



**AUSTIN CITY COUNCIL
MINUTES**

**REGULAR MEETING
THURSDAY, FEBRUARY 11, 2016**

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 11, 2016 in the Council Chambers of City Hall, 301 West Second Street, Austin, Texas.

Mayor Adler called the Council Meeting to order at 10:24 a.m.

CONSENT AGENDA

The following items were acted on by one motion.

1. Approve the minutes of the Austin City Council regular meeting of January 28, 2016, work session of February 2, 2016, Council discussion of February 3, 2016 and regular meeting of February 4, 2016.

The minutes from the City Council regular meeting of January 28, 2016, work session of February 2, 2016, Council discussion of February 3, 2016 and regular meeting of February 4, 2016 were approved on consent on Council Member Gallo's motion, Council Member Zimmerman's second on an 11-0 vote.

Items 2 through 5 were pulled for discussion.

6. Approve a resolution supporting an application to be submitted by DMA Development Company, LLC. or an affiliated entity, for low income housing tax credits from the Texas Department of Housing and Community Affairs to help finance a proposed multi-family housing development to be known as Saltillo Senior Apartments, located at 5th and Onion Street (District 3).

This item was withdrawn on consent on Council Member Gallo's motion, Council Member Zimmerman's second on an 11-0 vote.

7. Approve an ordinance amending Ordinance No. 20141106-088, the Garrison Park Neighborhood Plan Area Rezonings, to add conditional overlay language to one zoning district, to correct the maximum amount of impervious cover for certain sized lots and to correct the secondary apartment special use provisions for the area east of the Union Pacific railroad tracks. The corrections would: 1) add conditional overlay language to commercial-liquor sales-conditional overlay-neighborhood plan (CS-1-CO-NP) zoned property in Part 3; 2) change the allowable impervious cover from 25 percent to 65 percent for a lot with an area of 4,000 square feet or less

in Part 6.C.; and 3) replace the provisions of secondary apartment special use in Part 7 with standard ordinance language and the correct exhibit reference.

Ordinance No. 20160211-007 was approved on consent on Council Member Gallo's motion, Council Member Zimmerman's second on an 11-0 vote.

Items 8 and 9 were pulled for discussion.

10. Approve appointments and certain related waivers to citizen boards and commissions, to Council committees and other intergovernmental bodies and removal and replacement of members; and amendments to board and commission bylaws.

The following appointments, waivers and amendments to board and commission bylaws were approved on consent on Council Member Gallo's motion, Council Member Zimmerman's second on an 11-0 vote.

Nominations

Board/Nominee	Nominated by
African American Resource Advisory Commission Ruthie Redmond	Council Member Pool
Downtown Commission Christopher Lehman	Council Member Kitchen
Joint Inclusion Committee Garfield Landry	African American Resource Advisory Commission
Joint Cultural Committee Aaron Whatley	African American Resource Advisory Commission
Public Safety Commission Preston Tyree	Council Member Kitchen

Waivers

Approve a waiver under Section 2-1-27(e) of the City Code of the training deadline established by Section 2-1-23(B) of the City Code for a person appointed to a City board between October 1, 2015 – October 31, 2015, if the person completed the training required by Section 2-1-23 on or before February 26, 2016.

Board	Name	District Appt
Community Development Commission	Vanessa Crawford	CDC
Mexican American Cultural Center Advisory Board	Aida Cerda-Prazak	4
Zero Waste Advisory Commission	Amanda Masino	M

11. Approve a resolution initiating amendments to City Code Title 25, relating to the application of site development regulations to projects for which dedication of parkland is required. (Notes: SPONSOR: Council Member Sheri Gallo CO 1: Mayor Steve Adler CO 2: Council Member Gregorio Casar CO 3: Council Member Ellen Troxclair)
This item was withdrawn on consent on Council Member Gallo's motion, Council Member Zimmerman's second on an 11-0 vote.
12. Approve an ordinance waiving or reimbursing certain fees and waiving certain requirements for the day-long Spanish Festival sponsored by the Austin Civic Wind Ensemble which is to be held on Sunday, May 22, 2016 at Fiesta Gardens. (Notes: SPONSOR: Council Member Leslie Pool CO 1: Mayor Pro Tem Kathie Tovo CO 2: Council Member Sheri Gallo CO 3: Council Member Ann Kitchen CO 4: Mayor Steve Adler)
Ordinance No. 20160211-012 was approved on consent on Council Member Gallo's motion, Council Member Zimmerman's second on an 11-0 vote.

Item 13 was pulled for discussion.

14. Approve an ordinance encouraging support of the Lemonade Day Austin 2016 event on Saturday, May 7, 2016 taking place City-wide, waiving the requirement and fees for a temporary food permit under City Code Chapter 10-3 and waiving the requirement and fees for a license agreement under City Code Chapter 14-11. (Notes: SPONSOR: Mayor Steve Adler CO 1: Council Member Sabino "Pio" Renteria CO 2: Council Member Sheri Gallo CO 3: Council Member Gregorio Casar CO 4: Mayor Pro Tem Kathie Tovo)
Ordinance No. 20160211-014 was approved on consent on Council Member Gallo's motion, Council Member Zimmerman's second on an 11-0 vote.
15. Approve a resolution directing the City Manager to explore the concept of the City assuming departments, activities, or functions provided by independent school districts located in the City of Austin if those departments, activities, or functions have a municipal purpose. (Notes: SPONSOR: Mayor Steve Adler CO 1: Mayor Pro Tem Kathie Tovo CO 2: Council Member Ora Houston CO 3: Council Member Leslie Pool CO 4: Council Member Ann Kitchen)
Resolution No. 20160211-015 was approved on consent on Council Member Gallo's motion, Council Member Zimmerman's second on a 9-2 vote. Those voting aye were: Mayor Adler, Mayor Pro Tem Tovo, Council Members Casar, Gallo, Garza, Houston, Kitchen, Pool, and Renteria. Those voting nay were: Council Members Troxclair and Zimmerman.

Item 16 and 17 were pulled for discussion.

18. Approve a resolution directing the City Manager to identify funding for childcare and supportive services for the Passages Program. (Notes: SPONSOR: Mayor Pro Tem Kathie Tovo CO 1: Council Member Leslie Pool CO 2: Council Member Sabino "Pio" Renteria CO 3: Council Member Delia Garza)
Resolution No. 20160211-018 was approved on consent on Council Member Gallo's motion, Council Member Zimmerman's second on a 9-0 vote. Council Members Troxclair and Zimmerman abstained.

Items 19 through 21 were pulled for discussion.

Item 22 was Zoning Ordinances/Restrictive Covenants (Hearings Closed)

Items 23 through 52 were Zoning and Neighborhood Plan Amendments (Public Hearings and Possible Action)

Items 53 through 56 were Executive Session items.

Item 57 was a public hearing item set for 4:00 p.m.

Items 58 and 59 were Addendum Items.

ZONING AND NEIGHBORHOOD PLAN AMENDMENTS

Items 22 through 26 were acted upon in one motion.

22. C14-2015-0143 – Rezoning of Lots 1, 2 and 7 of Parmer Place – District 7 – Approve second and third readings of an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 12320 and 12400 Dessau Road, and 1600 East Parmer Lane (Walnut Creek Watershed; Harris Branch Watershed) from community commercial (GR) district zoning to multifamily residence-medium density-conditional overlay (MF-3-CO) combining district zoning. First reading approved on December 10, 2015. Vote: 10-0, Mayor Adler was absent. Owner/Applicant: Dessau Partners, Ltd. (John C. Lewis). Agent: Longaro & Clarke, L.P. (Joseph Longaro). City Staff: Sherri Sirwaitis, 512-974-3057.

Ordinance 20160211-022 for multifamily residence-medium density-conditional overlay (MF-3-CO) combining district zoning was approved on Council Member Houston's motion, Council Member Renteria's second on an 11-0 vote.

23. NPA-2015-0013.01 – 1615 & 1617 South 2nd Street – District 9 – Conduct a public hearing and approve an ordinance amending Ordinance No. 20020523-32, the Bouldin Creek 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 1615 and 1617 South 2nd Street (East Bouldin Watershed) from Single Family to Higher Density Single Family land use. Staff Recommendation: To grant Higher Density Single Family land use. Planning Commission Recommendation: To grant Higher Density Single Family land use. Owner/Applicant: Richard Kooris. Agent: Land Use Solutions, LLC (Michele Haussmann). City Staff: Maureen Meredith, 512-974-2695.

The public hearing was held and the motion to close the public hearing was approved on Council Member Zimmerman's motion, Council Member Renteria's second on an 11-0 vote.

Ordinance 20160211-023 to change the land use designation on the future land use map (FLUM) to Higher Density Single Family land use was approved on Council Member Houston's motion, Council Member Renteria's second on an 11-0 vote.

24. C14-2015-0145 – 1615 & 1617 South 2nd Street – District 9 – Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 1615 & 1617 South 2nd Street (East Bouldin Creek Watershed) from family residence-neighborhood (SF-3-NP) combining district zoning to urban family residence (SF-5-NP) combining district zoning. Staff Recommendation: To grant urban family residence-conditional overlay-neighborhood plan (SF-5-CO-NP) combining district zoning. Planning Commission Recommendation: To grant urban family residence-conditional overlay-neighborhood plan (SF-5-CO-NP) combining district zoning. Owner/Applicant: Richard Kooris. Agent: Land Use Solutions, Michele Haussmann City Staff: Andrew Moore, 512-974-7604.

The public hearing was held and the motion to close the public hearing was approved on Council Member Zimmerman's motion, Council Member Renteria's second on an 11-0 vote.

Ordinance 20160211-024 for urban family residence-conditional overlay-neighborhood plan (SF-5-CO-NP) combining district zoning was approved on Council Member Houston's motion, Council Member Renteria's second on an 11-0 vote.

25. NPA-2015-0014.01 – 4501 East St. Elmo Road – District 2 – Conduct a public hearing to consider approving an ordinance amending Ordinance No. 021010-11, the Southeast 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 4501 East St. Elmo Road (Williamson Creek Watershed) from Industry and Multifamily to Mixed Use/Office land use. Staff Recommendation: To grant Mixed Use/Office land use. Planning Commission Recommendation: To grant Mixed Use/Office land use. Owner/Applicant: Emilia Linares. Agent: Moncada Enterprises, LLC (Phil Moncada). City Staff: Maureen Meredith, 512-974-2695.

The public hearing was held and the motion to close the public hearing was approved on Council Member Zimmerman's motion, Council Member Renteria's second on an 11-0 vote.

The motion to approve the ordinance on first reading to change the land use designation on the future land use map (FLUM) to Mixed Use/Office land use was approved on Council Member Houston's motion, Council Member Renteria's second on an 11-0 vote.

26. C14-2015-0142 – 4501 E St. Elmo Rd. Zoning Change – District 2 – Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 4501 East St. Elmo Road (Williamson Creek Watershed) from limited office-neighborhood plan (LO-NP) combining district zoning to limited office-mixed use-neighborhood plan (LO-MU-NP) combining district zoning. Staff Recommendation: To grant limited office-mixed use-neighborhood plan (LO-MU-NP) combining district zoning. Planning Commission Recommendation: To grant limited office-mixed use-neighborhood plan (LO-MU-NP) combining district zoning. Owner/Applicant: Emilia Linares. Agent: Moncada Consulting (Phil Moncada). City Staff: Wendy Rhoades, 512-974-7719.

The public hearing was held and the motion to close the public hearing was approved on Council Member Zimmerman's motion, Council Member Renteria's second on an 11-0 vote.

The motion to approve the ordinance on first reading for limited office-mixed use-neighborhood plan (LO-MU-NP) combining district zoning was approved on Council Member Houston's motion, Council Member Renteria's second on an 11-0 vote.

27. NPA-2015-0016.01 - Shady Lane Mixed Use - District 3 - Conduct a public hearing and approve an ordinance amending Ordinance No. 030327-12, the Govalle/Johnston Terrace 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 500 Shady Lane (Colorado River Watershed) from industry land use to mixed use land use. Staff Recommendation: To grant mixed use land use. Planning Commission Recommendation: To grant mixed use land use. Owner/Applicant: 600 Shady Lane, Ltd. (Jimmy Nassour). Agent: Alice Glasco Consultant (Alice Glasco) City Staff: Maureen Meredith, 512-974-2695.

The item was postponed indefinitely at the request of the applicant on Council Member Houston's motion, Council Member Pool's second on an 11-0 vote.

28. C14-2015-0043 - Shady Lane Mixed Use - District 3 - Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 500 Shady Lane (Colorado River Watershed) from limited industrial services-condition overlay-neighborhood plan (LI-CO-NP) combining district zoning to general commercial services-mixed use-vertical mixed use building-neighborhood plan (CS-MU-V-NP) combining district zoning. Staff Recommendation: To deny general commercial services-mixed use-vertical mixed use building-conditional overlay-neighborhood plan (CS-MU-V-CO-NP) combining district zoning. Planning Commission Recommendation: To grant general commercial services-mixed use-vertical mixed use-conditional overlay-neighborhood plan (CS-MU-V-CO-NP) combining district zoning. Owner: 600 Shady Lane LTD (Jimmy Nassour). Agent: Glasco Consulting (Alice Glasco). City Staff: Heather Chaffin, 512-974-2122. A valid petition has been filed in opposition to this rezoning request.
The item was postponed indefinitely at the request of the applicant on Council Member Houston's motion, Council Member Pool's second on an 11-0 vote.
29. NPA-2015-0023.01 - Boys & Girls Club Legacy Club - District 1 - Conduct a public hearing and approve an ordinance amending Ordinance No. 20070809-55 of the University Hills/Windsor Park Combined Neighborhood Plan, an element of the Imagine Austin Comprehensive Plan, to change the future land use designation on the future land use map (FLUM) on property locally known as 4717 Turner Lane (Walnut Creek Watershed; Little Walnut Creek Watershed) from Higher Density Single Family, Transportation, and Commercial land uses to Civic land use. Staff Recommendation: To grant Civic land use. Planning Commission Recommendation: To grant Civic land use. Owner/Applicant: Boys and Girls Club of Austin (Chuck Carroll). Agent: Drenner Group (Stephen Rye). City Staff: Maureen Meredith, 512-974-2695.
The item was postponed to March 24, 2016 at the request of the neighborhood on Council Member Houston's motion, Council Member Pool's second on an 11-0 vote.
30. C14-2015-0086 - Boys and Girls - Legacy Club - District 1 - Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 4717 Turner Lane (Walnut Creek Watershed; Little Walnut Creek Watersheds) from family residence-neighborhood plan (SF-3-NP) combining district zoning, townhouse and condominium residence-neighborhood plan (SF-6-NP) combining district zoning, and neighborhood commercial-conditional overlay-neighborhood plan (LR-CO-NP) combining district zoning to community commercial-conditional overlay-neighborhood plan (GR-CO-NP) combining district zoning. Staff Recommendation: To grant community commercial-conditional overlay-neighborhood plan (GR-CO-NP) combining district zoning. Planning Commission Recommendation: To grant community commercial-conditional overlay-neighborhood plan (GR-CO-NP) combining district zoning. Owner: Jimmy Nassour. Agent: Drenner Group (Stephen Rye). City Staff: Heather Chaffin, 512-974-2122.
The item was postponed to March 24, 2016 at the request of the neighborhood on Council Member Houston's motion, Council Member Pool's second on an 11-0 vote.
32. C14-2015-0047 - 2303 & 2309 Thornton Road - District 5 - Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 2303 and 2309 Thornton Road (West Bouldin Creek Watershed) from general commercial services (CS) district zoning to general commercial services-mixed use-vertical mixed use building-(CS-MU-V) combining district zoning. Staff Recommendation: To grant general commercial services-mixed use-conditional overlay (CS-MU-CO) combining district zoning. Planning Commission Recommendation: To forward to Council without a recommendation.

Owner/Applicant: UT Land Company, Ltd./Jimmy Nassour. Agent: Alice Glasco Consulting/Alice Glasco. City Staff: Andrew Moore, 512-974-7604.

This item was postponed to March 3, 2016 at the request of staff on Council Member Pool's motion, Council Member Zimmerman's second on an 11-0 vote.

33. C14-2015-0062 – US 183 & McCall Lane Rezoning – District 2 – Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 2900, 3000, and 3024 U.S. Highway 183 South and 3120 McCall Lane (Onion Creek Watershed; Carson Creek Watershed) from limited industrial services-neighborhood plan (LI-NP) combining district zoning to limited industrial services-planned development area-neighborhood plan (LI-PDA-NP) combining district zoning. Staff Recommendation: Pending. Planning Commission Recommendation: To be reviewed on March 22, 2016. Owner/Applicant: Met Center NYCTEX, Phase II, Ltd. (Howard Yancy). Agent: Thrower Design (Ron Thrower). City Staff: Wendy Rhoades, 512-974-7719.

This item was postponed to April 14, 2016 at the request of staff on Council Member Pool's motion, Council Member Zimmerman's second on an 11-0 vote.

34. C14-2015-0122 - 10819 FM 2222 - District 6 - Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 10819 FM 2222 Road (Bull Creek Watershed; Panther Hollow Watershed) from community commercial-conditional overlay (GR-CO) combining district zoning to community commercial-conditional overlay (GR-CO) combining district zoning, to change a condition of zoning. Staff Recommendation: To grant community commercial-conditional overlay (GR-CO) combining district zoning, to change a condition of zoning. Zoning and Platting Commission Recommendation: To grant community commercial-conditional overlay (GR-CO) combining district zoning, to change a condition of zoning. Owner/Applicant: C. Lee Family Corporation (Simon Lee). Agent: Land Answers Inc. (Jim Wittliff). City Staff: Victoria Haase, 512-974-7691.

The public hearing was conducted and the motion to close the public hearing and approve Ordinance 20160211-034 for community commercial-conditional overlay (GR-CO) combining district zoning, to change a condition of zoning was approved on Council Member Pool's motion, Council Member Zimmerman's second on an 11-0 vote.

35. C14-2015-0129 – 7804 Cooper Lane – District 5 – Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 7804 Cooper Lane (South Boggy Creek Watershed) from single family residence-standard lot-conditional overlay (SF-2-CO) combining district zoning to family residence (SF-3) district zoning. Staff Recommendation: Pending. Zoning and Platting Commission Recommendation: To be reviewed on February 16, 2016. Owner/Applicant: Kimo Mortgage Realty Inspection PLLC (Chi-mo Dai). Agent: Supreme Faith Group (Nick Vasquez). City Staff: Wendy Rhoades, 512-974-7719.

This item was postponed to March 24, 2016 at the request of staff on Council Member Pool's motion, Council Member Zimmerman's second on an 11-0 vote.

36. C14-2015-0133A – 1204 San Antonio Street – District 9 – Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 1204 San Antonio Street (Shoal Creek Watershed) from general office (GO) district zoning to downtown mixed use-conditional overlay (DMU-CO) combining district zoning. Staff Recommendation: To grant downtown mixed use-conditional overlay (DMU-CO) combining district zoning. Planning Commission Recommendation: To be reviewed on February 23, 2016. Owner/Applicant: Texas Association of Counties (Gene Terry). Agent: Alice Glasco Consulting (Alice Glasco). City Staff: Victoria Haase, 512-974-7691.

This item was postponed to March 24, 2016 at the request of staff on Council Member Pool's motion, Council Member Zimmerman's second on an 11-0 vote.

37. C14-2015-0133B – 1205 Nueces Street – District 9 – Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 1205 Nueces Street (Shoal Creek Watershed) from general office (GO) district zoning to downtown mixed use-conditional overlay (DMU-CO) combining district zoning. Staff Recommendation: To grant downtown mixed use-conditional overlay (DMU-CO) combining district zoning. Planning Commission Recommendation: To be reviewed on February 23, 2016. Owner/Applicant: Texas Association of Counties (Gene Terry). Agent: Alice Glasco Consulting (Alice Glasco). City Staff: Victoria Haase, 512-974-7691.

This item was postponed to March 24, 2016 at the request of staff on Council Member Pool's motion, Council Member Zimmerman's second on an 11-0 vote.

38. C14-2015-0135 – South Six – District 2 – Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 4212 Smith School Road (Williamson Creek Watershed; Onion Creek Watershed) from development reserve-neighborhood plan (DR-NP) combining district zoning to limited industrial services-planned development area-neighborhood plan (LI-PDA-NP) combining district zoning. Staff Recommendation: To grant limited industrial services-planned development area-neighborhood plan (LI-PDA-NP) combining district zoning. Planning Commission Recommendation: To grant limited industrial services-planned development area-neighborhood plan (LI-PDA-NP) combining district zoning. Owner/Applicant: 143 Smith School Road (Ronald B. Yokubaitis). Agent: Sneed, Vine & Perry, PC (Robert Kleeman). City Staff: Wendy Rhoades, 512-974-7719.

The public hearing was conducted and the motion to close the public hearing and approve Ordinance 20160211-038 for limited industrial services-planned development area-neighborhood plan (LI-PDA-NP) combining district zoning was approved on Council Member Pool's motion, Council Member Zimmerman's second on an 11-0 vote.

39. C14-2015-0136 - 6914 McNeil Dr. - District 6 - Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by zoning property locally known as 6914 McNeil Drive (Rattan Creek Watershed) from interim-rural residence (I-RR) district zoning to community commercial (GR) district zoning. Staff Recommendation: To grant neighborhood commercial-conditional overlay (LR-CO) combining district zoning. Zoning and Platting Commission Recommendation: To grant an indefinite postponement as requested by the applicant. Owner/Applicant: Douglas L. Reynolds. Agent: Bury, Inc. (Derek Villemez). City Staff: Sherri Sirwaitis, 512-974-3057.

This item was postponed indefinitely at the request of the applicant on Council Member Pool's motion, Council Member Zimmerman's second on an 11-0 vote.

40. C14-2015-0139 – New Office/Retail Space – District 6 – Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by zoning property locally known as 11812 Millwright Parkway (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 limited office-mixed use (LO-MU) combining district zoning. Zoning and Platting Commission Recommendation: To grant limited office-mixed use (LO-MU) combining district zoning. Owner/Applicant: NZ Lands, Inc. (Zulfiqar Ali Prasla and Nizar Ali Prasla). City Staff: Sherri Sirwaitis, 512-974-3057.

This item was postponed to March 24, 2016 at the request of the neighborhood on Council Member Pool's motion, Council Member Zimmerman's second on an 11-0 vote.

41. C14-2015-0141 – Allwood Condos – District 5 – Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 2106 Allwood Drive and 2103 Bluebonnet Lane (West Bouldin Creek Watershed) from family residence (SF-3) district zoning to townhouse and condominium residence (SF-6) district zoning. Staff Recommendation: To grant townhouse and condominium residence-conditional overlay (SF-6-CO) combining district zoning. Planning Commission Recommendation: To grant townhouse and condominium residence-conditional overlay (SF-6-CO) combining district zoning. Owner/Applicant: River City Homes, LLC/Peter Kehle. Agent: Hector Avila. City Staff: Andrew Moore, 512-974-7604.
This item was postponed to March 24, 2016 at the request of staff on Council Member Pool's motion, Council Member Zimmerman's second on an 11-0 vote.
42. C14-2015-0148 – KC 5-1 – District 5 – Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 8701 Manchaca Road (South Boggy Creek Watershed) from neighborhood commercial-conditional overlay (LR-CO) combining district zoning to community commercial (GR) district zoning. Staff Recommendation: To grant community commercial (GR) district zoning. Zoning and Platting Commission Recommendation: To grant community commercial-conditional overlay (GR-CO) combining district zoning. Owner/Applicant: KC 5 Dittmar, LLC (John P. Cummings). 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 approve Ordinance 20160211-042 for community commercial-conditional overlay (GR-CO) combining district zoning was approved on Council Member Pool's motion, Council Member Zimmerman's second on an 11-0 vote.
43. C14-2015-0151 – Jon 3.4 – District 3 – Conduct a public hearing and consider an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 1201 Bastrop Highway Service Road (Carson Creek Watershed) from general commercial services-conditional overlay (CS-CO) combining district zoning to limited industrial services (LI) district zoning. Staff Recommendation: To grant limited industrial services (LI) district zoning. Zoning and Platting Commission Recommendation: To grant limited industrial services (LI) district zoning. Owner/Applicant: Jonathan Weinstein. 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 approve Ordinance 20160211-043 for limited industrial services (LI) district zoning was approved on Council Member Pool's motion, Council Member Zimmerman's second on an 11-0 vote.
44. C14-2015-0153 – Iglesia Filadelfia – District 4 – Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 9015 Capitol Drive (Little Walnut Creek Watershed) from family residence-neighborhood plan (SF-3-NP) combining district zoning to community commercial-neighborhood plan (GR-NP) combining district zoning. Staff Recommendation: To grant general office-conditional overlay-neighborhood plan (GO-CO-NP) district zoning. Planning Commission Recommendation: To grant general office-conditional overlay-neighborhood plan (GO-CO-NP) district zoning. Owner/Applicant: Leonel Rangel. City Staff: Sherri Sirwaitis, 512-974-3057.
This item was postponed to March 24, 2016 at the request of staff on Council Member Pool's motion, Council Member Zimmerman's second on an 11-0 vote.
45. C14-2015-0155 – Luby's – District 6 – Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 13817 North U.S. Highway 183 North Bound (Lake Creek Watershed) from community commercial (GR) district

zoning and development reserve (DR) district zoning to community commercial (GR) district zoning. Staff Recommendation: To grant community commercial (GR) district zoning. Zoning and Platting Commission Recommendation: To grant community commercial (GR) district zoning. Owner/Applicant: Luby's Fuddruckers Restaurants, LLC (Bill Gordon). Agent: W. M. Faust (Bill Faust). City Staff: Sherri Sirwaitis, 512-974-3057.

The public hearing was conducted and the motion to close the public hearing and approve Ordinance 20160211-045 for community commercial (GR) district zoning was approved on Council Member Pool's motion, Council Member Zimmerman's second on an 11-0 vote.

46. C14-2015-0156 – Anna Plaza Spec's – District 6 – Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 13109 North FM 620 Road (Lake Creek Watershed) from community commercial (GR) district zoning and general commercial services-conditional overlay combining (CS-CO) district zoning to commercial-liquor sales (CS-1) district zoning. Staff Recommendation: To grant commercial-liquor sales (CS-1) district zoning. Zoning and Platting Commission Recommendation: To grant commercial-liquor sales (CS-1) district zoning. Owner/Applicant: VS Anna Plaza, LLC (Richard Huddleston). Agent: Smith, Robertson, Elliot & Douglas, L.L.P. (Mary Stratmann). City Staff: Sherri Sirwaitis, 512-974-3057.

The public hearing was conducted and the motion to close the public hearing and approve Ordinance 20160211-046 for commercial-liquor sales (CS-1) district zoning was approved on Council Member Pool's motion, Council Member Zimmerman's second on an 11-0 vote.

47. C14-2015-0158 – Hymeadow Square Office Park – District 6 – Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by zoning property locally known as 12331 and 12335 Hymeadow Drive (Lake Creek Watershed) from interim-single family residence-standard lot (I-SF-2) district zoning to limited office (LO) district zoning. Staff Recommendation: To grant limited office (LO) district zoning. Zoning and Platting Commission Recommendation: To grant limited office (LO) district zoning. Owner/Applicant: Hymeadow Square Office Park Condominium Association, Inc. (Ruth Ann Dickensheets). Agent: Liddiard Real Estate (Brian Liddiard). City Staff: Sherri Sirwaitis, 512-974-3057.

The public hearing was conducted and the motion to close the public hearing and approve Ordinance 20160211-047 for limited office (LO) district zoning was approved on Council Member Pool's motion, Council Member Zimmerman's second on an 11-0 vote.

Item 48 was pulled for discussion.

49. C14-91-0038(RCA) – 507 W 23rd Street – District 9 – Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by amending a restrictive covenant as it relates to property locally known as 507 West 23rd Street (Shoal Creek Watershed). Staff Recommendation: To grant the restrictive covenant amendment. Planning Commission Recommendation: To grant the restrictive covenant amendment. Owner/Applicant: Austin City Realty LLC (David Kanne). Agent: Mike McHone Real Estate (Mike McHone). City Staff: Victoria Haase, 512-974-7691.

This item was postponed to March 24, 2016 at the request of the neighborhood on Council Member Pool's motion, Council Member Zimmerman's second on an 11-0 vote.

50. C14H-2015-0007 - Clyde and Henrietta Littlefield House - District 9 - Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 903 Shoal Cliff Court from multifamily residence-moderate-high density-conditional overlay-neighborhood plan (MF-4-CO-NP) combining district zoning to multifamily residence-moderate-high density-historic landmark-conditional overlay-neighborhood plan (MF-4-H-CO-NP)

combining district zoning. Staff Recommendation: To grant multifamily residence-moderate-high density-historic landmark-conditional overlay-neighborhood plan (MF-4-H-CO-NP) combining district zoning. Historic Landmark Commission Recommendation: To grant multifamily residence-moderate-high density-historic landmark-conditional overlay-neighborhood plan (MF-4-H-CO-NP) combining district zoning. Planning Commission Recommendation: To forward to Council without a recommendation. City Staff: Steve Sadowsky, Historic Preservation Office, Planning and Zoning Department, 512-974-6454.

This item was postponed to March 24, 2016 at the request of staff on Council Member Pool's motion, Council Member Zimmerman's second on an 11-0 vote.

51. C14H-2015-0013 – Sparks House – District 9 – Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 1510 West Avenue from family residence (SF-3) district zoning to family residence-historic landmark (SF-3-H) combining district zoning. Staff Recommendation: To grant family residence-historic landmark (SF-3-H) combining district zoning. Historic Landmark Commission Recommendation: To grant family residence-historic landmark (SF-3-H) combining district zoning. Planning Commission Recommendation: To grant family residence-historic landmark (SF-3-H) combining district zoning. Applicants: Terry and Suzanne Burgess; Agent: Phoebe Allen. City Staff: Steve Sadowsky, Historic Preservation Office, Planning and Zoning Department, 512-974-6454.

The public hearing was conducted and the motion to close the public hearing and approve Ordinance 20160211-051 for family residence-historic landmark (SF-3-H) combining district zoning was approved on Council Member Pool's motion, Council Member Zimmerman's second on an 11-0 vote.

52. C14H-2015-0082 – Rainey House – District 10 – Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 3941 Balcones Drive from family residence (SF-3) district zoning to family residence-historic landmark (SF-3-H) combining district zoning. Staff Recommendation: To grant family residence-historic landmark (SF-3-H) combining district zoning. Historic Landmark Commission Recommendation: To grant family residence-historic landmark (SF-3-H) combining district zoning. Zoning and Platting Commission Recommendation: To grant family residence-historic landmark (SF-3-H) combining district zoning. Applicants: Jon Pierre and Angela Filardi; Agent: Phoebe Allen. City Staff: Steve Sadowsky, Historic Preservation Office, Planning and Zoning Department, 512-974-6454.

The public hearing was conducted and the motion to close the public hearing and approve Ordinance 20160211-052 for family residence-historic landmark (SF-3-H) combining district zoning was approved on Council Member Pool's motion, Council Member Zimmerman's second on an 11-0 vote.

DISCUSSION ITEMS

8. Approve second and third reading of an ordinance amending City Code Title 25 relating to approval requirements for planned unit development zoning cases. (THE PUBLIC HEARING FOR THIS ITEM WAS HELD AND CLOSED ON JANUARY 28, 2016.)
Ordinance No. 20160211-008 was approved on Council Member Pool's motion, Mayor Pro Tem Tovo's second on an 11-0 vote.
13. Approve a resolution supporting the nomination and inclusion of the Lions Municipal Golf Course in the National Register of Historic Places. (Notes: SPONSOR: Council Member Sheri

Gallo CO 1: Mayor Steve Adler CO 2: Mayor Pro Tem Kathie Tovo CO 3: Council Member Ora Houston CO 4: Council Member Leslie Pool)

Resolution No. 20160211-013 was approved on Council Member Gallo's motion, Council Member Pool's second on an 11-0 vote.

Mayor Adler recessed the Council Meeting at 11:58 a.m.

Mayor Adler reconvened the meeting at 12:25 p.m.

CITIZENS COMMUNICATIONS: GENERAL

Michael Fossum - Animal issues.

Paul Aviña - The wealth of strangers.

Carol Price - STR keeping legal.

Cynthia Reynolds - Short Term Rental ordinance.

Mary Owens - Advertising violations.

Sue Long - Short-term rental.

Andrew Berglund – TBA – **Not present.**

Leanna Lang - Proposed apartment development in Northwood neighborhood. – **Not present.**

James Crill - Austin Energy processing regimen.

Quentiel Fliland - Anti-satellite initiative. – **Not present.**

DISCUSSION ITEMS CONTINUED

31. C14-2014-0198 - One Two East - District 1 - Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 1109, 1105, and 1107 North IH 35 Service Road Northbound (Waller Creek Watershed) from general commercial services-neighborhood conservation combining district-neighborhood plan (CS-NCCD-NP) combining district zoning to general commercial services-neighborhood conservation combining district-neighborhood plan (CS-NCCD-NP) combining district zoning for Tract 1, and from commercial-liquor sales-neighborhood conservation combining district-neighborhood plan (CS-1-NCCD-NP) combining district zoning to commercial-liquor sales-neighborhood conservation combining district-neighborhood plan (CS-1-NCCD-NP) combining district zoning for Tract 2. Staff Recommendation: To grant general commercial services-neighborhood conservation combining district-neighborhood plan (CS-NCCD-NP) combining district zoning, to change a condition of zoning for Tract 1, and commercial-liquor sales-neighborhood conservation combining district-neighborhood plan (CS-1-NCCD-NP) combining district zoning, to change a condition of zoning for Tract 2. Planning Commission Recommendation: To grant general commercial services-neighborhood conservation combining district-neighborhood plan (CS-

NCCD-NP) combining district zoning, to change a condition of zoning for Track 1, and commercial-liquor sales-neighborhood conservation combining district-neighborhood plan (CS-1-NCCD-NP) combining district zoning, to change a condition of zoning for Track 2. Owner: JH West 12th Street Partners, Ltd. (Haythem Dawlett). Agent: Drenner Group (Stephen Rye). City Staff: Heather Chaffin, 512-974-2122.

This item was postponed to April 14, 2016 at the request of the neighborhood on Council Member Houston's motion, Council Member Pool's second on a 10-0 vote. Council Member Troxclair was off the dais.

5. Approve a resolution supporting an application to be submitted by Saigebrook Development, LLC., or an affiliated entity, for low income housing tax credits from the Texas Department of Housing and Community Affairs to help finance a proposed multi-family housing development to be known as the Elysium Park Apartments, located at 3300 Oak Creek Drive (District 7).
Resolution No. 20160211-005 was approved on Council Member Kitchen's motion, Council Member Houston's second on a 9-2 vote. Those voting aye were: Mayor Alder, Mayor Pro Tem Tovo, Council Members Casar, Gallo, Garza, Houston, Kitchen, Pool, and Renteria. Those voting nay were: Council Members Troxclair and Zimmerman.

Mayor Adler recessed the Council Meeting to go into Executive Session at 1:28 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.

53. Discuss legal issues related to open government matters (Private consultation with legal counsel - Section 551.071 of the Government Code).
This item was withdrawn without objection.
54. Discuss legal issues related to a potential election in May 2016 concerning Transportation Network Companies and other potential ballot measures (Private consultation with legal counsel - Section 551.071 of the Government Code).
55. Discuss legal issues related to municipal obligations under Fair Housing Act as it concerns boarding homes and individuals with disabilities (Private consultation with legal counsel - Section 551.071 of the Government Code).
This item was withdrawn without objection.
56. Discuss legal issues related to the Pilot Knob zoning ordinance (Ordinance No. 20151217-080) (Private consultation with legal counsel - Section 551.071 of the Government Code).

Mayor Adler announced that item 4 would be discussed in executive session.

4. Authorize negotiation and execution of a legal services contract with the law firm of Jackson Walker LLP for legal services regarding the existing agreement between the City and Nacogdoches Power LLC for the purchase of biomass-generated electric power, in an amount not to exceed \$325,000.

Executive Session ended and Mayor Pro Tem Tovo called the Council meeting back to order 4:07 p.m.

DISCUSSION ITEMS CONTINUED

17. Approve a resolution directing the City Manager to initiate a public involvement process regarding potential transportation projects and funding options. (Notes: SPONSOR: Mayor Steve Adler CO 1: Council Member Ann Kitchen CO 2: Council Member Sabino "Pio" Renteria CO 3: Council Member Sheri Gallo)

A motion to approve the resolution was made by Council Member Kitchen and seconded by Council Member Pool.

The motion to amend the third Whereas clause to have it read "Whereas, we must consider and provide more options to create a better-connected system of roads; and" failed on Council Member Zimmerman's motion, Council Member Houston's second on a 2-8 vote. Those voting aye were: Council Member Zimmerman and Troxclair. Those voting nay were: Mayor Pro Tem Tovo, Council Members, Casar, Gallo, Garza, Houston, Kitchen, Pool, and Renteria voting nay. Mayor Adler was off the dais.

The motion to amend the resolution was approved on Mayor Pro Tem Tovo's motion, Council Member Pool's second on a 9-0 vote. Council Member Zimmerman abstained. Mayor Adler was off the dais.

The amendment was to:

To add a new whereas clause to read "WHEREAS, previous public input processes have been conducted over the years collecting public input data that could be used to identify needs and prioritize projects for a November 2016 bond election; and

To amend the first be it further resolved clause to read: The City Manager is directed to include, as part of the of the public conversation and input process, input from the Planning Commission, Zoning & Platting Commission, Urban Transportation Commission, Bond Oversight Commission, Public Safety Commission, Commission on Seniors, Pedestrian and Bicycle Advisory Committee, Vision Zero Task Force, as well as utilization of the City's Conversation Corps, collaboration with Council Members in their Districts, and other available tools to provide for public conversations as well as input.

To add a new second Be it Further Resolved clause to read "BE IT FURTHER RESOLVED: For purposes of identifying potential transportation projects for funding, the City Manager is directed to include information collected from earlier public input processes such as Project Connect, MobilityATX, the Austin Metropolitan Area Transportation Plan, the Bicycle Master Plan, the Sidewalk Master Plan, and the neighborhood plans, the specific area plans, and the transportation plans attached to the Imagine Austin Comprehensive Plan and public involvement data for other local, state and federal transportation planning.

A friendly amendment was made by Council Member Gallo to strike the language "for a November 2016 bond election" from the new whereas clause. The friendly amendment was accepted by the make of the motion and Council Member Pool who seconded the motion.

The motion to amend the be it resolved clause was approved on Council Member Houston's motion, Council Member Gallo's second on a 10-0 vote. Council Member Zimmerman abstained. Mayor Adler was off the dais.

The amendment was to have the Be It Resolved clause to read: **BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:** "The city manager is directed to include as part of the public conversation input process, citizens from each geographical district and neighborhood associations throughout the city and some public hearings at specific places."

Resolution No. 20160211-017 was approved with the amendments listed above on Council Member Kitchen's motion, Council Member Pool's second on an 8-0 vote. Council Members Troxclair and Zimmerman abstained. Mayor Adler was off the dais.

4. Authorize negotiation and execution of a legal services contract with the law firm of Jackson Walker LLP for legal services regarding the existing agreement between the City and Nacogdoches Power LLC for the purchase of biomass-generated electric power, in an amount not to exceed \$325,000.
A motion to approve the item was made by Council Member Zimmerman and seconded by Council Member Garza.

The motion to amend the not to exceed amount from \$325,000 to \$150,000 failed on Council Member Zimmerman's motion, Council Member Troxclair's second on a 2-8 vote. Those voting aye were: Council Members Troxclair and Zimmerman. Those voting nay were: Mayor Pro Tem Tovo, Council Members Casar, Gallo, Garza, Houston, Kitchen, Pool and Renteria. Mayor Adler was off the dais.

The motion authorizing the negotiation and execution of a legal services contract with Jackson Walker LLP was approved with the following direction on Council Member Zimmerman's motion, Council Member Garza's second on a 10-0 vote.

Direction was given to staff to provide Council an update when the cost of the contract approached \$150,000.

21. Approve a resolution stating the council's desired purposes for the council committee system. (Notes: SPONSOR: Council Member Gregorio Casar CO 1: Mayor Steve Adler CO 2: Mayor Pro Tem Kathie Tovo CO 3: Council Member Delia Garza)
Resolution No. 20160211-021 was approved Council Member Casar's motion on a 7-2 vote. Those voting aye were: Mayor Pro Tem Tovo, Council Members Casar, Gallo, Garza, Kitchen, Pool and Renteria. Those voting nay were: Council Members Troxclair and Zimmerman. Council Member Houston abstained. Mayor Adler was off the dais.
20. Approve an ordinance amending the Fiscal Year 2015-2016 Budget Stabilization Reserve Fund Operating Budget (Ordinance No. 20150908-001) to transfer out \$1,500,000 to the General Fund; amending the Fiscal Year 2015-2016 General Fund Operating Budget (Ordinance No. 20150908-001) transferring in \$1,500,000 from the Budget Stabilization Reserve Fund; appropriating \$1,500,000 to increase expenditures in the Fiscal Year 2015-2016 Austin Police Department Operating Budget (Ordinance No. 20150908-001) for public safety support for the Spring Festival Season; and amending Ordinance No. 20151217-056 to waive certain other payments under City Code Chapter 14-8 for the South by Southwest Conferences and Festivals co-sponsored by the City and SXSW, LLC which are to be held March 11 - 21, 2016. Related to

Item #9. (Notes: SPONSOR: Mayor Steve Adler CO 1: Council Member Gregorio Casar CO 2: Council Member Leslie Pool CO 3: Mayor Pro Tem Kathie Tovo)

Ordinance No. 20160211-020 was approved on Council Member Casar's motion, Mayor Adler's second on a 9-1 vote. Council Member Zimmerman voted nay. Council Member Troxclair was off the dais.

9. Approve an ordinance amending the Fiscal Year 2015-2016 Budget Stabilization Reserve Fund Operating Budget (Ordinance No. 20150908-001) to transfer out \$1,100,000 to the General Fund; amending the Fiscal Year 2015-2016 General Fund Operating Budget (Ordinance No. 20150908-001) transferring in \$1,100,000 from the Budget Stabilization Reserve Fund; and appropriating \$1,500,000, which includes \$400,000 in estimated fees, to increase expenditures in the Fiscal Year 2015-2016 Austin Police Department Operating Budget (Ordinance No. 20150908-001) for public safety support for the Spring Festival Season. Related to Item #20.
This item was withdrawn without objection.

Mayor Adler recessed the Council Meeting at 5:52 p.m.

Mayor Adler reconvened the meeting at 6:42 p.m.

DISCUSSION ITEMS CONTINUED

48. C814-2012-0163 – Sun Chase Planned Unit Development – District 2 – Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by zoning property locally known as 15201, 15810, 16070 Pearce Lane and 7910 Wolf Lane (Dry Creek East Watershed) from interim-single family residence (I-SF-2) and interim-single family residence-small lot (I-SF-4A) district zoning to planned unit development (PUD) district zoning. Staff Recommendation: To grant planned unit development (PUD) district zoning. Planning Commission Recommendation: To grant planned unit development (PUD) district zoning. Owner/Applicant: Qualico CR, L.P. (Vera Massaro). Agent: Armbrust & Brown, L.L.P. (Richard Suttle). City Staff: Wendy Rhoades, 512-974-7719.

The public hearing was conducted and the motion to close the public hearing and approve the ordinance on first reading was approved on Council Member Renteria's motion, Council Member Pool's second on an 8-0 vote. Council Member Troxclair abstained. Mayor Adler and Council Member Casar were off the dais.

PUBLIC HEARINGS

57. Conduct a public hearing and consider an ordinance amending City Code Title 25 to limit the redevelopment of existing small (substandard) lots that are developed as a single building site.
The public hearing was conducted and the motion to close the public hearing and approve the ordinance on first reading was approved on Council Member Kitchen's motion, Council Member Houston's second on a 6-5 vote. Those voting aye were: Mayor Adler, Mayor Pro Tem Tovo, Council Members Houston, Kitchen, Pool and Renteria. Those voting nay were: Council Members Casar, Gallo, Garza, Troxclair and Zimmerman.

Direction was given to staff to provide Council with an analysis of the impact of the amount of housing stock has on affordability.

DISCUSSION ITEMS CONTINUED

58. Approve a resolution initiating amendments to the Land Development Code (Title 25), excluding Article 14 of Chapter 25-1, relating to the application of site development regulations to projects for which dedication of parkland is required. (Notes: SPONSOR: Council Member Sheri Gallo CO 1: Council Member Sabino "Pio" Renteria CO 2: Council Member Gregorio Casar CO 3: Council Member Ellen Troxclair CO 4: Mayor Steve Adler)

The motion to approve the item with the following amendment was made by Council Member Gallo and seconded by Council Member Casar.

The amendment was to revise the be it resolved clause to read: “BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN: The City Council initiates amendments to the Land Development Code (Title 25), excluding Chapter 25-1, Article 14 (Parkland Dedication), and directs the City Manager to develop recommendations and a proposed ordinance that offsets affordability impacts of dedicating parkland on site, which may include site area calculation credits for the remaining developable site, or another similar mechanism. The calculation credits or other mechanism may include density, floor-to-area ratio (FAR), impervious cover, building coverage, or other similar requirements.

A friendly amendment was made by Council Member Kitchen to revise the second be it resolved clause to read: “The city manager shall include in stakeholder participation representatives from neighborhoods, park and housing advocates, industry and other community members”. The amendment was accepted by the maker of the motion and Council Member Casar who seconded the motion.

A motion to amend the resolution to strike the following language from the first be it resolved clause “initiates amendments to the Land Development Code (Title 25), excluding Chapter 25-1, Article 14 (Parkland Dedication), and” failed on Council Member Pool’s motion, Council Member Houston’s second on a 5-5 vote. Those voting aye were: Mayor Pro Tem Tovo, Council Members Garza, Houston, Kitchen and Pool. Those voting nay were: Council Members Casar, Gallo, Renteria, Troxclair and Zimmerman. Mayor Adler was off the dais.

Resolution No. 20160211-058 was approved with the amendments listed above on Council Member Gallo’s motion, Council Member Casar’s second on an 11-0 vote.

Mayor Adler recessed the Council Meeting to go into Executive Session at 9:57 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.

Mayor Adler announced that items 16 and 59 would be discussed in executive session.

16. Approve an ordinance relating to ground transportation passenger services. (Notes: SPONSOR: Mayor Steve Adler CO 1: Council Member Gregorio Casar CO 2: Council Member Ann Kitchen CO 3: Council Member Sheri Gallo)

59. Approve negotiation and execution of a memorandum of understanding (MOU) relating to transportation network companies (TNCs). (Notes: SPONSOR - Mayor Steve Adler CO 1: Council Member Sheri Gallo CO 2: Council Member Ann Kitchen CO 3: Council Member Gregorio Casar)

Executive Session ended and Mayor Adler called the Council meeting back to order 10:27 p.m.

AFTER 10:00 P.M.

The motion to waive the rules and allow Council to meet after 10 p.m. was approved on Council Mayor Pro Tem Tovo's motion, Council Member Garza's second on an 8-3 vote. Those voting aye were: Mayor Adler, Mayor Pro Tem Tovo and Council Members Casar, Garza, Houston, Pool, Renteria and Zimmerman. Those voting nay were: Council Members Gallo, Kitchen and Troxclair.

DISCUSSION ITEMS CONTINUED

2. Adopt a citizen-initiated ordinance, supported by a petition certified sufficient on February 2, to amend the City Code, Chapter 13-2 (Ground Transportation Passenger Services) relating to regulation of Transportation Network Companies (TNCs).
Ordinance No. 20160211-002 failed on Council Member Troxclair's motion, Council Member Gallo's second on a 2-8 vote. Those voting aye were: Council Members Gallo and Troxclair. Those voting nay were: Mayor Adler, Mayor Pro Tem Tovo, Council Members Casar, Garza, Houston, Kitchen, Pool and Renteria. Council Member Zimmerman abstained.
16. Approve an ordinance relating to ground transportation passenger services. (Notes: SPONSOR: Mayor Steve Adler CO 1: Council Member Gregorio Casar CO 2: Council Member Ann Kitchen CO 3: Council Member Sheri Gallo)
A motion to approve the ordinance failed on Mayor Adler's motion, Council Member Renteria's second on a 4-6 vote. Those voting aye were: Mayor Adler, Council Members Casar, Pool and Renteria. Those voting nay were: Mayor Pro Tem Tovo, Council Members Garza, Houston, Kitchen, Troxclair and Zimmerman. Council Member Gallo abstained.
3. Approve an ordinance ordering a municipal election to be held on May 7, 2016, to submit to the voters a proposed citizen-initiated ordinance, certified sufficient on February 2, relating to regulation of Transportation Network Companies; providing for the conduct of the election, including authorizing the City Clerk to enter into joint election agreements with other local political subdivisions as may be necessary for the orderly conduct of the election; and declaring an emergency.
No action was taken.
59. Approve negotiation and execution of a memorandum of understanding (MOU) relating to transportation network companies (TNCs). (Notes: SPONSOR - Mayor Steve Adler CO 1: Council Member Sheri Gallo CO 2: Council Member Ann Kitchen CO 3: Council Member Gregorio Casar)
This item was withdrawn without objection.
19. Approve a resolution directing the City Manager to provide financial analysis and briefing regarding Austin Water Utility impact fee waivers for affordable housing and to initiate amendments to the affordable housing and fee waiver portion of the Pilot Knob PUD zoning

ordinance (Ordinance No. 20151217-080). (Notes: SPONSOR: Council Member Ellen Troxclair CO 1: Council Member Don Zimmerman CO 2: Council Member Ora Houston CO 3: Council Member Leslie Pool)

A motion to approve the resolution with the following amendments was approved on Mayor Adler's motion, Council Member Pool's second on an 11-0 vote.

The amendment was to have the first be it further resolved clause to read: "BE IT FURTHER RESOLVED: The City Council directs the City Manager to provide a financial analysis and briefing regarding Austin Water Utility impact fee waivers for affordable housing."

A motion to strike the last be it further resolved clause and postpone action on that clause to March 3, 2016 was approved on Mayor Adler's motion, Council Member Pool's second, on a 9-2 vote. Those voting aye were: Mayor Adler, Mayor Pro Tem Tovo, Council Members Casar, Gallo, Garza, Kitchen, Pool, Renteria and Zimmerman. Those voting nay were: Council Members Houston and Troxclair.

Mayor Adler adjourned the meeting at 12:44 a.m. without objection.

The minutes were approved on this the 25th day of February 2016 on Council Member Gallo's motion, Council Member Houston's second on an 11-0 vote.