

**AUSTIN CITY COUNCIL
MINUTES****REGULAR MEETING
THURSDAY, FEBRUARY 12, 2015**

Invocation: Pastor Joseph C. Parker, Jr., David Chapel Missionary Baptist Church

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, February 12, 2015 in the Council Chambers of City Hall, 301 West Second Street, Austin, Texas.

Mayor Adler called the Council Meeting to order at 10:17 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 January 27, 2015, regular meeting of January 29, 2015 and special called meeting of February 5, 2015.
The minutes from the City Council work session of January 27, 2015, regular meeting of January 29, 2015 and special called meeting of February 5, 2015 were approved on consent on Council Member Pool's motion, Council Member Gallo's second on an 11-0 vote.

Items 2 and 3 were pulled for discussion.

4. Authorize negotiation and execution of a professional services agreement with the following five staff recommended firms (or other qualified responders) to RFQ Solicitation No. CLMP164: MWM DESIGNGROUP (WBE/FW), ASAKURA ROBINSON COMPANY LLC (MBE/MA), FREESE AND NICHOLS, INC., DANIEL WOODROFFE GROUP, LLC dba DWG, and RVE INC/RVi, for the 2015 landscape architecture rotation list for an estimated period of two years or until financial authorization is expended, for a total contract amount not to exceed \$5,000,000 divided among the five firms. (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 15.80% MBE and 15.80% WBE participation.)
The motion authorizing the negotiation and execution of a professional services agreement with MWM Designgroup (WBE/FW); Asakura Robinson Company LLC (MBE/MA); Freese and Nichols, Inc.; Daniel Woodroffe Group, LLC doing business as DWG; and RVE Inc/RVi was approved on consent on Council Member Pool's motion, Council Member Gallo's second on a 10-0. Council Member Zimmerman abstained.
5. Authorize negotiation and execution of a design and commission agreement with Eric J. Eley for a total contract amount not to exceed \$95,000 for artwork for the Austin Studios Expansion project

The motion authorizing the negotiation and execution of a design and commission agreement with Eric J. Eley was approved on consent on Council Member Pool's motion, Council Member Gallo's second on a 10-0. Council Member Zimmerman abstained.

Items 6 and 7 were pulled for discussion.

8. Authorize negotiation and execution of an amendment to the contract with Pecan Street Owners Association, Austin, Texas (dba Sixth Street Austin) for management of the E. 6th Street Public Improvement District Service Plan, to extend the term of the contract for an additional five years, in an amount not to exceed \$140,000 per year.

The motion authorizing the negotiation and execution of an amendment to the contract with Pecan Street Owners Association doing business as Sixth Street Austin was approved on consent on Council Member Pool's motion, Council Member Gallo's second on a 10-0. Council Member Zimmerman abstained.

9. Approve an ordinance amending the Fiscal Year 2014-2015 Financial Services Department Operating Budget Special Revenue Fund (Ordinance No. 20140908-001) to adopt a budget for the Whisper Valley Public Improvement District.

Ordinance No. 20150212-009 was approved on consent on Council Member Pool's motion, Council Member Gallo's second on a 10-0. Council Member Zimmerman abstained.

10. Approve an ordinance amending the Fiscal Year 2014-2015 Financial Services Department Operating Budget Special Revenue Fund (Ordinance No. 20140908-001) to adopt a budget for the Indian Hills Public Improvement District.

Ordinance No. 20150212-010 was approved on consent on Council Member Pool's motion, Council Member Gallo's second on a 10-0. Council Member Zimmerman abstained.

11. Approve an ordinance amending the Fiscal Year 2014-2015 Financial Services Department Operating Budget Special Revenue Fund (Ordinance No. 20140908-001) to adopt a budget for the Estancia Hill Country Public Improvement District.

Ordinance No. 20150212-011 was approved on consent on Council Member Pool's motion, Council Member Gallo's second on a 10-0. Council Member Zimmerman abstained.

12. Authorize negotiation and execution of amendments to contracts with the following three 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 \$26,866 for a revised current 12-month term amount not to exceed \$1,330,119; CENTRAL TEXAS COMMUNITY HEALTH CENTERS, in an amount not to exceed \$52,383 for a revised current 12-month term amount not to exceed \$1,649,913; and COMMUNITY ACTION, INC. OF CENTRAL TEXAS, in an amount not to exceed \$5,000 for a revised current 12-month term amount not to exceed \$37,017.

The motion authorizing the negotiation and execution of amendments to contracts with Aids Services of Austin, Inc.; Central Texas Community Health Centers; and Community Action, Inc. of Central Texas was approved on consent on Council Member Pool's motion, Council Member Gallo's second on a 10-0. Council Member Zimmerman abstained.

13. Approve an ordinance authorizing acceptance of \$13,900 in additional grant funds from the TEXAS DEPARTMENT OF STATE HEALTH SERVICES, and amending the Fiscal Year 2014-2015 Health and Human Services Operating Budget Special Revenue Fund (Ordinance No. 20140908-001) to appropriate \$13,900 for the refugee health grant.

Ordinance No. 20150212-013 was approved on consent on Council Member Pool's motion, Council Member Gallo's second on a 10-0. Council Member Zimmerman abstained.

14. Approve an ordinance authorizing acceptance of grant funds in the amount of \$90,000 from the TEXAS DEPARTMENT OF STATE HEALTH SERVICES, OFFICE OF TITLE V & FAMILY HEALTH, and amending the Fiscal Year 2014-2015 Health and Human Services Department Operating Budget Special Revenue Fund (Ordinance No. 20140908-001) to appropriate \$90,000 for the Health and Human Services Department to develop a local healthy Texas babies coalition to reduce preterm births and infant mortality.
Ordinance No. 20150212-014 was approved on consent on Council Member Pool's motion, Council Member Gallo's second on a 10-0. Council Member Zimmerman abstained.
15. Approve an ordinance authorizing acceptance of \$91,894 in grant funds from the U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES, HEALTH RESOURCES AND SERVICES ADMINISTRATION and amending the Fiscal Year 2014-15 Health and Human Services Department Operating Budget Special Revenue Fund of Ordinance No. 20130909-01 to appropriate \$91,894 for the Ryan White Part A HIV Emergency Relief Grant Program and Minority AIDS Initiative that provides medical and supportive services to people with the human immunodeficiency virus.
This item was withdrawn on consent on Council Member Pool's motion, Council Member Gallo's second on a 10-0. Council Member Zimmerman abstained.
16. Approve an ordinance accepting \$273,140 in additional grant funds from the TEXAS DEPARTMENT OF STATE HEALTH SERVICES, WOMEN, INFANTS, AND CHILDREN (WIC) PROGRAM; and amending the Fiscal Year 2014-2015 Health and Human Services Department Operating Budget Special Revenue Fund (Ordinance No. 20140908-001) to appropriate these funds for maintaining WIC services.
Ordinance No. 20150212-016 was approved on consent on Council Member Pool's motion, Council Member Gallo's second on a 10-0. Council Member Zimmerman abstained.

Item 17 was pulled for discussion.

18. Approve an ordinance amending City Code Chapter 12-5 to establish commercial vehicle loading restrictions and to establish a civil fine structure for the restrictions.
Ordinance No. 20150212-018 was approved on consent on Council Member Pool's motion, Council Member Gallo's second on a 10-0. Council Member Zimmerman abstained.
19. Approve a resolution appointing the Board of Directors of the Austin Housing Finance Corporation.
Resolution No. 20150212-019 was approved on consent on Council Member Pool's motion, Council Member Gallo's second on a 10-0. Council Member Zimmerman abstained.

Items 20 through 31 were pulled for discussion.

32. Authorize execution of an interlocal agreement with the Capital Area Council of Governments for access to and use of the Regional Notification System, to notify citizens of emergency situations.
The motion authorizing the execution of an interlocal agreement with the Capital Area Council of Governments was approved on consent on Council Member Pool's motion, Council Member Gallo's second on a 10-0. Council Member Zimmerman abstained.
33. Authorize negotiation and execution of an interlocal agreement with Texas A&M Engineering Extension Service, for professional services in the amount of \$35,000 for fiscal year 2015 with two renewal options at \$11,000 per option.
The motion authorizing the negotiation and execution of an interlocal agreement with Texas A&M Engineering Extension Services was approved on consent on Council Member Pool's motion, Council Member Gallo's second on a 10-0. Council Member Zimmerman abstained.
34. Authorize award and execution of Amendment No. 3 to a contract with OVERDRIVE, INC. to increase the contract amount for downloadable library materials, by \$1,500,000 for a revised total contract amount

not to exceed \$3,984,000. (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 as specified in Texas Government Code Chapter 252.022.)

The motion authorizing the award and execution of amendment number three to a contract with Overdrive, Inc. was approved on consent on Council Member Pool's motion, Council Member Gallo's second on a 10-0. Council Member Zimmerman abstained.

35. Authorize award, negotiation and execution of a contract with POWER SUPPLY INC. for the purchase of generator and transformer circuit breakers for Austin Energy in an amount not to exceed \$118,055. (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, negotiation and execution of a contract with Power Supply Inc. was approved on consent on Council Member Pool's motion, Council Member Gallo's second on a 10-0. Council Member Zimmerman abstained.

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

This item was postponed to March 5, 2015 on consent on Council Member Pool's motion, Council Member Gallo's second on a 10-0. Council Member Zimmerman abstained.

37. Approve the third reading of an ordinance granting a franchise agreement to CenterPoint Energy Resources Corporation to provide natural gas distribution services.

Ordinance No. 20150212-037 was approved on consent on Council Member Pool's motion, Council Member Gallo's second on a 10-0. Council Member Zimmerman abstained.

Item 38 was pulled for discussion.

39. Approve the East Austin application to create a parking and transportation management district (PTMD) and an ordinance establishing an East Austin PTMD.

The motion to approve the East Austin application and Ordinance No. 20150212-039 was approved on consent on Council Member Pool's motion, Council Member Gallo's second on a 10-0. Council Member Zimmerman abstained.

Item 40 was pulled for discussion.

41. Approve an ordinance changing the street name of ZILKER CLUBHOUSE ROAD to ARNULFO ALONSO WAY.

Ordinance No. 20150212-041 was approved on consent on Council Member Pool's motion, Council Member Gallo's second on an 11-0 vote.

42. Approve an ordinance amending the Fiscal Year 2014-2015 Austin Transportation Department Capital Budget (Ordinance No. 20140908-002) to accept and appropriate two private contributions for the installation of traffic calming devices along Rolling Oaks Trail and Peaceful Hill Lane in an amount totaling \$49,104.

Ordinance No. 20150212-042 was approved on consent on Council Member Pool's motion, Council Member Gallo's second on a 10-0. Council Member Zimmerman abstained.

43. Authorize negotiation and execution an interlocal agreement between the City and the University of Texas at Austin - Lady Bird Johnson Wildflower Center in an amount not to exceed \$35,000 to coordinate restoring La Crosse Cave for educational purposes.
The motion authorizing the negotiation and execution of an interlocal agreement between the City and the University of Texas at Austin – Lady Bird Johnson Wildflower Center was approved on consent on Council Member Pool’s motion, Council Member Gallo’s second on a 10-0. Council Member Zimmerman abstained.
44. Approve negotiation and execution of a one year interlocal agreement with Austin Independent School District in an amount not to exceed \$15,000 for cave excavation and improvements on the Bowie High School grounds.
The motion authorizing the negotiation and execution of an interlocal agreement with Austin Independent School District was approved on consent on Council Member Pool’s motion, Council Member Gallo’s second on a 10-1. Council Member Zimmerman voted nay.
45. 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 appointment was approved on consent on Council Member Pool’s motion, Council Member Gallo’s second on a 10-0. Council Member Zimmerman abstained.

Nominations

Board/Nominee

Nominated by

Austin Integrated Water
Resource Planning Task Force
Jennifer Walker

Mayor Pro Tem Tovo

Council Committees and Other Intergovernmental Bodies

Approve a resolution appointing members to Council committees and other intergovernmental bodies. (See Attachment A and Attachment B)

Resolution No. 20150212-045 was approved on Council Member Pool’s motion, Council Member Gallo’s second on a 10-0. Council Member Zimmerman abstained.

46. Approve an ordinance waiving or reimbursing certain fees and waiving certain requirements for the Chinese New Year Celebration sponsored by the Chinese Society of Austin which is to be held on Saturday, February 28, 2015 at the Asian American Resource Center. (Notes: SPONSOR: Mayor Pro Tem Kathie Tovo CO 1: Council Member Don Zimmerman CO 2: Council Member Sheri Gallo CO 3: Council Member Ora Houston CO 4: Council Member Leslie Pool)
Ordinance No. 20150212-046 was approved on consent on Council Member Pool’s motion, Council Member Gallo’s second on an 11-0 vote.
47. Approve an ordinance waiving or reimbursing certain fees and requirements and authorize payment of certain costs for the City co-sponsored 2015 Zilker Park Kite Festival which is to be held Sunday, March 1, 2015 at Zilker Park. (Notes: SPONSOR: Council Member Delia Garza CO 1: Council Member Sabino "Pio" Renteria)
Ordinance No. 20150212-047 was approved on consent on Council Member Pool’s motion, Council Member Gallo’s second on a 10-0. Council Member Zimmerman abstained.

48. Approve the waiver of certain fees and costs under City Code Chapter 14-8 for the Black Lives Matter Dirge March which is to be held on Saturday, February 21, 2015 beginning at IH-35 and 7th Street and ending at the Texas State Capitol building. (Notes: SPONSOR: Council Member Ora Houston CO 1: Council Member Gregorio Casar CO 2: Council Member Delia Garza CO 3: Mayor Steve Adler CO 4: Council Member Leslie Pool)

The motion to approve the waiver of certain fees and costs for the Black Lives Matter Dirge March was approved on consent on Council Member Pool's motion, Council Member Gallo's second on a 10-0. Council Member Zimmerman abstained.

49. Approve an ordinance reimbursing or waiving certain fees and waiving requirements for a general community forum sponsored by the Young Hispanic Professional Association of Austin which took place on Tuesday, January 27, 2015 at the Boyd Vance Theater in the George Washington Carver Museum and Cultural Center. (Notes: SPONSOR: Council Member Delia Garza CO 1: Council Member Gregorio Casar CO 2: Council Member Sabino "Pio" Renteria CO 3: Council Member Leslie Pool)

Ordinance No. 20150212-049 was approved on consent on Council Member Pool's motion, Council Member Gallo's second on a 10-0. Council Member Zimmerman abstained.

Item 50 was pulled for discussion.

51. Set a public hearing to consider an ordinance regarding floodplain variances for the construction of a new duplex and an accessory building at 5613 Joe Sayers Avenue as requested by the owner of the property. The property is entirely in the 25-year and 100-year floodplain of the Hancock Branch of Shoal Creek. (Suggested date and time: February 26, 2015, 4:00 p.m. at Austin City Hall, 301 W. Second Street).

The public hearing was set on consent for February 26, 2015 at 4:00 p.m. at City Hall, 301 W. Second Street, Austin, TX was approved on consent on Council Member Pool's motion, Council Member Gallo's second on a 10-0. Council Member Zimmerman abstained.

Item 86 was pulled for discussion.

Items 52 through 54 were Executive Session items.

Items 55 through 83 were zoning items set for 2:00 p.m.

Item 84 was an AHFC meeting item set for 3:00 p.m.

Item 85 was a public hearing item set for 4:00 p.m.

Item 86 was an addendum item.

DISCUSSION ITEMS

2. Authorize award, negotiation, and execution of a concession agreement with E-Z Rent-A-Car, or one of the other qualified offerors to the Consolidated Rental Car Facility New Entrant Request for Proposal, to operate an on-airport rental car concession at Austin-Bergstrom International Airport.

The motion authorizing the award, negotiation and execution of a concession agreement with E-Z Rent-A-Car was approved on consent on Council Member Pool's motion, Mayor Pro Tem Tovo's second on a 10-0 vote. Council Member Zimmerman abstained.

3. Authorize award, negotiation, and execution of a concession agreement with Fox Rent-A-Car, or one of the other qualified offerors to the Consolidated Rental Car Facility New Entrant Request for Proposal, to operate an on-airport rental car concession at Austin-Bergstrom International Airport.

The motion authorizing the award, negotiation and execution of a concession agreement with Fox Rent-A-Car was approved on consent on Council Member Pool's motion, Council Member Renteria's second on a 10-0 vote. Council Member Zimmerman abstained.

6. Authorize negotiation and execution of a design and commission agreement with Rachel Feinstein, dba John Currin LLC, for a total contract amount not to exceed \$1,000,000 for artwork for the Terminal/Apron Expansion and Improvement Project at Austin-Bergstrom International Airport.
There was a motion made by Council Member Zimmerman to have the Mayor recommend this item to the appropriate committee. The motion died for lack of a second.

The motion authorizing the negotiation and execution of a design and commission agreement with Rachel Feinstein doing business as John Currin LLC was approved on Mayor Pro Tem Tovo's motion, Council Member Pool's second on a 10-1 vote. Council Member Zimmerman voted nay. Direction was given to staff to put the Airport Fund on one of the policy intensives and hold public discussion on the airport.

7. Authorize negotiation and execution of a design and commission agreement with Janet Echelman, Inc. in an amount not to exceed \$2,000,000 for artwork for the Airport Entrance Project at Austin-Bergstrom International Airport.
There was a motion made by Council Member Zimmerman to have the Mayor recommend this item to the appropriate committee. The motion died for lack of a second.

The motion authorizing the negotiation and execution of a design and commission agreement with Janet Echelman, Inc. was approved on Council Member Pool's motion, Council Member Casar's second on a 10-1 vote. Council Member Zimmerman voted nay.

17. Approve an ordinance amending the Fiscal Year 2014-2015 Council Operating Budget (Ordinance No. 20140908-001); and providing an administrative process for the reallocation of council salaries to other council office purposes.
Ordinance No. 20150212-017 was approved on Mayor Adler's motion, Council Member Houston's second on a 10-1 vote. Council Member Garza voted nay.

Action was taken on item 20 but was reconsidered later in the meeting. See below.

CITIZEN COMMUNICATIONS: GENERAL

Paul Robbins - City and budget issues

Richard Viktorin - Circuit events local organizing committee

John Leimon - Ideas for water conservation **Not present when name was called.**

Walt Olenick - Water Fluoridation

Sylvia Servin - Personal thank you

Andrew Dobbs - Getting back on track to zero waste

John Monbelly - Street performance versus Panhandling, Busking vs Bumbling **Not present when name was called.**

John Woodley - Discrimination issues in the City of Austin

Erin Foster - Buy-out of 240 homes in Onion Creek

Jere Locke - Impacts in the Shale **Not present when name was called.**

20. Approve a resolution authorizing a loan in an amount not to exceed \$2,160,000 subject to the award of Low Income Housing Tax Credits from the Texas Department of Housing and Community Affairs, to Foundation Communities, Inc., or an affiliate for a proposed rental development to be known as North End Apartments, located at 13201 and 13205 Burnet Road.
Resolution No. 20150212-020 was approved on Council Member Renteria's motion, Council Member Pool's second on a 9-0 vote. Council Members Troxclair and Zimmerman abstained.

A motion to reconsider item 20 was approved on Council Member Houston's motion, Council Member Pool's second on an 11-0 vote.

Resolution No. 20150212-020 subject to the award of Low Income Housing Tax Credits from the Texas Department of Housing and Community Affairs to Foundation Communities, Inc. was approved on Council Member Casar's motion, Council Member Pool's second on a 9-0. Council Members Troxclair and Zimmerman abstained.

21. Approve a resolution authorizing a loan in an amount not to exceed \$1,875,000 to Foundation Communities, Inc. or an affiliate, for a proposed rental development, to be known as Cardinal Point Apartments, located at 11011 1/2 Four Points Drive, with the loan being conditioned upon the award of tax credits to Foundation Communities, Inc. by the Texas Department of Housing and Community Affairs for the proposed project.
Resolution No. 20150212-021 subject to the award of Low Income Housing Tax Credits from the Texas Department of Housing and Community Affairs to Foundation Communities, Inc. was approved on Council Member Renteria's motion, Council Member Gallo's second on a 9-1. Council Member Zimmerman voted nay. Council Member Troxclair abstained.

22. Approve a resolution authorizing a loan in an amount not to exceed \$1,650,000 to MGroup Holdings, Inc. or an affiliate for a proposed rental development, to be known as Monarch at Lakeline Station, located in the 9800 block of Lake Creek Parkway, with the loan being conditioned upon the award of tax credits to MGroup, Holdings, Inc. by the Texas Department of Housing and Community Affairs for the proposed project.
Resolution No. 20150212-022 subject to the award of Low Income Housing Tax Credits from the Texas Department of Housing and Community Affairs to MGroup Holdings, Inc. was approved on Council Member Casar's motion, Council Member Renteria's second on a 9-1. Council Member Zimmerman voted nay. Council Member Troxclair abstained.

23. Approve a resolution authorizing a loan in an amount not to exceed \$1,260,000 subject to the Texas Department of Housing and Community Affairs award of tax credits to Wolfpack Group, LLC, or an affiliate for a proposed rental development to be known as LaMadrid Apartments, located at the southwest corner of Ravenscroft Drive and Manchaca Road.
Resolution No. 20150212-023 subject to the Texas Department of Housing and Community Affairs award of tax credits to Wolfpack Group, LLC was approved on Council Member Pool's motion, Council Member Kitchen's second on a 9-0 vote. Council Members Troxclair and Zimmerman abstained.

24. Approve a resolution authorizing a loan in an amount not to exceed \$1,650,000 subject to the Texas Department of Housing and Community Affairs award of tax credits, to DMA Development Company, LLC, or an affiliate for a proposed rental development to be known as Azul 620, located at 11411 North Ranch Road 620.
Resolution No. 20150212-024 subject to the Texas Department of Housing and Community Affairs award of tax credits, to DMA Development Company, LLC was approved on Mayor Pro Tem

Tovo's motion, Council Member Pool's second on a 9-1 vote. Council Member Zimmerman voted nay. Council Member Troxclair abstained.

25. Approve a resolution authorizing a loan in an amount not to exceed \$1,860,000 to DDC Investments, Ltd., or an affiliated entity, for a proposed rental development, to be known as Merritt Cornerstone Apartments, located at the southeast corner of West Howard Lane and McNeil-Merrilltown Road, with the loan being conditioned upon the award of tax credits to DDC Investments, Ltd. by the Texas Department of Housing and Community Affairs for the proposed project and the full-purpose annexation of the property by the City.
Resolution No. 20150212-025 was approved on Council Member Garza's motion, Council Member Pool's second on a 9-0 vote. Council Members Troxclair and Zimmerman abstained.

Items 26 through 31 were acted on in a combined motion.

26. Approve a resolution supporting an application to be submitted by Wolfpack Group, LLC, or an affiliated entity, for an award of low income housing tax credits from the Texas Department of Housing and Community Affairs for a proposed multi-family housing development to be known as the LaMadrid Apartments, located at the southwest corner of Ravenscroft Lane and Manchaca Road.
Resolution No. 20150212-026 was approved on Council Member Casar's motion, Council Member Kitchen's second on a 9-0 vote. Council Members Troxclair and Zimmerman abstained.
27. Approve a resolution supporting an application to be submitted by Foundation Communities, Inc., or an affiliated entity, for an award of low income housing tax credits from the Texas Department of Housing and Community Affairs for a proposed multi-family housing development to be known as the Cardinal Point Apartments, located at 11011 1/2 Four Points Drive.
Resolution No. 20150212-027 was approved on Council Member Casar's motion, Council Member Kitchen's second on a 9-1 vote. Council Member Zimmerman voted nay. Council Member Troxclair abstained.
28. Approve a resolution supporting an application to be submitted by Foundation Communities, Inc., or an affiliated entity, for an award of low income housing tax credits from the Texas Department of Housing and Community Affairs for a proposed multi-family housing development to be known as the North End Apartments, located at 13201 Burnet Road and 13205 Burnet Road.
Resolution No. 20150212-028 was approved on Council Member Casar's motion, Council Member Kitchen's second on a 9-0 vote. Council Members Troxclair and Zimmerman abstained.
29. Approve a resolution supporting an application to be submitted by MGroup Holdings, Inc., or an affiliated entity, for an award of low income housing tax credits from the Texas Department of Housing and Community Affairs for a proposed multi-family housing development to be known as the Monarch at Lakeline Station Apartments, located at North Lake Creek Parkway and Lakeline Mall Drive.
Resolution No. 20150212-029 was approved on Council Member Casar's motion, Council Member Kitchen's second on a 9-1 vote. Council Member Zimmerman voted nay. Council Member Troxclair abstained.
30. Approve a resolution supporting an application to be submitted by DMA Development Company, LLC, or an affiliated entity, for an award of low income housing tax credits from the Texas Department of Housing and Community Affairs for a proposed multi-family housing development to be known as Azul 620, located at 11411 North Ranch Road 620.
Resolution No. 20150212-030 was approved on Council Member Casar's motion, Council Member Kitchen's second on a 9-1 vote. Council Member Zimmerman voted nay. Council Member Troxclair abstained.

31. Approve a resolution supporting an application to be submitted by DDC Investments, Ltd., or an affiliated entity, for an award of low income housing tax credits from the Texas Department of Housing and Community Affairs for a proposed multi-family housing development to be known as Merritt Cornerstone Apartments, located at the corner of West Howard Lane and McNeil-Merrilltown Road.

Resolution No. 20150212-031 was approved on Council Member Casar's motion, Council Member Kitchen's second on a 9-0 vote. Council Members Troxclair and Zimmerman abstained.

Mayor Adler recessed the Council Meeting to go into Executive Session at 1:44 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.

52. Discuss legal issues related to 2015 collective bargaining negotiations with the bargaining representative for employees in the Austin Fire Department (Private consultation with legal counsel-Section 551.071).
53. Discuss legal issues related to Open Government matters (Private consultation with legal counsel - Section 551.071 of the Government Code).
54. Discuss personnel matters related to the appointment of City Auditor and Municipal Court Clerk (Personnel Exception - 551.074 of the Government Code).

Executive Session ended and Mayor Adler called the Council Meeting back to order at 4:14 p.m.

ZONING ORDINANCES / RESTRICTIVE COVENANTS

55. C14-2014-0128 - The Vistas of Western Hills - (District 5) - Approve second and third readings of an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 2910 West William Cannon Drive (Williamson Creek Watershed-Barton Springs Zone) from single family residence-standard lot (SF-2) district zoning to multi-family residence-low density-conditional overlay (MF-2-CO) combining district zoning, with conditions. First Reading approved on November 20, 2014. Vote: 7-0. Owner/Applicant: Umstatt Investments (James Umstatt). Agent: Garrett-Ihnen Civil Engineers (Norma Raven Divine). City Staff: Wendy Rhoades, 512-974-7719.

Ordinance No. 20150212-055 for multi-family residence-low density-conditional overlay (MF-2-CO) combining district zoning, with conditions was approved on consent on Council Member Kitchen's motion, Council Member Gallo's second on an 11-0 vote.

57. C14-2014-0154 - 13561 Pond Springs - (District 6) - Approve second and third readings of an ordinance amending City Code Chapter 25-2 by zoning property locally known as 13561 Pond Springs Road (Lake Creek Watershed) from interim-rural residence (I-RR) district zoning to community commercial-conditional overlay (GR-CO) combining district zoning. First Reading approved on November 20, 2014. Vote: 7-0. Owner/Applicant: Velda B. Wyche. Agent: Metcalfe Wolff Stuart & Williams, LLP (Michele R. Lynch). City Staff: Sherri Sirwaitis, 512-974-3057.

Ordinance No. 20150212-057 for community commercial-conditional overlay (GR-CO) combining district zoning was approved on consent on Council Member Kitchen's motion, Council Member Gallo's second on an 11-0 vote.

58. C14-2014-0158 - East Parke Residential - (District 1) - Approve second and third readings of an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 5601 Durango Pass (Walnut Creek Watershed) from community commercial (GR) district zoning, limited office (LO) district

zoning, multi-family residence-medium density (MF-3) district zoning, and family residence (SF-3) district zoning to single family residence standard lot-conditional overlay (SF-2-CO) combining district zoning. First Reading approved on December 11, 2014. Vote: 7-0. Owner/Applicant: Continental Homes of Texas, LP (Richard Maier). Agent: Alice Glasco Consulting (Alice Glasco). City Staff: Heather Chaffin, 512-974-2122.

Ordinance No. 20150212-058 for single family residence standard lot-conditional overlay (SF-2-CO) combining district zoning was approved on consent on Council Member Kitchen's motion, Council Member Gallo's second on an 11-0 vote.

59. C14-75-042(RCT1) - East Parke Residential - (District 1) - Conduct a public hearing and approve a restrictive covenant termination on property locally known as 5601 Durango Pass (Walnut Creek Watershed). Staff Recommendation: To grant the restrictive covenant termination. Zoning and Platting Commission Recommendation: To grant the restrictive covenant termination. Owner/Applicant: Continental Homes of Texas, LP (Richard Maier). Agent: Alice Glasco Consulting (Alice Glasco). City Staff: Heather Chaffin, 512-974-2122.

This item was withdrawn on consent on Council Member Kitchen's motion, Council Member Gallo's second on an 11-0 vote.

60. C14-75-042(RCA1) - East Parke Residential - (District 1) - Conduct a public hearing and approve a restrictive covenant amendment on property locally known as 5601 Durango Pass (Walnut Creek Watershed). Staff Recommendation: To grant the restrictive covenant amendment. Zoning and Platting Commission Recommendation: To grant the restrictive covenant amendment. Owner/Applicant: Continental Homes of Texas, LP (Richard Maier). Agent: Alice Glasco Consulting (Alice Glasco). City Staff: Heather Chaffin, 512-974-2122.

The public hearing was conducted and the motion to close the public hearing and approve the restrictive covenant amendment was approved on consent on Council Member Kitchen's motion, Council Member Gallo's second on an 11-0 vote.

61. C14-75-042(RCA3) - East Parke Residential - (District 1) - Conduct a public hearing and approve a restrictive covenant amendment on property locally known as 5601 Durango Pass (Walnut Creek Watershed). Staff Recommendation: To grant the restrictive covenant amendment. Zoning and Platting Commission Recommendation: To grant the restrictive covenant amendment. Owner/Applicant: Continental Homes of Texas, LP (Richard Maier). Agent: Alice Glasco Consulting (Alice Glasco). City Staff: Heather Chaffin, 512-974-2122.

The public hearing was conducted and the motion to close the public hearing and approve the restrictive covenant amendment was approved on consent on Council Member Kitchen's motion, Council Member Gallo's second on an 11-0 vote.

62. C14-76-083(RCA) - East Parke Residential - (District 1) - Conduct a public hearing and approve a restrictive covenant amendment on property locally known as 5601 Durango Pass (Walnut Creek Watershed). Staff Recommendation: To grant the restrictive covenant amendment. Zoning and Platting Commission Recommendation: To grant the restrictive covenant amendment. Owner/Applicant: Continental Homes of Texas, LP (Richard Maier). Agent: Alice Glasco Consulting (Alice Glasco). City Staff: Heather Chaffin, 512-974-2122.

The public hearing was conducted and the motion to close the public hearing and approve the restrictive covenant amendment was approved on consent on Council Member Kitchen's motion, Council Member Gallo's second on an 11-0 vote.

63. C14-84-346(RCA1) - East Parke Residential - (District 1) - Conduct a public hearing and approve a restrictive covenant amendment on property locally known as 5601 Durango Pass (Walnut Creek Watershed). Staff Recommendation: To grant the restrictive covenant amendment. Zoning and Platting Commission Recommendation: To grant the restrictive covenant amendment. Owner/Applicant:

Continental Homes of Texas, LP (Richard Maier). Agent: Alice Glasco Consulting (Alice Glasco). City Staff: Heather Chaffin, 512-974-2122.

The public hearing was conducted and the motion to close the public hearing and approve the restrictive covenant amendment was approved on consent on Council Member Kitchen's motion, Council Member Gallo's second on an 11-0 vote.

64. C14-84-346(RCA2) - East Parke Residential - (District 1) - Conduct a public hearing and approve a restrictive covenant amendment on property locally known as 5601 Durango Pass (Walnut Creek Watershed). Staff Recommendation: To grant the restrictive covenant amendment. Zoning and Platting Commission Recommendation: To grant the restrictive covenant amendment. Owner/Applicant: Continental Homes of Texas, LP (Richard Maier). Agent: Alice Glasco Consulting (Alice Glasco). City Staff: Heather Chaffin, 512-974-2122.

The public hearing was conducted and the motion to close the public hearing and approve the restrictive covenant amendment was approved on consent on Council Member Kitchen's motion, Council Member Gallo's second on an 11-0 vote.

65. NPA-2014-0009.01 - Waller on Swede Hill - (District 1) - Conduct a public hearing and approve an ordinance amending Ordinance No. 011213-41, the Central East Austin 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 908 East 15th Street, 807 East 16th Street and 1506 Waller Street (Waller Creek Watershed) from Multifamily and Single Family land use to Mixed Use land use. Staff Recommendation: To grant Mixed Use land use. Planning Commission Recommendation: To be reviewed on February 10, 2015. Owner/Applicant: WJP Swede Hill, L.L.C. (Wes Peoples). Agent: Kenneth T. Blaker. City Staff: Maureen Meredith, 512-974-2695.

This item was postponed on consent to April 16, 2015 at the staff's request on Council Member Kitchen's motion, Council Member Gallo's second on an 11-0 vote.

66. NPA-2014-0029.01 - Little Walnut Creek - (District 1) - Conduct a public hearing and approve an ordinance amending Ordinance No. 20120426-100, the St. John/Coronado Hills 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 7400, 7424, and 7450 East U.S. Highway 290 and 2509 East Anderson Lane (Little Walnut Creek Watershed) from Office land use to Mixed Use/Office land use. Staff Recommendation: To grant Mixed Use/Office land use. Planning Commission Recommendation: To deny Mixed Use/Office land use. Owners/Applicants: Cozy Living, LLC; AAA Fire & Safety, Inc.; and Seyed Miri. Agent: Coats Rose (Pamela Madere). City Staff: Maureen Meredith, 512-974-2695.

This item was postponed on consent to April 2, 2015 at the applicant's request on Council Member Kitchen's motion, Council Member Gallo's second on an 11-0 vote.

67. C14-2014-0135 - Little Walnut Creek - (District 1) - Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 7400, 7424, and 7450 East U.S. Highway 290 and 2509 East Anderson Lane (Little Walnut Creek Watershed) from general office-neighborhood plan (GO-NP) combining district zoning to general office-mixed use-neighborhood plan (GO-MU-NP) combining district zoning. Staff Recommendation: To grant general office-mixed use-conditional overlay-neighborhood plan (GO-MU-CO-NP) combining district zoning, with conditions. Planning Commission Recommendation: To deny general office-mixed-use-conditional overlay-neighborhood plan (GO-MU-CO-NP) combining district zoning. Owners: Cozy Living, LLC; AAA Fire & Safety, Inc.; and Seyed Miri. Applicant: Mike Dallas Properties (Mike Dallas). City Staff: Heather Chaffin, 512-974-2122.

This item was postponed on consent to April 2, 2015 at the applicant's request on Council Member Kitchen's motion, Council Member Gallo's second on an 11-0 vote.

68. C14-2014-0011A - Garza Ranch - (District 8) - Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by rezoning 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. Staff Recommendation: To grant community commercial-mixed use-conditional overlay-neighborhood plan (GR-MU-CO-NP) combining district zoning, to change a condition of zoning, with conditions. Planning Commission Recommendation: To forward to Council without a recommendation. Owner/Applicant: Rancho Garza, Ltd. (Ron White). Agent: Cunningham-Allen, Inc. (Jana Rice). City Staff: Wendy Rhoades, 512-974-7719.
This item was postponed on consent to February 26, 2015 at the council's request on Council Member Kitchen's motion, Council Member Gallo's second on an 11-0 vote.
69. C14-2014-0011B - Garza Ranch - (District 8) - Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by rezoning 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. Staff Recommendation: To grant community commercial-mixed use-conditional overlay-neighborhood plan (GR-MU-CO-NP) combining district zoning, to change a condition of zoning, with conditions. Planning Commission Recommendation: To forward to Council without a recommendation. Owner/Applicant: Rancho Garza, Ltd. (Ron White). Agent: Cunningham-Allen, Inc. (Jana Rice). City Staff: Wendy Rhoades, 512-974-7719.
This item was postponed on consent to February 26, 2015 at the council's request on Council Member Kitchen's motion, Council Member Gallo's second on an 11-0 vote.
70. C14-2014-0041 - New Tenant Project - (District 6) - Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by zoning property locally known as 10300 Anderson Mill Road (Lake Creek Watershed) from interim-single family residence-standard lot (I-SF-2) district zoning to neighborhood commercial (LR) district zoning. Staff Recommendation: To grant neighborhood commercial-conditional overlay (LR-CO) combining district zoning, with conditions. Zoning and Platting Commission Recommendation: To grant neighborhood commercial-conditional overlay (LR-CO) combining district zoning, with conditions. Owner/Applicant: FN Corporation (Neelam Jan). Agent: Bennett Consulting (Jim Bennett). City Staff: Sherri Sirwaitis, 512-974-3057.
The public hearing was conducted and the motion to close the public hearing and adopt the first reading of the ordinance for neighborhood commercial-conditional overlay (LR-CO) combining district zoning, with conditions was approved on consent on Council Member Kitchen's motion, Council Member Gallo's second on an 11-0 vote.
71. C14-2014-0096 - Wildhorse Commercial Tract 1 (125.570 acres) - (District 1) - Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by zoning property locally known as 9701 East Parmer Lane (Gilleland Creek Watershed) from interim-rural residence (I-RR) district zoning and planned unit development (PUD) district zoning to commercial highway services (CH) district zoning and planned unit development (PUD) district zoning. Staff Recommendation: Pending. Zoning and Platting Commission Recommendation: To be reviewed on February 17, 2015. Owner: Butler Family Partnership (Edward A. Butler). Agent: Drenner Group (Amanda Swor). City Staff: Heather Chaffin, 512-974-2122.
This item was postponed to March 12, 2015 at the staff's request on Council Member Kitchen's motion, Council Member Gallo's second on an 11-0 vote.
72. C14-2014-0114 - 11712 North Lamar Rezoning - (District 7) - Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 11712 North Lamar Boulevard (Walnut Creek Watershed) from limited office (LO) district zoning to general commercial services (CS) district zoning. Staff Recommendation: To grant community commercial-conditional

overlay (GR-CO) combining district zoning for Tract 1 and limited office-conditional overlay (LO-CO) combining district zoning for Tract 2. Zoning and Platting Commission Recommendation: To grant community commercial-conditional overlay (GR-CO) combining district zoning for Tract 1 and limited office-conditional overlay (LO-CO) combining district zoning for Tract 2, with conditions. Owner: Sheahan Business Center (Dennis W. Sheahan). Applicant/Agent: Thrower Design (A. Ron Thrower). City Staff: Sherri Sirwaitis, 512-974-3057.

This item was postponed on consent to February 26, 2015 at the applicant's request on Council Member Kitchen's motion, Council Member Gallo's second on an 11-0 vote.

74. C14-2014-0164 - DSHZ .46 - (District 5) - Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 1208 West Slaughter Lane (Slaughter Creek Watershed) from single family residence-standard lot (SF-2) district zoning to general office-mixed use (GO-MU) combining district zoning. Staff Recommendation: To grant limited office-mixed use-conditional overlay (LO-MU-CO) combining district zoning, with conditions. Zoning and Platting Commission Recommendation: To grant limited office-mixed use-conditional overlay (LO-MU-CO) combining district zoning, with conditions. Owner/Applicant: DSHZ, Ltd. / Dawn Rush Dotson Mortgage Team (Zachary Dotson). Agent: Jim Bennett Consulting (Jim Bennett). City Staff: Wendy Rhoades, 512-974-7719.

The public hearing was conducted and the motion to close the public hearing and adopt Ordinance No. 20150212-074 for limited office-mixed use-conditional overlay (LO-MU-CO) combining district zoning, with conditions was approved on consent on Council Member Kitchen's motion, Council Member Gallo's second on an 11-0 vote.

75. C14-2014-0170 - Hidden Valley Section 1; Montview Harbor - (District 6) - Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 3411 Blue Jay Lane and 13918 Hummingbird Lane (Bear Creek West Watershed) from Lake Austin residence (LA) district zoning and development reserve (DR) district zoning to single family residence-large lot (SF-1) district zoning for Tract 1 and Lake Austin residence (LA) district zoning for Tract 2. Staff Recommendation: To grant single family residence-large lot (SF-1) district zoning for Tract 1 and Lake Austin residence (LA) district zoning for Tract 2. Zoning and Platting Commission Recommendation: To grant single family residence-large lot (SF-1) district zoning for Tract 1 and Lake Austin residence (LA) district zoning for Tract 2. Owner/Applicant: Mary Ann Baker and Eric Hoffmaster. Agent: Mary Ann Baker. City Staff: Tori Haase, 512-974-7691.

The public hearing was conducted and the motion to close the public hearing and adopt Ordinance No. 20150212-075 for single family residence-large lot (SF-1) district zoning for Tract 1 and Lake Austin residence (LA) district zoning for Tract 2 was approved on consent on Council Member Kitchen's motion, Council Member Gallo's second on an 11-0 vote.

76. C14-2014-0174 - Thomas Cook Roofing - (District 3) - Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by zoning property locally known as 502 Thompson Lane (Carson Creek Watershed) from interim-single family residence-standard lot (I-SF-2) district zoning to general commercial services (CS) district zoning. Staff Recommendation: To grant general commercial services-conditional overlay (CS-CO) combining district zoning, with conditions. Zoning and Platting Commission Recommendation: To grant general commercial services-conditional overlay (CS-CO) combining district zoning, with conditions. Owner/Applicant: Joi Chevalier. Agent: Enable Design (DeVon Wood). City Staff: Wendy Rhoades, 512-974-7719.

The public hearing was conducted and the motion to close the public hearing and adopt Ordinance No. 20150212-076 for general commercial services-conditional overlay (CS-CO) combining district zoning, with conditions was approved on consent on Council Member Kitchen's motion, Council Member Gallo's second on an 11-0 vote.

77. C14-2014-0175A - Scott Airport Parking - (District 2) - Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by zoning property locally known as 2426 Cardinal Loop

(Colorado River Watershed) from interim-rural residence (I-RR) district zoning to aviation services (AV) district zoning. Staff Recommendation: To grant aviation services (AV) district zoning. Zoning and Platting Commission Recommendation: To grant aviation services (AV) district zoning. Owner/Applicant: City of Austin-Aviation Department (Jim Smith). Agent: Scott Airport Parking, LLC (Chris Von Dohlen). City Staff: Wendy Rhoades, 512-974-7719.

This item was postponed on consent to February 26, 2015 at the adjacent property owner's request on Council Member Kitchen's motion, Council Member Gallo's second on an 11-0 vote.

78. C14-2014-0175B - Scott Airport Parking - (District 2) - Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 2411 and 2419 Cardinal Loop, and 2525 East State Highway 71 Westbound (Colorado River Watershed) from rural residence (RR) district zoning and community commercial-conditional overlay (GR-CO) combining district zoning to aviation services (AV) district zoning. Staff Recommendation: To grant aviation services (AV) district zoning. Zoning and Platting Commission Recommendation: To grant aviation services (AV) district zoning. Owner/Applicant: City of Austin-Aviation Department (Jim Smith). Agent: Scott Airport Parking, LLC (Chris Von Dohlen). City Staff: Wendy Rhoades, 512-974-7719.

This item was postponed on consent to February 26, 2015 at the adjacent property owner's request on Council Member Kitchen's motion, Council Member Gallo's second on an 11-0 vote.

80. C14-2014-0179 - Copperfield IV - (District 7) - Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 1312-1/2 East Parmer Lane (Walnut Creek Watershed) from development reserve (DR) district zoning to multi-family residence-low density (MF-2) district zoning. Staff Recommendation: To grant multi-family residence-low density (MF-2) district zoning. Zoning and Platting Commission Recommendation: To grant multi-family residence-low density (MF-2) district zoning. Owner/Applicant: Rogers D. Wilson. Agent: RJ Madden, Inc. (Amy Torres). City Staff: Heather Chaffin, 512-974-2122.

The public hearing was conducted and the motion to close the public hearing and adopt Ordinance No. 20150212-080 for multi-family residence-low density (MF-2) district zoning was approved on consent on Council Member Kitchen's motion, Council Member Gallo's second on an 11-0 vote.

81. C14-2014-0189 - Tranquilo Trail Park - (District 2) - Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 2015 Tranquilo Trail (Onion Creek Watershed) from single family residence-small lot-conditional overlay (SF-4A-CO) combining district zoning to public (P) district zoning. Staff Recommendation: To grant public (P) district zoning. Zoning and Platting Commission Recommendation: To grant public (P) district zoning. Owner/Applicant: Los Jardines HOA c/o Goodwin Management, Inc. (Pat Houston). Agent: Vincent Gerard & Associates, Inc. (Vince Huebinger). City Staff: Wendy Rhoades, 512-974-7719.

The public hearing was conducted and the motion to close the public hearing and adopt Ordinance No. 20150212-081 for public (P) district zoning was approved on consent on Council Member Kitchen's motion, Council Member Gallo's second on an 11-0 vote.

82. C14-2014-0190 - Songhai at West Gate - (District 5) - Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 8700 West Gate Boulevard (South Boggy Creek Watershed) from multi-family residence-low density-conditional overlay (MF-2-CO) combining district zoning to multi-family residence-moderate-high density-conditional overlay (MF-4-CO) combining district zoning. Staff Recommendation: To grant multi-family residence-moderate-high density-conditional overlay (MF-4-CO) combining district zoning. Zoning and Platting Commission Recommendation: To grant multi-family residence-moderate-high density-conditional overlay (MF-4-CO) combining district zoning. Owner/Applicant: Songhai Development Group, LLC (Cherno Njie). Agent: Drenner Group (John Donisi). City Staff: Wendy Rhoades, 512-974-7719.

The public hearing was conducted and the motion to close the public hearing and adopt Ordinance No. 20150212-082 for multi-family residence-moderate-high density-conditional overlay (MF-4-CO)

combining district zoning was approved on consent on Council Member Kitchen's motion, Council Member Gallo's second on an 11-0 vote.

83. C14-2014-0192 - Harold's Rezoning - (District 10) - Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 8611 North Mopac Expressway (Shoal Creek Watershed) from commercial-liquor sales (CS-1) district zoning to community commercial (GR) district zoning. Staff Recommendation: To grant community commercial-conditional overlay (GR-CO) combining district zoning. Planning Commission Recommendation: To grant community commercial-conditional overlay (GR-CO) combining district zoning. Owner/Applicant: 8611 MoPac Investors, LP. Agent: Armbrust & Brown, PLLC (Amanda Morrow). City Staff: Sherri Sirwaitis, 512-974-3057.

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 (GR-CO) combining district zoning was approved with the following prohibited uses on consent on Council Member Kitchen's motion, Council Member Gallo's second on an 11-0 vote.

Bed & breakfast (Group 1)

Bed & breakfast (Group 2)

Alternative financial services

Art gallery

Art workshop

Automotive rentals

Automotive repair services

Automotive sales

Automotive washing (of any type)

Bail bond services

Business or trade school

Business support services

Commercial off-street parking

Consumer convenience services

Consumer repair services

Drop-off recycling collection facility

Exterminating services

Food preparation

Food sales

Funeral services

General retail sales (convenience)

General retail sales (general)

Hotel-motel

Indoor entertainment

Indoor sports and recreation

Off-site accessory parking

Outdoor entertainment

Outdoor sports and recreation

Pawn shop services

Pedicab storage and Dispatch

Personal improvement services

Personal services

Pet services

Plant nursery

Printing and publishing

Research services

Restaurant (general)

Restaurant (limited)

Service station
Special use historic
Theater
Custom manufacturing
Community garden
Urban farm
Club or lodge
College and university facilities
Community events
Community recreation (private)
Community recreation (public)
Congregate living
Counseling services
Cultural services
Day care services (commercial)
Day care services (general)
Day services (limited)
Family home
Group home, class I (general)
Group home. Class I (limited)
Group home. Class II
Guidance services
Hospital services (general)
Local utility services
Private primary educational facilities
Public primary educational facilities
Private secondary educational facilities
Public secondary educational facilities
Residential treatment

Safety services

Mayor Adler recessed the Council Meeting and called the Board of Directors' Meeting of the Austin Housing Finance Corporation to order at 4:31 p.m. See separate minutes.

Mayor Adler called the Council Meeting back to order at 4:33 p.m.

ZONING DISCUSSION ITEMS

56. C14-2014-0153 -The Enclave at Oak Parke - (District 8) - Approve second and third readings of an ordinance amending City Code Chapter 25-2 by zoning property locally known as 10301-10317 Salmon Drive (Slaughter Creek Watershed-Barton Springs Zone) from interim-rural residence (I-RR) district zoning and interim-single family residence-standard lot (I-SF-2) district zoning to single family residence-standard lot (SF-2) district zoning, with conditions. First Reading approved on November 20, 2014. Vote: 7-0. Owner/Applicant: Mark Alan Cunningham. Agent: Frie Planning, Development & Construction (Ross Frie). City Staff: Wendy Rhoades, 512-974-7719.
- The second reading of the ordinance for single family residence-standard lot (SF-2) district zoning, with conditions was approved on Council Member Troxclair's motion, Council Member Kitchen's second on an 11-0 vote. Direction was provided to staff to work with the applicant on the conditions to be included in the restrictive covenant.**

Mayor Adler recessed the Council Meeting for Music and Proclamation at 5:33 p.m.

Live Music

Son de Rey

PROCLAMATIONS

Proclamation -- EWeek -- to be presented by Mayor Steve Adler and to be accepted by Rick McMaster

Proclamation -- Austin Energy Regional Science Festival -- to be presented by Mayor Steve Adler and to be accepted by Susan Kimmel-Lines and Ingrid Weigand and Certificates of Appreciation -- Festival Sponsors -- to be presented by Mayor Steve Adler and to be accepted by the honorees

Proclamation -- Small Business Development Program's 15th Anniversary -- to be presented by Mayor Steve Adler and to be accepted by Vicky Valdez

Proclamation -- Teen Dating Violence Awareness and Prevention Month -- to be presented by Council Member Delia Garza and to be accepted by members of Austin/Travis County Family Violence Task Force

Certificate of Appreciation -- Boy Scout Troop 511 -- to be presented by Council Member Sheri Gallo and to be accepted by the honorees

Mayor Adler called the Council Meeting back to order at 6:50 p.m.

73. C14-2014-0157 - 8528 Burnet Road - (District 7) - Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 8528-8600 Burnet Road and 8647 Rockwood Lane (Shoal Creek Watershed) from general commercial services (CS) district zoning to multifamily residence-highest density (MF-6) district zoning. Staff Recommendation: To grant multifamily residence-highest density conditional overlay (MF-6-CO) combining district zoning. Planning Commission Recommendation: To grant multifamily residence-highest density conditional overlay combining (MF-6-CO) combining district zoning. Owner/Applicant: Robert L. Crump and Gordon Automotive (Charles M. Gordon). Agent: Bowman Consulting Group (R. Dave Irish, P.E.). City Staff: Sherri Sirwaitis, 512-974-3057.

There was a motion made by Council Member Pool and seconded by Council Member Kitchen to deny the change on first reading only. The motion was later withdrawn.

The public hearing was conducted and there was a motion made by Council Member Pool and seconded by Council Member Kitchen to close the public hearing and approve the first reading of the ordinance for (MF-4) with direction to staff. Direction was given to staff to take into consideration the traffic safety issues in the area and the requests of the adjacent surrounding neighborhoods.

The public hearing was conducted and there was a substitute motion made by Council Member Renteria and seconded by Council Member Zimmerman to close the public hearing and adopt the first reading of the ordinance for multifamily residence-highest density conditional overlay combining (MF-6-CO) combining district zoning with the following conditions. This motion passed on a vote of 7-4. Those voting aye were: Mayor Adler and Council Members Casar, Gallo, Garza, Renteria, Troxclair and Zimmerman. Those voting nay were: Mayor Pro Tem Tovo and Council Members Houston, Kitchen and Pool.

Additional Conditions:

- Limit height of property to 60'

- Reserve 15% of the multi-family dwelling units on property for Safe Mixed-Income Accessible Reasonably-Priced and Transit-Oriented (SMART) housing (reserved for a minimum period of ten years)
- Number of dwelling units limited to 225
- Overall the Floor to Area Ratio (FAR) on the site would limit the property to a maximum of 244,000 square feet

DISCUSSION ITEMS CONTINUED

38. Approve the Mueller Planning Unit Development (Mueller) application to create a parking and transportation management district (PTMD) and an ordinance creating the Mueller PTMD.

The motion to approve the Mueller Planning Unit Development (Mueller) application and Ordinance No. 20150212-038 was approved on Mayor Pro Tem Tovo's motion and Council Member Casar's second on an 11-0 vote.

ZONING DISCUSSION ITEMS CONTINUED

79. C14-2014-0178 - Overlook at Spicewood Springs - (District 10) - 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 limited office (LO) district zoning. Staff Recommendation: To grant limited office-conditional overlay (LO-CO) combining district zoning. Zoning and Platting Commission Recommendation: To grant limited office-conditional overlay (LO-CO) combining district zoning. Owner/Applicant: Joseph Benford and Richard A. Haberman Trust (Danny Haberman, Trustee). Agent: CIVILE, LLC (Lawrence M. Hanrahan). City Staff: Sherri Sirwaitis, 512-974-3057. A valid petition has been filed in opposition to this rezoning request.

The public hearing was conducted and the motion to close the public hearing and adopt the ordinance on first reading was approved with the following amendments on Council Member Gallo's motion, Council Member Houston's second on a 10-0 vote. Mayor Adler recused himself on this item.

The amendments were:

- The front façade of a building or structure on the property facing Spicewood Springs Road shall be limited to 28.5 feet above natural grade. The rear façade of a building or structure on the property shall be limited to 38.5 feet above natural grade. Notwithstanding the above height limitation, the height, as defined by City Code, of a building or structure on the property is limited to 35 feet.
- Total gross square footage of all buildings or structures, not including a vehicular parking facility, on the property is limited to 12,000 square feet.
- Development of the property shall not exceed an impervious coverage of 32 percent.
- Limit the development intensity to less than 500 vehicle trips per day
- The following uses are prohibited uses of the Property:
 - Communications Services
 - Club or Lodge
 - College or University facilities
 - Communication Service facilities
 - Community Events
 - Congregated Living
 - Convalescent Services
 - Medical Offices exceeding 5,000 square
 - Medical Offices not exceeding 5,000 square feet
 - Off Site Parking accessory parking
 - Day Care Services (Limited)

Day Care Services (General)
Day Care Services (Commercial)
Hospital Services (Limited)
Private Primary Educational Facilities
Private Secondary Educational Facilities
Public Primary Educational Facilities
Public Secondary Educational Facilities
Residential Treatment
Telecommunications Services or Tower
Urban Farm

DISCUSSION ITEMS CONTINUED

40. Approve an ordinance amending the Fiscal Year 2014-2015 Austin Transportation Department Operating Budget Special Revenue Fund (Ordinance No. 20140908-001) to accept grant funds from the Texas Department of Transportation in the amount of \$200,000; and amending the Austin Transportation Department Capital Budget (Ordinance No. 20140908-002) to transfer in and appropriate \$200,000 from the Austin Transportation Department Operating Budget Special Revenue Fund for the installation of bicycle signals and bicycle detection equipment at specific intersections within the City.
Ordinance No. 20150212-040 was approved on consent on Council Member Kitchen's motion, Mayor Adler's second on an 8-3 vote. Those voting aye were: Mayor Adler, Mayor Pro Tem Tovo and Council Members Casar, Gallo, Garza, Kitchen, Pool and Renteria. Those voting nay were: Council Members Houston, Troxclair and Zimmerman.

The motion to waive the rules and allow Council to meet after 10 p.m. was approved on Mayor Pro Tem Tovo's motion, Council Member Zimmerman's second on an 11-0 vote.

50. Approve a resolution directing the city manager to analyze the impact on homeowners and the City budget of implementing a 20% Homestead Tax Exemption over the terms of 1 year, 2 years, and 4 years and to present this information to the City Council no later than the March 24, 2015 work session, or as soon as possible. (Notes: SPONSOR: Council Member Ellen Troxclair CO 1: Mayor Pro Tem Kathie Tovo CO 2: Council Member Sheri Gallo CO 3: Council Member Ann Kitchen CO 4: Council Member Leslie Pool)
Resolution No. 20150212-050 was approved with the following amendments and friendly amendments on Council Member Troxclair's motion, Council Member Kitchen's second on an 11-0 vote.

The amendments were:

To amend the fourth Whereas to read "Whereas, unlike income taxes, property taxes are not based on cash flow, meaning Austin homeowners, particularly the elderly, retirees, and others on fixed incomes, have consistently owed more in property taxes in recent years regardless of their ability to pay, in some cases forcing them to move out of homes they've lived in for years; and".

To add a new sixth Whereas to read "Whereas, Travis County already currently offers homeowners a 20% homestead exemption on county property taxes; and".

To amend the new 11th Whereas to read "Whereas, State law currently requires a general homestead exemption to be set as a percent of value with minimum exemption of \$5,000; and"

To amend the new 13th Whereas to read "Whereas, many Austin homeowners have urged the City to consider offering a higher general exemption for all homestead properties as an option for addressing rising property taxes and as an option for addressing the general issue of affordability; and"

To amend new 15th Whereas to read “Whereas, it is necessary to understand the budget implications of offering a homestead exemption as well as the impact on the entire population, including the most vulnerable, in order to make informed policy decisions; NOW, THEREFORE,”

There was a friendly amendment made by Council Member Kitchen to amend the “Be it Resolved by the City Council of the City of Austin” to read, “The City Manager is directed to analyze the impact on homeowners, renters, and the City Budget of implementing a 20% Homestead Tax Exemption over 1 year, 2 years, and 4 years, in aggregate and by District, and to present this information to the City Council no later than the May 12, 2015 work session, or as soon as possible.” The amendment was accepted by the maker of the motion.

There was a friendly amendment made by Mayor Adler to amend Council Member Kitchen’s friendly amendment to have the “Be it Resolved by the City Council of the City of Austin” read, “The City Manager is directed to analyze the tax incidence and the impact on homeowners, renters, commercial and industrial property owners and the City Budget of implementing a 20% Homestead Tax Exemption over 1 year, 2 years, and 4 years, in aggregate and by District, and to present this information to the City Council no later than the May 12, 2015 work session, or as soon as possible.” The amendment was accepted by the maker of the motion and Council Member Kitchen, who made the second.

Staff was directed to provide Council with the existing information sooner than May 12, 2015.

There was a friendly amendment made by Council Member Garza to amend the previous friendly amendment to had it read, “Be it Resolved by the City Council of the City of Austin The City Manager is directed to analyze the tax incidence and the impact on homeowners, renters, commercial and industrial property owners and the City Budget of implementing a 20% Homestead Tax Exemption over 1 year, 2 years, and 4 years, in aggregate and by District, and by income considering revenue uses, tax rate changes and reductions in services and to present this information to the City Council no later than the May 12, 2015 work session, or as soon as possible.” The amendment was accepted by the maker of the motion and Council Member Kitchen, who made the second.

PUBLIC HEARINGS AND POSSIBLE ACTIONS

85. Conduct a public hearing and consider an ordinance amending City Code Title 25 relating to the regulation of residential uses in the Downtown Mixed Use and Central Business District zoning districts. **Ordinance No. 20150212-085 was approved on Council Member Pool’s motion, Council Member Casar’s second on a 9-0 vote. Mayor Pro Tem Tovo and Council Member Garza were off the dais.**

DISCUSSION ITEMS CONTINUED

86. Approve a resolution authorizing the City Manager to negotiate and execute an agreement with The Mayor’s Better Austin Foundation Inc. to accept donated staff for the public purpose of assisting the new council committees and providing other policy support. (Notes: SPONSOR: Mayor Steve Adler CO 1: Council Member Leslie Pool CO 2: Council Member Gregorio Casar CO 3: Council Member Sheri Gallo)
This item was postponed to February 26, 2015 on Mayor Adler’s motion, Council Member Zimmerman’s second on an 11-0 vote.

Mayor Adler adjourned the meeting at 11:02 p.m. without objection.

The minutes were approved on this the 26th day of February, 2015 on Council Member Gallo’s motion, Council Member Zimmerman’s second on a 11-0 vote.