

**AUSTIN CITY COUNCIL
MINUTES****REGULAR MEETING
THURSDAY, OCTOBER 23, 2014**

Invocation: Mark Washington, Human Resources Director

The following represents the actions taken by the Austin City Council in the order they occurred during the meeting. While the minutes are not in sequential order, all agenda items were discussed. The City Council of Austin, Texas, convened in a regular meeting on Thursday, October 23, 2014 at the Travis County Administration Building, 700 Lavaca Street, Commissioners Courtroom, 1st Floor, Austin, Texas.

Mayor Pro Tem Cole called the Council Meeting to order at 10:07 a.m. Mayor Leffingwell was absent.

CONSENT AGENDA

The following items were acted on by one motion.

1. Approve the minutes of the Austin City Council work session of October 21, 2014 and the regular meeting of October 23, 2014.
This item was withdrawn on consent on Council Member Spelman's motion, Council Member Morrison's second on a 6-0 vote. Mayor Leffingwell was absent.
2. Authorize the negotiation and execution of a cost participation agreement with TRANSWESTERN to reimburse the developer in an amount not to exceed \$222,531 for costs associated with the design and construction of an oversized water main and appurtenances related to Service Extension Request No. 3393 to serve the East Sixth Street mixed-use development located at 1601 E. 6th Street.
The motion authorizing the negotiation and execution of a cost participation agreement with Transwestern was approved on consent on Council Member Spelman's motion, Council Member Morrison's second on a 6-0 vote. Mayor Leffingwell was absent.
3. Authorize the negotiation and execution of a cost participation agreement with MARKETPLACE REAL ESTATE GROUP, LLC to reimburse the developer in an amount not to exceed \$302,661 for costs associated with the design and construction of an oversized wastewater main and appurtenances related to Service Extension Request No. 3429 to serve the Finspeed warehouse development located at 12801 FM 812.
The motion authorizing the negotiation and execution of a cost participation agreement with Marketplace Real Estate Group, LLC was approved on consent on Council Member Spelman's motion, Council Member Morrison's second on a 6-0 vote. Mayor Leffingwell was absent.

Items 4 and 5 were pulled for discussion

6. Approve an ordinance amending City Code Section 2-5-13 relating to the number of votes necessary to pass an ordinance on more than one reading.

Ordinance 20141023-006 was approved on consent on Council Member Spelman's motion, Council Member Morrison's second on a 6-0 vote. Mayor Leffingwell was absent.

7. Approve an ordinance amending City Code Section 2-5-71 relating to the beginning date for the regular term of a councilmember.

Ordinance 20141023-007 was approved on consent on Council Member Spelman's motion, Council Member Morrison's second on a 6-0 vote. Mayor Leffingwell was absent.

8. Approve an ordinance amending City Code Title 2 (Administration) to create an administrative hearing process for certain City Code violations.

This item was withdrawn on consent on Council Member Spelman's motion, Council Member Morrison's second on a 6-0 vote. Mayor Leffingwell was absent.

9. Authorize negotiation and execution of a construction manager-at-risk contract with HENSEL PHELPS CONSTRUCTION COMPANY for the Austin-Bergstrom International Airport terminal/apron expansion and improvements project in preconstruction phase services for the amount of \$1,720,000 with \$86,000 contingency for a total contract amount not to exceed \$1,806,000. (Notes: This contract will be awarded in compliance with 49 CFR Part 26, Disadvantaged Business Enterprise Program (DBE) by meeting the DBE Goal of 9.63% for the preconstruction phase services. Prior to entering into the construction phase, the City will establish DBE goals for construction and the Construction Manager-at-Risk will submit a compliance plan meeting the construction goals or documentation detailing their Good Faith Efforts to meet the established goals.)

The motion authorizing the negotiation and execution of a construction manager-at-risk contract with Hensel Phelps Construction Company was approved on consent on Council Member Spelman's motion, Council Member Morrison's second on a 6-0 vote. Mayor Leffingwell was absent.

10. Authorize negotiation and execution of a professional services agreement with HARUTUNIAN ENGINEERING, INC., (staff recommendation) or one of the other qualified responders to Request For Qualifications Solicitation No. CLMP152, to provide engineering services for Supervisory Control and Data Acquisition system upgrades at the Ullrich Water Treatment Plant in an amount not to exceed \$2,000,000. (Notes: This contract will be awarded in compliance with Chapter 2-9B of the City Code (Minority Owned and Women Owned Business Enterprise Procurement Program). No goals were established for this solicitation.)

The motion authorizing the negotiation and execution of a professional services agreement with Harutunian Engineering, Inc. was approved on consent on Council Member Spelman's motion, Council Member Morrison's second on a 6-0 vote. Mayor Leffingwell was absent.

Item 11 was pulled for discussion.

12. Authorize negotiation and execution of a 12-month contract with FRONT STEPS, INC., Austin, for the maintenance and operation of the Austin Resource Center for the Homeless in an amount not to exceed \$313,922 for the period of October 1, 2014 through September 30, 2015, with three 12-month renewal options in an amount not to exceed \$345,314 per renewal term, for a total contract amount not to exceed \$1,349,864.

The motion authorizing the negotiation and execution of a contract with Front Steps, Inc. was approved on consent on Council Member Spelman's motion, Council Member Morrison's second on a 6-0 vote. Mayor Leffingwell was absent.

13. Approve negotiation and execution of Amendment No. 2 for a 12-month renewal of the interlocal agreement for early childhood services with TRAVIS COUNTY in an amount not to exceed \$250,000 with two 12-month extension options not to exceed \$250,000 each, for a total contract amount not to exceed \$1,000,000.

The motion authorizing the negotiation and execution of amendment number two with Travis County was approved on consent on Council Member Spelman's motion, Council Member Morrison's second on a 6-0 vote. Mayor Leffingwell was absent.

14. Approve a resolution confirming the re-appointment of Herbert Martinez to the Firefighters', Police Officers' and Emergency Medical Services Personnel Civil Service Commission for a term expiring November 1, 2017.

Resolution 20141023-014 was approved on consent on Council Member Spelman's motion, Council Member Morrison's second on a 6-0 vote. Mayor Leffingwell was absent.

Items 15 and 16 were pulled for discussion.

17. Authorize the negotiation and execution of a 60-month lease renewal for 1,000 square feet of office warehouse space for the Environmental Resource Management Division of the Watershed Protection Department, located at 720 Bastrop Highway, Suite 218, Austin, Texas with BASTROP BUSINESS PARK, LP, in an amount not to exceed \$56,400.

The motion authorizing the negotiation and execution of a lease renewal with Bastrop Business Park, LP was approved on consent on Council Member Spelman's motion, Council Member Morrison's second on a 6-0 vote. Mayor Leffingwell was absent.

Item 18 was pulled for discussion.

19. Authorize negotiation and execution of an interlocal agreement for booking and related services between the City and Travis County in the amount of \$6,579,495 for Fiscal Year 2014-2015.

This item was postponed to November 6, 2014 on consent on Council Member Spelman's motion, Council Member Morrison's second on a 6-0 vote. Mayor Leffingwell was absent.

20. Approve Amendment No. 5 to the contract with GRAINGER, INC., to purchase additional industrial supplies and equipment for various City departments, for an amount not to exceed \$2,000,000, for a revised total contract amount not to exceed \$13,615,360. (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 to approve amendment number five to the contract with Grainger, Inc. was approved on consent on Council Member Spelman's motion, Council Member Morrison's second on a 6-0 vote. Mayor Leffingwell was absent.

21. Authorize award and execution of a 24-month service contract with TECHLINE, INC, for the purchase of network protector rebuild services for Austin Energy, in an amount not to exceed \$10,171,220, with three 12-month extension options in an amount not to exceed \$5,085,610 per extension option, for a total contract amount not to exceed \$25,428,050. (Notes: This contract will be awarded in compliance with City Code Chapter 2-9D (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation.)

The motion authorizing the award and execution of a service contract with Techline, Inc. was approved on consent on Council Member Spelman's motion, Council Member Morrison's second on a 6-0 vote. Mayor Leffingwell was absent.

22. Authorize award and execution of a 12-month requirements supply contract with ESI ACQUISITION, INC. for the purchase of WebEOC software, maintenance, and support for the Emergency Operations Center in an amount not to exceed \$27,070, with four 12-month extension options in amounts not to exceed \$15,522 for the first option, \$15,988 for the second option, \$16,468 for the third option and \$16,468 for the fourth option, for a total contract amount not to exceed \$91,516. (Notes: This contract

will be awarded in compliance with City Code Chapter 2-9D (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this contract.)

The motion authorizing the award and execution of a requirements supply contract with ESI Acquisition, Inc. was approved on consent on Council Member Spelman's motion, Council Member Morrison's second on a 6-0 vote. Mayor Leffingwell was absent.

Item 23 was pulled for discussion.

24. Authorize award, negotiation, and execution of a 36 month contract with INNOVYZE, INC. for annual maintenance of water and wastewater system modeling software, including a wastewater system model software version transition fee, in an amount not to exceed \$81,479. (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 contract with Innovyze, Inc. was approved on consent on Council Member Spelman's motion, Council Member Morrison's second on a 6-0 vote. Mayor Leffingwell was absent.

25. Approve a resolution adopting the City of Austin Fiscal Year 2014-15 Investment Policy.
Resolution 20141023-025 was approved on consent on Council Member Spelman's motion, Council Member Morrison's second on a 6-0 vote. Mayor Leffingwell was absent.

26. 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, Council Member Morrison's second on a 6-0 vote. Mayor Leffingwell was absent.

Board

Nominated By:

Downtown Commission

Meredith Walker

Council Member Spelman

Building & Standards Commission

Melissa Orren

Council Member Tovo

Waivers

There are no waivers scheduled for today.

27. Approve the waiver of the right-of-way closure notice requirements, the security deposit requirement, and certain fees and authorize payment of certain costs under City Code Chapter 14-8 for the City co-sponsored 2014 Veterans Day Parade with Travis County Veterans Service Office, which is to be held on Tuesday, November 11, 2014 from the Ann Richards Congress Avenue Bridge to the Capitol Building. (Notes: SPONSOR: Mayor Lee Leffingwell CO 1: Mayor Pro Tem Sheryl Cole CO 2: Council Member Kathie Tovo)

The motion to approve the waiver of the right-of-way closure notice requirements, the security deposit requirement and certain fees and authorize payment of certain costs for the City co-sponsored 2014 Veterans Day Parade with Travis County Veterans Service Office was approved on consent on Council Member Spelman's motion, Council Member Morrison's second on a 6-0 vote. Mayor Leffingwell was absent.

28. Approve an ordinance waiving certain fees and requirements for the Austin Civic Wind Ensemble event sponsored by Austin Civic Wind Ensemble which is to be held on Saturday, November 1, 2014 at the

George Washington Carver Museum and Cultural Center. (Notes: SPONSOR: Council Member Kathie Tovo CO 1: Council Member Laura Morrison CO 2: Council Member Mike Martinez)

Ordinance No. 20141023-028 was approved on consent on Council Member Spelman's motion, Council Member Morrison's second on a 6-0 vote. Mayor Leffingwell was absent.

29. Approve a resolution initiating amendments to City Code Chapters 8-1 and 9-2 relating to the issuance of amplified sound permits for large-scale events held on city parkland. (Notes: SPONSOR: Council Member Laura Morrison CO 1: Council Member Mike Martinez CO 2: Council Member Kathie Tovo)
Resolution 20141023-029 was approved on consent on Council Member Spelman's motion, Council Member Morrison's second on a 6-0 vote. Mayor Leffingwell was absent.
30. Approve a resolution directing the City Manager to explore civic crowdfunding opportunities, take the appropriate steps to conduct a pilot program, and establish a fund for the Neighborhood Partnering Program. (Notes: SPONSOR: Mayor Pro Tem Sheryl Cole CO 1: Council Member William Spelman CO2: Council Member Chris Riley)
Resolution 20141023-030 was approved on consent on Council Member Spelman's motion, Council Member Morrison's second on a 6-0 vote. Mayor Leffingwell was absent.
31. Set a public hearing to consider an ordinance amending the Austin Bicycle Master Plan (Suggested date and time: November, 6, 2014 at 4:00 p.m., Austin City Hall, Council Chambers, 301 W. Second Street, Austin, Texas)
The public hearing was set on consent for November 6, 2014 at 4:00 p.m. at City Hall, 301 W. Second Street, Austin, TX on Council Member Spelman's motion, Council Member Morrison's second on a 6-0 vote. Mayor Leffingwell was absent.
32. Set a public hearing to consider an ordinance repealing and replacing City Code Chapter 25-12, Article 4 (Electrical Code) to adopt the 2014 National Electrical Code and adopting certain local amendments to the Electrical Code. (Suggested date and time: November 20, 2014, 4:00 p.m. at Austin City Hall, 301 W. Second Street, Austin, TX.)
The public hearing was set on consent for November 20, 2014 at 4:00 p.m. at City Hall, 301 W. Second Street, Austin, TX on Council Member Spelman's motion, Council Member Morrison's second on a 6-0 vote. Mayor Leffingwell was absent.
55. Approve the minutes of the Austin City Council work session of October 14, 2014 and the regular meeting of October 16, 2014.
The minutes from the City Council work session of October 14, 2014 and regular meeting of October 16, 2014 were approved on consent on Council Member Spelman's motion, Council Member Morrison's second on a 6-0 vote. Mayor Leffingwell was absent.
56. Approve an ordinance amending City Code Title 2 (Administration) to create an administrative hearing process for certain City Code violations and establishing a penalty.
Ordinance No. 20141023-056 was approved on consent on Council Member Spelman's motion, Council Member Morrison's second on a 6-0 vote. Mayor Leffingwell was absent.

Items 33 through 35 were Executive Session items.

Items 36 through 42 were zoning items set for 2:00 p.m.

Items 43 through 54 were public hearing items set for 4:00 p.m.

Items 55 and 56 were addendum items.

DISCUSSION ITEMS

4. Approve Service Extension Request No. 3406 for water service to a 25.5 acre tract at 11900 Buckner Road located within the Drinking Water Protection Zone, the City's limited purpose jurisdiction, and Austin Water Utility's service area.
This item was postponed to November 6, 2014 on Council Member Morrison's motion, Mayor Pro Tem Cole's second on a 6-0 vote. Mayor Leffingwell was absent.
5. Approve Service Extension Request No. 3407 for wastewater service to a 25.5 acre tract at 11900 Buckner Road located within the Drinking Water Protection Zone, the City's limited purpose jurisdiction, and Austin Water Utility's service area.
This item was postponed to November 6, 2014 on Council Member Morrison's motion, Mayor Pro Tem Cole's second on a 6-0 vote. Mayor Leffingwell was absent.
11. Authorize the negotiation and execution of a construction contract with OSCAR RENDA CONTRACTING for the Waller Creek Tunnel Project 8th Street Creek Side Inlet Facility Rebid in the amount of \$5,213,382 plus a \$260,670 contingency, for a total contract amount not to exceed \$5,474,052. (Notes: This contract will be awarded in compliance with City Code Chapter 2-9A (Minority Owned and Women Owned Business Enterprise Procurement Program) by meeting the goals with 6.27% MBE and 1.92% WBE participation.)
The motion authorizing the negotiation and execution of a construction contract with Oscar Renda Contracting was approved on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 6-0 vote. Mayor Leffingwell was absent.
15. Approve an ordinance setting the council meeting schedule for calendar year 2015.
Ordinance 20141023-015 was approved with the following amendment on Council Member Riley's motion, Council Member Spelman's second on a 6-0 vote. Mayor Leffingwell was absent.
The amendment was to cancel the April 30, 2015 Council Meeting, change the Budget Work Session scheduled for May 7, 2015 to May 6, 2015 and add a Council Meeting on May 7, 2015.
16. Authorize negotiation and execution of all documents and instruments necessary or desirable to sell two tracts of land totaling approximately 215.436 acres out of and a part of the R.G. Anderson Survey in Williamson and Travis Counties, Texas, known locally as 15700 Anderson Mill Road, to the CITY OF CEDAR PARK, TEXAS, for the amount of \$4,100,000.
This item was postponed to November 6, 2014 on Council Member Morrison's motion, Council Member Martinez' second on a 6-0 vote. Mayor Leffingwell was absent.
18. Approve an ordinance amending City Code Chapter 9-2 relating to permitting requirements for non-peak hour concrete installation within portions of the Central Business District (CBD), Downtown Mixed Use (DMU), and Public (P) zoning districts.
There was a motion made by Council Member Morrison and seconded by Council Member Martinez to approve the Ordinance on all three readings with amendments.

The amendments were to:

Correct Part 1 to read "City Code Section 9-2-21 (permit for Concrete Installation During Non-Peak Hours) is amended to..."

Amend part 1 (A) to read:

(A) Subject to the limitations in Subsections (B) and (C) of this section, the director may issue a permit authorizing an applicant to deliver, finish, place, or pour concrete during the non-peak hour period of 7:00 p.m. to 2:00 a.m. at property that is located within:

(1) the Downtown Density Bonus area identified in Section 25-2-586(B) (Downtown Density Bonus Program) and one of the following zoning districts:

- (a) The Central Business District (CBD) base zoning district;
- (b) the Public (P) zoning district; and
- (2) 600 feet of a residence, church, hospital, hotel, or motel.

Direction was given to staff to add an allowance to permit concrete installation from 7:00 a.m. to 6:00 a.m. in extraordinary circumstances of limited duration.

Amend subsection (E)(1), (2) and (7) to read as follows.

“(E) To mitigate possible impacts and minimize disruptions to adjacent residential and commercial uses, the director shall require a permit applicant to:

(1) contact adjacent property owners located next door or across the street and representatives of property owners or residents within 600 feet to inform them when the non-peak pour will occur and the duration of the project;

(2) provide 24-hour contact information for the individual with primary responsibility for the project to adjacent property owners located next door or across the street, to representatives of property owners or residents within 600 feet, and to city staff;”

(7) take such other actions as the director determines are reasonably necessary to protect public health, safety, and welfare and to ensure reasonable expectations of a sound environment that does not preclude sleep.

There was a friendly amendment made by Council Member Spelman to amend the staff direction listed above to read “...add an allowance to permit concrete installation from 7:00 p.m. to 6:00 a.m. in extraordinary circumstances of limited duration”; and to change subsection (E)(4) to read “identify where concrete trucks will queue to ensure minimal disruption to adjacent residences and businesses;” The friendly amendment was accepted by the maker of the motion and Council Member Martinez, who made the second the motion.

The first reading of the ordinance was approved with the amendments and friendly amendment listed above on Council Member Morrison’s motion, Council Member Martinez’ second on a 6-0 vote. Mayor Leffingwell was absent.

23. Authorize negotiation and execution of a 50-year operations and management license agreement with four ten-year extension options with DECKER LAKE GOLF, LLC to provide funding, design, development, management and maintenance services for a golf course at Walter E. Long Metropolitan Park. (Notes: This contract will be awarded in compliance with City Code Chapter 2-9C (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this contract.)

The motion authorizing the negotiation of an operations and management license agreement with Decker Lake Golf, LLC was approved with the following direction on Council Member Martinez’ motion, Council Member Spelman’s second on a 6-0 vote. Mayor Leffingwell was absent.

Direction was given to staff to bring the item back for Council approval for execution of the agreement before the end of the calendar year and to hold another community engagement meeting for public comments.

CITIZEN COMMUNICATIONS: GENERAL

Susana Almanza - Evaluate and establish criteria for special events with alcohol in residential areas and near schools

Edward Sledge - Distracted driving

Joe Quintero, Greater East Austin Neighborhood Association - Need more whistle blowers in City of Austin system

Aaron Marquis - To propose a City ordinance **Not present when name was called.**

Chris Demaris - To propose a City ordinance **Not present when name was called.**

Paul Robbins - City and budget issues

Carlos León - 1) Thank you Jesus 2) Stop chemtrails; stop geoengineering God's green Earth 3) Truth melts lies

Sylvia Servin - Swimming pool for senior citizens

Linda Greene - The fluoride deception vs Fluoride Free Austin

Rae Nadler-Olenick - ACC Meeting of October 23, 2014

Mayor Pro Tem Cole recessed the Council Meeting at 12:44 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.

33. 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**
34. Discuss legal issues related to the November 2014 election (Private consultation with legal counsel - Section 551.071 of the Government Code). **This item was withdrawn**
35. Discuss legal issues related to Open Government matters (Private consultation with legal counsel - Section 551.071 of the Government Code). **This item was withdrawn**

Mayor Pro Tem Cole called the Council Meeting back to order at 3:06 p.m.

ZONING CONSENT ITEMS

38. C14-2014-0011 - Garza Ranch - Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 3800 Ben Garza Lane and 6313 South MoPac Expressway (Williamson Creek Watershed-Barton Springs Zone) from community commercial-mixed use-conditional overlay-neighborhood plan (GR-MU-CO-NP) combining district zoning to community commercial-mixed use-conditional overlay-neighborhood plan (GR-MU-CO-NP) combining district zoning, to change a condition of zoning. Staff Recommendation: Pending. Planning Commission Recommendation: To be reviewed on October 28, 2014. Owner/Applicant: Rancho Garza, Ltd. (Ron White). Agent: Cunningham-Allen, Inc. (Jana Rice). City Staff: Wendy Rhoades, 512-974-7719.
This item was withdrawn on consent on Council Member Spelman's motion, Council Member Morrison's second on a 6-0 vote. Mayor Leffingwell was absent.

39. C14-2014-0027 - ACE Discount Glass - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning 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 November 4, 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 November 20, 2014 at the staff's request on Council Member Spelman's motion, Council Member Morrison's second on a 6-0 vote. Mayor Leffingwell was absent.
40. C14-2014-0088 - 1023 Springdale - Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 1023 Springdale Road (Walnut Creek Watershed; Tannehill Branch Watershed, Boggy Creek Watershed) from rural residence-conditional overlay-neighborhood plan (RR-CO-NP) combining district zoning and community commercial-mixed use-conditional overlay-neighborhood plan (GR-MU-CO-NP) combining district zoning to general commercial services-conditional overlay-neighborhood plan (CS-CO-NP) combining district zoning. Staff Recommendation: To grant general commercial services-conditional overlay-neighborhood plan (CS-CO-NP) combining district zoning, with conditions. Planning Commission Recommendation: To grant general commercial services-conditional overlay-neighborhood plan (CS-CO-NP) combining district zoning, with conditions. Owner: Springdale Partners, LTD (Sid Orton). Applicant: South Llano Strategies (Glen Coleman). City Staff: Heather Chaffin, 512-974-2122.
This item was postponed on consent to November 6, 2014 at the staff's request on Council Member Spelman's motion, Council Member Morrison's second on a 6-0 vote. Mayor Leffingwell was absent.
42. C814-89-0006.05 - Canyon Ridge Phase B PUD Amendment #5 - Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 8110 F.M. 2222 Road (West Bull Creek Watershed) from planned unit development (PUD) district zoning to planned unit development (PUD) district zoning, to change a condition of zoning. Staff Recommendation: Pending. Zoning and Platting Commission Recommendation: Withdrawn by applicant on October 7, 2014. Owner/Applicant: CSGM Canyon Ridge, L.P. (Jesse McBay). Agent: Cunningham-Allen, Inc. (Jana Rice). City Staff: Sherri Sirwaitis, 512-974-3057.
This item was withdrawn on consent on Council Member Spelman's motion, Council Member Morrison's second on a 6-0 vote. Mayor Leffingwell was absent.

ZONING CONTINUED

41. C14-2014-0099 - 1500 S Pleasant Valley Road - Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 1500 South Pleasant Valley Road (Lady Bird Lake Watershed; Country Club West Watershed) from East Riverside Corridor (ERC) district zoning to East Riverside Corridor (ERC) district zoning, to amend the East Riverside Corridor Regulating Plan to change the subdistrict designation, modify a transit hub boundary, and specify eligibility and a maximum development bonus height. Staff Recommendation: To change the subdistrict designation from Neighborhood Mixed Use to Corridor Mixed Use, to include the subject tract in the Pleasant Valley Transit Plaza hub boundary, and to designate the property eligible for participation in the development bonus program and a maximum bonus height of 65 feet. Planning Commission Recommendation: To forward to Council without a recommendation. Owner: 1500 SPV LLC (Colin Brothers). Applicant: Drenner Group, P.C. (Stephen Rye). 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 Corridor Mixed Use, to include the subject tract in the Pleasant Valley

Transit Plaza hub boundary, and to designate the property eligible for participation in the development bonus program and a maximum bonus height of 60 feet was approved on Council Member Tovo's motion, Council Member Morrison's second on a 6-0 vote. Mayor Leffingwell was absent.

Mayor Pro Tem Cole recessed the Council Meeting for Proclamations at 5:33 p.m.

PROCLAMATIONS

Certificate of Congratulations -- Mayor's Committee for People with Disabilities -- to be presented by Council Member Morrison and to be accepted by Chip Howe

Proclamation -- United Nations Day -- to be presented by Council Member Morrison and to be accepted by Adrienne Carter

Proclamation -- City of Austin's Creative Ambassadors -- to be presented by Council Member Laura Morrison and to be accepted by Ruby Dee and Ellen Bartel

Proclamation -- VIVA! STREETS Day -- to be presented by Council Member Chris Riley and to be accepted by James Russell and Mateo Barnstone

Proclamation -- 15th Annual Lights on Afterschool -- to be presented by Council Member Kathie Tovo and to be accepted by Afterschool Alliance

Proclamation -- Austin Valkyries -- to be presented by Council Member Mike Martinez and to be accepted by the honorees

Proclamation -- National Food Day -- to be presented by Council Member Mike Martinez and to be accepted by Lucia Athens

Mayor Pro Tem Cole called the Council Meeting back to order at 6:33 p.m.

ZONING CONTINUED

Items 36 and 37 were acted on in a combined motion.

36. NPA-2014-0020.01 - St. Elmo's Market and Lofts - Conduct a public hearing and approve an ordinance amending the South Congress 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 113 Industrial Boulevard, 4323 South Congress Avenue and the 4300 Block of Willow Springs Road (East Bouldin Creek Watershed; Williamson Creek Watershed) from Industry to Mixed Use land use. Staff Recommendation: To deny Mixed Use land use. Planning Commission Recommendation: To grant Mixed Use land use. Owner: JFP Industrial Interests, Inc. (William Levihn-Coon). Applicant: GFD Holdings, LLC (Brandon Bolin). Agent: Alice Glasco Consulting (Alice Glasco). City Staff: Maureen Meredith, 512-974-2695.

The public hearing was conducted and there was a motion made by Council Member Morrison to close the public hearing and deny the change to the land use designation. The motion failed for lack of a second.

The public hearing was conducted and the motion to close the public hearing and adopt the first reading of the ordinance to change the land use designation on the future land use map (FLUM) to mixed use land use was approved on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 4-2. Those voting aye were: Mayor Pro Tem Cole and Council Members Martinez,

Riley and Spelman. Those voting nay were: Council Members Morrison and Tovo. Mayor Leffingwell was absent.

37. C14-2014-0034 - St. Elmo's Market and Lofts - Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 113 Industrial Boulevard, 4323 South Congress Avenue and the 4300 Block of Willow Springs Road (East Bouldin Creek Watershed; Williamson Creek Watershed) from general commercial services-mixed use-neighborhood plan (CS-MU-NP) combining district zoning, limited industrial services-neighborhood plan (LI-NP) combining district zoning and limited industrial services-conditional overlay-neighborhood plan (LI-CO-NP) combining district zoning to limited industrial services-planned development area-neighborhood plan (LI-PDA-NP) combining district zoning. Staff Recommendation: To deny limited industrial services-planned development area-neighborhood plan (LI-PDA-NP) combining district zoning. Planning Commission Recommendation: To grant limited industrial services-planned development area-neighborhood plan (LI-PDA-NP) combining district zoning, with conditions. Owner/Applicant: GFD Holdings, LLC (Brandon Bolin). Agent: Alice Glasco Consulting (Alice Glasco). City Staff: Wendy Rhoades, 512-974-7719.
- The public hearing was conducted and there was a motion made by Council Member Morrison to close the public hearing and deny the rezoning request. The motion failed for lack of a second.**

The public hearing was conducted and the motion to close the public hearing and adopt the first reading of the ordinance for limited industrial services-planned development area-neighborhood plan (LI-PDA-NP) combining district zoning, with conditions was approved on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 4-2. Those voting aye were: Mayor Pro Tem Cole and Council Members Martinez, Riley and Spelman. Those voting nay were: Council Members Morrison and Tovo. Mayor Leffingwell was absent.

PUBLIC HEARINGS AND POSSIBLE ACTIONS

Items 43, 44, 53 and 54 were acted on in a combined motion.

43. Conduct a public hearing and approve a resolution pursuant to Section 2306.67071, Texas Government Code and Section 10.204(4), Texas Administrative Code, for an application to be submitted to the Texas Department of Housing and Community Affairs by TIMBERS CLAYTON 104 APARTMENTS, L.P., an affiliate of the Cesar Chavez Foundation, to finance the acquisition and rehabilitation of the Timbers Apartments at 1034 Clayton Lane with non-competitive Low Income Housing Tax Credits.
- This item was postponed to December 11, 2014 on Council Member Spelman's motion, Council Member Morrison's second on a 6-0 vote. Mayor Leffingwell was absent.**
44. Conduct a public hearing and consider approval of an ordinance amending City Code Title 25 related to safe, mixed income, accessible, and reasonably priced transit-oriented housing.
- This item was postponed to November 6, 2014 on Council Member Spelman's motion, Council Member Morrison's second on a 6-0 vote. Mayor Leffingwell was absent.**
53. Conduct a public hearing and consider a request by Success Foods Management Group LLC d/b/a Torchy's Tacos, located at 1822 South Congress Avenue, Austin, Texas, to waive the distance requirement of City Code Section 4-9-4(A), which requires a minimum of 300 feet between a business that sells alcoholic beverages and a school.
- This item was postponed to November 6, 2014 on Council Member Spelman's motion, Council Member Morrison's second on a 6-0 vote. Mayor Leffingwell was absent.**
54. Conduct a public hearing and consider an ordinance amending City Code Chapter 25-6 to allow metered parking spaces to be counted towards the minimum off-street parking required for non-residential uses.
- This item was postponed to November 6, 2014 on Council Member Spelman's motion, Council Member Morrison's second on a 6-0 vote. Mayor Leffingwell was absent.**

45. Conduct a public hearing regarding the full purpose annexation of the Braker Valley annexation area (approximately 375 acres in northeastern Travis County at the northeast corner of the intersection of Blue Goose Road and Cameron Road).
The public hearing was conducted and the motion to close the public hearing was approved on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 5-0 vote. Mayor Leffingwell was absent. Council Member Martinez was off the dais.
46. Conduct a public hearing regarding the full purpose annexation of the Bridge Point Parkway annexation area (approximately 71 acres in Travis County west of Capital of Texas Highway, approximately one quarter mile south of the intersection of City Park Road and Bridge Point Parkway).
The public hearing was conducted and the motion to close the public hearing was approved on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 5-0 vote. Mayor Leffingwell was absent. Council Member Martinez was off the dais.
47. Conduct a public hearing regarding the full purpose annexation of the City of Austin FM 812 Landfill annexation area (approximately 422 acres in southeastern Travis County at the southwest corner of the intersection of Burleson Road and FM 973).
The public hearing was conducted and the motion to close the public hearing was approved on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 5-0 vote. Mayor Leffingwell was absent. Council Member Martinez was off the dais.
48. Conduct a public hearing regarding the full purpose annexation of the Landmark Conservancy annexation area (approximately 23 acres in southwestern Travis County south of Old Bee Caves Road, approximately 130 feet east of the intersection of State Highway 71 and Old Bee Caves Road).
The public hearing was conducted and the motion to close the public hearing was approved on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 5-0 vote. Mayor Leffingwell was absent. Council Member Martinez was off the dais.
49. Conduct a public hearing regarding the full purpose annexation of the Parke North annexation area (approximately 49 acres in western Travis County west of FM 620, approximately two miles north of the intersection of FM 620 and FM 2222).
The public hearing was conducted and the motion to close the public hearing was approved on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 5-0 vote. Mayor Leffingwell was absent. Council Member Martinez was off the dais.
50. Conduct a public hearing regarding the full purpose annexation of the Stonecreek Ranch annexation area (approximately 10 acres in southern Travis County north of Slaughter Lane, approximately 2,100 feet east of the intersection of IH 35 South and Slaughter Lane).
The public hearing was conducted and the motion to close the public hearing was approved on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 5-0 vote. Mayor Leffingwell was absent. Council Member Martinez was off the dais.
51. Conduct a public hearing regarding the full purpose annexation of the Vistas of Austin annexation area (approximately 152 acres in southern Travis County south of Old Lockhart Road, approximately 1,920 feet east of the intersection of Old Lockhart Road and Bradshaw Road).
The public hearing was conducted and the motion to close the public hearing was approved on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 5-0 vote. Mayor Leffingwell was absent. Council Member Martinez was off the dais.
52. Conduct a public hearing and consider action on the CodeNEXT Code Approach Alternatives and Annotated Outline.

The public hearing was conducted and the motion to keep the public hearing open and postpone the item to November 6, 2014 was approved on Council Member Morrison's motion, Council Member Spelman's second on a 6-0 vote. Mayor Leffingwell was absent.

Mayor Pro Tem Cole adjourned the meeting at 8:11 p.m. without objection.

The minutes were approved on this the 6th day of November, 2014 on Mayor Pro Tem Cole's motion, Council Member Morrison's second on a 6-0 vote. Council Member Spelman was absent.