



**AUSTIN CITY COUNCIL
MINUTES**

**REGULAR MEETING
THURSDAY, MAY 5, 2016**

Invocation: Reverend Sid Hall, Trinity Church of 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, May 5, 2016 in the Council Chambers of City Hall, 301 West Second Street, Austin, Texas.

Mayor Adler called the Council Meeting to order at 10:10 a.m. Council Member Renteria was absent.

CONSENT AGENDA

The following items were acted on by one motion.

1. Approve the minutes of the Austin City Council work session of April 19, 2016, regular meeting of April 21, 2016 and budget work session of April 27, 2016.
The minutes from the Austin City Council work session of April 19, 2016, regular meeting of April 21, 2016 and budget work session of April 27, 2016 were approved on consent on Council Member Zimmerman's motion, Mayor Pro Tem Tovo's second on a 10-0 vote. Council Member Renteria was absent.
2. Authorize execution of an interlocal agreement with Pilot Knob Municipal Utility District No. 3, for the City to provide solid waste services to the District's residents in accordance with the terms of the consent agreement between the District and the City.
The motion authorizing the execution of an interlocal agreement with Pilot Knob Municipal Utility District number three was approved on consent on Council Member Zimmerman's motion, Mayor Pro Tem Tovo's second on an 8-2 vote. Those voting aye were: Mayor Adler, Mayor Pro Tem Tovo, Council Members Casar, Gallo, Garza, Houston, Kitchen and Pool. Those voting nay were: Council Members Troxclair and Zimmerman. Council Member Renteria was absent.

Items 3 through 5 were pulled for discussion.

6. Authorize negotiation and execution of a Family Business Loan Program loan in an amount not to exceed \$139,000, funded with proceeds of a U.S. Department of Housing and Urban Development Section 108 loan to the City, to GARBO, INC. dba GARBO SALON & SPA to

finance machinery, working capital, and soft costs associated with the lease of space located at 1385 Shore District Drive, Austin, Texas.

The motion authorizing the negotiation and execution of a Family Business Loan Program loan to Garbo, Inc. doing business as Garbo Salon & Spa was approved on consent on Council Member Zimmerman's motion, Mayor Pro Tem Tovo's second on a 9-1 vote. Council Member Zimmerman voted nay. Council Member Renteria was absent.

7. Approve an ordinance authorizing acceptance of \$30,645 in additional grant funds from the TEXAS DEPARTMENT OF STATE HEALTH SERVICES, and amending the Fiscal Year 2015-2016 Health and Human Services Department Operating Budget Special Revenue Fund (Ordinance No. 20150908-001) to appropriate \$30,645 for the Tuberculosis Federal Prevention and Control Grant Program.

Ordinance No. 20160505-007 was approved on consent on Council Member Zimmerman's motion, Mayor Pro Tem Tovo's second on a 9-0 vote. Council Member Zimmerman abstained. Council Member Renteria was absent.

8. Authorize negotiation and execution of an amendment to the interlocal agreement with the Austin Independent School District for use of the J. J. Pickle Elementary School/St. John's Community Center campus for a term of 12 months in an amount not to exceed \$250,000, with options to renew for up to nine 12-month terms in an amount not to exceed \$250,000 per renewal term, for a total amount not to exceed \$2,500,000.

The motion authorizing the negotiation and execution of an amendment to the interlocal agreement with the Austin Independent School District was approved on consent on Council Member Zimmerman's motion, Mayor Pro Tem Tovo's second on a 9-1 vote. Council Member Zimmerman voted nay. Council Member Renteria was absent.

Item 9 was pulled for discussion.

10. Authorize negotiation and execution of an encroachment agreement with the SELF-REALIZATION FELLOWSHIP CHURCH for the encroachment of right-of-way by a portion of an existing structure at the intersection of Garden Street and Chicon Street, located at 1820 Garden Street (District 3).

The motion authorizing the negotiation and execution of an encroachment agreement with the Self-Realization Fellowship Church was approved on consent on Council Member Zimmerman's motion, Mayor Pro Tem Tovo's second on a 10-0 vote. Council Member Renteria was absent.

Item 11 was pulled for discussion.

12. Authorize an amendment to the contract with WASTEWATER TRANSPORT SERVICES, LLC to provide sludge and sewage pumping, hauling, and disposal services for an increase of \$145,000, for a total contract amount not to exceed \$1,000,000. (Notes: This contract was 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.)

The motion authorizing an amendment to the contract with Wastewater Transport Services, LLC was approved on consent on Council Member Zimmerman's motion, Mayor Pro Tem Tovo's second on a 10-0 vote. Council Member Renteria was absent.

13. Authorize award and execution of two 36-month contracts with AMERITURF and HELENA CHEMICAL COMPANY to provide golf course grounds maintenance materials in an amount not

to exceed \$948,915 each and combined, with two 12-month extension options in an amount not to exceed \$316,305 per extension option each and combined, for a total contract not to exceed \$1,581,525 each and combined. (Notes: This solicitation was reviewed for subcontracting opportunities in accordance with City Code Chapter 2-9D Minority Owned and Women Owned Business Enterprise Procurement Program. For the goods required for this solicitation, there was an insufficient number of certified M/WBEs; therefore, no subcontracting goals were established.)

The motion authorizing award and execution of two contracts with Ameriturf and Helena Chemical Company were approved on consent on Council Member Zimmerman's motion, Mayor Pro Tem Tovo's second on a 10-0 vote. Council Member Renteria was absent.

Item 14 was pulled for discussion.

15. Authorize negotiation and execution of a 36-month contract with AUSTIN METAL AND IRON CO., L.P., or one of the other qualified offerors to Request For Proposal SLW0507, for the sale of scrap metal in an estimated revenue amount of \$1,650,000, with three 12-month extension options in an estimated revenue amount of \$550,000 per extension option, for a total estimated revenue amount of \$3,300,000. (Notes: This revenue generating contract is exempt from the City Code Chapter 2-9C Minority Owned and Women Owned Business Enterprise Procurement Program; therefore, no subcontracting goals were established.)

The motion authorizing negotiation and execution of a contract with Austin Metal and Iron Co., L.P. was approved on consent on Council Member Zimmerman's motion, Mayor Pro Tem Tovo's second on a 9-0 vote. Council Member Zimmerman abstained. Council Member Renteria was absent.

16. Authorize award and execution of a 24-month contract with COOPER EQUIPMENT CO., INC. to provide original equipment manufacturer parts, repair services, and preventive maintenance services for street maintenance equipment in an amount not to exceed \$354,428, with four 12-month extension options in an amount not to exceed \$177,214 per extension option, for a total contract amount not to exceed \$1,063,284. (Notes: This solicitation was reviewed for subcontracting opportunities in accordance with City Code Chapter 2-9C Minority Owned and Women Owned Business Enterprise Procurement Program. For the goods and services required for this solicitation, there were insufficient number of certified M/WBEs; therefore, no subcontracting goals were established.)

The motion authorizing award and execution of a contract with Cooper Equipment Co., Inc. was approved on consent on Council Member Zimmerman's motion, Mayor Pro Tem Tovo's second on a 9-0 vote. Council Member Zimmerman abstained. Council Member Renteria was absent.

Items 17 through 19 were pulled for discussion.

20. Authorize negotiation and execution of a 12-month contract with SONEPAR USA DBA STUART C. IRBY CO., or one of the other qualified offerors to Request For Proposal RMJ0304, to provide three-phase power transformers on an as needed basis, in a total cumulative amount not to exceed \$17,596,226, with five 12-month extension options in a total cumulative amount not to exceed \$17,596,226 per extension option, for a total contract amount not to exceed \$105,577,356. (Notes: This solicitation was reviewed for subcontracting opportunities in accordance with City Code Chapter 2-9C Minority Owned and Women Owned Business Enterprise Procurement Program. For the goods and services required for this solicitation, there were insufficient subcontracting opportunities; therefore no subcontracting goals were established.)

The motion authorizing negotiation and execution of a contact with Sonepar USA doing business as Stuart C. Irby Co. was approved on consent on Council Member Zimmerman's motion, Mayor Pro Tem Tovo's second on an 8-0 vote. Council Members Troxclair and Zimmerman abstained. Council Member Renteria was absent.

21. Authorize negotiation and execution of a contract through the NATIONAL JOINT POWERS ALLIANCE with MCCOY ROCKFORD for furniture for the new central library in an amount not to exceed \$110,057. (Notes: This contract was reviewed for subcontracting opportunities in accordance with City Code Chapter 2-9C Minority Owned and Women Owned Business Enterprise Procurement Program. For the goods and services required for this contract, there were insufficient subcontracting opportunities; therefore, no subcontracting goals were established.)

The motion authorizing negotiation and execution of a contract through the National Joint Powers Alliance with McCoy Rockford was approved on consent on Council Member Zimmerman's motion, Mayor Pro Tem Tovo's second on an 8-1 vote. Council Member Zimmerman voted nay. Council Member Troxclair abstained. Council Member Renteria was absent.

22. Cast lots and authorize award and execution of a contract in accordance with Texas Local Government Code Section 271.901 with TECHLINE INC. or POWER SUPPLY INC., who submitted identical bids for Line Item 15, (bracket mounting assembly) in an amount not to exceed \$1,125 annually; authorize award and execution of four 24-month contracts to provide streetlight lamps, luminaires and floodlights: with TECHLINE INC. in an amount not to exceed \$2,177,456, with three 12-month extension options in an amount not to exceed \$1,088,728 per extension option, for a total contract amount not to exceed \$5,443,640; with MCOR LIGHTING in an amount not to exceed \$54,220, with three 12-month extension options in an amount not to exceed \$27,110 per extension option, for a total contract amount not to exceed \$135,550; with POWER SUPPLY INC. in an amount not to exceed \$15,990, with three 12-month extension options in an amount not to exceed \$7,995 per extension option, for a total contract amount not to exceed \$39,975; and with FACILITY SOLUTIONS GROUP in an amount not to exceed \$8,586, with three 12-month extension options in an amount not to exceed \$4,293 per extension option, for a total contract amount not to exceed \$21,465. (Notes: This solicitation was reviewed for subcontracting opportunities in accordance with City Code Chapter 2-9D Minority Owned and Women Owned Business Enterprise Procurement Program. For the goods and services required for this solicitation, there were insufficient subcontracting opportunities; therefore, no subcontracting goals were established.)

The motion casting lots and authorizing award and execution of a contract with Techline Inc., four contracts with Techline Inc., Mcor Lighting, Power Supply Inc., and Facility Solutions Group were approved on consent on Council Member Zimmerman's motion, Mayor Pro Tem Tovo's second on a 9-0 vote. Council Member Zimmerman abstained. Council Member Renteria was absent.

23. 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 and certain related waivers were approved on consent on Council Member Zimmerman's motion, Mayor Pro Tem Tovo's second on a 10-0 vote. Council Member Renteria was absent.

Nominations

Board/Nominee

Nominated by

African American Resource Advisory Commission Lisa Fritsch	Council Member Gallo
Board of Adjustment Bryan King	Council Member Houston
Downtown Commission Sunshine Mathon	Mayor Pro Tem Tovo
Downtown Commission Timothy Moore	Council Member Troxclair
Downtown Commission Wendy Tita	Council Member Gallo
Early Childhood Council Garry Brown	Council Member Renteria
Economic Prosperity Commission Hannah Frankel	Council Member Casar
Electric Board Robert Bowne	Council Member Houston
Environmental Commission Linda Guerrero	Mayor Pro Tem Tovo
Human Rights Commission Tim Miller	Council Member Zimmerman
Urban Transportation Commission Beverly Silas	Council Member Houston
Zoning & Platting Commission Ana Aguirre	Council Member Garza

Waivers

Approve a waiver of the requirement in Section 2-1-21(H) of the City Code for the appointment of Garry Brown. The waiver allows his simultaneous service on the Human Rights Commission and Early Childhood Council.

Approve a waiver of the requirement in Section 2-1-21(H) of the City Code for the appointment of Linda Guerrero. The waiver allows her simultaneous service on the Bond Oversight Commission and Environmental Commission.

Approve a waiver of the filing deadline for the statement of financial information as prescribed in Sections 2-1-25 and 2-7-72 of the City Code and establishing a new deadline of Friday, May 27, 2016 for the following members:

Ed Scruggs	Public Safety Commission
Jeff Jiampietro	Zero Waste Advisory Commission

Approval of Universal Changes to Bylaws for the following Boards:

Small Area Planning Joint Committee

Joint Inclusion Committee

Joint Sustainability Committee

24. Approve a resolution relating to Council Members' proxy representation on the Capital Area Metropolitan Planning Organization Transportation Policy Board. (Notes: SPONSOR: Council Member Sheri Gallo CO 1: Council Member Delia Garza CO 2: Council Member Ann Kitchen CO 3: Council Member Ellen Troxclair)

This item was postponed on consent on Council Member Zimmerman's motion, Mayor Pro Tem Tovo's second on a 10-0 vote. Council Member Renteria was absent.

25. Approve a resolution directing the City Manager to work on an electric vehicle fleet assessment in anticipation of the Smart Cities application and to engage relevant commissions in developing recommendations for opportunities to increase electrification of the City's Fleet Services vehicles. (Notes: SPONSOR: Council Member Ann Kitchen CO 1: Mayor Steve Adler CO 2: Council Member Leslie Pool CO 3: Council Member Delia Garza CO 4: Council Member Sheri Gallo)

Resolution No. 20160505-025 was approved on consent on Council Member Zimmerman's motion, Mayor Pro Tem Tovo's second on an 8-1 vote. Council Member Zimmerman voted nay. Council Member Troxclair abstained. Council Member Renteria was absent.

Items 26 and 27 were pulled for discussion.

28. Approve the waiver or reimbursement of certain costs under City Code Chapter 14-8 for the 9th Annual Texas Marijuana March to the Texas State Capitol building sponsored by the National Organization for the Reform of Marijuana Laws (NORML) which is to be held from noon to 1:15pm on Saturday, May 14, 2016 from City Hall along Congress Avenue. (Notes: SPONSOR: Council Member Don Zimmerman CO 1: Mayor Steve Adler CO 2: Council Member Sabino "Pio" Renteria CO 3: Council Member Ora Houston CO 4: Council Member Gregorio Casar)

The motion to approve the waiver or reimbursement of certain costs under City Code Chapter 14-8 for the 9th Annual Texas Marijuana March was approved on consent on Council Member Zimmerman's motion, Mayor Pro Tem Tovo's second on a 9-0 vote. Council Member Troxclair abstained. Council Member Renteria was absent.

29. Set a public hearing to consider an ordinance amending City Code Chapter 25-2 relating to site development regulations for the Festival Beach Subdistrict of the Waterfront Overlay. (Suggested date and time: June 9, 2016, 4:00 p.m. at 301 W. Second St., Austin, TX).

The public hearing was set on consent for June 9, 2016, 4:00 p.m. at 301 W. Second Street, Austin, TX hearing on Council Member Zimmerman's motion, Mayor Pro Tem Tovo's second on a 10-0 vote. Council Member Renteria was absent.

30. Set a public hearing to consider an ordinance granting a site specific amendment to City Code Section 25-8-514 and granting variances to City Code sections 25-8-281 and 25-8-341 to allow the Eliza Spring Outlet Daylighting Project. This action requires a site-specific amendment of the

Save Our Springs Initiative and concerns property in the Barton Springs Zone (District 8). (Suggested date and time: June 9, 2016, 4:00 p.m. at Austin City Hall, 301 West Second Street, Austin, TX.)

The public hearing was set on consent for June 9, 2016, 4:00 p.m. at 301 W. Second Street, Austin, TX hearing on Council Member Zimmerman's motion, Mayor Pro Tem Tovo's second on a 10-0 vote. Council Member Renteria was absent.

Items 31 through 35 were pulled for discussion.

36. Set a public hearing to consider a resolution supporting an application to be submitted to the Texas Department of Housing and Community Affairs by Austin Travis County Integral Care, or an affiliated entity, for a proposed affordable multi-family development to be called Housing First Oak Springs Apartments located at 3000 Oak Springs Drive. (Suggested date and time: June 9, 2016 beginning at 4:00 p.m. at Austin City Hall, 301 W. Second Street, Austin, TX.) (District 1).
The public hearing was set on consent for June 9, 2016, 4:00 p.m. at 301 W. Second Street, Austin, TX hearing on Council Member Zimmerman's motion, Mayor Pro Tem Tovo's second on a 10-0 vote. Council Member Renteria was absent.

Items 37 and 40 were referred from Council Committees.

Item 41 was Annexation (Hearing Closed)

Item 42 was Zoning Ordinances/Restrictive Covenants (Hearings Closed)

Item 43 was Zoning and Neighborhood Plan Amendments (Public Hearings and Possible Action)

Items 44 & 45 were Executive Session Items.

Items 46 through 51 were public hearing items set for 4:00 p.m.

DISCUSSION ITEMS

31. Set a public hearing to consider a resolution supporting an application to be submitted to the Texas Department of Housing and Community Affairs by HACA Pathways I, LP, or an affiliated entity, for the rehabilitation of an affordable multi-family development to be called the Pathways at North Loop Apartments, located at 2300 West North Loop Boulevard. (District 7) (Suggested date and time: June 9, 2016 beginning at 4:00 p.m. at Austin City Hall, 301 W. Second Street, Austin, TX.)
The motion to set the public hearing for June 9, 2016, 4:00 p.m. at 301 W. Second Street, Austin, TX was approved on Mayor Pro Tem Tovo's motion, Council Member Pool's second on a 10-0 vote. Council Member Renteria was absent.
32. Set a public hearing to consider a resolution supporting an application to be submitted to the Texas Department of Housing and Community Affairs by HACA Pathways I, LP, or an affiliated entity, for the rehabilitation of an affordable multi-family development to be called the Pathways at Georgian Manor Apartments, located at 110 Bolles Circle. (District 4) (Suggested date and time: June 9, 2016 beginning at 4:00 p.m. at Austin City Hall, 301 W. Second Street, Austin, TX.)
The motion to set the public hearing for June 9, 2016, 4:00 p.m. at 301 W. Second Street, Austin, TX was approved on Mayor Pro Tem Tovo's motion, Council Member Pool's second on a 10-0 vote. Council Member Renteria was absent.

33. Set a public hearing to consider a resolution supporting an application to be submitted to the Texas Department of Housing and Community Affairs by HACA Pathways I, LP, or an affiliated entity, for the rehabilitation of an affordable multi-family development to be called the Pathways at Manchaca Village Apartments, located at 3628 Manchaca Road. (District 5) (Suggested date and time: June 9, 2016 beginning at 4:00 p.m. at Austin City Hall, 301 W. Second Street, Austin, TX.)
The motion to set the public hearing for June 9, 2016, 4:00 p.m. at 301 W. Second Street, Austin, TX was approved on Mayor Pro Tem Tovo's motion, Council Member Pool's second on a 10-0 vote. Council Member Renteria was absent.
34. Set a public hearing to consider a resolution supporting an application to be submitted to the Texas Department of Housing and Community Affairs by HACA Pathways I, LP, or an affiliated entity, for the rehabilitation of an affordable multi-family development to be called the Pathways at Shadowbend Ridge Apartments, located at 6328 Shadow Bend (District 2) (Suggested date and time: June 9, 2016 beginning at 4:00 p.m. at Austin City Hall, 301 W. Second Street, Austin, TX.)
The motion to set the public hearing for June 9, 2016, 4:00 p.m. at 301 W. Second Street, Austin, TX was approved on Mayor Pro Tem Tovo's motion, Council Member Pool's second on a 10-0 vote. Council Member Renteria was absent.
35. Set a public hearing to consider a resolution supporting an application to be submitted to the Texas Department of Housing and Community Affairs by HACA Pathways I, LP, or an affiliated entity, for the rehabilitation of an affordable multi-family development to be called the Pathways at Northgate Apartments, located at 9120 Northgate Boulevard. (District 4) (Suggested date and time: June 9, 2016 beginning at 4:00 p.m. at Austin City Hall, 301 W. Second Street, Austin, TX.)
The motion to set the public hearing for June 9, 2016, 4:00 p.m. at 301 W. Second Street, Austin, TX was approved on Mayor Pro Tem Tovo's motion, Council Member Pool's second on a 10-0 vote. Council Member Renteria was absent.
3. Approve an ordinance amending City Code Chapter 6-4 relating to water use management, and adding offenses.
A motion to amend PART 4 (E) Conservation Stage and Drought Response Stage One Watering Schedule of the ordinance by striking "Residential – Automatic ODD" and "Residential – Automatic EVEN" and amending the "Residential – Hose End to say "Residential – Hose- End and Automatic EVEN" and "Residential – Hose- End and Automatic ODD" failed on Council Member Zimmerman's motion, Council Member Troxclair's second on a 3-7 vote. Those voting aye were: Council Members Gallo, Troxclair and Zimmerman. Those voting nay were: Mayor Adler, Mayor Pro Tem Tovo, Council Members Casar, Garza, Houston, Kitchen and Pool. Council Member Renteria was absent.
Ordinance No. 20160505-003 was approved on Council Member Pool's motion, Mayor Pro Tem Tovo's second on a 7-3 vote. Those voting aye were: Mayor Adler, Mayor Pro Tem Tovo, Council Members Casar, Garza, Houston, Kitchen and Pool. Those voting nay were: Council Members Gallo, Troxclair and Zimmerman. Council Member Renteria was absent.
4. Approve a resolution adopting a revised 2016 Drought Contingency Plan for retail and wholesale public water suppliers.
A motion to approve Resolution No. 20160505-004 as amended failed on Council Member Zimmerman's motion, Council Member Troxclair's second on a 3-7 Vote. Those voting aye

were: Council Members Gallo, Troxclair and Zimmerman. Those voting nay were: Mayor Adler, Mayor Pro Tem Tovo, Council Members Casar, Garza, Houston, Kitchen and Pool. Council Member Renteria was absent.

The motion was to strike the word “Considered” from Table 2 for the Stage One and Stage Two regulations and striking the words “1x/week (13 hours automatic)” and “hose-end” from the Irrigation Restrictions in Stage One Regulations.

Resolution No. 20160505-004 was approved on Council Member Pool’s motion, Council Member Garza’s second on a 7-3 vote. Those voting aye were: Mayor Adler, Mayor Pro Tem Tovo, Council Members Casar, Garza, Houston, Kitchen and Pool. Those voting nay were: Council Members Gallo, Troxclair and Zimmerman. Council Member Renteria was absent.

CITIZENS COMMUNICATIONS: GENERAL

Lesa Walker - Compassionate Austin.

Zoila Vega - Animal Issues. – **Not Present.**

Kathy Muelker - Animal Services. -- **Not Present.**

Kathleen Wycoff - Exhibition Night. – **Not Present.**

Julie Yarbrough - Billboards on Southwest Parkway - Code Violation. –**Not Present.**

Carlos León - 1) God, Jesus Christ & the holy spirit are above all. 2) chemtrails should be permanently banned from Austin airspace. 3) Losing your marbles, Vol. II, No.3.

Cheryl Hoxie - Safety, crime, and criminally transient population around the University of Texas at Austin.

Briana Miriani - SCRP of the Austin Animal Center.

Catherine Fendrich - TBA.

Michael Brooks - Upcoming Police contract.

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.

44. 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.
45. Discuss legal issues relating to the legal parameters for considering a transfer of services and of taxing authority for those services from Austin Independent School District and other school

districts within City of Austin boundaries pursuant to Texas Tax Code 26.04(i)-(j) (Tax Code) (Private consultation with legal counsel - Section 551.071 of the Government Code).

This item was withdrawn without objection.

DISCUSSION ITEMS CONTINUED

5. Authorize negotiation and execution of a Family Business Loan Program loan, in an amount not to exceed \$154,200, funded with proceeds of a U.S. Department of Housing and Urban Development Section 108 loan to the City, to MORT SUBITE, LLC to finance working capital and soft costs associated with the lease of space located at 308 South Congress, Austin, Texas.
The motion authorizing the negotiation and execution of a Family Business Loan Program loan to Mort Subite, LLC was approved on Council Member Kitchen's motion, Council Member Garza's second on a 7-1 vote. Council Member Zimmerman voted nay. Council Members Houston and Troxclair abstained. Council Member Renteria was absent.

Mayor Adler recessed the Council Meeting at 12:41 p.m.

Mayor Adler reconvened the meeting at 1:50 p.m.

DISCUSSION ITEMS CONTINUED

37. Approve an ordinance amending City Code Chapter 2-1 to establish the Codes and Ordinances Joint Committee consisting of members of the Planning Commission and the Zoning and Platting Commission. (Notes: Planning and Zoning Department)
Ordinance No. 20160505-037 was approved on Council Member Pool's motion, Mayor Pro Tem Tovo's second on a 10-0 vote. Council Member Renteria was absent.
38. Approve an ordinance amending City Code Chapter 2-1 to establish the Comprehensive Plan Joint Committee consisting of members of the Planning Commission and the Zoning and Platting Commission. (Notes: Planning and Zoning Department)
Ordinance No. 20160505-038 was approved on Council Member Pool's motion, Mayor Pro Tem Tovo's second on a 10-0 vote. Council Member Renteria was absent.
14. Authorize negotiation and execution of a 36-month contract with AUS-TEX TOWING AND RECOVERY LLC, to provide towing of City vehicles in an amount not to exceed \$1,483,646, with three 12-month extension options in an amount not to exceed \$494,549 per extension option, for a total contract amount not to exceed \$2,967,292. (Notes: This solicitation was reviewed for subcontracting opportunities in accordance with City Code Chapter 2-9C Minority Owned and Women Owned Business Enterprise Procurement Program. For the goods and services required for this solicitation, there were an insufficient number of certified M/WBES; therefore, no subcontracting goals were established.)
This item was postponed to May 12, 2016 on Council Member Zimmerman's motion, Council Member Troxclair's second on a 10-0 vote. Council Member Renteria was absent.
17. Authorize negotiation and execution of a 5-month contract with EMMIS AUSTIN RADIO BROADCASTING COMPANY, LP DBA INCITE IMPACT, or one of the other qualified offerors to Request For Proposal CRR0101, to provide tobacco prevention and chronic disease media services in an amount not to exceed \$300,000, with two 12-month extension options in an amount not to exceed \$300,000 per extension option, for a total contract amount not to exceed \$900,000. (Notes: This contract will be awarded in compliance with City Code Chapter 2-9C

Minority Owned and Women Owned Business Enterprise Procurement Program by meeting the goals with 4.6% MBE and 4.26% WBE participation.)

The motion authorizing negotiation and execution of a contact with Emmis Austin Radio Broadcasting Company, LP doing business as Incite Impact was approved on Council Member Garza's motion, Council Member Houston's second on a 9-1 vote. Council Member Zimmerman voted nay. Council Member Renteria was absent.

27. Approve a resolution directing the City Manager to evaluate potential changes to Austin Police Department policies and training to improve how transgender and gender-nonconforming individuals are identified by the Austin Police Department. (Notes: SPONSOR: Council Member Gregorio Casar CO 1: Council Member Ora Houston CO 2: Council Member Leslie Pool CO 3: Mayor Pro Tem Kathie Tovo)
Resolution No. 20160505-027 was approved on Council Member Casar's motion, Council Member Pool's second on an 8-0 vote. Council Members Troxclair and Zimmerman abstained. Council Member Renteria was absent.
9. Approve an ordinance authorizing the negotiation and execution of all documents and instruments necessary or desirable to purchase in fee simple the property located at 4502 Raleigh Circle, in the Indian Hills Subdivision, from Mark Hejl, in an amount not to exceed \$250,000, subject to the guidelines of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 and related federal regulations, and waiving the requirements of City Code Chapter 14-3 (District 2).
Ordinance No. 20160505-009 was approved on Council Member Garza's motion, Council Member Pool's second on a 7-0 vote. Council Members Gallo, Troxclair and Zimmerman abstained. Council Member Renteria was absent.
11. Authorize negotiation and execution of a 60-month lease with one five-year renewal option for approximately 7,174 rentable square feet of office space for the Equal Employment and Fair Housing Office of the Human Resources Department and additional support services, located at 1050 East 11th Street, Suite 200 and Suite 250, from ELEVEN EAST CORP., in an amount not to exceed \$3,065,226 (District 1).
The motion authorizing the negotiation and execution of a lease with one renewal option was approved on a 7-2 vote. Those voting aye were: Mayor Adler, Mayor Pro Tem Tovo, Council Members Casar, Garza, Houston, Kitchen and Pool. Those voting nay were: Council Members Troxclair and Zimmerman. Council Member Gallo abstained. Council Member Renteria was absent.
18. Authorize negotiation and execution of two 24-month contracts with BRAD NORTON and WEBB & WEBB, or one of the other qualified offerors to Request For Proposal RMJ0305, for administrative hearing officer services in an amount not to exceed \$124,000 each and combined, with two 24-month extension options in an amount not to exceed \$124,000 each and combined per extension option, for a total contract amount not to exceed \$372,000. (Notes: This solicitation was reviewed for subcontracting opportunities in accordance with City Code Chapter 2-9C Minority Owned and Women Owned Business Enterprise Procurement Program. For the goods and services required for this solicitation, there were insufficient subcontracting opportunities; therefore, no subcontracting goals were established.)
The motion authorizing negotiation and execution of two contacts with Brad Norton and Webb & Webb was approved on Mayor Pro Tem Tovo's motion, Council Member Pool's second on an 8-1 vote. Council Member Zimmerman voted nay. Council Member Troxclair abstained. Council Member Renteria was absent.

39. Approve a resolution recommending that the City Manager prioritize Austin Resource Recovery in the performance and budget review by the Office of Performance Management. (Notes: Committee)
Resolution No. 20160505-039 was approved on Mayor Pro Tem Tovo's motion, Council Member Pool's second on an 8-1 vote. Council Member Zimmerman voted nay. Council Member Kitchen was off the dais and later requested the record show her support of the item. Council Member Renteria was absent.
19. Authorize negotiation and execution of a 24-month contract with CONVERGENT OUTSOURCING, INC., or one of the other qualified offerors to Request for Proposal RMJ0307, for the secondary-level collection of delinquent utility accounts in an amount not to exceed \$180,000, with three 12-month extension options in an amount not to exceed \$90,000 per extension option, for a total contract amount not to exceed \$450,000; and a 24-month contract with CONTRACT CALLERS, INC., or one of the other qualified offerors to Request for Proposal RMJ0307, for the tertiary-level collection of delinquent utility accounts in an amount not to exceed \$200,000, with three 12-month extension options in an amount not to exceed \$100,000 each per extension option, for a total contract amount not to exceed \$500,000. (Notes: This solicitation was reviewed for subcontracting opportunities in accordance with City Code Chapter 2-9C Minority Owned and Women Owned Business Enterprise Procurement Program. For the goods and services required for this solicitation, there were insufficient subcontracting opportunities; therefore, no subcontracting goals were established.)
The motion authorizing negotiation and execution of a contact with Convergent Outsourcing, Inc. was approved on Council Member Houston's motion, Council Member Garza's second on a 9-0 vote. Council Member Kitchen was off the dais. Council Member Renteria was absent.
26. Approve a resolution relating to filling vacancies on the Land Development Code Advisory Group. (Notes: SPONSOR: Council Member Delia Garza CO 1: Council Member Ann Kitchen CO 2: Council Member Gregorio Casar CO 3: Council Member Ellen Troxclair CO 4: Council Member Don Zimmerman)
Resolution No. 20160505-026 was approved on Council Member Garza's motion, Council Member Houston's second on a 9-0 vote. Council Member Kitchen was off the dais. Council Member Renteria was absent.
40. Approve a resolution appointing two individuals to the Municipal Civil Service Commission, each for a term of three years, and designating a chair for the Municipal Civil Service Commission. (Notes: Human Resources Department)
Resolution No. 20160505-040 was approved on Council Member Pool's motion, Mayor Pro Tem Tovo's second on a 7-1 vote. Council Member Zimmerman voted nay. Council Member Troxclair abstained. Council Member Kitchen was off the dais. Council Member Renteria was absent.
41. C7a-2016-0001 - Parker Creek Ranch - Approve an ordinance to annex the Parker Creek Ranch annexation area for full purposes (approximately 92 acres in eastern Travis County west of Decker Lane approximately three quarters of a mile north of the intersection of Decker Lane and Loyola Lane; contiguous to Council District 1). THE PUBLIC HEARINGS FOR THIS ITEM WERE HELD AND CLOSED ON MARCH 21, 2016 AND APRIL 7, 2016.
Ordinance 20160505-041 was approved on Council Member Garza's motion, Council Member Casar's second on a 7-1 vote. Council Member Houston voted nay. Council Member Troxclair and Zimmerman abstained. Council Member Renteria was absent.

PUBLIC HEARINGS

46. Conduct a public hearing and consider an ordinance amending City Code Title 25 related to the multifamily residence highest density (MF-6) district zoning regulations.
The item was postponed to May 19, 2016 on Mayor Pro Tem Tovo's motion, Council Member Zimmerman's second on a 10-0 vote. Council Member Renteria was absent.

DISCUSSION ITEMS CONTINUED

42. C814-2012-0163 - Sun Chase Planned Unit Development - District 2 - Approve second reading of an ordinance amending City Code Chapter 25-2 by zoning property locally known as 15201, 15810, and 16070 Pearce Lane, and 7910 Wolf Lane (Dry Creek East Watershed) from interim-single family residence-standard lot (I-SF-2) district zoning and interim-single family residence-small lot (I-SF-4A) district zoning to planned unit development (PUD) district zoning. First Reading approved on February 11, 2016. Vote: 8-0-1, Mayor Adler and Council Member Casar off the dais; Council Member Troxclair abstained. Owner/Applicant: Qualico CR, L.P. (Vera Massaro). Agent: Armbrust & Brown, L.L.P. (Richard Suttle). City Staff: Wendy Rhoades, 512-974-7719.
The item was postponed to May 12, 2016 at the request of the applicant on a 10-0 vote. Council Member Renteria was absent.

PUBLIC HEARINGS CONTINUED

51. Conduct a public hearing and consider an ordinance amending City Code Title 25 relating to the neighborhood plan design tool known as garage placement standards.
The public hearing was held and the motion to close the public hearing and approve Ordinance No. 20160505-051 was approved on Mayor Pro Tem Tovo's motion, Council Member Kitchen's second on an 8-2 vote. Those voting aye were: Mayor Adler, Mayor Pro Tem Tovo, Council Members Casar, Gallo, Garza, Houston, Kitchen and Pool. Those voting nay were: Council Members Troxclair and Zimmerman. Council Member Renteria was absent.
49. Conduct a public hearing and consider an ordinance amending City Code Title 25 relating to right-of-way dedications and transportation improvements required as a condition to mitigate the impacts of development.
This item was postponed to June 9, 2016 at the request of staff on Council Member Zimmerman's motion, Council Member Houston's second on a 9-0 vote. Council Member Pool was off the dais. Council Member Renteria was absent.
50. Conduct a public hearing and consider an ordinance amending City Code Title 25 relating to site development standards for educational facilities.
This item was postponed to June 9, 2016 at the request of staff on Mayor Pro Tem Tovo's motion, Council Member Troxclair's second on a 10-0 vote. Direction was given to staff to provide a locator map of where charter schools are located. Council Member Renteria was absent.
48. Conduct a public hearing and consider a resolution for the use of dedicated parkland, known as Edward Rendon, Sr., Metro Park at Festival Beach (District 3), for approximately 2,049 square feet of permanent access for operation and control of the Pedernales Substation as part of the Holly Street Power Plant Decommissioning and Demolition Project, in accordance with Chapter 26 of the Texas Parks and Wildlife Code.

The public hearing was held and the motion to close the public hearing and approve Resolution No. 20160505-048 was approved on Council Member Pool's motion, Mayor Pro Tem Tovo's second on 10-0 vote. Council Member Renteria was absent.

43. C14-2016-0004 - Oporta Zoning - District 2 - Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 4400 East William Cannon Drive (Williamson Creek Watershed) from family residence (SF-3) district zoning to community commercial-mixed use-conditional overlay (GR-MU-CO) combining district zoning. Staff Recommendation: To grant community commercial-mixed use-conditional overlay (GR-MU-CO) combining district zoning. Zoning and Platting Commission Recommendation: To grant community commercial-mixed use-conditional overlay (GR-MU-CO) combining district zoning. Owner/Applicant: Vicky Oporta. Agent: Brown & Gay Engineers (Steven Buffum). City Staff: Wendy Rhoades, 512-974-7719.

The public hearing was held and the motion to close the public hearing and approve Ordinance 20160505-043 for community commercial-mixed use-conditional overlay (GR-MU-CO) combining district zoning was approved on Council Member Garza's motion, Council Member Troxclair's second on a 10-0 vote. Council Member Renteria was absent.

47. Conduct a public hearing and consider a request by Morris Hoover, agent for Tacala Austin LLC dba Taco Bell Cantina, located at 2000 Guadalupe Street, for a waiver from the distance requirement of City Code Section 4-9-4(A) which requires a minimum of 300 feet between a business that sells alcoholic beverages and a church. (District 9).

The public hearing was held and the motion to close the public hearing and approve the waiver was approved on Council Member Troxclair's Motion, Council Member Zimmerman's second on a 10-0 vote. Council Member Renteria was absent.

Mayor Adler adjourned the meeting at 5:31 p.m.

LIVE MUSIC

Boca Abajo

PROCLAMATIONS

Certificates of Appreciation—Public Service Recognition Week—To be presented by Mayor Steve Adler and Assistant City Manager Bert Lumbreras and to be accepted by representatives of all City Departments

Proclamation—Huston-Tillotson Class Reunion—To be presented by Council Member Ora Houston and to be accepted by TBA

Proclamation—AIDS Candlelight Memorial—To be presented by Mayor Steve Adler and to be accepted by Eric Crabtree

Proclamation—Mental Health Month and Children's Mental Health Awareness Day—To be presented by Mayor Steve Adler and to be accepted by Christinia Kuehn, The Children's Partnership

Proclamation—Balcones Canyonlands Preserve 20-Year Anniversary—To be presented by Council Member Leslie Pool and to be accepted by TBA

Proclamation—Motorcycle Safety and Awareness Month—To be presented by Mayor Steve Adler and to be accepted by Cycle Stylez “Lucky”

Proclamation—Five-year anniversary of the No-Kill Resolution for the Austin Animal Center—To be presented by Mayor Steve Adler and to be accepted by Tawny Hammond, Animal Services Office, Austin Animal Center

The minutes were approved on this the 12th day of May 2016 on Council Member Zimmerman’s motion, Council Member Houston’s second on an 11-0 vote.