



**AUSTIN CITY COUNCIL  
MINUTES**

**REGULAR MEETING  
THURSDAY, DECEMBER 6, 2012**

**Invocation:** Pastor Tim Pinson Sr., Mission Possible Austin

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, December 6, 2012 in the Council Chambers of City Hall, 301 West Second Street, Austin, Texas.

Mayor Leffingwell called the Council Meeting to order at 10:11 a.m.

**CONSENT AGENDA**

The following items were acted on by one motion.

1. Approve the minutes of the Austin City Council work session meeting of November 6, 2012, regular meeting of November 8, 2012, election canvass of November 19, 2012 and special called meeting of November 28, 2012 and amend approved minutes of November 1, 2012.  
**The minutes from the City Council work session of November 6, 2012, regular meeting of November 8, 2012, election canvass of November 19, 2012 and special called meeting of November 28, 2012 and the motion to amend the approved minutes of November 1, 2012 were approved on consent on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**
2. Approve the issuance of a performance based incentive to Youth and Family Alliance dba LifeWorks for the generation of solar energy at its facility located at 835 N. Pleasant Valley Road in Austin, Texas, for an estimated \$40,800 per year for a total amount not to exceed \$408,000 over a 10-year period.  
**The motion to approve the issuance of a performance based incentive to Youth and Family Alliance doing business as LifeWorks was approved on consent on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**
3. Authorize reimbursement to Seaholm Power, LLC, for design and engineering services for chilled water transmission lines and mechanical room design for chilled water service connections to a high-rise residential building and the former Seaholm power plant facility on the southern portion of the Seaholm Redevelopment site in an amount not to exceed \$210,840.  
**The motion authorizing the reimbursement to Seaholm Power, LLC was approved on consent on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**

Item 4 was pulled for discussion.

general commercial services-mixed use-conditional overlay-neighborhood plan (CS-MU-CO-NP) combining district zoning and limited industrial service-neighborhood plan (LI-NP) combining district zoning to East Riverside Corridor (ERC) district zoning. The proposed zoning changes will implement the land use recommendations of the adopted East Riverside Corridor (ERC) Master Plan. Staff Recommendation: To grant East Riverside Corridor (ERC) district zoning. Planning Commission Recommendation: To grant East Riverside Corridor (ERC) district zoning, with conditions. On November 8, 2012, Council conducted the public hearing. Applicant and Agent: Planning and Development Review Department. City Staff: Erica Leak, 974-2856. THE PUBLIC HEARING FOR THIS ITEM WAS HELD AND CLOSED ON NOVEMBER 8, 2012. PER CITY CODE SECTION 2-5-27, ADDITIONAL SPEAKERS WILL NOT BE REGISTERED FOR THIS ITEM.

**This item was postponed to January 17, 2013 on Council Member Martinez' motion, Mayor Pro Tem Cole's second on a 7-0 vote.**

### DISCUSSION ITEMS CONTINUED

74. Approve a resolution establishing an advisory group to assist in the development and preparation of a new Land Development Code per the Imagine Austin Comprehensive Plan. (Notes: SPONSOR: Mayor Pro Tem Sheryl Cole CO 1: Council Member Chris Riley)

**There was a motion made by Council Member Morrison and seconded by Council Member Spelman to approve the resolution with the following amendments.**

**The amendments were:**

**“BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:**

- 3. If a member of the advisory group subsequently resigns or fails to serve, the remaining members may select an individual to fill the vacancy subject to approval by the City Council. A member fails to serve if he or she misses 3 consecutive meetings or one-third of the meetings held in a twelve-month period. Membership may not exceed the number of individuals initially appointed to the advisory group by the City Council.**
- 4. The advisory group is not subject to the requirements of City Code Chapter 2-1 (*City Boards*) and shall terminate automatically by the end of September, 2015, or upon the adoption of a new land development code, whichever is earlier. However, the advisory group is subject to the Open Meetings Act, codified in Chapter 551 of the Government Code.”**

**There was a friendly amendment made by Council Member Morrison to include the wording, “Members of this advisory board must agree to comply with the City’s ethics and personal responsibilities guidelines.” The amendment was accepted by Council Member Spelman, who made the second.**

**There was a friendly amendment made by Council Member Morrison to add a prohibition in the resolution against members who are registered or required to register as a lobbyist under Chapter 4-8 or who are employed by a person registered or required to register under that chapter. The amendment was not accepted by Council Member Spelman, who made the second.**

**There was an amendment made by Council Member Morrison and seconded by Council Member Tovo to add a prohibition in the resolution against members who are registered or required to register as a lobbyist under Chapter 4-8 or who are employed by a person registered or required to register under that chapter” to the resolution. The amendment passed on a 4-3 vote. Those voting aye were: Mayor Pro Tem Cole and Council Members Martinez, Morrison and Tovo. Those voting nay were: Mayor Leffingwell and Council Members Riley and Spelman.**

Resolution No. 20121206-074 was approved with the amendments stated above on Council Member Morrison's motion, Council Member Spelman's second on a 7-0 vote.

Mayor Leffingwell recessed the Council meeting for Live Music and Proclamation at 5:35 p.m.

### LIVE MUSIC

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### PROCLAMATION

Proclamation -- Teatro Vivo -- to be presented by Council Member Mike Martinez and to be accepted by JoAnn Reyes

Proclamation -- Edible Austin Eat/Drink Local Week 2012 -- to be presented by Council Member Mike Martinez and to be accepted by Marla Camp

Certificates of Congratulations -- COA Media Team, Channel 6 and Web Team -- to be presented by Mayor Lee Leffingwell and to be accepted by the honorees

Certificates of Graduation -- CityWorks Graduates -- to be presented by Mayor Lee Leffingwell and to be accepted by the honorees

Proclamation -- Missing School Matters Week -- to be presented by Mayor Lee Leffingwell and to be accepted by Suzanna Caballero and Rick L'Amie

Proclamation -- 15th Annual Merry Memories -- to be presented by Mayor Lee Leffingwell and to be accepted by Mona Gonzales

Proclamation -- Tapestry Singers Women's Chorus Week -- to be presented by Council Member Laura Morrison and to be accepted by Tapestry Singers

Mayor Leffingwell called the meeting back to order at 7:03 p.m.

### DISCUSSION ITEMS CONTINUED

71. Approve a resolution initiating amendments to Title 25 of the City Code and directing the City Manager to develop an ordinance that allows businesses, under certain conditions, to utilize underutilized parking lots on city parkland to satisfy minimum parking requirements in exchange for providing significant amenities or enhancements to serve the park. (Notes: SPONSOR: Council Member Chris Riley CO 1: Mayor Pro Tem Sheryl Cole CO 2: Council Member Bill Spelman)

**There was a motion to adopt the resolution that was made by Council Member Riley and seconded by Mayor Pro Tem Cole.**

**There was a friendly amendment made by Council Member Martinez to include a new section in the ordinance under Part 2, Be It Resolved, E, "Nothing in this ordinance shall apply to the Mexican American Cultural Center and its master plan." The amendment was accepted by the maker and Mayor Pro Tem Cole, who made the second.**

**There was a friendly amendment made by Council Member Riley to add a new subsection authorizing the City Manager to consider allowing a fee in lieu of providing and maintaining the proposed amenity and that the evaluation process include an assessment of the value of the amenity relative to the parking spaces. This was accepted by Mayor Pro Tem Cole, who made the second.**