



**Thursday, February 13, 2014**

The Austin City Council will convene at 10:00 AM on  
Thursday, February 13, 2014 at Austin City Hall  
301 W. Second Street, Austin, TX



**Mayor Lee Leffingwell**  
**Mayor Pro Tem Sheryl Cole**  
**Council Member Chris Riley, Place 1**  
**Council Member Mike Martinez, Place 2**  
**Council Member Kathie Tovo, Place 3**  
**Council Member Laura Morrison, Place 4**  
**Council Member William Spelman, Place 5**

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**

Dr. B. W. McClendon, Sr., St. James Missionary Baptist Church

**10:00 AM – City Council Convenes**

**Consent**

**Approval of Minutes**

1. Approve the minutes of the Austin City Council special called meeting of November 18, 2013, work session of January 28, 2014 and regular meeting of January 30, 2014.

**Austin Energy**

2. Approve issuance of a rebate to Barrington Austin Apartments, LLC, for performing energy efficiency improvements at The Barrington at Park Place Apartments (Phase 1) located at 3204 Duval Rd., Austin, Texas 78759, in an amount not to exceed \$176,399.
3. Approve issuance of a rebate to Jacob Castellanos, for performing energy efficiency improvements at the Club Creek Apartments located at 502 W. Longspur Blvd., Austin, Texas 78753, in an amount not to exceed \$107,999.
4. Approve issuance of a rebate to Jacob Castellanos, for performing energy efficiency improvements at the Wildwood Apartments located at 7610 Cameron Rd., Austin, Texas 78752, in an amount not to exceed \$191,449.
5. Authorize negotiation and execution of an agreement with Target – Arboretum, to provide a performance-based incentive for the generation of solar energy at its facility located at 10107 Research Blvd., Austin, Texas 78759, for an estimated \$42,122 per year, for a total amount not to exceed \$421,220 over a 10-year period.
6. Authorize negotiation and execution of an agreement with Target – South Park Meadows, to provide a performance-based incentive for the generation of solar energy at its facility located at 9500 South I-35, Suite G, Austin, Texas 78748, for an estimated \$42,425 per year, for a total amount not to exceed \$424,250 over a 10-year period.

## **Contract Management**

7. Authorize the use of the construction manager-at-risk method of contracting for construction of the new Terminal 7 Gate Expansion Project at the Austin-Bergstrom International Airport in accordance with Texas Government Code Chapter 2267.  
( Notes: This contract will be awarded in compliance with City Code Chapter 2-9A (Minority Owned and Women Owned Business Enterprise Procurement Program). )
8. Authorize negotiation and execution of a professional services agreement with FREESE AND NICHOLS, INC., (staff recommendation) or one of the other qualified responders to Request for Qualifications Solicitation No. CLMP138, to provide design, bid and construction phase services for the MLK Transit Oriented Development Stormwater Conveyance Improvements in an amount not to exceed \$750,000.  
( Notes: This contract will be awarded in compliance with Chapter 2-9B of the City Code (Minority Owned and Women Owned Business Enterprise Procurement Program) by meeting the goals with 15.80% MBE and 15.80% WBE subconsultant participation. )
9. Authorize execution of a construction contract with Prism Development, Inc. for the BOG-1A Oak Springs Riparian Restoration Project in the amount of \$175,894 plus a \$17,589.40 contingency, for a total contract amount not to exceed \$193,483.40.  
( Notes: This contract will be awarded in compliance with City Code Chapter 2-9A (Minority Owned and Woman Owned Business Enterprise Program) through the achievement of Good Faith Effort with 100% MBE prime participation. )

## **Economic Development Department**

10. Authorize negotiation and execution of a Family Business Loan Program loan to 11E5 LLC consisting of a building renovation loan not to exceed \$167,345 and a working capital loan not to exceed \$166,484, for a total loan amount not to exceed \$333,829, for redevelopment of property at 1100 East Fifth Street to create a multi-purpose facility for use as a community gathering space, farmer's market, event space, office and café.

## **Health and Human Services**

11. Authorize negotiation and execution of an 11-month agreement for social services with Front Steps, Inc. to fund maintenance and operations of the Austin Resource Center for the Homeless, housing location services and financial assistance to homeless individuals for an amount not to exceed \$276,314 in grant funds from the Texas Department of Housing and Community Affairs, Homeless Housing and Services Program.

12. Authorize negotiation and execution of a 24-month interlocal agreement with the Health and Human Services Commission for Commission training to City of Austin Health and Human Services Department staff to help citizens apply for program benefits through the Your Texas Benefits website at six neighborhood centers.
13. Approve an ordinance authorizing acceptance of grant funds in the amount of \$5,769 from the TEXAS DEPARTMENT OF STATE HEALTH SERVICES, and amending the Fiscal Year 2013-14 Health and Human Services Department Operating Budget Special Revenue Fund (Ordinance No. 20130909-001) to appropriate \$5,769 for the Public Health Emergency Preparedness Program.

### **Human Resources**

14. Approve a resolution amending the Personnel Policies, Chapter A, Section III.B.1. (9) a and b, to enhance the amount of Serious Injury Supplement benefits provided to non-sworn employees that are injured on the job.

### **Law**

15. Approve settlement of a claim from Alexandria Gladney against the City of Austin (Related to the July 26, 2013 officer-involved shooting).

### **Management Services**

16. Approve an ordinance amending Fiscal Year 2013-2014 Management Services Department Operating Budget (Ordinance No. 20130909-001) to appropriate funds for the Independent Citizens Redistricting Commission.

### **Neighborhood Housing and Community Development**

17. Approve a resolution for the commitment of a loan in an amount not to exceed \$2,000,000 to Foundation Communities, Inc. for a proposed 120-unit affordable rental development, to be known as Bluebonnet Studios, located at 2301 South Lamar Boulevard, with funding being conditional upon the award of tax credits to Foundation Communities, Inc. by the Texas Department of Housing and Community Affairs for the proposed project.
18. Approve a resolution for the commitment of a loan in an amount not to exceed \$2,805,000 to Foundation Communities, Inc. for a proposed 170-unit affordable rental development, to be known as Cardinal Point, located at 11108 and 11300 Zimmerman Lane, with funding being conditional upon the award of tax credits to Foundation Communities, Inc. by the Texas Department of Housing and Community Affairs for the proposed project.
19. Approve a resolution for the commitment of a loan in an amount not to exceed \$1,250,000 to Foundation Communities, Inc. for a proposed 60-unit

expansion of its existing multi-family development, Southwest Trails, to be known as Southwest Trails Phase II, located at 8500 U.S. Highway 71, with funding being conditional upon the award of tax credits to Foundation Communities, Inc. by the Texas Department of Housing and Community Affairs for the proposed project.

20. Approve a resolution for the commitment of a loan in an amount not to exceed \$2,200,000 to DDC Merritt Lakeline Station, Ltd. for a proposed 200-unit mixed-income rental development, Merritt Lakeline Station Apartments, located at 10701 Lakeline Mall Drive, with funding being conditional upon the award of tax credits to DDC Merritt Lakeline Station, Ltd. by the Texas Department of Housing and Community Affairs for the proposed project.
21. Approve a resolution for the commitment of a loan in an amount not to exceed \$2,475,000 to Foundation Communities, Inc. for a proposed 150-unit affordable rental development, to be known as Rutledge Spur Apartments, located at the northeast corner of Rutledge Spur and FM 620, with funding being conditional upon the award of tax credits to Foundation Communities, Inc. by the Texas Department of Housing and Community Affairs for the proposed project.

#### **Office of Real Estate Services**

22. Authorize negotiation and execution of all documents and instruments necessary or desirable to purchase in fee simple a tract of land totaling approximately 351.6122 acres in Hays County, Texas, located at 4450 W. FM 150 from Thomas H. Searcy and Joan Searcy for a total amount not to exceed \$7,500,000.
23. Approve an ordinance vacating approximately 8,779 square feet of street right-of-way in the City of Austin, Travis County, Texas, being the western half of Tillery Street south of the intersection of Tillery Street and East Cesar Chavez Street to AusPro Enterprises, L.P. for consideration not to exceed \$11,000; and vacating approximately 8,573 square feet of street right-of-way in the City of Austin, Travis County, Texas, being the eastern half of Tillery Street south of the intersection of Tillery Street and East Cesar Chavez Street to Joe M. Moore, Jr., Daniel Baladez, and Rose Baladez for consideration not to exceed \$10,700.
24. Authorize the Urban Renewal Agency of the City of Austin to negotiate and execute all documents and instruments necessary or desirable to sell an approximately 13,200-square-foot vacant lot, locally known as 1120 E. 12th Street, to BUTLER EQUITY HOLDINGS, LTD., in accordance with Local Government Code Section 374.017, in the amount of \$451,000, excluding any applicable closing costs, for the development of a five-story vertical mixed use building.
25. Authorize the Urban Renewal Agency of the City of Austin to negotiate and

execute all documents and instruments necessary or desirable to sell approximately 26,206 square feet of vacant land, locally known as 1322, 1324, 1326, 1328, 1330, 1332, 1334 and 1336 E. 12th Street, to BUTLER EQUITY HOLDINGS, LTD., in accordance with Local Government Code Section 374.017, in the amount of \$901,000, excluding any applicable closing costs, for the development of a five-story vertical mixed use building.

### **Parks and Recreation**

26. Approve an ordinance amending the Fiscal Year 2013-2014 Schedule of Fees, Fines, and Other Charges to be Set or Charged by the City (Ordinance No. 20130909-003) to allow the Parks and Recreation Department to offer discounted fees for youth recreation programs for eligible low-income persons who are qualified to receive government-sponsored free or reduced fee lunches, or who provide an alternative income qualification form.
27. Approve an ordinance accepting \$5,068 in additional grant funds from the Capital Area Food Bank; and amending the Fiscal Year 2013-2014 Parks and Recreation Department Operating Budget Special Revenue Fund (Ordinance No. 20130909-001) to appropriate an additional \$5,068 for the Kid's Café® program.
28. Approve an ordinance accepting \$5,000 in grant funds from the Lora L. and Martin N. Kelley Foundation Trust; and amending the Fiscal Year 2013-2014 Parks and Recreation Department Operating Budget Special Revenue Fund (Ordinance No. 20130909-001) to appropriate an additional \$5,000 for the Nature's Way Preschool "house in the trees" project.

### **Purchasing Office**

29. Approve ratification of a contract with AFFILIATED POWER SERVICES LP to provide repair services for the heat recovery steam generator at Austin's Energy's Sand Hill Energy Center in an amount not to exceed \$696,026.  
( Notes: This contract was awarded in compliance with City Code Chapter 2-9C (Minority-Owned and Women-Owned Business Enterprise Procurement Program). This was an emergency service contract; therefore, it is exempted under Chapter 791 of the Texas Local Government Code and no goals were established for this solicitation. )
30. Authorize award and execution of a 36-month requirements service contract with ENTECH SALES & SERVICE, INC. to provide heating, ventilation and air conditioning maintenance and repair services for the various City Departments in an estimated amount not to exceed \$2,806,500, with three 12-month extension options in an estimated amount not to exceed \$935,500 per extension option, for a total estimated contract amount not to exceed \$5,613,000.  
( 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 contract. )

31. Authorize award and execution of Amendment No. 3 to a requirements supply agreement with PIONEER TRANSFORMERS, LTD., for network transformers for Austin Energy to increase the contract authorization for the current contract period and two remaining extensions options in an amount not to exceed \$2,050,493 each, for a revised total contract amount not to exceed \$12,003,539.

( Notes: This contract was 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. )

32. Authorize award and execution of Amendment No. 2 to the contract with WOOD GROUP POWER PLANT SERVICES, INC., to increase the contract amount for the upgrade of a replacement control system for the turbine and generator units 1-4 at Austin Energy's Sand Hill Energy Center, in an amount not to exceed \$282,367, for a revised total contract amount not to exceed \$1,663,632.

( Notes: This contract was 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. )

33. Authorize award, negotiation, and execution of a 24-month requirements service contract with AIR HYGIENE INTERNATIONAL, INC. or another qualified offeror to RFP No. GAL0014, for the purchase of stack testing services for Austin Energy, in an amount not to exceed \$130,000, with two 24-month extension options in an amount not to exceed \$130,000 per extension option, for a total contract amount not to exceed \$390,000.

( 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 contract. )

34. Authorize award and execution of a 12-month requirements service agreement with YOKA, INC., for preventative and corrective maintenance services for critical flywheel equipment at Austin Energy's System Control Center, in an amount not to exceed \$33,056, with four 12-month extension options in an amount not to exceed \$33,056 per extension option, for a total contract amount not to exceed \$165,280.

( 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. )

35. Authorize negotiation and execution of contracts with CARAT, BBH GLOBAL, OGILVYONE, M&M GLOBAL PUBLIC RELATIONS, AND PORTER NOVELLI, for advertising, marketing, and promotion of the British Airways nonstop passenger air service between Austin and London for a combined total amount not to exceed \$450,000.  
( Notes: These expenses will be expended 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. )
36. Authorize award, negotiation and execution of a contract with JOHNSON CONTROLS INC. or another qualified offeror to RFP No. OPJ0107, for the purchase and installation of a 2500 ton chiller to be installed at Austin Energy's Domain District Cooling Plant, in an amount not to exceed \$2,402,517.  
( Notes: This contract will be awarded in compliance with City Code Chapter 2-9D (Minority Owned and Women Owned Business Enterprise Procurement Program) by meeting the goals with 1.08% MBE and 6.17% WBE subcontractor participation. )
37. Authorize award and execution of a contract with AUSTIN MOTORRAD, INC. DBA LONESTAR BMW / TRIUMPH for the purchase of BMW Police Motorcycles for the Austin Police Department in an amount not to exceed \$484,061.  
( Notes: This contract will be awarded in compliance with City Code Chapter 2-9D (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this contract. )
38. Authorize award and execution of a 36-month requirements supply contract with AMERICAN PRINTERS EXCHANGE, INC. DBA AMERICAN PRINTING & MAILING, for printing Grow Green Fact Sheets in an amount not to exceed \$75,000 with three 12-month extension options in an amount not to exceed \$25,000 per extension option, for a total contract amount not to exceed \$150,000.  
( Notes: This contract will be awarded in compliance with City Code Chapter 2-9D (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this contract. )
39. Authorize award and execution of a contract through the Houston-Galveston Area Council Cooperative (HGAC) with SANTEX TRUCK CENTERS, LTD for the purchase of eight heavy-duty trucks in an amount not to exceed \$1,130,792. Related to Item #40.  
( 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. )



40. Authorize award and execution of a contract through the Texas Local Government Purchasing Cooperative (BuyBoard) with KINLOCH EQUIPMENT & SUPPLY INC. for the purchase of one Vector RamJet Body in an amount not to exceed \$123,914. Related to Item #39.  
( 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. )

### **Transportation**

41. Approve issuance of a street event 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 between Colorado Street and Lavaca Street which is to be held on Monday, March 17, 2014.

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

42. Approve appointments and certain related waivers to citizen boards and commissions, to Council subcommittees and other intergovernmental bodies and removal and replacement of members.
43. Approve an ordinance authorizing the waiver of certain fees and requirements under City Code Chapter 14-8, authorizing the waiver of certain other fees and requirements, and authorizing payment of certain costs for the City co-sponsored 2014 South by Southwest Conferences and Festivals, to be held March 7-16, 2014.  
( Notes: SPONSOR: Mayor Pro Tem Sheryl Cole CO 1: Council Member Mike Martinez )
44. Approve a resolution directing the City Manager to develop a financing and funding plan for Homestead Preservation Districts and determine criteria for designating whether land is unproductive, underdeveloped or blighted.  
( Notes: SPONSOR: Council Member Mike Martinez CO 1: Council Member William Spelman CO 2: Council Member Kathie Tovo )
45. Approve a resolution directing the City Manager to work with citizen stakeholders and the Urban Transportation Commission to develop a recommendation for resolving the issue of non-electric vehicles parking at electric vehicle charging stations on public property.  
( Notes: SPONSOR: Council Member Chris Riley CO 1: Council Member Mike Martinez CO 2: Council Member William Spelman )
46. Approve a resolution directing the City Manager to communicate to the Texas Department of Transportation and the Central Texas Regional Mobility Authority (CTRMA) that the City wishes to amend the interlocal agreement between the City and CTRMA to rescind authority to construct

Sound Wall #3 of the MoPac Improvement Project in City right-of-way.  
( Notes: SPONSOR: Council Member Kathie Tovo CO 1: Council Member Laura Morrison CO 2: Council Member William Spelman )

47. Approve a resolution directing the City Manager to identify feasible locations for smoke sensors, develop recommendations for implementing an early wildfire detection system, and negotiate with Travis County and other stakeholders to implement an early wildfire detection system.  
( Notes: SPONSOR: Council Member Mike Martinez CO 1: Council Member Chris Riley )

#### **Item(s) to Set Public Hearing(s)**

48. Set a public hearing to consider an ordinance amending City Code Title 25 to allow mobile retail sale of goods and establish permitting requirements.  
(Suggested date and time: March 27, 2014, 4:00 p.m. at Austin City Hall, 301 W. Second Street, Austin, TX).
49. Set a public hearing under Section 2306.67071, Texas Government Code and Section 10.204(4), Texas Administrative Code, for an application to be submitted to the Texas Department of Housing and Community Affairs by Villages at Ben White, LP for a proposed 183-unit affordable senior housing development to be financed with tax-exempt bonds to be called the Villages at Ben White, located at 6934 East Ben White Boulevard. (Suggested date and time: February 27, 2014 beginning at 4 p.m. at Austin City Hall, 301 W. Second Street, Austin TX)
50. Set a public hearing under Section 2306.67071, Texas Government Code and Section 10.204(4), Texas Administrative Code, for an application to be submitted to the Texas Department of Housing and Community Affairs by Ben White Development, LP for tax-exempt bond financing for a proposed 250-unit affordable multi-family development to be called the Pointe at Ben White, located at 7000 East Ben White Boulevard. (Suggested date and time: February 27, 2014 beginning at 4 p.m. at Austin City Hall, 301 W. Second Street, Austin TX)
51. Set a public hearing under Section 2306.67071, Texas Government Code and Section 10.204(4), Texas Administrative Code, for an application to be submitted to the Texas Department of Housing and Community Affairs by Pedcor Investments-2012-CXXXI, LP for tax-exempt bond financing for a proposed 252-unit affordable multi-family development to be called William Cannon Apartments, located at 2112 East William Cannon Drive.  
(Suggested date and time: February 27, 2014 beginning at 4 p.m. at Austin City Hall, 301 W. Second Street, Austin TX)
52. Set a public hearing under Section 2306.67071, Texas Government Code and Section 10.204(4), Texas Administrative Code, for an application to be submitted to the Texas Department of Housing and Community Affairs by

Pedcor Investments-2012-CXXX, LP for tax-exempt bond financing for a proposed 252-unit affordable multi-family development to be called Parmer Place, located at 1500 East Parmer Lane. (Suggested date and time: February 27, 2014 beginning at 4 p.m. at Austin City Hall, 301 W. Second Street, Austin TX)

53. Set a public hearing to consider an ordinance approving a site plan for a development project at 9512 FM 2222; superseding conflicting requirements of the City Code; and waiving City Code Section 25-1-502. (Suggested date and time: February 27, 2014, 4:00 p.m. at Austin City Hall, 301 W. Second Street, Austin TX).
54. Set a public hearing to consider an ordinance creating an economic development program for and authorizing the negotiation and execution of an Economic Development Agreement with Websense, Inc. (Suggested date and time: February 20, 2014, 1:30 p.m. at Austin City Hall, 301 W. Second Street, Austin, TX)
55. Set a public hearing to consider an ordinance creating an economic development program for and authorizing the negotiation and execution of an Economic Development Agreement with Dropbox, Inc. (Suggested date and time: February 20, 2014, 1:30 p. m. at Austin City Hall, 301 W. Second Street, Austin, TX)

## **Non-Consent**

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

56. Approve third reading of ordinance amending City Code Chapter 25-2, Subchapter C, Article 3, Division 9 (University Neighborhood Overlay District Requirements) relating to affordable housing regulations in the university neighborhood overlay (UNO) district. THE PUBLIC HEARING FOR THIS ITEM WAS HELD AND CLOSED ON AUGUST 22, 2013.
57. Approve second and third readings of an ordinance to annex the Cascades at Onion Creek annexation area for full purposes (approximately 136 acres in southern Travis County east of IH 35 South approximately four tenths of a mile south of the intersectin of IH 35 South and Onion Creek Parkway). THE PUBLIC HEARINGS FOR THIS ITEM WERE HELD AND CLOSED ON OCTOBER 17, 2013 AND OCTOBER 23, 2013.

### **10:30 AM - Morning Briefings**

58. Economic Development Annual Report
59. Staff presentation regarding a proposal to create an economic development program for Websense and an economic development program for

Dropbox. (Public comment is permitted on this staff presentation).

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

Kunda Wicce - 1000 MW gas-fired plant proposal

Homero Urbina - Homelessness and a jingle for the State of Texas car registration. All proceeds from the jingle will go to the State of Texas.

Robert Macdonald - Homelessness

Paul Robbins - City and budget issues

Mark McCammon - Surveillance

Alejandro Puyana - Sewage back-up

Kim Bernson - Damage to water pipes due to City of Austin Water dept.

Carlos León - 1.( Repent; place God front and center; Follow the Lord, Fight the enemy, Finish the race 2.) Stop Chemtrailing us; Stop poisoning us. 3.) Truth hammers lies.

Mike Johnson - Item 30253 Award of Domain District Cooling Plant

Ronnie Reefersseed - Peace and love

**Executive Session**

60. Discuss legal issues related to Open Government matters (Private consultation with legal counsel-Section 551.071 of the Government Code.)
61. Discuss legal issues related to the transition to electing the council from single-member districts (Private consultation with legal counsel - Section 551.071 of the Government Code.)
62. Discuss legal issues related to the July 26, 2013 officer-involved shooting (Private consultation with legal counsel-Section 551.071 of the Government Code).

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

63. C14-2013-0133 – 920 E. 53rd Street – Approve second/third readings of an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 920 East 53rd Street (Tannehill Branch Watershed) from family residence-neighborhood plan (SF-3-NP) combining district zoning to single family residence-small lot-neighborhood plan (SF-4A-NP) combining district zoning. First Reading approved on January 23, 2014. Vote: 6-0, Mayor

Leffingwell was absent. Owner/Applicant: Pamela Romero and Richard Kallus. City Staff: Wendy Rhoades, 512-974-7719.

64. C14-2013-0138 – Nightcap Dessert Lounge – Approve second/third readings of an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 1401 West 6th Street (Lady Bird Lake Watershed) from limited office-neighborhood plan (LO-NP) combining district zoning to community commercial-conditional overlay-neighborhood plan (GR-CO-NP) combining district zoning. First Reading approved on January 23, 2014. Vote: 6-0, Mayor Leffingwell was absent. Owner/Applicant: AGSA Group, L.L.C. (Gretchen Alley). Agent: Christin Rowan. City Staff: Sherri Sirwaitis, 512-974-3057.
65. C814-88-0001.10 – Canyons @ Rob Roy Rezoning – Approve second/third readings of an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 800 North Capital of Texas Highway (Bee Creek Watershed) from planned unit development (PUD) district zoning to planned unit development (PUD) district zoning, to change a condition of zoning. First Reading approved on January 30, 2014. Vote: 7-0. Owner: Brandywine Acquisition Partners (Ralph Bistline). Applicant: G5 Texas Development, L.L.C. (Jim Gallegos). Agent: Armbrust & Brown, PLLC (Richard Suttle). City Staff: Wendy Rhoades, 512-974-7719. City Staff: Wendy Rhoades, 512-974-7719. 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)**

66. C814-88-0001(RCA) - Canyons @ Rob Roy Rezoning - Conduct a public hearing and approve a restrictive covenant amendment on property locally known as 800 North Capital of Texas Highway (Bee Creek Watershed) as it relates to certain uses and development standards. Staff Recommendation: To grant an amendment to a portion of the Restrictive Covenant as it relates to certain uses and development standards. Zoning and Platting Commission Recommendation: To grant an amendment to a portion of the Restrictive Covenant as it relates to certain uses and development standards. Owner: Brandywine Acquisition Partners (Ralph Bistline). Applicant: G5 Texas Development, L.L.C. (Jim Gallegos). Agent: Armbrust & Brown, PLLC (Richard Suttle). Agent: Armbrust & Brown, PLLC (Richard Suttle). City Staff: Wendy Rhoades, 512-974-7719.
67. NPA-2013-0005.02 – 2801 Montopolis Drive (Montopolis Reclaimed Water Tank) – Conduct a public hearing and approve an ordinance amending Ordinance No. 20010927-05, the Montopolis 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 2801 Montopolis Drive (Carson Creek Watershed) from Industry to Civic land use. Staff Recommendation: To grant Civic land use. Planning

Commission Recommendation: To grant Civic land use. Owner/Applicant: City of Austin, Austin Water Utility. Agent: Dan W. Pederson, P.E. (Austin Water Utility). City Staff: Maureen Meredith, 512-974-2695.

68. C14-2013-0141 – Montopolis Reclaimed Water Tank – Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 2801 Montopolis Drive (Carson Creek Watershed) from limited industrial service-neighborhood plan (LI-NP) combining district zoning to public-neighborhood plan (P-NP) combining district zoning. Staff Recommendation: To grant public-neighborhood plan (P-NP) combining district zoning. Planning Commission Recommendation: To grant public-neighborhood plan (P-NP) combining district zoning. Owner: City of Austin, Austin Water Utility. Applicant: Austin Water Utility (Dan Pedersen, P.E.). City Staff: Lee Heckman, 512-974-7604.
69. NPA-2013-0010.01 - 2416 East Sixth Street - Conduct a public hearing and approve an ordinance amending Ordinance No. 011213-43, the Holly 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 know as 2416 East 6th Street (Lady Bird Lake Watershed) from Industry to Mixed Use land use. Staff Recommendation: To grant Mixed Use land use. Planning Commission Recommendation: To grant Mixed Use land use. Owner/Applicant: 2416 East Sixth Street, LP. Agent: Big Red Dog Engineering (Bob Brown). City Staff: Maureen Meredith, (512) 974-2695.
70. C14-2013-0083 - 2416 E. 6th Street - Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 2416 E. 6th Street (Lady Bird Lake Watershed) from limited industrial services-conditional overlay-neighborhood plan (LI-CO-NP) combining district zoning to general commercial services-vertical mixed use building-conditional overlay-neighborhood plan (CS-V-CO-NP) combining district zoning, as amended. Staff Recommendation: To recommend general commercial services-vertical mixed use building-conditional overlay-neighborhood plan (CS-V-CO-NP) combining district zoning. Planning Commission Recommendation: To recommend general commercial services-vertical mixed use building-conditional overlay-neighborhood plan (CS-V-CO-NP) combining district zoning. Owner: 2416 East Sixth Street LP (M. Timothy Clark); Applicant: Big Red Dog - Austin, LLC (Bob Brown). City Staff: Heather Chaffin, 512-974-2122.
71. NPA-2013-0011.02 - 4914 Bennett Avenue (Tomlinson's Feed & Pets, Inc.) - Conduct a public hearing and approve an ordinance amending Ordinance No. 020523-30, the North Loop 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 4914 Bennett Avenue (Boggy Creek Watershed) from Single Family to Mixed Use land use. Staff Recommendation: To grant Mixed Use/Office land use. Planning

Commission Recommendation: To grant Mixed Use land use.  
Owner/Applicant: Tomlinson's Feed & Pets, Inc. (Scott Click). Agent:  
Thrower Design (A. Ron Thrower). City Staff: Maureen Meredith, 512-974-  
2695.

72. C14-2013-0021 - Tomlinson's Feed & Pets Rezoning - Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 4914 Bennett Avenue (Boggy Creek Watershed) from family residence-neighborhood plan (SF-3-NP) combining district zoning to community commercial-mixed use-neighborhood plan (GR-MU-NP) combining district zoning. Staff Recommendation: To grant general office-mixed use-neighborhood plan (GO-MU-NP) combining district zoning. Planning Commission Recommendation: To grant community commercial-conditional overlay-neighborhood plan (GR-CO-NP) combining district zoning. Applicant: Tomlinson's Feed & Pets, Inc. (Scott Click). Agent: Thrower Design (Ron Thrower). City Staff: Jerry Rusthoven, 512-974-3207.
73. C14-2013-0107 – 600 Kemp Street – Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 600 Kemp Street (Country Club West Watershed) from family residence-neighborhood plan (SF-3-NP) combining district zoning to townhouse and condominium residence-neighborhood plan (SF-6-NP) combining district zoning. Staff Recommendation: To grant townhouse and condominium residence-neighborhood plan (SF-6-NP) combining district zoning, with conditions. Planning Commission Recommendation: To be reviewed on February 11, 2014. Owner: Kemp Street Properties, LLC. Applicant: Thrower Design (Ron Thrower). City Staff: Lee Heckman, 512-974-7604. A valid petition has been filed in opposition to this rezoning request.
74. C14-2013-0113 – Lamar Center – Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 11421 and 11423 North Lamar Boulevard (Walnut Creek Watershed) from neighborhood commercial (LR) district zoning to community commercial (GR) district zoning. Staff Recommendation: To grant community commercial-conditional overlay (GR-CO) combining district zoning, with conditions. Zoning and Platting Commission Recommendation: To be reviewed on April 1, 2014. Owner/Applicant: Rundberg Square LLC (Son Thai). City Staff: Sherri Sirwaitis, 512-974-3057.
75. C14-2013-0136 – Austin Elm Terrace, LP – Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 3215 Exposition Boulevard (Taylor Slough South Watershed) from unzoned (UNZ) and family residence (SF-3) district zoning to multi-family residence-low density (MF-2) district zoning. Staff Recommendation: To grant townhouse & condominium residence-conditional overlay (SF-6-CO) combining district zoning. Planning

Commission Recommendation: To be reviewed on February 25, 2014.  
Owner/Applicant: Austin Elm Terrace, LP (Steve Beuerlein). Agent: Husch Blackwell, LLP (Jerry L. Harris). City Staff: Sherri Sirwaitis, 512-974-3057.

76. C14-2013-0146 - Volente Business Park - Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by zoning property locally known as 11901 Anderson Mill Road (Lake Travis Watershed) from interim-rural residence (I-RR) district zoning to community commercial (GR) district zoning for Tract 1 and commercial-liquor sales (CS-1) district zoning for Tract 2. Staff Recommendation: To grant community commercial-conditional overlay (GR-CO) combining district zoning for Tract 1 and commercial-liquor sales-conditional overlay (CS-1-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 commercial-liquor sales-conditional overlay (CS-1-CO) combining district zoning for Tract 2. Owner/Applicant: Johnson Four Corners (Brent Johnson). Agent: McLean & Howard, LLP (Jeffrey S. Howard). City Staff: Sherri Sirwaitis, (512) 974-3057.
77. C14-2013-0148 – Dabney Horne House – Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 507 West 23rd Street (Shoal Creek Watershed) from general office-conditional overlay-historic landmark-neighborhood plan (GO-CO-H-NP) combining district zoning to general office-conditional overlay-neighborhood plan (GO-CO-NP) combining district zoning. Staff Recommendation: To grant general office-conditional overlay-neighborhood plan (GO-CO-NP) combining district zoning. Planning Commission Recommendation: To forward without a recommendation. Owner: University Cooperative Society, Inc. (George Mitchell). Applicant: Mike McHone Real Estate (Mike McHone). City Staff: Heather Chaffin, 512-974-2122.
78. C14-91-0038 (RCT) – Dabney Horne House – Conduct a public hearing and approve a restrictive covenant termination on property locally known as 507 West 23rd Street (Shoal Creek Watershed). Staff Recommendation: To grant the restrictive covenant termination. Planning Commission Recommendation: To grant the restrictive covenant termination. Owner: University Cooperative Society, Inc. (George Mitchell). Applicant: Mike McHone Real Estate (Mike McHone). City Staff: Heather Chaffin, 512-974-2122.
79. C14-2013-0150 – Bethany United Methodist Church – Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by zoning property locally known as 9908-10010 Anderson Mill Road (Lake Creek Watershed) from interim-rural residence (I-RR) district zoning to limited office (LO) district zoning. Staff Recommendation: To grant limited office-conditional overlay (LO-CO) combining district zoning, with conditions. Zoning and Platting Commission Recommendation: To grant



limited office-conditional overlay (LO-CO) combining district zoning, with conditions. Owner/Applicant: Bethany United Methodist Church, Chair-Board of Trustees (David M. Lee). Agent: Austin Civil Engineering (Keith Parkan). City Staff: Sherri Sirwaitis, 512-974-3057.

80. C14-2013-0151 – Cedar Bend Ambulatory Surgery Center – Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 2410 Cedar Bend Drive (Walnut Creek Watershed) from neighborhood commercial-conditional overlay (LR-CO) combining district zoning to general office-conditional overlay (GO-CO) combining district zoning. Staff Recommendation: To grant general office-conditional overlay (GO-CO) combining district zoning. Zoning and Platting Commission Recommendation: To grant general office-conditional overlay (GO-CO) combining district zoning. Owner/Applicant: Austin Diagnostic Clinic (John Ratcliff). Agent: Winstead, P.C. (Amanda Swor). City Staff: Sherri Sirwaitis, 512-974-3057.
81. C814-2008-0087.01 – South Shore District PUD Amendment (South Shore Subdivision Section One) – Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 1201 Town Creek Drive from planned unit development-neighborhood plan (PUD-NP) combining district zoning to planned unit development-neighborhood plan (PUD-NP) combining district zoning, to change a condition of zoning. Staff Recommendation: To grant the PUD amendment, adding site development regulations for townhouse use, to the Land Use Plan for Area 7. Planning Commission Recommendation: To grant the PUD amendment, adding site development regulations for townhouse use, to the Land Use Plan for Area 7. Owner: Sage South Shore, LLC. Applicant: Metcalfe, Wolff, Stuart, & Williams, LLP (Michele Rogerson Lynch). City Staff: Lee Heckman, 512-974-7604.

### **3:00 PM - Austin Housing and Finance Corporation Meeting**

82. 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=526&doctype=Agenda>)

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

83. Conduct a public hearing and consider an ordinance amending City Code Title 25 to allow temporary staging of equipment for municipal and utility projects on non-City-owned property.
84. Conduct a public hearing and consider an ordinance amending Chapter 25-2 regarding density bonus regulations in the Downtown Density Bonus Program and the Rainey Street Subdistrict.

85. Conduct a public hearing and consider an ordinance amending City Code Title 25 to allow breweries to sell alcoholic beverages produced on-site, for on-site consumption.
86. Conduct a public hearing and consider an ordinance amending City Code Title 25 to amend the occupancy limit for unrelated individuals in single-family zoned property.
87. Conduct a public hearing and consider an ordinance to amend City Code Title 25 to allow placement of accessible ramps in required yards setback.
88. Conduct a public hearing and consider an ordinance amending City Code Chapter 25-10 to establish regulations for special event signs.
89. Conduct a public hearing and consider an ordinance approving a consent agreement for the Cascades Municipal Utility District No. 1 ("MUD") subject to adoption of an ordinance approving a strategic partnership agreement between the City and the MUD.

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

Sphynx

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

Proclamation -- Wildlife Austin Habitat Challenge Winners -- to be presented by Mayor Lee Leffingwell and to be accepted by representatives of the winning neighborhoods

Proclamation -- Engineers Week and Discover Engineering 2014 and Distinguished Service Award - Rick McMaster -- to be presented by Mayor Lee Leffingwell and to be accepted by Rick McMaster

Distinguished Service Award -- Matt Hinsley, Austin Guitar Society -- to be presented by Mayor Lee Leffingwell and to be accepted by the honoree


Proclamation -- Austin Energy Regional Science Festival -- to be presented by Mayor Lee Leffingwell and to be accepted by Ingrid Weigand


Proclamation -- Wildlife Austin Habitat Challenge Winners -- to be presented by Mayor Lee Leffingwell and to be accepted by representatives of the winning neighborhoods

Certificates of Appreciation -- Austin Relief Alliance -- to be presented by Council Member Mike Martinez and to be accepted by the honorees

Proclamation -- Connecther and International Women's Day -- to be presented by Mayor Pro Tem Sheryl Cole and to be accepted by Lila Ingram

## 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.