



**Thursday, March 05, 2015**

The Austin City Council will convene at 10:00 AM on  
Thursday, March 05, 2015 at Austin City Hall  
301 W. Second Street, Austin, TX



**Mayor Steve Adler**  
**Mayor Pro Tem Kathie Tovo, District 9**  
**Council Member Ora Houston, District 1**  
**Council Member Delia Garza, District 2**  
**Council Member Sabino “Pio” Renteria, District 3**  
**Council Member Gregorio Casar, District 4**  
**Council Member Ann Kitchen, District 5**  
**Council Member Don Zimmerman, District 6**  
**Council Member Leslie Pool, District 7**  
**Council Member Ellen Troxclair, District 8**  
**Council Member Sheri Gallo, District 10**

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

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

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

**9:55 AM – Invocation--Rev. Kim Rogers, Central Presbyterian Church**

**10:00 AM – City Council Convenes**

**Consent**

**Approval of Minutes**

1. Approve the minutes of the Austin City Council special called meetings of February 17,19, and 23, 2015, work session of February 24, 2015 and regular meeting of February 26, 2015.

**Austin Energy**

2. Authorize negotiation and execution of an agreement with Hops and Grain, LLC to provide a performance-based incentive for the generation of solar energy at its facility located at 507 Calles St. for an estimated \$9,208 per year, for a total amount not to exceed \$92,080 over a 10-year period.
3. Authorize negotiation and execution of an agreement with The Settlement Home for Children to provide performance-based incentives for the generation of solar energy at its facility located at 1600 Payton Gin Rd., for an estimated \$11,038 per year, for a total amount not to exceed \$110,380 over a 10-year period.
4. Approve issuance of a rebate to Austin Community College for energy efficiency improvements at its newly constructed Highland Campus located at 6101 Airport Blvd., in an amount not to exceed \$86,926.65.
5. Approve issuance of a rebate to Freescale Semiconductor Inc. for energy efficiency improvements at its Oak Hill Campus located at 6501 William Cannon Drive West, in an amount not to exceed \$58,286.39.
6. Approve issuance of a rebate to Barrington Austin Apartments LLC for energy efficiency improvements at the Barrington at Park Place Apartments Phase II located at 3220 Duval Rd., in an amount not to exceed \$212,399.
7. Approve issuance of a rebate to F&F Copper Creek Associates LP for energy efficiency improvements at The Hendrix Apartment Homes located at 9811 Copper Creek Dr., in an amount not to exceed \$265,149.

8. Approve issuance of a rebate to Mesa Verde Apartments LLC for energy efficiency improvements at The Mesa Verde Apartments located at 3201 Duval Rd., in an amount not to exceed \$143,200.

### **Communications and Technology Management**

9. Authorize execution of a 12-month interlocal agreement with the Greater Austin Area Telecommunications Network Agency to provide network operations and management services in the amount of \$213,000 payable to the City with four 12-month renewal options in an estimated amount of not less than \$213,000 for each option for a total amount of not less than \$1,065,000.

### **Contract Management**

10. Authorize award and execution of a construction contract with MUNIZ CONCRETE AND CONTRACTING, INC. for Americans with Disabilities Act Sidewalk and Ramp Improvements 2015 Group #16 City Wide Project for a total contract amount not to exceed \$3,500,000 for an initial term of 18 months with two 12-month extension options.  
( Notes: This contract will be awarded in compliance with City Code Chapter 2-9A of the (Minority Owned and Women Owned Business Enterprise Procurement Program) by meeting the goals with 88.95% MBE and 1.64% WBE participation. )
11. Authorize award and execution of a construction contract with MUNIZ CONCRETE AND CONTRACTING, INC. for Americans with Disabilities Act Sidewalk and Ramp Improvements 2015 Group #17 City Wide Project for a total contract amount not to exceed \$3,500,000 for an initial term of 18 months with one 18-month extension option.  
( 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 86.38 % MBE and 5.29% WBE participation. )

### **Economic Development Department**

12. Authorize negotiation and execution of an interlocal agreement with the Austin Independent School District for administration of the proposed Austin Promise Zone, intended to revitalize high poverty communities in the Rundberg, St. John's, Colony Park, East Central, and Dove Springs areas, pending designation by the U.S. Department of Housing and Urban Development.

### **Management Services**

13. Approve an ordinance setting the council meeting schedule for calendar year 2015.

## **Office of Real Estate Services**

14. Authorize negotiation and execution of all documents and instruments necessary or desirable to purchase in fee simple 240 properties at high risk of flooding in the 100-year floodplain of the lower Onion Creek area, in an amount not to exceed \$60,000,000.

## **Parks and Recreation**

15. Approve a resolution authorizing the City to apply for up to \$1,000,000 in grant funding from the Texas Parks and Wildlife Department's Local Park Urban Outdoor Grant Program for the Waller Creek District.
16. Approve a resolution naming the parkland located at 401 West St. Johns.

## **Planning and Development Review**

17. Approve an ordinance on first reading only adopting an amendment to the Agreement Concerning Creation and Operation of Winfield Municipal Utility Districts Nos. 1, 2, 3 and 4 ("Winfield" now renamed as "Sunfield") concerning the requirements and restrictions of the water district which includes approximately 575 acres and is located east of IH 35 along the Travis and Hays County line south of Turnersville Road in Austin's limited purpose jurisdiction. Related to Item #18
18. Approve an ordinance on first reading only adopting an amendment to the Strategic Partnership Agreement between the City and the Sunfield Municipal Utility District No. 2 (previously named "Winfield Municipal Utility District No. 2") concerning the requirements and restrictions of the water district which includes approximately 575 acres and is located east of IH 35 along the Travis and Hays County line south of Turnersville Road in Austin's limited purpose jurisdiction. Related to Item #17.

## **Purchasing Office**

19. Authorize award, negotiation and execution of a contract with DOBLE ENGINEERING COMPANY for the purchase of three-phase relay test sets for Austin Energy in an amount not to exceed \$236,020.  
( Notes: This contract will be awarded as a sole source and is exempt from City Code Chapter 2-9D Minority Owned and Women-Owned Business Enterprise Procurement Program. )
20. Authorize award and execution of a 36-month contract with TEXAS ELECTRIC COOPERATIVES to provide pressure treated wood poles for Austin Energy in an amount not to exceed \$3,767,343 with three 12-month extension options in an amount not to exceed \$1,255,781 per extension option, for a total contract amount not to exceed \$7,534,686.  
( 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. )

21. Authorize award and execution of a 60-month revenue contract with LONE STAR RIVERBOAT, INC. to provide boat excursion services on Lady Bird Lake for an estimated revenue amount of \$150,000, with one 60-month extension option in an estimated amount of \$150,000 for a total estimated revenue amount of \$300,000.

### **Transportation**

22. Approve issuance of a street closure permit under City Code Chapter 14-8 for the Fado's Irish Pub St. Patrick's Day Festival, a fee-paid event in the 200 block of West 4th Street, which will be held on Tuesday, March 17, 2015, from 5:00 a.m. to midnight.
23. Approve issuance of a street closure permit under City Code Chapter 14-8 for the Art City Austin Festival, a fee-paid event which will be held on Saturday, April 25, 2015, from 10:00 a.m. to 8:00 p.m. and Sunday, April 26, 2015, from 11:00 a.m. to 6:00 p.m.

### **Item(s) from Council**

24. Approve appointments and certain related waivers to citizen boards and commissions, to Council committees and other intergovernmental bodies and removal and replacement of members.
25. Approve a resolution creating the Parkland Events Task Force to develop recommendations for policies regarding special events on parkland.  
( Notes: SPONSOR: Mayor Pro Tem Kathie Tovo CO 1: Council Member Ellen Troxclair CO 2: Council Member Ann Kitchen CO 3: Council Member Sabino "Pio" Renteria CO 4: Council Member Leslie Pool )
26. Approve a resolution directing the City Manager to implement an appropriate traffic control device to eliminate unauthorized cut-through automotive traffic in a new roadway extension of Aldwyche Drive.  
( Notes: SPONSOR: Council Member Ann Kitchen CO 1: Council Member Ellen Troxclair CO 2: Mayor Pro Tem Kathie Tovo CO 3: Mayor Steve Adler )
27. Approve an ordinance waiving certain building permit fees for the People's Community Clinic's new facility located at 1101 Camino La Costa.  
( Notes: SPONSOR: Council Member Gregorio Casar CO 1: Council Member Sabino "Pio" Renteria CO 2: Council Member Ann Kitchen CO 3: Council Member Leslie Pool CO 4: Council Member Ora Houston )

### **Non-Consent**

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

28. Authorize negotiation and execution of a 50-year license agreement with DECKER LAKE GOLF, LLC to provide funding, design, development, management, and maintenance services for a golf course at Walter E. Long Metropolitan Park. (THE PUBLIC COMMENT FOR THIS ITEM WAS HELD AND CLOSED ON NOVEMBER 20, 2014).

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

Paul Aviña - El Garrote

Monika Hernandez - It's time for a change

Mark Edgette - Fluoride is an industrial waste from aluminum, phosphate fertilizer, and nuclear waste. The people of America were not given the right to informed consent which is against article seven of the Geneva convention. Sodium fluoride is a component of satin nerve gas. Ending fluoridation of water will save money and help our failed medical system. Please use common sense and end fluoridation of drinking water. You are committing a criminal act.

Edward Sledge - City Code Section 2 - 5 - 13

CAROLANNROSEKENNEDY - SALES TAX, PROPERTY TAX AND INCOME TAX MANIPULATION

Lisa Whitted - Autism coverage for City of Austin employees

Tina Wilburn - My Austin Energy residential service

Susan Granata - Please ban the use of fluoride in the entire USA. Thanks.

Jacqueline Perez - I would like to speak about the Onion Creek buy-outs 240 homes remaining. My background is in Psychology, Real Estate and Public Policy. I am also a flood survivor and resident of Onion Creek.

Sarah Cook - Code Compliance

**Executive Session**

29. Discuss legal issues related to Open Government matters (Private consultation with legal counsel - Section 551.071 of the Government Code).

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

30. C14-2014-0011A – Garza Ranch – (District 8) – Approve second and third readings of an ordinance amending City Code Chapter 25-2 by zoning property locally known as 3800 Ben Garza Lane (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. First Reading approved on February 26, 2015. Vote: 9-2, Mayor Pro Tem Tovo and Council Member Casar voted nay. Owner/Applicant: Rancho Garza, Ltd. (Ron White). Agent: Cunningham-Allen, Inc. (Jana Rice). City Staff: Wendy Rhoades, 512-974-7719.
31. C14-2014-0011B – Garza Ranch – (District 8) – Approve second and third readings of an ordinance amending City Code Chapter 25-2 by zoning property locally known as 3510 and 4003 Ben Garza Lane (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. First Reading approved on February 26, 2015. Vote: 9-2, Mayor Pro Tem Tovo and Council Member Casar voted nay. Owner/Applicant: Rancho Garza, Ltd. (Ron White). Owner/Applicant: Rancho Garza, Ltd. (Ron White). Agent: Cunningham-Allen, Inc. (Jana Rice). City Staff: Wendy Rhoades, 512-974-7719.

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

32. C14-2014-0165 – 2712 & 2800 Del Curto Rezoning – (District 5) – Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 2712 & 2800 Del Curto Road (West Bouldin Creek Watershed) from family residence (SF-3) district zoning to townhouse and condominium residence (SF-6) district zoning. Staff Recommendation: To grant townhouse and condominium residence (SF-6) district zoning, with conditions. Planning Commission Recommendation: To grant townhouse and condominium residence-conditional overlay (SF-6-CO) combining district zoning, with conditions. Owner/Applicant: Jett Abram, LLC (Sarah Lahmers). Agent: Thrower Design (Ron Thrower). City Staff: Heather Chaffin, 512-974-2122.
33. C14-2015-0006 – Waller on Swede Hill – (District 1) – Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 908 E. 15th Street, 807 E. 16th Street, and 1506 Waller Street (Waller Creek Watershed) from family residence-neighborhood plan (SF-3-NP) combining district zoning to community commercial-mixed use-conditional overlay-neighborhood plan (GR-MU-CO-NP) combining district zoning. Staff Recommendation: Pending. Planning Commission Recommendation: To be reviewed March 24, 2015.

Owner/Applicant: WJP Swede Hill, LLC (Wes Peoples). Agent: Morzie DCI (Kenneth Blaker). City Staff: Heather Chaffin, 512-974-2122.

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

34. Conduct a public hearing and consider an ordinance amending City Code Title 25 to limit the redevelopment of existing small (substandard) lots that are developed as a single building site.
35. Conduct a public hearing and consider an ordinance amending City Code Title 25 changing regulations for secondary dwellings.

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

Fog & Bone

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

Proclamation -- Women in Construction Week -- to be presented by Mayor Steve Adler and to be accepted by Cindy Richter

Proclamation -- Supply Chain Month -- to be presented by Mayor Steve Adler and to be accepted by Jerry Binder


Proclamation -- Women Veterans Month -- to be presented by Mayor Steve Adler and to be accepted by Women Veterans


Proclamation -- Rodeo Austin 2015 -- to be presented by Council Member Ora Houston and to be accepted by Hap Feuerbacher and Bucky Lamb

Proclamation -- ADA Legacy Bus Tour -- to be presented by Mayor Steve Adler and to be accepted by Bob Kafka, Tanya Winters and Dolores Gonzalez

Proclamation -- Ramsey Park Day -- to be presented by Council Member Leslie Pool and to be accepted by Alison Alter and Rosedale Neighborhood representatives

#### **Adjourn**

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

 *For assistance, please call 512-974-2210 or TTY users route through 711.*

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



present at the council meeting.

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