



Thursday, April 02, 2015

The Austin City Council will convene at 10:00 AM on
Thursday, April 02, 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 - Pastor Rodney Shaw, New Life Pentecostal Church

10:00 AM – City Council Convenes

Consent

Approval of Minutes

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

Communications and Technology Management

2. Authorize execution of an interlocal agreement with Caldwell County for the installation, maintenance, and repair of Caldwell County's wireless communications equipment for a 12-month term for an estimated amount not to exceed \$5,000 payable to the City and with annual automatic renewal terms in the same estimated amount per renewal.

Contract Management

3. Authorize award and execution of a construction contract with SMITH CONTRACTING COMPANY, INC. for the 3rd Street Reconstruction Phase 4 – Guadalupe Street to Nueces Street Project in the amount of \$3,895,282.50 plus a \$389,528.25 contingency, for a total contract amount not to exceed \$4,284,810.75.
(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 5.72% MBE and 2.56% WBE participation.)

Convention Center

4. Approve a resolution amending Resolution No. 20130523-019 to authorize the Circuit Events Local Organizing Committee to act on behalf of the City for the Texas Major Event Trust Fund, or in the alternative, the Texas Event Trust Fund, for the purposes of: conducting economic studies, submitting applications, and submitting any required funding, to the Texas Comptroller, or the Economic Development and Tourism Division, Office of the Governor for the Summer X-Games to be held at the Circuit of the Americas

Facility in 2015, 2016, and 2017.

Fire

5. Approve an ordinance establishing classifications and positions in the classified service of the Austin Fire Department; creating and eliminating certain positions and repealing Ordinance No. 20140908-004 relating to the Austin Fire Department classifications and positions.

Health and Human Services

6. Approve an ordinance authorizing acceptance of supplemental grant funds in the amount of \$29,485 from the TEXAS DEPARTMENT OF STATE HEALTH SERVICES, COMMUNITY PREPAREDNESS SECTION; and amending the Fiscal Year 2014-2015 Health and Human Services Operating Budget Special Revenue Fund (Ordinance No. 20140908-001) to support public health emergency preparedness activities.
7. Approve an ordinance authorizing acceptance of \$101,540 in grant funds from the TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS; and amending the Fiscal Year 2014-2015 Health and Human Services Department Operating Budget Special Revenue Fund (Ordinance No. 20140908-001) to appropriate \$101,540 for the delivery of services to address basic needs of and to provide case management, employment support services, and preventive health services to low-income residents.

Parks and Recreation

8. Approve an ordinance amending the Fiscal Year 2014-2015 Parks and Recreation Department Operating Budget Special Revenue Fund (Ordinance No. 20140908-001) to accept and appropriate \$65,000 in grant funds from the Asian American Resource Center, Inc. for salary expenses for a City of Austin employee to assist with Asian and Asian-American cultural protocols, programming, and marketing at the City of Austin Asian American Resource Center.

Purchasing Office

9. Authorize award, negotiation, and execution of a 36-month contract with TEXAS TENNIS CONSULTANTS, or one of the other qualified offerors to Request for Proposal No. TVN0047, to provide management services for Caswell Tennis Center, in an amount not to exceed \$117,000, with two 36-month extension options in an amount not to exceed \$117,000 per extension option, for a total contract amount not to exceed \$351,000.
(Notes: This contract will be awarded in compliance with City Code Chapter 2-C Minority-Owned and Women-Owned Business Enterprise Procurement Program. Per the Small & Minority Business Resources Department (SMBR), no subcontracting opportunities were identified; therefore, no goals were

established for this solicitation.)

10. 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

11. Approve issuance of a street closure permit under City Code Chapter 14-8 for the 2015 Silicon Labs Sunshine Run, which will be held on Sunday, May 3, 2015, from 7:30 a.m. to 10:00 a.m.
12. Approve an ordinance amending City Code Chapter 13-2 relating to requirements for transportation charter services.

Item(s) from Council

13. Approve appointments and certain related waivers to citizen boards and commissions, to Council committees and other intergovernmental bodies and removal and replacement of members.
14. Approve a resolution directing the City Manager to outline plans addressing reform of the City's development review, inspections and permitting processes, including but not limited to, recommendations from the Zucker Systems Analysis Report.
(Notes: SPONSOR: Mayor Steve Adler CO 1: Council Member Gregorio Casar CO 2: Council Member Sheri Gallo CO 3: Mayor Pro Tem Kathie Tovo CO 4: Council Member Sabino "Pio" Renteria)
15. Approve a resolution initiating a code amendment to mitigate the effects of smoke emissions from restaurants and mobile food vendors near residentially zoned areas.
(Notes: SPONSOR - Council Member Sabino "Pio" Renteria CO 1: Council Member Kathie Tovo CO 2: Mayor Steve Adler CO 3: Council Member Gregorio Casar)
16. Approve the waiver or reimbursement of certain fees and requirements under City Code Chapter 14-8 and authorize payment of certain costs for the Texas Independence Day 5K Run and Parade, co-sponsored by the City and Celebrate Texas Incorporated, which was held Saturday, February 28, 2015.
(Notes: SPONSOR: Council Member Delia Garza CO 1: Council Member Gregorio Casar CO 2: Mayor Steve Adler CO 3: Council Member Ann Kitchen)
17. Approve a resolution initiating a process under City Code Title 14, Article 4 to name an overlook located near the southwest corner of Congress Avenue

and Cesar Chavez Street after Roberta Crenshaw.

(Notes: SPONSOR: Mayor Pro Tem Kathie Tovo CO 1: Council Member Leslie Pool CO 2: Council Member Sheri Gallo CO 3: Council Member Ann Kitchen)

18. Approve a resolution amending the City's legislative program for the 84th Legislature to support House Bill 1756, which makes technical corrections and adjustments to the state statute that governs the Austin Firefighters Relief and Retirement Fund.
(Notes: SPONSOR: Mayor Steve Adler CO 1: Council Member Sheri Gallo CO 2: Council Member Delia Garza CO 3: Council Member Sabino "Pio" Renteria CO 4: Council Member Don Zimmerman)
19. Approve the waiver of certain fees and costs under City Code Chapter 14-8 for the Texas State Employees Union Lobby Day march sponsored by the Texas State Employees Union which is to be held Wednesday, April 8, 2015.
(Notes: SPONSOR: Council Member Gregorio Casar CO 1: Council Member Ora Houston CO 2: Council Member Delia Garza CO 3: Council Member Leslie Pool CO 4: Council Member Ann Kitchen)
20. Approve a resolution related to the issuance of a request for proposals for up to 600 megawatts of solar generation.
(Notes: SPONSOR: Council Member Delia Garza CO 1: Council Member Gregorio Casar CO 2: Council Member Leslie Pool CO 3: Council Member Ann Kitchen CO 4: Mayor Pro Tem Kathie Tovo)
21. Approve a resolution directing the City Manager to return to council with an ordinance for consideration that creates a civil offense for unlawfully passing a school bus.
(Notes: SPONSOR: Mayor Pro Tem Kathie Tovo CO 1: Council Member Sabino "Pio" Renteria CO 2: Council Member Ora Houston CO 3: Council Member Sheri Gallo)

Item(s) to Set Public Hearing(s)

22. Set a public hearing to consider an ordinance amending City Code Chapter 15-2 relating to the drainage charge. (Suggested date and time: May 7, 2015 at 4:00 p.m. at Austin City Hall, 301 West Second Street, Austin, TX.)
23. Set a public hearing to consider an ordinance amending City Code Title 25 regarding adult-oriented businesses. (Suggested date and time: April 16, 2015, 10:00 a.m. at Austin City Hall, 301 W. Second Street, Austin, TX).
24. Set a public hearing to consider the full purpose annexation of the LES Burleson area (approximately 13.2 acres in southern Travis County south of Burleson Road approximately 870 feet east of the intersection of Burleson Road and Smith School Road.) (Suggested dates and times: May 7, 2015, at 4:00 p.m. and May 21, 2015 at 4:00 p.m. at Austin City Hall, 301 West

Second Street, Austin, TX).

25. Set a public hearing to receive citizen input on community needs concerning the City's Fiscal Year 2015-2016 Action Plan and Community Development Program, as required by the U.S. Department of Housing and Urban Development and Texas Local Government Code, Chapter 373. (Suggested date and time: April 16, 2015, 4:00 p.m., at Austin City Hall, 301 W. Second Street, Austin, TX).

Non-Consent

Item(s) Referred from Council Committee(s)

Audit and Finance Committee

26. Approve a resolution directing the City Manager to identify funding options from the current budget for five full-time equivalent staff positions for the Mayor's Office and \$25,000 for each council office for the purpose of providing enhanced constituent services. (Item from Council)
(Notes: SPONSOR: Mayor Steve Adler CO 1: Council Member Leslie Pool
CO 2: Council Member Sheri Gallo CO 3: Council Member Ann Kitchen)

Eminent Domain

27. Approve a resolution authorizing the filing of eminent domain proceedings for the University Hills Branch Library Parking Lot Expansion Project for approximately 22,147 square feet of land for a public parking lot, out of Lot 1A, The Bluffs of University Hills, Resubdivision of Lots 1 and 2, Block A, a subdivision in Travis County, Texas, according to the map or plat recorded in Volume 84, Page 43D, Plat Records of Travis County, Texas, conveyed to SAFA Trading Establishment, Inc. by Special Warranty Deed recorded in Volume 12932, Page 1629 of the Real Property Records of Travis County, Texas, in the amount of \$155,000. The owner of the needed property interests is SAFA TRADING ESTABLISHMENT, INC. The property is located entirely in District 1, at 4601 Loyola Lane, in Austin, Travis County, Texas 78723. The general route covered by this project includes the University Hills Branch Library area, located on a portion of Loyola Lane, between Manor Road and Ed Bluestein Boulevard (United States Highway 183).

10:30 AM - Morning Briefings

28. Briefing regarding development review, inspections and permitting processes.

12:00 PM - Citizen Communications: General

Lisa Whitted - ABA for City of Austin Healthplan

Susana Almanza - City Elections- Discrimination

Ernest Calderon - City Elections- Discrimination

Michael Whellan - Challenges with the site development permit process

Sylvia Servin - Traffic problems

Bertha Delgado - The preservation of East Austin homes, neighborhoods and community

Pat Valls-Trelles - Animal issues

CAROLANNROSEKENNEDY - GOD BLESS MY UNDERWEAR

Paul Robbins - City and budget issues

Carlos León - 1) God, Jesus Christ, and the Holy Spirit are the greatest 2) Clean air for Austin requires zero chemical air for Austin 3) Losing your marbles - Part V

Executive Session

29. Discuss legal issues related to Open Government matters (Private consultation with legal counsel - Section 551.071 of the Government Code).
30. Discuss legal issues related to the filing of eminent domain proceedings for the University Hills Branch Library Parking Lot Expansion Project (Private consultation with legal counsel - Section 551.071 of the Government Code).
31. Discuss personnel matters related to the appointment of a new City Auditor (Personnel Exception – 551.074 of the Government Code).
32. Discuss legal issues related to Mercer et al v. City of Austin et al, Cause No. 1:13-cv-00830, in the United States District Court for the Western Division of Texas (Private consultation with legal counsel—Section 551.071) (Related to July 26, 2013 officer-involved shooting).

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

33. C14-2014-0178 – Overlook at Spicewood Springs – (District 10) – Approve second and third readings of an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 4920 Spicewood Springs Road (Bull Creek Watershed) from single-residence-standard lot (SF-2) district zoning to limited office-conditional overlay (LO-CO) combining district zoning. First Reading approved on February 12, 2015. Vote: 11-0. 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.

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

34. 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.
35. 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.
36. C14-2014-0167 – Cantarra Mixed Use – (District 1) – Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 13007 Cantarra Drive (Harris Branch Watershed) from interim-single family residence-small lot (I-SF-4A) district zoning to neighborhood commercial-mixed use-conditional overlay (LR-MU-CO) combining district zoning. Staff recommendation: To grant neighborhood commercial-mixed use-conditional overlay (LR-MU-CO) combining district zoning. Zoning and Platting Commission Recommendation: To grant neighborhood commercial-mixed use-conditional overlay (LR-MU-CO) combining district zoning. Owner: Michael Jeter. Applicant/Agent: Alice Glasco Consulting (Alice Glasco). City Staff: Sherri Sirwaitis, 512-974-3057.
37. C14-2015-0013 – 2363 Seventy One – (District 2) – Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by zoning

property locally known as 2363 East State Highway 71 Westbound (Colorado River Watershed) from interim-rural residence (I-RR) district zoning to general commercial services (CS) district zoning. Staff Recommendation: To grant general commercial services (CS) district zoning. Zoning and Platting Commission Recommendation: To grant general commercial services (CS) district zoning. Owner/Applicant: Mohammad Mokri; Javad Oskouipour. Agent: Paul E. Kennedy. City Staff: Wendy Rhoades, 512-974-7719.

3:00 PM - Austin Housing and Finance Corporation Meeting

38. The Mayor will recess the City Council meeting to conduct a Board of Directors' Meeting of the Austin Housing Finance Corporation. Following adjournment of the AHFC Board meeting the City Council will reconvene. (The AHFC agenda is temporarily located at <https://austin.siretechnologies.com/sirepub/mtgviewer.aspx?meetid=757&doctype=Agenda>)

5:30 PM - Live Music

Gina Chavez

5:30 PM - Proclamations

Proclamation -- National Donate Life Month -- to be presented by Mayor Steve Adler and to be accepted by Michelle Segovia

Proclamation -- National Public Health Week -- to be presented by Mayor Steve Adler and to be accepted by Shannon Jones

Proclamation -- Jazz Appreciation Month -- to be presented by Mayor Steve Adler and to be accepted by Fito Kahn and Paul Klemperer

Proclamation -- Telecommunications Workers Week -- to be presented by Mayor Steve Adler and to be accepted by Capt. Rebecca Ackerman


Proclamation -- CARY Youth Violence Prevention Week -- to be presented by Mayor Steve Adler and to be accepted by Adrian L. Moore


Proclamation -- Sexual Assault Awareness Month -- to be presented by Council Member Ora Houston and to be accepted by representatives of the Austin/Travis County Family Violence Task Force

Proclamation -- Local Business Month -- to be presented by Council Member Leslie Pool and to be accepted by Rebecca Melancon

Proclamation -- Save Texas Schools Rally -- to be presented by Mayor Pro Tem Kathie Tovo and to be accepted by Susan Moffatt

Adjourn

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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.