. There was a motion made by Council Member Spelman and seconded by Council Member Morrison to approve the ordinance.

There was an amendment made by Council Member Spelman and seconded by Council Member Riley to amend Section 25-1-552, at page 11 of the ordinance by deleting Subsections (B), (C), (E), (F), (G), and (H), and adding a new Subsection (B) to read as follows, and re-designate Subsection (D) as Subsection (C). Subsection (B) should read, "Except as provided in Subsection (C) of this section or in Section 25-1-551 (Expirations Generally), a project expires nine years after the vesting date approved for the project under Section 25-1-541 (Vested Rights Determination)." The amendment passed on a 4-3 vote. Those voting aye were: Mayor Leffingwell and Council Members Martinez, Riley, and Spelman. Those voting nay were: Mayor Pro Tem Cole and Council Members Morrison and Tovo.

Ordinance No. 20140612-084 was approved with the amendment listed above on Council Member Spelman's motion, Council Member Morrison's second on a 7-0 vote.

A motion to reconsider and amend item 84 by adding the following amendment to the action listed above was approved on Council Member Spelman's motion, Council Member Morrison's second on a 6-1 vote. Council Member Tovo voted nay.

The amendment was to add a new part 12 to the original motion that would say "an application for a Project Consent Agreement submitted within the month of June does not require a review by the Land Use Commission or the Environmental Board"

Mayor Leffingwell recessed the Council Meeting for Live Music and Proclamations at 5:33 p.m.

### Live Music

SaulPaul

### PROCLAMATIONS

Presentation of the Mayor's Health and Fitness Council's Partner Certificates -- to be presented by Mayor Lee Leffingwell and Lou Earle and to be accepted by the seven honorees

Proclamation -- COA's Creative Ambassador Program -- to be presented by Mayor Lee Leffingwell and to be accepted by SaulPaul

Certificates of Appreciation -- City Staff for Online District Map project -- to be presented by Mayor Lee Leffingwell and to be accepted by the honorees

Distinguished Service Awards -- Open Space Acquisition Team -- to be presented by Council Member Kathie Tovo and to be accepted by the honorees

Proclamation -- Puro Chingon Collective -- to be presented by Council Member Mike Martinez and to be accepted by Claudia Aparicio-Gamundi



Proclamation -- Armor Up -- to be presented by Council Member Mike Martinez and to be accepted by Lorian Hernandez Aldama

Proclamation -- Fathers Day Parade -- to be presented by Council Member Mike Martinez and to be accepted by Mona Gonzalez

Proclamation -- Austin Pets Alive! Love Your Rescue Pet Day -- to be presented by Council Member Mike Martinez and to be accepted by Ellen Jefferson

**Mayor Leffingwell called the Council Meeting back to order at 7:10 p.m.**

### **DISCUSSION ITEMS CONTINUED**

28. Approve the negotiation and execution of an encroachment agreement allowing ST. DAVID'S COMMUNITY HEALTH FOUNDATION INITIATIVES the limited right to long-term encroachment of public right-of-way at 1303 San Antonio Street, Austin, Texas.

**The motion authorizing the negotiation and execution of an encroachment agreement was approved on Council Member Martinez' motion, Council Member Morrison's second on a 4-0 vote. Council Member Spelman was off the dais. Council Members Riley and Tovo recused themselves.**

### **ZONING DISCUSSION ITEMS**

**Items 93 and 94 were acted on in a combined motion.**

93. NPA-2014-0027.01 - 2208 Lake Austin Blvd. - Conduct a public hearing and approve an ordinance amending Ordinance No. 20100923-102, the Central West Austin 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 2208 Lake Austin Boulevard (Johnson Creek Watershed, Lady Bird Lake Watershed) from Neighborhood Commercial to Neighborhood Mixed Use land use. Staff Recommendation: To grant Neighborhood Mixed Use land use. Planning Commission Recommendation: To forward to City Council without a recommendation. Owner/Applicant: 2208 Lake Austin L.L.C. (Vance Elliott). Agent: Alice Glasco Consulting (Alice Glasco). City Staff: Maureen Meredith, 512-974-2695.

**This item was postponed indefinitely on Council Member Spelman's motion, Council Member Riley'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: Council Members Morrison and Tovo. (Under City Code, items postponed indefinitely are withdrawn from the active agenda and must be re-noticed before being placed back on the council agenda.)**

94. C14-2014-0015 - 2208 Lake Austin Boulevard - Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 2208 Lake Austin Boulevard ((Johnson Creek Watershed, Lady Bird Lake Watershed) from limited office-neighborhood plan (LO-NP) combining district zoning to limited office-mixed use-neighborhood plan (LO-MU-NP) combining district zoning. Staff Recommendation: To grant limited office-mixed use-conditional overlay-neighborhood plan (LO-MU-CO-NP) combining district zoning. Planning Commission Recommendation: To forward to City Council without a recommendation. Owner/Applicant: 2208 Lake Austin, LLC (Vance Elliott). Agent: Alice Glasco Consulting (Alice Glasco). City Staff: Sherri Sirwaitis, 512-974-3057. A valid petition has been filed in opposition to this rezoning request.

**This item was postponed indefinitely on Council Member Spelman's motion, Council Member Riley'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: Council Members Morrison and Tovo. (Under City Code, items postponed indefinitely are withdrawn from the active agenda and must be re-noticed before being placed back on the council agenda.)**

95. C14-80-016(RCT) - 2208 Lake Austin Restrictive Covenant Termination - Conduct a public hearing and approve a restrictive covenant termination for the property locally known as 2208 Lake Austin Boulevard (Johnson Creek Watershed, Lady Bird Lake Watershed) to terminate a restrictive covenant to remove the requirement that the property be restricted to professional office use only and operate during professional office hours only. Staff Recommendation: To grant the restrictive covenant termination. Planning Commission Recommendation: To grant the restrictive covenant termination. Owner/Applicant: 2208 Lake Austin, LLC (Vance Elliott). Agent: Alice Glasco Consulting (Alice Glasco). City Staff: Sherri Sirwaitis, 512-974-3057.
- The public hearing was conducted and the motion to close the public hearing and approve the restrictive covenant termination was approved on Mayor Pro Tem Cole's motion, Council Member Spelman's second on a 7-0 vote.**

#### **DISCUSSION ITEMS CONTINUED**

122. Approve a resolution directing the City Manager to accept the donation of the structure formerly located at 93 Rainey street from Austin Rainey St. D/E/P, LLC, for use as the Rainey Street History Center in accordance with the public purpose identified in Ordinance No. 20131024-010; to identify possible permanent locations within the Rainey Street District for the structure; and to present the plans for the history center to the Parks and Recreation Board, Mexican American Cultural Center Advisory Board, and the Waller Creek Conservancy. (Notes: SPONSOR: Council Member Mike Martinez CO 1: Council Member Laura Morrison CO 2: Council Member Kathie Tovo)
- Resolution No. 20140612-122 was approved with the following friendly amendment on Council Member Martinez' motion, Council Member Morrison's second on a 7-0 vote.**

**There was a friendly amendment made by Council Member Riley to amend the "Be it Resolved by the City Council of the City of Austin" to read, "The City Manager is directed to accept the donation of the structure formerly located at 93 Rainey Street from Austin Rainey St. D/E/P, LLC, a Delaware Limited Liability Company, for use as the Rainey Street History Center in accordance with the public purpose identified in Ordinance No. 20131024-010; to identify a location within the Rainey Street District within 90 days; to place the structure permanently on the new site within 90 days of location selection; and to present the plans for the history center to the Parks and Recreation Board, the Emma S. Barrientos Mexican American Cultural Center Advisory Board, the Rainey Neighbors Association, the Hispanic/Latino Quality of Life Resource Advisory Commission, and the Waller Creek Conservancy.**

**The City Manager is further directed to refurbish the house to current code within 365 days, using funds from the Rainey Street District Fund, as they become available, and to report options for funding the operation of the Rainey Street History Center within 90 days."**

**The amendment was accepted by the maker of the motion and Council Member Morrison, who made the second.**

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

119. Conduct a public hearing and consider an ordinance adopting the City of Austin Complete Streets Policy which promotes roads that are designed to safely accommodate necessary street functions for all users.
- The public hearing was conducted and the motion to close the public hearing and approve Ordinance No. 20140612-119 was approved on Council Member Riley's motion, Council Member Martinez' second on a 7-0 vote.**
120. Conduct a public hearing and consider an ordinance naming the parkland located at 3000 Del Curto Road.

There was a motion made by Council member Morrison and seconded by Council Member Martinez to leave the public hearing open and postpone this item to June 26, 2014 and the neighborhood association was asked to take a vote between Del Curto and South Lamar Neighborhood. Direction was given to staff to take this item back to the Parks Board on June 22, 2014. The motion passed on a vote of 7-0.

### **ZONING DISCUSSION ITEMS CONTINUED**

96. C14-2013-0081 - Apostolic 1.5 - Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 517 East Oltorf Street (Blunn Creek Watershed) from single family residence-standard lot-neighborhood plan (SF-2-NP) combining district zoning to community commercial-conditional overlay-neighborhood plan (GR-CO-NP) combining district zoning, as amended. Staff Recommendation: To grant community commercial-conditional overlay-neighborhood plan (GR-CO-NP) combining district zoning, as amended, with conditions. Planning Commission Recommendation: To deny general office-conditional overlay-neighborhood plan (GO-CO-NP) combining district zoning, with conditions. Owner: Apostolic Assembly of the Faith in Christ Jesus, Inc. (Frank Balboa). Applicant: Jim Bennett Consulting (Jim Bennett). City Staff: Lee Heckman, 512-974-7604.

**The public hearing was conducted and the motion to close the public hearing and adopt the first reading of the ordinance for community commercial-conditional overlay-neighborhood plan (GR-CO-NP) combining district zoning, with conditions was approved on Council Member Riley's motion, Council Member Spelman's second on a 4-3 vote. Those voting aye were: Mayor Leffingwell, Mayor Pro Tem Cole and Council Members Riley and Spelman. Those voting nay were: Council Members Martinez, Morrison and Tovo.**

**The conditions were:**

- A prohibition on all uses other than the civic uses that are allowed in SF-2
- Water quality improvements installing rain garden to treat runoff and provide a diverter
- Impervious cover of 85% subject to revisiting on 2<sup>nd</sup> reading
- Height limit of 35 feet
- File a neighborhood traffic analysis
- Trip limitation of 1,100
- Additional improvements to bring driveway up to standards
- Square footage limitation

**The motion to waive the rules and allow Council to meet after 10 p.m. was approved on Council Member Martinez' motion, Council Member Spelman's second on a 7-0 vote.**

101. C14-2014-0003 - 1307 Waller Street - Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 1307 Waller Street (Waller Creek Watershed) from family residence-neighborhood plan (SF-3-NP) combining district zoning to single family residence (small lot)-neighborhood plan (SF-4A-NP) combining district zoning. Staff Recommendation: To grant single family residence (small lot)-conditional overlay-neighborhood plan (SF-4A-CO-NP) combining district zoning. Planning Commission Recommendation: To deny single family residence (small lot)-neighborhood plan (SF-4A-NP) combining district zoning. Owner: Blake and Toria English; Applicant: McLean & Howard, LP (Katie Van Dyk). City Staff: Heather Chaffin, 512-974-2122.

**The public hearing was conducted and the motion to close the public hearing and adopt the first reading of the ordinance for single family residence (small lot)-neighborhood plan (SF-4A-NP) combining district zoning was made by Council Member Spelman and seconded by Mayor Pro Tem Cole's. The motion failed on a vote of 3-4. Those voting aye were: Mayor Leffingwell, Mayor Pro Tem Cole and Council Member Spelman. Those voting nay were: Council Members Martinez, Morrison, Riley and Tovo. Direction was given to staff to try to pursue an agreement between the neighborhood and applicant along the following lines:**

- The brick work in the front yard be removed and replace with landscaping
- The concrete on the side yard be removed and replaced with something which is purvious
- Legal parking spot be made available towards the back of the house next to the pool
- A process where Ms. English would be assured that if she parks in the street and not in the back legal parking space Code Compliance will not be called to give a ticket due to this
- The neighborhood would support any variances necessary in order to kosher all the things that happened in the back yard

102. C14-2014-0025 - Briley's Upholstery Shop - Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 2117 and 2119 Northland Drive (Shoal Creek Watershed) from family residence (SF-3) district zoning to community commercial-mixed use-conditional overlay (GR-MU-CO) combining district zoning for Tract 1 and limited office-mixed use-conditional overlay (LO-MU-CO) combining district for Tract 2. Staff Recommendation: To grant community commercial-mixed use-conditional overlay (GR-MU-CO) combining district zoning for Tract 1 and limited office-mixed use-conditional overlay (LO-MU-CO) combining district zoning for Tract 2. Zoning and Platting Commission Recommendation: To grant community commercial-mixed use-conditional overlay (GR-MU-CO) combining district zoning for Tract 1 and neighborhood office-mixed use-conditional overlay (NO-MU-CO) combining district zoning for Tract 2. Owner/Applicant: Austin RJM Corporation, dba Briley's Upholstery Shop (Rebecca J. McKee). Agent: Permit Partners, LLC (David Cancialosi). City Staff: Wendy Rhoades, 512-974-7719.

**The public hearing was conducted and the motion to close the public hearing and adopt the first reading of the ordinance for grant community commercial-mixed use-conditional overlay (GR-MU-CO) combining district zoning for Tract 1 and neighborhood office-mixed use-conditional overlay (NO-MU-CO) combining district zoning for Tract 2 was approved on Council Member Spelman's motion, Council Member Martinez' second on a 6-1 vote. Council Member Tovo voted nay.**

104. C14-2014-0029 - Central Charm - Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 2121 Northland Drive (Shoal Creek Watershed) from family residence (SF-3) district zoning to neighborhood commercial-mixed use (LR-MU) combining district zoning, as amended. Staff Recommendation: To grant limited office-mixed use-conditional overlay (LO-MU-CO) combining district zoning. Zoning and Platting Commission Recommendation: To grant neighborhood office-mixed use-conditional overlay (NO-MU-CO) combining district zoning. Owner/Applicant: Keri Golden. City Staff: Wendy Rhoades, 512-974-7719.

**The public hearing was conducted and the motion to close the public hearing and adopt the first reading of the ordinance for neighborhood office-mixed use-conditional overlay (LR-MU-CO) combining district zoning with conditions was approved on Council Member Spelman's motion, Mayor Pro Tem Cole'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. Direction was given to staff to look further into the Cottage Industry authority and report back to Council on second reading.**

**The conditions were:**

- with (NO) site development standards,
- (NO) uses
- two LR uses allowed, food sales and general retail sales convenience
- limitation of 300 trips per day

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

118. Conduct a public hearing under Section 2306.67071, Texas Government Code and Title 10, Section 10.204(4), Texas Administrative Code and consider an application and a resolution to be submitted to the Texas Department of Housing and Community Affairs by Lowden Housing, LP for a proposed affordable rental development to be financed with tax-exempt bonds, to be called the Lowden Lane Apartments, located in the City's extraterritorial jurisdiction at 12701 Lowden Lane, Manchaca, Texas.

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

121. Conduct a public hearing and consider an ordinance regarding floodplain variances for development of a mixed-use building and associated parking at 801 Barton Springs Road that encroaches within the 25-year and 100-year floodplains of East Bouldin Creek.

There was a motion made by Mayor Pro Tem Cole and seconded by Council Member Morrison to deny the floodplain variances. The motion was later withdrawn by Mayor Pro Tem Cole.

The public hearing was conducted and the motion to close the public hearing and approve Ordinance No. 20140612-121 was approved on Council Member Spelman's motion, Mayor Leffingwell'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.

### DISCUSSION ITEMS CONTINUED

62. Approve a resolution initiating amendments to City Code Title 25 to reduce regulatory barriers to accessory dwelling units that are less than 500 square feet, including but not limited to eliminating parking and driveway requirements; and directing the City Manager to convene a stakeholder process for additional recommendations. (Notes: SPONSOR: Council Member Chris Riley CO 1: Council Member Mike Martinez CO 2: Mayor Lee Leffingwell)

Resolution No. 20140612-062 was approved with the following amendments and direction on Council Member Riley's motion, Council Member Martinez' second on a 4-3 vote. Those voting aye were: Mayor Leffingwell and Council Members Martinez, Riley and Spelman. Those voting nay were: Mayor Pro Tem Cole and Council Member Morrison and Tovo.

Mayor Pro Tem Cole made a friendly amendment to direct the City Manager to consider the ADUs as part of the CodeNext project. The amendment was not accepted by Council Member Riley the maker of the motion.

There was a motion made by Mayor Pro Tem Cole and seconded by Council Member Morrison to amend section four of the resolution to read, "The City Manager is directed to consider these recommendations as part of the CodeNext Project". The motion failed on a vote of 3-4. Those voting aye were: Mayor Pro Tem Cole and Council Members Morrison and Tovo. Those voting nay were: Mayor Leffingwell and Council Members Martinez, Riley and Spelman.

Direction was given to staff to provide an opinion on if it would be consistent with Imagine Austin to adopt an ordinance that implemented these units across the city.

There was a friendly amendment made by Council Member Tovo to amend the "Be it Resolved by the City Council of the City of Austin" section of the resolution to have it read as follows: The amendment was not accepted by the maker of the motion.

1. The City Council initiates a stakeholder process, to be convened and facilitated by the City Manager with appointments from the City Council, to discuss creating neighborhood plan infill options that would reduce regulatory barriers to the development of ADUs that are less than 500 square feet in size and located on a lot containing at least one owner-occupied structure, whether principal or accessory.

2. The infill tools might include eliminating parking and driveway requirements for ADUs of less than 500 square feet as an option that could be included within neighborhood plans. The infill tools will not modify existing regulations related to height, impervious cover, or setbacks.

3. The stakeholder process may also include discussion of additional neighborhood plan infill options for ADUs of any size.
4. The City Manager is directed to present the results of the stakeholder process to the City Council within 120 days.

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

1. The City Council initiates a stakeholder process, to be convened and facilitated by the City Manager with appointments from the City Council, to discuss creating neighborhood plan infill options that would reduce regulatory barriers to the development of ADUs that are less than 500 square feet in size and located on a lot containing at least one owner-occupied structure, whether principal or accessory.
2. The infill tools might include eliminating parking and driveway requirements for ADUs of less than 500 square feet as an option that could be included within neighborhood plans. The infill tools will not modify existing regulations related to height, impervious cover, or setbacks.
3. The stakeholder process may also include discussion of additional neighborhood plan infill options for ADUs of any size.
4. The City Manager is directed to present the results of the stakeholder process to the City Council within 120 days.

There was a friendly amendment made by Council Member Tovo to amend the “Be it Resolved by the City Council of the City of Austin” section of the resolution to have it read as follows. The amendment was not accepted by the maker of the motion.

“1. The City Council initiates amendments to Title 25 of the City Code and directs the City Manager to develop neighborhood plan infill options that reduces regulatory barriers to the development of ADUs that are less than 500 square feet in size and located on a lot containing at least one owner-occupied structure, whether principal or accessory.

2. The infill tools should include, but need not be limited to, eliminating parking and driveway requirements.”

Delete subsections b and c of section 3, add “The stakeholder process will not consider changes to height, impervious cover, or setbacks.” and renumber accordingly.

“4. The City Manager is directed to present the results of the stakeholder process to the City Council within 120 days.” The amendment was not accepted by the maker of the motion.

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

There was a friendly amendment made by Council Member Tovo to amend the “Be it Resolved by the City Council of the City of Austin” section of the resolution to have it read as follows:

“1. The City Council initiates amendments to Title 25 of the City Code and directs the City Manager to develop neighborhood plan infill options that reduces regulatory barriers to the development of ADUs that are less than 500 square feet in size and located on a lot containing at least one owner-occupied structure, whether principal or accessory.

2. The infill tools should include, but need not be limited to, eliminating parking and driveway requirements.”

Delete subsections b and c of section 3, add “The stakeholder process will not consider changes to height, impervious cover, or setbacks.” and renumber accordingly.

“4. The City Manager is directed to present the results of the stakeholder process to the City Council within 120 days.”

There was a friendly amendment made by Council Member Spelman to add the following language to number 1 of the “Be it Resolved by the City Council of the City of Austin” section of the ordinance. The amendment was accepted by the maker of the motion and Council Member Martinez, who made the second.

The language should read, “The ordinance could be applied citywide or enfield options.”

There was a friendly amendment made by Council Member Spelman to add the following language to number 3 of the “Be it Resolved by the City Council of the City of Austin” section of the ordinance. The amendment was accepted by the maker of the motion and Council Member Martinez, who made the second.

The language should read, “Construction of this ordinance should take into account the effect of similar ordinance in peer cities on the supply of housing, particularly affordable housing, and on the character of single-family neighborhoods.”

68. Approve a resolution directing the City Manager to prepare two separate items for consideration during the Fiscal Year 2014-15 budget process to fund two capital improvement projects that would expand kennel space at the Austin Animal Center. (Notes: SPONSOR: Council Member Mike Martinez CO 1: Council Member Laura Morrison CO 2: Council Member Chris Riley)  
**Resolution No. 20140612-068 was approved on Council Member Martinez’ motion, Council Member Morrison’s second on a 7-0 vote.**

60. Approve a resolution directing the City Manager to initiate and expedite the master planning process for Lamar Beach Metro Park and to include public discussion regarding the Pressler Street extension and ensure that nonprofits currently operating at Lamar Beach Metro Park are provided the opportunity to continue their services at Lamar Beach Metro Park after the master planning process is complete. (Notes: SPONSOR: Council Member Mike Martinez CO 1: Council Member Laura Morrison)  
**Resolution No. 20140612-060 was approved with the following amendment on Council Member Martinez’ motion, Council Member Morrison’s second on a 7-0 vote.**

There was a friendly amendment made by Council Member Spelman to amend the first “Be It Further Resolved” to read “The City Manager is directed to initiate and expedite the master planning process for Lamar Beach Metro Park so that the process is completed by August 2015 with status updates in November 2014 and May 2015. The amendment was accepted by the maker of the motion and Council Member Morrison, who made the second.

There was a friendly amendment made by Council Member Spelman to strike from the second “Be It Resolved” the wording “which works to maintain partners operating on this site,”. The amendment was not accepted by the maker of the motion.

There was a friendly amendment made by Council Member Spelman to strike from the fourth “Be It Resolved” the wording “prior to 50% of the final design being completed on the Pressler Street extension”. The amendment was not accepted by the maker of the motion.

There was friendly amendment made by Council Member Spelman to amend the last “Be It Resolved” to read “The City Manager is directed to address specific issues in the scope of the Lamar Beach Metro Park master plan, including environmental protection and sustainability, student safety, public amenities, alternative modal access to the park, parking options to ensure that existing partners after construction are able to continue their current services, and overall design that both serves the needs of the current partners and park users and provides public benefits while ensuring the safety of all who use the park facilities or travel through the area.” The

**amendment was accepted by the maker of the motion and Council Member Morrison, who made the second.**

64. Approve a resolution adding mandatory real estate sales disclosure and other property tax and sales tax laws that would help cities fairly raise revenue from sources other than residential property taxes to the next legislative agenda and directing the City Manager as soon as appropriate to begin building coalitions with other municipalities in the state that share a similar aim. (Notes: SPONSOR: Council Member Kathie Tovo CO 1: Council Member Laura Morrison CO 2: Council Member William Spelman)  
**Resolution No. 20140612-064 was approved on Council Member Tovo's motion, Council Member Spelman's second on a 7-0 vote.**
65. Approve a resolution directing the City Manager to file a challenge petition with the Appraisal Review Board relating to the setting of commercial property values in the City by the Travis Central Appraisal District pursuant to Chapter 41 of the Texas Tax Code. (Notes: SPONSOR: Council Member Kathie Tovo CO 1: Council Member Laura Morrison CO 2: Mayor Pro Tem Sheryl Cole)  
**Resolution No. 20140612-065 was approved with the following amendment on Council Member Tovo's motion, Council Member Morrison's second on a 7-0 vote.**

**The amendments were as follows:**

- **Amend the tenth "Whereas" to have it read, "Whereas, the Travis County Commissioners Court contemplated filing a challenge petition for commercial properties; and"**
- **Delete the last "Whereas".**
- **Add the following language.**  
**"Be it Resolved by the City Council of the City of Austin:**  
**The City Manager is directed:**
  - (a) To work with other area taxing entities and experts to compile comprehensive evidence to prepare a targeted challenge petition challenging the appraisals of categories of commercial properties that can be proved to be undervalued by the Travis County Appraisal District; and**
  - (b) To procure experts; and**
  - (c) To provide bimonthly updates to the Audit and Finance Committee and an interim report to council with Sufficient time to allow council to consider filing the challenge petition as early as possible after 2015 appraisals are complete and before the appropriate deadline in 2015."**

66. Approve a resolution directing the City Manager to develop a policy relating to property tax protests by companies that enter into economic development agreements with the City, and to present the policy for Council consideration by August 30, 2014. (Notes: SPONSOR: Council Member Kathie Tovo CO 1: Council Member Laura Morrison CO 2: Council Member Mike Martinez)  
**Resolution No. 20140612-066 was approved on Council Member Tovo's motion, Council Member Martinez' second on a 5-2 vote. Those voting aye were: Mayor Pro Tem Cole and Council Members Martinez, Morrison, Riley and Tovo. Those voting nay were: Mayor Leffingwell and Council Member Spelman.**

**Mayor Leffingwell adjourned the meeting at 3:30 a.m. without objection.**

**The minutes were approved on this the 26<sup>th</sup> day of June, 2014 on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**