



**AUSTIN CITY COUNCIL  
MINUTES**

**REGULAR MEETING  
THURSDAY, AUGUST 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, August 11, 2016 in the Council Chambers of City Hall, 301 West Second Street, Austin, Texas.

Mayor Adler called the Council Meeting to order at 10:25 a.m.

**CONSENT AGENDA**

The following items were acted on by one motion.

1. Approve the minutes of the Austin City Council work session of August 2, 2016, budget work session of August 3, 2016 and regular meeting of August 4, 2016.  
**The minutes of the City Council work session of August 2, 2016, budget work session of August 3, 2016 and regular meeting of August 4, 2016 were approved on consent on Council Member Zimmerman's motion, Council Member Gallo's second on an 11-0 vote.**
2. Discussion and possible action on the Council Budget Concept Menu.  
**This item was withdrawn without objection.**

**Item 3 was pulled for discussion.**

4. Authorize negotiation and execution of an interlocal agreement with the City of Pflugerville for installation, programming, maintenance, and repair of Pflugerville's wireless communications equipment for an initial term ending September 30, 2017, with an estimated amount of \$5,000 payable to the City and with annual automatic renewal terms in the same estimated amount per renewal.  
**The motion authorizing negotiation and execution of an interlocal agreement with the City of Pflugerville was approved on consent on Council Member Zimmerman's motion, Council Member Gallo's second on an 11-0 vote.**
5. Authorize the negotiation and execution of a five-year agreement with one five-year extension option with the Austin Convention and Visitors Bureau for convention and tourism promotion services in an estimated amount not to exceed \$16,472,944 for Fiscal Year 2016-2017.

**This item was postponed to August 18, 2016 on consent on Council Member Zimmerman's motion, Council Member Gallo's second on an 11-0 vote.**

6. Approve an ordinance authorizing negotiation and execution of an agreement with the Austin Area Garden Center, Inc. for use of the Zilker Garden Center and waiving certain building-use fees as part of the agreement in an amount not to exceed \$175,551.  
**Ordinance No. 20160811-006 was approved on consent on Council Member Zimmerman's motion, Council Member Gallo's second on a 10-0 vote. Council Member Zimmerman abstained.**
7. Approve an ordinance adopting the First Amendment to the Strategic Partnership Agreement with the River Place Municipal Utility District.  
**Ordinance No. 20160811-007 was approved on consent on Council Member Zimmerman's motion, Council Member Gallo's second on a 9-0 vote. Council Members Troxclair and Zimmerman abstained.**
8. Approve an ordinance amending City Code 9-2 relating to requirements for non-peak hour concrete installation within portions of the Central Business District and Public zoning districts.  
**This item was postponed to August 18, 2016 on consent on Council Member Zimmerman's motion, Council Member Gallo's second on an 11-0 vote.**
9. Approve a resolution authorizing the acceptance of \$116,008.47 in grant funding from the State of Texas, Governor's Office, Criminal Justice Division to implement the Austin Police Department project entitled the Austin Police Department Coverdell Project which provides funding for the APD crime lab.  
**Resolution No. 20160811-009 was approved on consent on Council Member Zimmerman's motion, Council Member Gallo's second on an 11-0 vote.**
10. Approve a resolution authorizing the acceptance of \$37,600 in grant funding from the State of Texas, Governor's Office, Criminal Justice Division to implement the Austin Police Department project entitled Austin Police Department Juvenile Justice and Delinquency Prevention Project.  
**Resolution No. 20160811-010 was approved on consent on Council Member Zimmerman's motion, Council Member Gallo's second on an 11-0 vote.**
11. Authorize negotiation and execution of an agreement with Texas State University – San Marcos to reimburse costs of law enforcement services for the FY 2017 Texas Tobacco Enforcement Program for a total reimbursement not to exceed \$28,650.  
**The motion authorizing negotiation and execution of an agreement with Texas State University – San Marcos was approved on consent on Council Member Zimmerman's motion, Council Member Gallo's second on an 11-0 vote.**

**Item 12 was pulled for discussion.**

13. Authorize negotiation and execution of a 60-month contract through the STATE OF TEXAS DEPARTMENT OF INFORMATION RESOURCES cooperative purchasing program with DELL MARKETING, L.P., to provide computer deployment services in an amount not to exceed \$875,000. Related to Item #14 (Notes: This contract will be awarded by a cooperative purchase agreement with the Texas Department Information Resources in accordance with Chapter 2054 of the Texas Government Code; therefore, goals were not established.)  
**The motion authorizing negotiation and execution of a contract through the State of Texas Department of Information Resources cooperative purchasing program with Dell**

**Marketing, L.P. was approved on consent on Council Member Zimmerman's motion, Council Member Gallo's second on a 9-0 vote. Council Members Troxclair and Zimmerman abstained.**

14. Authorize negotiation and execution of a 60-month contract through the STATE OF TEXAS DEPARTMENT OF INFORMATION RESOURCES cooperative purchasing program with DELL FINANCIAL SERVICES LLC., to provide lease purchase of personal computers, workstations, and laptops in an amount not to exceed \$12,100,000. Related to Item #13 (Notes: This contract will be awarded by a cooperative purchase agreement with the Texas Department Information Resources in accordance with Chapter 2054 of the Texas Government Code; therefore, goals were not established.)  
**The motion authorizing negotiation and execution of a contract through the State of Texas Department of Information Resources cooperative purchasing program with Dell Financial Services LLC was approved on consent on Council Member Zimmerman's motion, Council Member Gallo's second on an a 9-0 vote. Council Members Troxclair and Zimmerman abstained.**
15. Authorize award and execution of a 36-month contract with 5-F MECHANICAL GROUP, INC. to provide plumbing maintenance, installation, and repair services in an amount not to exceed \$2,955,000, with three 12-month extension options in an amount not to exceed \$985,000 per extension option, for a total contract amount not to exceed \$5,910,000. (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 was an insufficient number of certified M/WBEs; therefore, no subcontracting goals were established.)  
**The motion authorizing award and execution of a contract with 5-F Mechanical Group, Inc. was approved on consent on Council Member Zimmerman's motion, Council Member Gallo's second on a 10-0 vote. Council Member Zimmerman abstained.**
16. Authorize negotiation and execution of a 36-month contract with CLINICAL PATHOLOGY LABORATORIES, INC., or one of the other qualified offerors to Request for Proposals EAD0126, to provide laboratory services in an amount not to exceed \$2,825,859, with three 12-month extension options in an amount not to exceed \$941,953 per extension option, for a total contract amount not to exceed \$5,651,718. (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 services required for this solicitation, there were insufficient subcontracting opportunities and an insufficient number of certified M/WBEs; therefore, no subcontracting goals were established.)  
**The motion authorizing negotiation and execution of a contract with Clinical Pathology Laboratories, Inc. was approved on consent on Council Member Zimmerman's motion, Council Member Gallo's second on a 10-0 vote. Council Member Zimmerman abstained.**
17. Authorize award and execution of a 24-month contract with NESCO, LLC, to provide for the rental of aerial towers and digger derricks, in an amount not to exceed \$233,350, with three 12-month extension options in an amount not to exceed \$116,675 per extension option, for a total contract amount not to exceed \$583,375. (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 authorizing award and execution of a contract with Nesco, LLC was approved on consent on Council Member Zimmerman's motion, Council Member Gallo's second on a 10-0 vote. Council Member Zimmerman abstained.**

18. Authorize an amendment to the contract with ENVIRONMENTAL SYSTEMS RESEARCH INSTITUTE, INC. for the purchase of software, consulting services, software maintenance, training, cloud services and support for the City's Geographic Information System to add a 12-month extension option in an amount not to exceed \$1,125,000, for a total revised contract amount not to exceed \$5,664,000. (Notes: This contract is exempt from City Code Chapter 2-9C Minority Owned and Women Owned Business Enterprise Procurement Program; therefore, no goals were established for this solicitation.)

**The motion authorizing an amendment to the contract with Environmental Systems Research Institute, Inc. was approved on consent on Council Member Zimmerman's motion, Council Member Gallo's second on a 10-0 vote. Council Member Zimmerman abstained.**

19. Authorize negotiation and execution of three 36-month contracts with ACM BODY AND FRAME INC., KAISER AND SONS DBA NETWORK AUTO BODY (MBE), and LEIF JOHNSON FORD, or one of the other qualified offerors to Request For Proposals SLW0202REBID, to provide automotive body repair services in an amount not to exceed \$2,505,000 each and combined, with three 12-month extension options in an amount not to exceed \$835,000 per extension option each and combined, for total contract amounts not to exceed \$5,010,000 each and combined. (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 contracts with ACM Body and Frame Inc., Kaiser and Sons doing business as Network Auto Body, and Leif Johnson Ford was approved on consent on Council Member Zimmerman's motion, Council Member Gallo's second on a 10-0 vote. Council Member Zimmerman abstained.**

20. Authorize negotiation and execution of a contract through the TEXAS LOCAL GOVERNMENT PURCHASING COOPERATIVE program for vehicles with SILSBEE FORD, INC. in an amount not to exceed \$84,062. (Notes: This contract 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 contract, there were no subcontracting opportunities identified; therefore, no subcontracting goals were established.)

**The motion authorizing negotiation and execution of a contract through the Texas Local Government Purchasing Cooperative program with Silsbee Ford, Inc. was approved on consent on Council Member Zimmerman's motion, Council Member Gallo's second on a 9-0 vote. Council Members Troxclair and Zimmerman abstained.**

21. Authorize award and execution of a 36-month contract with CENTEX MATERIALS, LLC, to provide ready mix concrete, in an amount not to exceed \$532,500, with three 12-month extension options in an amount not to exceed \$177,500 per extension option, for a total contract amount not to exceed \$1,065,000. (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 were an insufficient number of certified M/WBEs and no subcontracting opportunities; therefore, no subcontracting goals were established.)

**The motion authorizing award and execution of a contract with Centex Materials, LLC was approved on consent on Council Member Zimmerman's motion, Council Member Gallo's second on a 10-0 vote. Council Member Zimmerman abstained.**

22. Authorize negotiation and execution of a 36-month contract with DOOSAN GRIDTECH, to provide energy storage and control software implementation, economic modeling and analysis services, for a total contract amount not to exceed \$4,501,000. (Notes: This 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 Doosan Gridtech was approved on consent on Council Member Zimmerman's motion, Council Member Gallo'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.**

23. Authorize an amendment to the contract with NALCO COMPANY to provide continued equipment supply and service for chemical water treatment programs at various City facilities to add one six-month extension option in an amount not to exceed \$800,000 for a revised total contract amount not to exceed \$9,800,000. (Notes: The 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.)

**The motion authorizing an amendment to the contract with Nalco Company was approved on consent on Council Member Zimmerman's motion, Council Member Gallo's second on a 10-0 vote. Council Member Zimmerman abstained.**

24. Authorize negotiation and execution of a 36-month contract with PAYMENTECH LLC, or one of the other qualified offerors to Request For Proposals TVN0055REBID, to provide merchant card processing services in an amount not to exceed \$3,700,000, with two 24-month extension options in an amount not to exceed \$3,300,000 for the first extension option, and \$3,800,000 for the second extension option, for a total contract amount not to exceed \$10,800,000. (Notes: This solicitation was reviewed for subcontracting opportunities in accordance with City Code Chapter 2-C 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 contract with Paymentech LLC was approved on consent on Council Member Zimmerman's motion, Council Member Gallo's second on an 11-0 vote.**

**Items 25 & 26 were pulled for discussion.**

27. 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, Council Member Gallo's second on an 11-0 vote.**

#### Nominations

Board/Nominee  
Downtown Commission  
Chris Kanipe

Nominated by  
Council Member Renteria

Joint Sustainability Committee

Mary Ann Neely

Environmental Commission

**Waivers**

Approve a waiver of the residency requirement in Section 2-1-21 of the City Code for the service of Larry Tucker on the Animal Advisory Commission.

28. Approve an ordinance waiving or reimbursing certain fees and requirements and authorize payment of certain costs under City Code Chapter 14-8 for the City co-sponsored Austin PRIDE Parade sponsored by Austin Pride Foundation which is to be held on August 27, 2016. (Notes: SPONSOR: Mayor Steve Adler CO 1: Mayor Pro Tem Kathie Tovo CO 2: Council Member Delia Garza CO 3: Council Member Sabino "Pio" Renteria CO 4: Council Member Gregorio Casar)

**Ordinance 20160811-028 was approved on consent on Council Member Zimmerman's motion, Council Member Gallo's second on a 9-0 vote. Council Members Troxclair and Zimmerman abstained.**

29. Approve an ordinance waiving or reimbursing additional fees for the Annual Garden Party sponsored by the Umlauf Sculpture Garden and Museum which took place Thursday, April 28, 2016 at the Umlauf Sculpture Garden and Museum. (Notes: SPONSOR: Council Member Ann Kitchen CO 1: Mayor Steve Adler CO 2: Council Member Leslie Pool CO 3: Council Member Sheri Gallo)

**Ordinance 20160811-029 was approved on consent on Council Member Zimmerman's motion, Council Member Gallo's second on a 10-0 vote. Council Member Troxclair abstained.**

**Items 30 & 31 were pulled for discussion.**

32. Approve a resolution directing the City Manager to grant an exception to the administrative moratorium on new road closures for special events, and authorize the Gay Softball World Series closing ceremony to take place on Fourth Street between Colorado and Lavaca on August 19 and 20, 2016 and be issued a special event permit so long as all other Austin Center for Events requirements are met. (Notes: SPONSOR: Mayor Steve Adler CO 1: Mayor Pro Tem Kathie Tovo CO 2: Council Member Leslie Pool CO 3: Council Member Gregorio Casar)

**Resolution 20160811-032 was approved on consent on Council Member Zimmerman's motion, Council Member Gallo's second on an 8-0 vote. Council Members Houston, Troxclair and Zimmerman abstained.**

33. Approve a resolution regarding Austin Energy programs for increasing energy efficiency. (Notes: SPONSOR: Council Member Ann Kitchen CO 1: Council Member Gregorio Casar CO 2: Council Member Leslie Pool CO 3: Council Member Sabino "Pio" Renteria)

**Resolution 20160811-033 was approved on consent on Council Member Zimmerman's motion, Council Member Gallo's second on a 9-0 vote. Council Members Troxclair and Zimmerman abstained.**

34. Approve the waiver or reimbursement of certain fees for the Ciclovía North Austin event under City Code Chapter 14-8 sponsored by Bike Austin which is to be held Saturday, August 27, 2016 at the North Austin Event Center. (Notes: SPONSOR: Council Member Gregorio Casar CO 1: Council Member Delia Garza CO 2: Council Member Sabino "Pio" Renteria CO 3: Council Member Leslie Pool)

**The motion approving a waiver or reimbursement of certain fees for the Ciclovía North Austin event was approved on consent on Council Member Zimmerman's motion, Council Member Gallo's second on a 10-0 vote. Council Member Troxclair abstained.**

35. Approve an ordinance waiving or reimbursing certain fees for a banner to assist the YMCA of Austin with advertising for jobs sponsored by the YMCA. (Notes: SPONSOR: Council Member Gregorio Casar CO 1: Mayor Steve Adler CO 2: Council Member Ann Kitchen CO 3: Mayor Pro Tem Kathie Tovo)

**Ordinance 20160811-035 was approved on consent on Council Member Zimmerman's motion, Council Member Gallo's second on a 10-0 vote. Council Member Troxclair abstained.**

36. Approve the waiver or reimbursement of certain fees and costs under City Code Chapter 14-8 for the 2nd Annual Austin Duck Derby event sponsored by the Austin Boys and Girls Clubs Foundation, which was held Saturday, August 6, 2016 on the Ann Richards Bridge at Lady Bird Lake. (Notes: SPONSOR: Council Member Gregorio Casar CO 1: Council Member Delia Garza CO 2: Council Member Leslie Pool CO 3: Mayor Pro Tem Kathie Tovo)

**The motion approving the waiver or reimbursement of certain fees and costs for the 2<sup>nd</sup> Annual Austin Duck Derby event was approved on consent on Council Member Zimmerman's motion, Council Member Gallo's second on a 10-0 vote. Council Member Troxclair abstained.**

**Item 37 was pulled for discussion.**

Items 38 and 39 were Zoning Ordinances/ Restrictive Covenants (Hearings Closed)

Items 40 through 68 were Zoning and Neighborhood Plan Amendments (Public Hearings and Possible Action).

Items 69 through 72 were Executive Session Items.

Item 73 was a public hearing items set for 4:00 p.m.

### **ZONING AND NEIGHBORHOOD PLAN AMENDMENTS**

38. C14-2016-0016 – Loma Vista – District 1 – Approve second and third readings of an ordinance amending City Code Chapter 25-2 by rezoning property locally known as Hidden West Boulevard (Walnut Creek Watershed; Elm Creek Watersheds) from limited industrial services-conditional overlay (LI-CO) combining district zoning to mobile home residence (MH) district zoning. First reading approved on June 16, 2016. Vote: 10-0, Council Member Gallo was off the dais. Owner: Roberts Resorts (Scott Roberts). Applicant: Conley Engineering (Carl Conley). City Staff: Heather Chaffin, 512-974-2122.

**Ordinance No. 20160811-038 for mobile home residence (MH) district zoning was approved on consent on Mayor Pro Tem Tovo's motion, Council Member Pool's second on an 11-0 vote.**

39. C14-2016-0045 – Austin River Oaks Apartments – District 5 – Approve second and third readings of an ordinance amending City Code Chapter 25-2 by zoning property locally known as 6607 Brodie Lane (Williamson Creek Watershed-Barton Springs Zone) from interim-rural residence (I-RR) district zoning to multifamily residence-low density (MF-2) district zoning. First reading approved on June 16, 2016. Vote: 11-0. Owner/Applicant: CPF River Oaks Austin, LLC

(John R. Wooten). Agent: Graves, Dougherty, Hearon & Moody (Peter Cesaro). City Staff: Wendy Rhoades, 512-974-7719.

**Ordinance No. 20160811-039 for multifamily residence-low density (MF-2) district zoning was approved on consent on Mayor Pro Tem Tovo's motion, Council Member Pool's second on an 11-0 vote.**

**Item 40 was pulled for discussion.**

41. C14-2016-0031 – Kaleidoscope Village – District 1 – Conduct a public hearing and approve second and third readings of an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 6314 FM 969 and 6307 Parliament Drive (Walnut Creek Watershed) from townhouse and condominium residence-neighborhood plan (SF-6-NP) combining district zoning, neighborhood commercial-mixed use-neighborhood plan (LR-MU-NP) combining district zoning, and neighborhood commercial-neighborhood plan (LR-NP) combining district zoning to multifamily residence-low density-neighborhood plan (MF-2-NP) combining district zoning on Tract 1; and from neighborhood commercial-neighborhood plan (LR-NP) combining district zoning and townhouse and condominium residence-neighborhood plan (SF-6-NP) combining district zoning to neighborhood commercial-mixed use-neighborhood plan (LR-MU-NP) combining district zoning on Tract 2. Owner/ Applicant: KV Creation LP (Clifford May). City Staff: Heather Chaffin, 512-974-2122.

**The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20160811-041 for multifamily residence-low density-neighborhood plan (MF-2-NP) combining district zoning on Tract 1 and neighborhood commercial-mixed use-neighborhood plan (LR-MU-NP) combining district zoning on Tract 2 was approved on Mayor Pro Tem Tovo's motion, Council Member Pool's second on an 11-0 vote.**

42. NPA-2015-0005.04 - Lenox Oaks - District 3 - Conduct a public hearing and approve an ordinance amending Ordinance No. 20010927-05, the Montopolis Neighborhood Plan, an element of the Imagine Austin Comprehensive Plan, to change the land use designation on the future land use map (FLUM) on property locally known as 6705, 6707, 6709 Ponca Street; 434 Bastrop Highway Southbound; 444, 446, 448, 450, 452, 454, 456 Bastrop Highway Southbound; and 500 Bastrop Highway Southbound (Carson Creek Watershed) from Single Family, Office and Commercial land uses to Mixed Use land use. Staff Recommendation: To grant Mixed Use, Commercial, Mixed Use/Office and Multifamily land uses. Planning Commission Recommendation: To forward to Council without a recommendation. Owner/Applicant: 422 Bastrop Hwy., Ltd; 500 Bastrop Hwy., Ltd., and Chase Equities, Inc. (Jimmy Nassour). Agent: Smith, Robertson, Elliott & Douglas, L.L.P. (David Hartman). City Staff: Maureen Meredith, 512-974-2695.

**This item was postponed to September 22, 2016 at the request of Council on Mayor Pro Tem Tovo's motion, Council Member Pool's second on an 11-0 vote.**

43. C14-2015-0104 - Lenox Oaks - District 3 - Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 434-500 Bastrop Highway Southbound and 6705-6709 Ponca Street (Carson Creek Watershed; Colorado River Watershed) from general commercial services-neighborhood plan (CS-NP) combining district zoning, family residence-neighborhood plan (SF-3-NP) combining district zoning and single family residence-standard lot-neighborhood plan (SF-2-NP) combining district zoning to general commercial services-mixed use-neighborhood plan (CS-MU-NP) combining district zoning for Tract 1 and Tract 2; from general commercial services-neighborhood plan (CS-NP) combining district zoning to general commercial services-mixed use-neighborhood plan (CS-MU-NP) combining district zoning for Tract 3; from general commercial services-neighborhood plan (CS-



NP) combining district zoning, general office-neighborhood plan (GO-NP) combining district zoning, family residence-neighborhood plan (SF-3-NP) combining district zoning and single family residence-standard lot-neighborhood plan (SF-2-NP) combining district zoning to general commercial services-mixed use-neighborhood plan (CS-MU-NP) combining district zoning for Tract 4; and from family residence-neighborhood plan (SF-3-NP) combining district zoning to general commercial services-mixed use-neighborhood plan (CS-MU-NP) combining district zoning for Tract 5. Staff Recommendation: To grant general commercial services-conditional overlay-neighborhood plan (CS-CO-NP) combining district zoning, general commercial services-mixed use-conditional overlay-neighborhood plan (CS-MU-CO-NP) combining district zoning and neighborhood commercial-mixed use-conditional overlay-neighborhood plan (LR-MU-CO-NP) combining district zoning for Tract 1 and Tract 2; general commercial services-conditional overlay-neighborhood plan (CS-CO-NP) combining district zoning and general commercial services-mixed use-conditional overlay-neighborhood plan (CS-MU-CO-NP) combining district zoning for Tract 3; general commercial services-conditional overlay-neighborhood plan (CS-CO-NP) combining district zoning, general commercial services-mixed use-conditional overlay-neighborhood plan (CS-MU-CO-NP) combining district zoning, general office-mixed use-conditional overlay-neighborhood plan (GO-MU-CO-NP) combining district zoning and multifamily residence-low density-conditional overlay-neighborhood plan (MF-2-CO-NP) combining district zoning for Tract 4; and multifamily residence-low density-conditional overlay-neighborhood plan (MF-2-CO-NP) combining district zoning for Tract 5. Planning Commission Recommendation: To forward to Council without a recommendation. Owner/Applicant: UT Land Company, Ltd./Jimmy Nassour. Agent: Smith, Robertson, Elliot & Douglas, LLP (David Hartman). City Staff: Andrew Moore, 512-974-7604.

**This item was postponed to September 22, 2016 at the request of Council on Mayor Pro Tem Tovo's motion, Council Member Pool's second on an 11-0 vote.**

44. NPA-2015-0015.03 - 5010 & 5012 Heflin Lane - District 1 - Conduct a public hearing and approve an ordinance amending Ordinance No. 021107-Z-11 the East MLK 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 5010 and 5012 Heflin Lane (Fort Branch Creek Watershed) from Single Family land use to High Density Single Family land use. Staff Recommendation: Pending. Planning Commission Recommendation: To be reviewed on September 13, 2016. Owner: Heflin Phase I, LLC and Shirley Green (Lynn Yuan). Applicant: Metcalfe Wolff Stuart & Williams, LLP (Michele Rogerson Lynch). City Staff: Kathleen Fox, 512-974-787.

**This item was postponed to November 10, 2016 at the request of staff on Mayor Pro Tem Tovo's motion, Council Member Pool's second on an 11-0 vote.**

45. C14-2015-0114 - 5010 & 5012 Heflin Lane - District 1 - Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 5010 and 5012 Heflin Lane (Fort Branch Creek Watershed) from single family residence-small lot-neighborhood plan (SF-4A-NP) combining district zoning to townhouse and condominium residence-neighborhood plan (SF-6-NP) combining district zoning. Staff Recommendation: Pending. Planning Commission Recommendation: To be reviewed on September 13, 2016. Owner: Heflin Phase I, LLC and Shirley Green (Lynn Yuan). Applicant: Metcalfe Wolff Stuart & Williams, LLP (Michele Rogerson Lynch). City Staff: Heather Chaffin, 512- 974-2122.

**This item was postponed to November 10, 2016 at the request of staff on Mayor Pro Tem Tovo's motion, Council Member Pool's second on an 11-0 vote.**

46. NPA-2016-0010.02 – East Sixth Street Village – District 3 – Conduct a public hearing and approve an ordinance amending Ordinance No. 011213-43, the Holly Neighborhood Plan, an

element of the Imagine Austin Comprehensive Plan, to change the land use designation on the future land use map (FLUM) on property locally known as 622 Pedernales Street (Lady Bird Lake Watershed) from Industry to Mixed Use land use. Staff Recommendation: To grant Mixed Use land use. Planning Commission Recommendation: To grant Mixed Use land use. Owner/Applicant: 2422 Hidalgo Street, LP (M. Timothy Clark). Agent: 2422 Hidalgo Street, LP (David Cox). City Staff: Maureen Meredith, (512) 974-2695.

**This item was postponed to September 22, 2016 at the request of the applicant on Mayor Pro Tem Tovo's motion, Council Member Pool's second on an 11-0 vote.**

47. C14-2016-0041 – East Sixth Street Village South – District 3 – Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 2416 East Sixth Street (Lady Bird Lake Watershed) from limited industrial services-conditional overlay-neighborhood plan (LI-CO-NP) combining district zoning to general commercial services-vertical mixed use building-conditional overlay-neighborhood plan (CS-V-CO-NP) combining district zoning. Staff Recommendation: To grant general commercial services-vertical mixed use building-conditional overlay-neighborhood plan (CS-V-CO-NP) combining district zoning. Planning Commission Recommendation: To grant general commercial services-vertical mixed use building-conditional overlay-neighborhood plan (CS-V-CO-NP) combining district zoning. Owner/Applicant: 2416 East Sixth Street, L.P. (David Cox). City Staff: Heather Chaffin, 512- 974-2122.

**This item was postponed to September 22, 2016 at the request of the applicant on Mayor Pro Tem Tovo's motion, Council Member Pool's second on an 11-0 vote.**

48. C14-2016-0043 – East Sixth Street Village North – District 3 – Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 622 Pedernales Street (Lady Bird Lake Watershed) from limited industrial-conditional overlay-neighborhood plan (LI-CO-NP) combining district zoning to general commercial services-mixed use-conditional overlay-neighborhood plan (CS-MU-CO-NP) combining district zoning. Staff Recommendation: To grant general commercial services-mixed use-conditional overlay-neighborhood plan (CS-MU-CO-NP) combining district zoning. Planning Commission Recommendation: Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 622 Pedernales Street (Lady Bird Lake Watershed) from limited industrial services-conditional overlay-neighborhood plan (LI-CO-NP) combining district zoning to general commercial services-mixed use-conditional overlay-neighborhood plan (CS-MU-CO-NP) combining district zoning. Staff Recommendation: To grant general commercial services-mixed use-conditional overlay-neighborhood plan (CS-MU-CO-NP) combining district zoning. Planning Commission Recommendation: To grant general commercial services-mixed use-conditional overlay-neighborhood plan (CS-MU-CO-NP) combining district zoning. Owner/Applicant: 2416 East Sixth Street, L.P. (David Cox). City Staff: Heather Chaffin, 512- 974-2122.

**This item was postponed to September 22, 2016 at the request of the applicant on Mayor Pro Tem Tovo's motion, Council Member Pool's second on an 11-0 vote.**

49. C14-2015-0119 - Neal Mixed Use Zoning - District 9 - Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 1507, 1509, 1511, 1601 and 1603 Shoal Creek Boulevard (Shoal Creek Watershed) from general office (GO) district zoning, limited office (LO) district zoning, and family residence (SF-3) district zoning to general office-mixed use-vertical mixed use building (GO-MU-V) combining district zoning, as amended. Staff Recommendation: To grant general office-mixed use-vertical mixed use building (GO-MU-V) combining district zoning. Planning Commission Recommendation: To be reviewed

on August 23, 2016. Owner/Applicant: F. Scott Holdings, LLC (John Neal). Agent: Site Specifics (John Hussey). City Staff: Andrew Moore, 512-974-7604.

**This item was postponed to October 13, 2016 at the request of staff on Mayor Pro Tem Tovo's motion, Council Member Pool's second on an 11-0 vote.**

50. C14-2015-0146 - W. Oltorf Street - District 5 - Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 1404, 1408, 1412 and 1414 West Oltorf Street and 2043 South Lamar Boulevard (West Bouldin Creek Watershed) from general commercial services (CS) district zoning, family residence (SF-3) district zoning and general commercial services-conditional overlay (CS-CO) combining district zoning to general commercial services-mixed use-conditional overlay (CS-MU-CO) combining district zoning for Tract 1 and from general commercial services-vertical mixed use building-conditional overlay (CS-MU-V-CO) combining district zoning to general commercial services-vertical mixed use building-conditional overlay (CS-MU-V-CO) combining district zoning for Tract 2. Staff Recommendation: To grant general commercial services-mixed use-conditional overlay (CS-MU-CO) combining district zoning for Tract 1 and general commercial services-vertical mixed use building-conditional overlay (CS-MU-V-CO) combining district zoning for Tract 2. Planning Commission Recommendation: To grant general commercial services-mixed use-conditional overlay (CS-MU-CO) combining district zoning for Tract 1 and general commercial services-vertical mixed use building-conditional overlay (CS-MU-V-CO) combining district zoning for Tract 2. Applicant: Metcalfe Wolff Stuart & Williams, LLP (Michele Rogerson Lynch). Owner: Scott Trainer. City Staff: Andrew Moore, 512-974-7604.

**The public hearing was conducted and a motion to close the public hearing and approve Ordinance 20160811-050 for general commercial services-mixed use-conditional overlay (CS-MU-CO) combining district zoning for Tract 1 and general commercial services-vertical mixed use building-conditional overlay (CS-MU-V-CO) combining district zoning for Tract 2 was approved on consent on Mayor Pro Tem Tovo's motion, Council Member Pool's second on an 11-0 vote.**

51. C14-2015-0163 – Wey Tract Rezoning – District 5 – Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 900 West Slaughter Lane (Slaughter Creek Watershed) from development reserve (DR) district zoning to townhouse and condominium residence (SF-6) district zoning. Staff Recommendation: To grant townhouse and condominium residence (SF-6) district zoning. Zoning and Platting Commission Recommendation: To grant townhouse and condominium residence (SF-6) district zoning. Owner/Applicant: Yuh-Jaan and Yecu-Chyn Wey. Agent: Coats Rose (John Joseph). City Staff: Wendy Rhoades, 512-974-7719.

**The public hearing was conducted and a motion to close the public hearing and approve Ordinance 20160811-051 for townhouse and condominium residence (SF-6) district zoning was approved on consent on Mayor Pro Tem Tovo's motion, Council Member Pool's second on an 11-0 vote.**

**Item 52 was pulled for discussion.**

53. C14-2016-0032 – Smithers RV Storage – District 4 – Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 10400 North Lamar Boulevard (Little Walnut Creek Watershed) from community commercial-conditional overlay-neighborhood plan (GR-CO-NP) combining district zoning to general commercial services-neighborhood plan (CS-NP) combining district zoning. Staff Recommendation: To grant general commercial services-conditional overlay-neighborhood plan (CS-CO-NP) combining district zoning. Planning Commission Recommendation: To grant general commercial services-

conditional overlay-neighborhood plan (CS-CO-NP) combining district zoning. Owner/Applicant: Ben F. Smithers. City Staff: Sherri Sirwaitis, 512-974-3057.

**The public hearing was conducted and a motion to approve the ordinance on first reading only for general commercial services-conditional overlay-neighborhood plan (CS-CO-NP) combining district zoning was approved on consent on Mayor Pro Tem Tovo's motion, Council Member Pool's second on an 11-0 vote.**

54. C14-2016-0036 – Abhyas Kendra 1 Inc. – District 10 – Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 12636 Research Boulevard Southbound, Building C, Suite C-108 (Walnut Creek Watershed) from limited office (LO) district zoning to neighborhood commercial (LR) district zoning. Staff Recommendation: To grant neighborhood commercial (LR) district zoning. Zoning and Platting Commission Recommendation: To grant neighborhood commercial (LR) district zoning. Owner/Applicant: Hsu Realty Company, Inc. (Chi-Kao Hsu). Agent: Abhyas Kendra 1 Inc. (Venkataramana Gudipalli). City Staff: Sherri Sirwaitis, 512-974-3057.

**The public hearing was conducted and a motion to close the public hearing and approve Ordinance 20160811-054 for neighborhood commercial (LR) district zoning was approved on consent on Mayor Pro Tem Tovo's motion, Council Member Pool's second on an 11-0 vote.**

55. C14-2016-0039 – Thornton II – District 5 – Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 2413 Thornton Road (West Bouldin Creek Watershed) from general commercial services (CS) district zoning to multifamily residence-moderate-high density-conditional overlay (MF-4-CO) combining district zoning. Staff Recommendation: To grant multifamily residence-low density (MF-2) district zoning. Planning Commission Recommendation: To grant multifamily residence-moderate-high density-conditional overlay (MF-4-CO) combining district zoning. Applicant: South Llano Strategies (Glen Coleman). Owner: John & Susan Hoberman. City Staff: Andrew Moore, 512-974-7604.

**The item was postponed to October 13, 2016 at the request of the applicant on Mayor Pro Tem Tovo's motion, Council Member Pool's second on an 11-0 vote.**

56. C14-2016-0044 – Pond Springs Development – District 6 – Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 13130 Pond Springs Road (Lake Creek Watershed) from community commercial-conditional overlay (GR-CO) combining district zoning to community commercial-mixed use (GR-MU) combining district zoning. Staff Recommendation: To grant community commercial-mixed use (GR-MU) combining district zoning. Zoning and Platting Commission Recommendation: To grant community commercial-mixed use (GR-MU) combining district zoning. Owner/Applicant: Wood Maderas, Ltd. (Mark Woods). Agent: Richmond Properties, L.P. (David M. Spatz). City Staff: Sherri Sirwaitis, 512-974-3057.

**The public hearing was conducted and a motion to close the public hearing and approve Ordinance 20160811-056 for community commercial-mixed use (GR-MU) combining district zoning was approved on consent on Mayor Pro Tem Tovo's motion, Council Member Pool's second on an 11-0 vote.**

57. C14-2016-0046 – 7720 & 7800 South 1st St – District 2 – Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 7720 and 7800 South 1st Street (South Boggy Creek Watershed) from general commercial services-conditional overlay (CS-CO) combining district zoning for Tract 1 and community commercial-mixed use-conditional overlay (GR-MU-CO) combining district zoning for Tract 2, to change

conditions of zoning. Staff Recommendation: To grant general commercial services-conditional overlay (CS-CO) combining district zoning for Tract 1 and community commercial-mixed use-conditional overlay (GR-MU-CO) combining district zoning for Tract 2, to change conditions of zoning. Zoning and Platting Commission Recommendation: To grant general commercial services-conditional overlay (CS-CO) combining district zoning for Tract 1 and community commercial-mixed use-conditional overlay (GR-MU-CO) combining district zoning for Tract 2, to change conditions of zoning. Owner/Applicant: Adam Diaz. City Staff: Wendy Rhoades, 512-974-7719.

**The public hearing was conducted and a motion to approve the ordinance on first reading only for general commercial services-conditional overlay (CS-CO) combining district zoning for Tract 1 and community commercial-mixed use-conditional overlay (GR-MU-CO) combining district zoning for Tract 2 was approved on consent on Mayor Pro Tem Tovo's motion, Council Member Pool's second on an 11-0 vote.**

58. C14-2016-0047 – 6709 Circle S Road Rezoning – District 2 – Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 6709 Circle S Road (Williamson Creek Watershed) from family residence (SF-3) district zoning and multi-family residence-medium density (MF-3) district zoning to community commercial-mixed use (GR-MU) 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: Pleasant Hill Baptist Church Austin (Chris Cassell; John Ellis). Agent: Armbrust & Brown, PLLC (Lynn Ann Carley). City Staff: Wendy Rhoades, 512-974-7719.

**The public hearing was conducted and a motion to close the public hearing and approve Ordinance 20160811-058 for community commercial-mixed use-conditional overlay (GR-MU-CO) combining district zoning was approved on consent on Mayor Pro Tem Tovo's motion, Council Member Pool's second on an 11-0 vote.**

59. C14-2016-0055 – Gateway to Tech Ridge – District 7 – Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 14125-½ The Lakes Boulevard (Harris Branch Watershed) from multifamily residence-low density-conditional overlay (MF-2-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: Lichter Equities, L.P. (Bob Lichter). Agent: Land Strategies (Erin Welch). City Staff: Sherri Sirwaitis, 512-974-3057.

**The public hearing was conducted and a motion to close the public hearing and approve Ordinance 20160811-059 for community commercial-conditional overlay (GR-CO) combining district zoning was approved on consent on Mayor Pro Tem Tovo's motion, Council Member Pool's second on an 11-0 vote.**

60. C14-2016-0057 – Ross Road Homes – District 2 – Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 6101 Ross Road (Dry Creek East Watershed) from development reserve (DR) district zoning to mobile home residence (MH) district zoning. Staff Recommendation: To grant mobile home residence (MH) district zoning. Zoning and Platting Commission Recommendation: To grant single family residence-small lot (SF-4A) district zoning. Owner/Applicant: Najib F. Wehbe. Agent: Alice Glasco Consulting (Alice Glasco). City Staff: Wendy Rhoades, 512-974-7719.

**The item was postponed to September 22, 2016 at the request of the neighborhood on Mayor Pro Tem Tovo's motion, Council Member Pool's second on an 11-0 vote.**

61. C14-2016-0058 – KKG2 Rezoning – District 9 – Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 1911-1/2 University Avenue (Waller Creek Watershed) from multifamily residence-moderate-high density-neighborhood plan (MF-4-NP) combining district zoning to general office-neighborhood plan (GO-NP) combining district zoning. Staff Recommendation: To grant general office-neighborhood plan (GO-NP) combining district zoning. Planning Commission Recommendation: To grant general office-neighborhood plan (GO-NP) combining district zoning. Owner/Applicant: House Association of Beta XI Chapter of Kappa Kappa Gamma (Ellen Morrison). Agent: Thrower Design (Ron Thrower). City Staff: Sherri Sirwaitis, 512-974-3057.

**The public hearing was conducted and a motion to approve the ordinance on first reading only for general office-neighborhood plan (GO-NP) combining district zoning with the following additional prohibited uses was approved on consent on Mayor Pro Tem Tovo's motion, Council Member Pool's second on an 11-0 vote.**

**The additional prohibited uses are:**

- Administrative office use
- Medical office use
- Professional office use

62. C14-2016-0059 – KKG1 Rezoning – District 9 – Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 2001 University Avenue (Waller Creek Watershed) from multifamily residence-moderate-high density-historic landmark-neighborhood plan (MF-4-H-NP) combining district zoning to general office-historic landmark-neighborhood plan (GO-H-NP) combining district zoning. Staff Recommendation: To grant general office-historic landmark-neighborhood plan (GO-H-NP) combining district zoning. Planning Commission Recommendation: To grant general office-historic landmark-neighborhood plan (GO-H-NP) combining district zoning. Owner/Applicant: House Association of Beta XI Chapter of Kappa Kappa Gamma (Ellen Morrison). Agent: Thrower Design (Ron Thrower). City Staff: Sherri Sirwaitis, 512-974-3057.

**The public hearing was conducted and a motion to approve the ordinance on first reading only for general office-historic landmark-neighborhood plan (GO-H-NP) combining district zoning with the following additional prohibited uses was approved on consent on Mayor Pro Tem Tovo's motion, Council Member Pool's second on an 11-0 vote.**

**The additional prohibited uses are:**

- Administrative office use
- Medical office use
- Professional office use

63. C14-2016-0060 – 2801 Hancock Drive – 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 2801 Hancock Drive (Shoal Creek Watershed) from general commercial services (CS) district zoning to general commercial services-mixed use (CS-MU) combining district zoning. Staff Recommendation: To grant general commercial services-mixed use (CS-MU) combining district zoning. Zoning and Platting Commission Recommendation: To grant general commercial services-mixed use-conditional overlay (CS-MU-CO) combining district zoning. Owner/Applicant: Robert P. Stern Trust (Robert Stern). Agent: Texas Design Interests, LLC (Jeff Shindler). City Staff: Wendy Rhoades, 512-974-7719.

**The public hearing was conducted and a motion to close the public hearing and approve Ordinance 20160811-063 for general commercial services-mixed use-conditional overlay**

**(CS-MU-CO) combining district zoning was approved on consent on Mayor Pro Tem Tovo's motion, Council Member Pool's second on an 11-0 vote.**

64. C14-2016-0062 – Goddard School of Avery Ranch – District 6 – Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by zoning property locally known as 9409-½ Pearson Ranch Road (South Brushy Creek Watershed) from interim-rural residence (I-RR) 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: England Ranch NE Limited Partnership (Joe F. England). Agent: Drenner Group (Amanda Swor). City Staff: Sherri Sirwaitis, 512-974-3057.

**The public hearing was conducted and a motion to close the public hearing and approve Ordinance 20160811-064 for limited office (LO) district zoning was approved on consent on Mayor Pro Tem Tovo's motion, Council Member Pool's second on an 11-0 vote.**

65. C14-2016-0074 – Element Hotel – District 7 – Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 10728 Burnet Road (Walnut Creek Watershed) from major industrial-planned development area (MI-PDA) district zoning to major industrial-planned development area (MI-PDA) district zoning, to change a condition of zoning. Staff Recommendation: To grant industrial-planned development area (MI-PDA) district zoning. Planning Commission Recommendation: To be reviewed on August 9, 2016. Owner/Applicant: DBG Austin Domain, LLC. Agent: Bennett Consulting (Rodney Bennett). City Staff: Sherri Sirwaitis, 512-974-3057.

**The item was postponed to September 22, 2016 at the request of staff on Mayor Pro Tem Tovo's motion, Council Member Pool's second on an 11-0 vote.**

66. C14-79-065(RCT) – Earl M. McClure – District 9 – Conduct a public hearing to amend a restrictive covenant on property locally known as 80 Red River Street (Waller Creek Watershed). Staff Recommendation: To grant termination of the restrictive covenant. Planning Commission Recommendation: To be reviewed on September 13, 2016. Owner/Applicant: Villas of Town Lake HOA (Gary L. Johnson). Agent: Consort, Inc. (Ben Turner). City Staff: Wendy Rhoades, 512-974-7719.

**The item was postponed to September 22, 2016 at the request of staff on Mayor Pro Tem Tovo's motion, Council Member Pool's second on an 11-0 vote.**

67. C14-80-133 (RCA) – Aura Riverside Restrictive Covenant Amendment – District 3 – Conduct a public hearing to amend a restrictive covenant on property locally known as 6101 and 6205 East Riverside Drive (Country Club Creek Watershed). Staff Recommendation: To grant an amendment to remove the requirement for a Planned Development Area Agreement as it applies to this property. Planning Commission Recommendation: To grant an amendment to remove the requirement for a Planned Development Area Agreement as it applies to this property. Owner: Rivermont Place General, LLC. (David Rae). Applicant: Drenner Group (Amanda Swor). City Staff: Andrew Moore, 512-974-7604.

**The public hearing was conducted and a motion to close the public hearing and approve Ordinance 20160811-067 to amend the restrictive covenant to remove the requirement for a Planned Development Area Agreement as it applies to this property was approved on consent on Mayor Pro Tem Tovo's motion, Council Member Pool's second on an 11-0 vote.**

**Item 68 was pulled for discussion.**

**DISCUSSION ITEMS CONTINUED**

40. C14-2015-0160 – Champions Tract #3 – District 10 – Conduct a public hearing and approve second and third readings of an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 6409 City Park Road (West Bull Creek Watershed) from general office-conditional overlay (GO-CO) combining district zoning to general office-mixed use-conditional overlay (GO-MU-CO) combining district zoning. First reading approved for multifamily residence-moderate-high density-conditional overlay (MF-4-CO) combining district zoning on June 23, 2016. Vote: 11-0. Owner/Applicant: Champion Assets LTD & Champion Legacy Partners LP (Josie Ellen Champion, Alma Juanita Champion Meier, Margaret Jo Roberson Duff). Agent: Armbrust & Brown, PLLC (Richard Suttle). City Staff: Jerry Rusthoven, 512-974-3207.

**This item was postponed to September 1, 2016 at the request of staff on Council Member Gallo's motion, Council Member Troxclair's second on an 11-0 vote.**

**Direction was given to staff to do the necessary work to have a mechanism for the development of the eastern tract of the site.**

68. C814-2015-0074 - The Grove at Shoal Creek PUD - District 10 - Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by zoning property locally known as 4205 Bull Creek Road (Shoal Creek Watershed) from unzoned (UNZ) district zoning to planned unit development (PUD) district zoning. Staff Recommendation: To grant planned unit development (PUD) district zoning. Zoning and Platting Commission Recommendation: To grant planned unit development (PUD) district zoning. Owner/Applicant: ARG Bull Creek, Ltd. (Garrett Martin). Agent: Thrower Design (A. Ron Thrower). City Staff: Sherri Sirwaitis, 512-974-3057.

**This item was postponed to September 22, 2016 at the request of the neighborhood on Council Member Gallo's motion, Council Member Pool's second on an 11-0 vote.**

12. Authorize negotiation and execution of a contract with MATRIX CONSULTING GROUP for human resources consulting services in an amount not to exceed \$90,000. (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 required for this solicitation, there were insufficient subcontracting opportunities; therefore, no subcontracting goals were established.)

**The motion authorizing negotiation and execution of a contract with Matrix Consulting Group was approved on Mayor Pro Tem Tovo's motion, Council Member Zimmerman's second on a 9-0 vote. Council Members Houston and Kitchen were off the dais.**

25. Authorize negotiation and execution of a 60-month contract with SYNAGRO OF TEXAS-CDR, INC., or one of the other qualified offerors to Request For Proposals CDL2003, for the management of biosolids reuse in an amount not to exceed \$9,424,778, with five 12-month extension options in an amount not to exceed \$2,185,180 per extension option, for a total contract amount not to exceed \$20,350,678. (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 services required for this solicitation, there were insufficient subcontracting opportunities and an insufficient number of certified M/WBEs; therefore, no subcontracting goals were established.)

**This item was postponed to October 6, 2016 on Council Member Pool's motion, Council Member Troxclair's second on an 11-0 vote.**



**Direction was given to staff to refer the item to the Water and Waste Water Commission and the Zero Waste Commission for discussion and feedback prior to bringing the item back for Council action.**

26. Authorize negotiation and execution of a 12-month revenue contract with ALLEN CLICK, or one of the other qualified offerors to Request For Proposals JXP0501, for the sale and removal of compost material for an estimated revenue amount of \$64,500, with five 12-month extension options with an estimated revenue of \$64,500 per extension option, for a total estimated revenue amount of \$387,000. (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.)  
**This item was postponed to October 6, 2016 on Council Member Pool's motion, Council Member Troxclair's second on an 11-0 vote.**

**Direction was given to staff to refer the item to the Water and Waste Water Commission and the Zero Waste Commission for discussion and feedback prior to bringing the item back for Council action.**

30. Approve an ordinance waiving development fees for parcels or lots located within subdistricts 1, 2, and 4 of the East 11th Street Neighborhood Conservation Combining District owned and developed by non-profit corporations. (Notes: SPONSOR: Council Member Ora Houston CO 1: Council Member Leslie Pool CO 2: Mayor Steve Adler CO 3: Council Member Sabino "Pio" Renteria)  
**Ordinance 20160811-030 was approved as amended below on Council Member Houston's motion, Council Member Renteria's motion on an 11-0 vote.**

**A friendly amendment to revise Part 1 of the ordinance to read as follows was made by Council Member Zimmerman. The amendment was accepted without objection.**

**PART 1: All City of Austin development fees, including Development Assessment, Legal Lot Determination, Zoning, Subdivision, Site Plan, and Building Permit fees, shall be and are hereby waived for all parcels or lots within Subdistricts 1, 2, and 4 of the East 11<sup>th</sup> Street Neighborhood Conservation Combining District that are owned and developed by non-profit corporations, with a cap of \$20,000 per project.**

#### **CITIZENS COMMUNICATIONS: GENERAL**

Robert Corbin - Animal Sanity, part 2.

**Mayor Adler recessed the Council Meeting to go into Executive Session at 12:04 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.**

69. 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.**

70. Discuss legal issues related to a general obligation bond election (Private consultation with legal counsel - Section 551.071 of the Government Code).

**This item was withdrawn without objection**

71. Discuss legal issues related to Donald Zimmerman v. City of Austin, Cause No. 1:15-cv-00628LY, in the United States District Court for the Western Division of Texas (Private consultation with legal counsel - Section 551.071 of the Government Code).

**This item was withdrawn without objection**

72. Discuss legal issues related to the City's electric power purchase agreement with Nacogdoches Power LLC (Private consultation with legal counsel - Section 551.071 of the Government Code).

**This item was withdrawn without objection**

**The Mayor announced that Council would discuss item number 37 on the regular agenda during Executive Session.**

37. Approve a resolution related to indigent defendants in the Austin Municipal Court. (Notes: SPONSOR: Council Member Delia Garza CO 1: Council Member Gregorio Casar CO 2: Council Member Sabino "Pio" Renteria CO 3: Council Member Leslie Pool CO 4: Council Member Ann Kitchen)

**Executive Session ended and Mayor Adler called the Council Meeting back to order at 1:55 p.m.**

#### **DISCUSSION ITEMS CONTINUED**

37. Approve a resolution related to indigent defendants in the Austin Municipal Court. (Notes: SPONSOR: Council Member Delia Garza CO 1: Council Member Gregorio Casar CO 2: Council Member Sabino "Pio" Renteria CO 3: Council Member Leslie Pool CO 4: Council Member Ann Kitchen)

**Resolution No. 20160811-037 was approved as amended on Council Member Garza's motion, Council Member Pool's second on a 10-0 vote. Council Member Zimmerman abstained.**

**The amendments were to revise the first Be It Further Resolved clause and the third Be It Further Resolved clause to read:**

#### **BE IT FURTHER RESOLVED:**

**It is the policy of Council that an evaluation of a defendant's indigency take into account a realistic assessment of the cost of living in Austin, and that a defendant only be committed to jail for nonpayment of a fine if the defendant is found to be indigent, has not discharged the sentence through available alternative means, and those alternative means would not constitute an undue hardship on the defendant or the defendant's dependents.**

#### **BE IT FURTHER RESOLVED:**

**The City Manager is directed to draft a proposed amendment to Chapter 2-10, Article 3 of the City Code and present it to Council within 90 days, in order to:**

- 1. Include a definition for indigency for use by the Municipal Court, which establishes the baseline as 200% of the federal poverty guidelines, but allows judges to exercise their**

- discretion to determine that a defendant with a higher income is not financially able to pay a fine based on the judge's evaluation of the defendant's individual circumstances;
2. Make it clear a defendant may only be committed to jail for failing to pay a fine if the Court has first determined that the defendant is not indigent and entered written findings of the defendant's non-indigency into the case record; and
  3. Use language that will not affect a judge's ability to jail a defendant who does not comply with alternative sentencing, as currently provided by law.

The City Manager is directed to convene relevant staff and stakeholders to add further insight and uniformity into the drafting of the amendment for achieving the objectives identified in this section.

31. Approve a resolution directing the City Manager to create a Bond Election Advisory Task Force and present briefings on related issues in anticipation of a 2017 or 2018 bond process. (Notes: SPONSOR: Council Member Ann Kitchen CO 1: Mayor Steve Adler CO 2: Council Member Delia Garza CO 3: Council Member Gregorio Casar CO 4: Council Member Leslie Pool)  
A motion to approve the item was made by Council Member Kitchen.

A motion to amend Section (G) of the Be It Resolved clause to change "May 1, 2017" to April 1, 2016 was made by Council Member Kitchen. The motion was accepted without objection.

A motion to amend Section (C) of the Be It Resolved clause to add a new subsection (iv) was made by Council Member Kitchen. The motion was accepted without objection. The new subsection is to read:

(C) iv. The members of the task force shall abide by and be subject to the provisions of Section 2-1-24 of City Code "Conflict of Interest and Recusal".

A motion to amend the resolution to add a new last Whereas clause, a new last Be It Resolved clause and a new last Be It Further Resolved clause was approved on Mayor Adler's motion, Council Member Casar's second on a 7-4 vote. Those voting aye were: Mayor Adler, Mayor Pro Tem Tovo, Council Members Casar, Garza, Kitchen, Pool and Renteria. Those voting nay were: Council Members Gallo, Houston, Troxclair and Zimmerman.

The new clauses are to read:

"WHEREAS the City's Urban Transportation Commission unanimously adopted Recommendation Number 20160809-04A: Advancement of Implementation of a Future Urban Rail Minimum Operable Segment (MOS) at their August 6, 2016 meeting; and

**BE IT RESOLVED,**

City Council directs the City Manager to robustly participate in current and future high-capacity transit-planning related activities and provide all possible methods of support to such efforts undertaken in the region, including but not limited to the Austin Strategic Mobility Plan; the Capital Metropolitan Transportation Authority's Central Corridor Study; and any high-capacity transit-planning under the direction of the Capital Area Metropolitan Planning Organization; and

**BE IT FURTHER RESOLVED,**

The City's involvement in high-capacity transit planning efforts should have the clear goal of identifying no later than 2017 a proposed first investment in a Minimum Operable

Segment of a comprehensive urban passenger rail system that reflects the will of Austin citizens and is accompanied by a thorough and complete financial plan detailing the fastest and most feasible route to implementation.

A motion to amend Section (C), subsection iv was made by Council Member Pool. The motion was accepted without objection. The revision was to add at “and shall not be a registered lobbyist with the City of Austin” at the end of the section.

Direction was given to staff to provide Council with a recommendation and cost estimate on televising and recording the meetings.

The motion to reconsider the amendment previously offered by Mayor Adler and to delete the previously approved last Whereas clause, the new last Be It Resolved clause and the new last Be It Further Resolved clause from the resolution was approved without objection on Council Member Kitchen’s motion, Mayor Adler’s second.

A motion to amend Section (B) of the Be It Resolved clause to reduce the number of members of the task force from 15 members to 11 was approved as amended below on Council Member Zimmerman’s motion, Council Member Troxclair’s second on an 11-0 vote.

A friendly amendment was made by Council Member Gallo to change the members of the task force to 13 and to include a representative from the Zoning & Platting Commission and Planning Commission. The friendly amendment was accepted without objection.

A motion to reconsider Section (C), subsection iv and remove the language “and shall not be a registered lobbyist with the City of Austin” was approved on Council Member Pool’s motion, Council Member Zimmerman’s second on a 7-3 vote. Those voting aye: Mayor Adler, Council Members Gallo, Houston, Kitchen, Pool, Troxclair and Zimmerman. Those voting nay: Mayor Pro Tem Tovo, Council Members Casar and Garza. Council Member Renteria abstained.

A motion to add the language “and SS 2-1-21(C) of City Code ‘Eligibility Requirements and Removal” into Section (C), subsection iv was approved on Mayor Pro Tem Tovo’s motion, Council Member Garza’s second on a 7-2 vote. Those voting aye were: Mayor Pro Tem Tovo, Council Members Garza, Houston, Kitchen, Pool, Renteria and Zimmerman. Those voting nay were: Mayor Adler and Council Member Gallo. Council Member Casar was off the dais.

Resolution 20160811-031 was approved as amended above on Council Member Kitchen’s motion on a 9-1 vote. Council Member Troxclair voted nay. Council Member Casar was off the dais.

Mayor Adler recessed the Council Meeting at 3:45 p.m.

Mayor Adler reconvened the meeting at 4:32 p.m.

### **PUBLIC HEARINGS**

73. 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.

The item was postponed to November 3, 2016 on Mayor Pro Tem Tovo's motion, Council Member Houston's motion on an 11-0 vote.

Mayor Adler recessed the meeting at 6:40 p.m.

Mayor Adler reconvened the meeting at 7:37 p.m.

### **DISCUSSION ITEMS CONTINUED**

3. Approve an ordinance ordering a general municipal election to be held in the City of Austin on November 8, 2016, for the purpose of electing City Council Members for District 2, District 4, District 6, District 7, and District 10; ordering a special election for the purpose of authorizing the issuance of general obligation bonds for transportation and mobility; providing for the conduct of the election; 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. August 9, 2016 – Pedestrian Advisory Council's recommendation endorsed by the Urban Transportation Commission on a 9-1 vote, with Commissioner Hosek opposed and Commissioner Johnson absent.

The motion to approve the ordinance on first and second reading only as amended was made by Mayor Adler and seconded by Council Member Zimmerman.

The amendments were to revise Part 2 and 3 to read as follows:

**PART 2.** A special election shall be held in the City of Austin on November 8, 2016 to consider the issuance of general obligation bonds for transportation and mobility. The Council establishes that the following bond proposition (the "Proposition") shall be presented to the voters at the special election:

### **PROPOSITION**

Shall the City Council of the City of Austin, Texas, be authorized to issue general obligation bonds and notes of the City for transportation and mobility purposes, to wit: planning, designing, engineering, constructing, reconstructing, renovating and improving roads, streets, sidewalks, bridges, bikeways, and other bicycle and pedestrian mobility infrastructure; improving traffic signal synchronization and control systems; acquiring and installing traffic signals; planning, designing, engineering, constructing, reconstructing, renovating and improving drainage facilities related to these improvements; acquiring land and interests in land and property necessary for these improvements; and all matters necessary or incidental thereto, with respect to:

- (i) \$101,000,000 for the following Regional Mobility Projects to address congestion and enhance safety: (a) \$63,000,000 for improvements to Loop 360 corridor and Spicewood Springs Road; (b) \$30,000,000 for improvements to Anderson Mill Road, intersection of RM 620 and RM 2222, and Parmer Lane; and (C) \$8,000,000 for improvements to Old Bee Caves Road; and
- (ii) \$482,000,000 for the following Corridor Improvement Projects: (a) implementation of corridor plans for North Lamar Boulevard, Burnet Road, Airport Boulevard, East Martin Luther King Boulevard/969, South Lamar Boulevard, East Riverside Drive, Guadalupe Street, and William Cannon Drive or Slaughter Lane; and (b) preliminary engineering and design of improvements to additional critical arterials

and corridors, including William Cannon Drive, Slaughter Lane, North Lamar/Guadalupe Street, Rundberg West, Rundberg East, East Colony Park Loop Road, East Martin Luther King Jr. Boulevard, South Congress Avenue, and South Pleasant Valley Drive; and

- (iii) \$137,000,000 for Local Mobility Projects: (a) \$27,500,000 for sidewalks; (b) \$27,500,000 for implementation of Safe Routes to School; (c) \$30,000,000 for urban trails for transportation and mobility purposes; (e) \$15,000,000 for implementation of the Vision Zero Action Plan; and (f) \$17,000,000 for sub-standard streets/capital renewal;

with the bonds and notes to be issued in one or more series or issues, in the aggregate principal amount of \$720,000,000, to mature serially or otherwise and bear interest at a rate or rates not to exceed the respective limits prescribed by law at the time of issuance, and to be sold at the price or prices as the City Council determines and shall there be levied and pledged, assessed, and collected annually ad valorem taxes on all taxable property in the City in an amount sufficient to pay the annual interest on the bonds and notes and to provide a sinking fund to pay the bonds and notes at maturity?

**PART 3.** The Proposition will appear on the official ballot in substantially the following form, and the ballot shall be prepared to permit voting “for” or “against” the Proposition:

#### **PROPOSITION**

The issuance of \$720,000,000 transportation and mobility improvement bonds and notes for improvements to Loop 360 corridor, Spicewood Springs Road, Old Bee Caves Road, Anderson Mill Road, intersection of RM 620 and RM 2222, Parmer Lane, North Lamar Boulevard, Burnet Road, Airport Boulevard, East Martin Luther King Boulevard/969, South Lamar Boulevard, East Riverside Drive, Guadalupe Street, and Slaughter Lane or William Cannon Drive; preliminary engineering and design of improvements to critical arterials and corridors, including Slaughter Lane, William Cannon Drive, Rundberg Lane, East Colony Park Loop Road, South Congress Avenue, and South Pleasant Valley Road; Sidewalks, Safe Routes to Schools, Trails, Bikeways, and other local mobility projects; and the levy of a tax sufficient to pay for the bonds and notes.

A motion to amend Part 2, subsection (i) was made by Council Member Kitchen and accepted without objection. The motion was to have Part 2, subsection (i) read as follows:

- (i) “\$101,000,000 for the following Regional Mobility Projects to address congestion and enhance safety: (a) \$46,000,000 for improvements to the Loop 360 corridor intersections at Westlake Drive, Courtyard Drive, FM 2222, Lakewood Drive and Spicewood Springs Road/Bluff Stone Lane, (b) \$17,000,000 for improvements to Spicewood Springs east of Loop 360, (c) \$30,000,000 for improvements to Anderson Mill Road, intersection of RM 620 and RM 2222, and Parmer Lane; and (d) \$8,000,000 for improvements to Old Bee Caves Road Bridge; and”

A motion to add “between SH 45 and Brushy Creek” after “Parmer Lane” was made by Council Member Zimmerman. The motion was accepted without objection.

A motion to amend Part 2, subsection (ii) was made by Council Member Kitchen and accepted without objection. The motion was to have Part 2, subsection (ii) read as follows:

- (ii) **\$482,000,000 for the following Corridor Improvement Projects:**(a) implementation of corridor plans for North Lamar Boulevard, Burnet Road, Airport Boulevard, East Martin Luther King Boulevard/FM 969, South Lamar Boulevard, East Riverside Drive, Guadalupe Street; (b) implementation of corridor plans for Slaughter and/or William Cannon; and (c) preliminary engineering and design of improvements for the following additional critical arterials and corridors: William Cannon Drive, Slaughter Lane, North Lamar/Guadalupe Street, Rundberg West, Rundberg East, East Colony Park Loop Road, East Martin Luther King Jr Boulevard/FM 969, South Congress Avenue, Manchaca, and South Pleasant Valley; and

A motion to amend Part 2, subsection (iii) was made by Council Member Kitchen and accepted without objection. The motion was to have Part 2, subsection (iii) read as follows:

- (iii) **\$137,000,000 for the following Local Mobility Projects:** (a) \$27,500,000 for sidewalks, (b) \$27,500,000 for implementation of Safe Routes to School, to be divided evenly between each Council District, (c) \$30,000,000 for urban trails for transportation and mobility purposes; (d) \$20,000,000 for bikeways for transportation and mobility purposes, (e) \$15,000,000 for implementation of fatality reduction strategies, including projects listed on the Top Crash Location Intersection Priorities Improvement List and (f) \$17,000,000 for the following sub-standard streets/capital renewal: Falwell Lane, William Cannon Overpass Bridge, Meadow Lake Boulevard, FM 1626, Cooper Lane, Ross Road, Circle S Road, Jain Lane, Rutledge Spur, Davis Lane, Latta Drive/Brush Country, Johnny Morris Road, and Brodie Lane;

A motion was made by Mayor Pro Tem Tovo to amend the language in Part 2 subsection (iii) and replace the word “between” with “among”. The motion was accepted without objection.

A motion to amend Part 3 was made by Council Member Kitchen and accepted without objection. The motion was to have Part 3 read as follows:

The issuance of \$720,000,000 transportation and mobility improvement bonds and notes for improvements to Loop 360 corridor, Spicewood Springs Road, Old Bee Caves Road Bridge, Anderson Mill Road, intersection of RM 620 and RM 2222, Parmer Lane, North Lamar Boulevard, Burnet Road, Airport Boulevard, East Martin Luther King Boulevard/FM969, South Lamar Boulevard, East Riverside Drive, Guadalupe Street, Slaughter Lane, William Cannon Drive, Rundberg Lane, East Colony Park Loop Road, South Congress Avenue, Manchaca, and South Pleasant Valley Road; Sidewalks, Safe Routes to School, Urban Trails, Bikeways, fatality reduction strategies and the following local mobility sub-standard streets/capital renewal projects: Falwell Lane, William Cannon Overpass Bridge, Meadow Lake Boulevard, FM 1626, Cooper Lane, Ross Road, Circle S Road, Jain Lane, Rutledge Spur, Davis Lane, Latta Drive, Johnny Morris Road, and Brodie Lane; and the levy of a tax sufficient to pay for the bonds and notes.

A motion was made to strike Jain Lane and Meadow Lake Boulevard from Part 2, subsection (iii) and amend the costs of Part 2, subsection (iii) (a) from \$27,500,000 to \$33,500,000 and (f) from \$17,000,000 to \$11,000,000 by Council Member Renteria. The motion was accepted without objection.

A motion to amend Part 2, subsection (iii) was made by Council Member Houston and seconded by Council Member Zimmerman. The motion was to revised subsection (iii) to read:

“(iii.) \$137,000,000 for Local Mobility Projects, including (a) \$37,500,000 for implementation of the Sidewalk Master Plan, (b) \$27,500,000 for implementation of sidewalks providing safer routes to school to be equally divided evenly between each Council District, (c) \$20,000,000 for implementation of the Urban Trails Master Plans;...”. The amendment was accepted as revised below without objection.

A friendly amendment was made by Mayor Adler to amend the subsection (iii) to read:

“(iii.) \$137,000,000 for Local Mobility Projects, including (a) \$37,500,000 for implementation of the Sidewalk Master Plan, (b) \$27,500,000 for implementation of sidewalks providing safer routes to school to be equally divided evenly between each Council District, (c) \$26,000,000 for implementation of the Urban Trails Master Plans;...”. The friendly amendment was accepted without objection.

A motion to revise Part 3 was approved on Council Member Troxclair’s motion, Council Member Zimmerman’s second on a 6-5 vote. Those voting aye were: Council Members Gallo, Garza, Houston, Kitchen, Troxclair and Zimmerman. Those voting nay were: Mayor Adler, Mayor Pro Tem Tovo, Council Members Casar, Renteria and Pool. The motion was to revise Part 3 to include the following language at the end of the paragraph:

“which would have an estimated tax impact of \$\_\_\_ per month for a home-valued at \$300,000.”

A motion to amend the Part 4 failed on Council Member Troxclair’s motion, Council Member Garza’s second on a 5-6 vote. Those voting aye were: Council Members Gallo, Garza, Houston, Troxclair and Zimmerman. Those voting nay were: Mayor Adler, Mayor Pro Tem Tovo, Council Members Casar, Kitchen, Renteria and Pool. The amendment was to revise Part 4 to read:

“Based upon market conditions as of the date of this ordinance and using taxable assessed valuation values for the 2015 tax year (2015/2016) fiscal year, without adjustment for anticipated growth in taxable assessed value in future years, if the bonds and notes are authorized; the estimated total tax rate of the City is expected to be approximately \$0.5339 per \$100 of taxable assessed value (which represents an increase of \$0.0750 per \$100 taxable assessed valuation as compared to the City’s total tax rate as of the date of the adoption of this ordinance), based on current State law, which is subject to change. As was presented to City Council, applying the assumptions used in the General Obligation Bond Capacity Analysis dated June 1, 2016, which includes forecasted growth in taxable assessed values, City financial staff has determined that, if the bonds and notes are issued, the City’s total debt service tax rate would increase by an estimated \$0.0250 per \$100 of taxable assessed valuation (as compared to the City’s total tax rate as of the date of the adoption of this ordinance).

An increase of \$0.0750 per \$100 taxable assessed valuation would increase the property tax bill by \$\_\_\_ per month on a home valued \$300,000”.



**The motion to approve the ordinance as amended above on first and second reading was approved on Mayor Adler's motion, Council Member Zimmerman's motion on an 11-0 vote.**

**Direction was given to staff to confirm for Council that the Onion Creek buyout could be addressed through Certificates of Obligation; and to discuss with the Texas Attorney General's Office the pros and cons of including information on increases to the tax bill to the proposition.**

**AFTER 10:00 P.M.**

**The motion to waive the rules and allow Council to meet after 10 p.m. was approved on Council Member Zimmerman's motion, Council Member Houston's second on a 10-1 vote. Council Member Gallo voted nay.**

52. C14-2016-0025 – St. James Missionary Baptist Church – District 1 – Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 3417 East Martin Luther King, Jr. Boulevard (Tannehill Branch Watershed) from family residence-neighborhood plan (SF-3-NP) combining district zoning to townhouse and condominium residence-neighborhood plan (SF-6-NP) combining district zoning. Staff Recommendation: To grant townhouse and condominium residence-neighborhood plan (SF-6-NP) combining district zoning. Planning Commission Recommendation: To grant townhouse and condominium residence-conditional overlay-neighborhood plan (SF-6-CO-NP) combining district zoning. Owner: St. James Missionary Baptist Church (Thomas J. Owens). Applicant: Urban Design Group (Laura Toups). City Staff: Heather Chaffin, 512- 974-2122. A valid petition has been filed in opposition to this rezoning request.

**This motion to postpone the item to September 22, 2016 and keep the public hearing open was approved on Council Member Houston's motion, Council Member Pool's second on a vote.**

**Direction was given to staff to provide an analysis of parking calculations for SF3 compared to SF6; and to provide information on any analysis of the property value as park land.**

**Mayor Adler adjourned the meeting at 11:06 p.m. without objection.**

**The minutes were approved on this the 18<sup>th</sup> day of August 2016 on Council Member Zimmerman's motion, Council Member Garza's second on an 11-0 vote.**