

**AUSTIN CITY COUNCIL
MINUTES****REGULAR MEETING
THURSDAY, NOVEMBER 3, 2016**

Invocation: Rabbi Neil Blumofe, Congregation Agudas Achim

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, November 3, 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 Troxclair 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 October 18, 2016, special called meeting of October 19, 2016, regular meeting of October 20, 2016, and Council discussion of October 21, 2016.
The minutes from the City Council work session of October 18, 2016, special called meeting of October 19, 2016, regular meeting of October 20, 2016 and Council discussion of October 21, 2016 were approved on consent on Council Member Zimmerman's motion, Council Member Kitchen's second on a 10-0 vote. Council Member Troxclair was absent.
2. Authorize issuance of a rebate to 78741 Holdings, LP, for the installation of solar electric systems on 20 residential units at its Las Cimas mixed-use development at 2101 Montopolis Drive, for a total amount not to exceed \$101,760. (District 3)
The motion authorizing the issuance of a rebate to 78741 Holdings, LP was approved on consent on Council Member Zimmerman's motion, Council Member Kitchen's second on a 9-0 vote. Council Member Zimmerman abstained. Council Member Troxclair was absent.
3. Approve issuance of a rebate to Henderson Global Investors, for energy efficiency improvements at the Argosy at Crestview apartment community located at 1003 Justin Lane, in an amount not to exceed \$95,279 (District 7).
The motion authorizing the issuance of a rebate to Henderson Global Investors was approved on consent on Council Member Zimmerman's motion, Council Member Kitchen's second on a 9-0 vote. Council Member Zimmerman abstained. Council Member Troxclair was absent.

4. Authorize negotiation and execution of a 12-month agreement with THE UNIVERSITY OF TEXAS, through its Austin Technology Incubator, for mutual assistance in the clean energy field, in the amount of \$195,000, with one 12-month extension option in the amount of \$195,000, for a total amount not to exceed \$390,000.
The motion authorizing negotiation and execution of an agreement with The University of Texas was approved on consent on Council Member Zimmerman's motion, Council Member Kitchen's second on a 9-1 vote. Council Member Zimmerman voted nay. Council Member Troxclair was absent.
5. Authorize negotiation and execution of a professional services agreement with LANDRUM & BROWN, INC., (staff recommendation) or one of the other qualified responders for Request for Qualifications Solicitation No. CLMP206 to provide professional services for the 2017 Austin-Bergstrom International Airport Master Plan for a total contract amount not to exceed \$4,000,000. (District 2) (Notes: This contract will be awarded in compliance with City Code Chapter 2-9B (Minority Owned and Women Owned Business Enterprise Procurement Program) by meeting the goals with 17.70% MBE and 15.80% WBE participation.)
The motion authorizing negotiation and execution of a professional services agreement with Landrum & Brown, Inc. was approved on consent on Council Member Zimmerman's motion, Council Member Kitchen's second on a 9-0 vote. Council Member Zimmerman abstained. Council Member Troxclair was absent.

Item 6 was pulled for discussion.

7. Authorize negotiation and execution of a professional services agreement with SASAKI ASSOCIATES INC., (staff recommendation) or one of the other qualified responders for Request for Qualifications Solicitation No. CLMP199 to provide Urban Design services for the Congress Avenue Streetscape Improvements – Urban Design Initiative Project for a total contract amount not to exceed \$500,000. (District 1 and 9) (Notes: This contract will be awarded in compliance with City Code Chapter 2-9B (Minority Owned and Women Owned Business Enterprise Procurement Program) by meeting the goals with 19.00% MBE and 22.00% WBE participation.)
The motion authorizing negotiation and execution of a professional services agreement with Sasaki Associates Inc. was approved on consent on Council Member Zimmerman's motion, Council Member Kitchen's second on a 9-1 vote. Council Member Zimmerman voted nay. Council Member Troxclair was absent.
8. Authorize award and execution of a construction contract with FACILITIES REHABILITATION, INC., for Austin Energy's 4th and Rio Grande Chilled Water Transmission Main Project, in an amount not to exceed \$1,564,885 plus a \$312,977 contingency, for a total contract amount not to exceed \$1,877,862. (District 9) (Notes: This contract will be awarded in compliance with City Code Chapter 2-9A (Minority Owned and Women Owned Business Enterprise Procurement Program) by meeting the goals with 88.28% MBE and 1.60% WBE participation.)
The motion authorizing award and execution of a construction contract with Facilities Rehabilitation, Inc. was approved on consent on Council Member Zimmerman's motion, Council Member Kitchen's second on a 9-0 vote. Council Member Zimmerman abstained. Council Member Troxclair was absent.
9. Authorize negotiation and execution of a competitive sealed proposal agreement with R.S. ELLIS, INC dba SOUTHWEST CORPORATION, for construction improvements to multiple Austin Fire Department facilities for Women's Locker Room Additions Phase 5 and multiple Emergency Medical Service stations for vehicle bay expansions in the amount not to exceed

\$4,598,345. (Districts 1,2,3,5,8 and 10) (Notes: This contract will be awarded in compliance with City Code Chapter 2-9A (Minority Owned and Women Owned Business Enterprise Procurement Program) through the achievements of Good Faith Efforts with 14.34 MBE and 0.13% WBE participation.)

The motion authorizing negotiation and execution of a competitive sealed proposal agreement with R.S. Ellis, Inc doing business as Southwest Corporation was approved on consent on Council Member Zimmerman's motion, Council Member Kitchen's second on a 10-0 vote. Council Member Troxclair was absent.

10. Approve an ordinance approving the proposed 2017 assessment roll for the Indian Hills Public Improvement District. Related to Items #11 and #59.
Ordinance No. 20161103-010 was approved on consent on Council Member Zimmerman's motion, Council Member Kitchen's second on a 10-0 vote. Council Member Troxclair was absent.
11. Approve a resolution adopting the Indian Hills Public Improvement District Annual Service and Assessment Plan update for 2017. Related to Items #10 and #59.
Resolution No. 20161103-011 was approved on consent on Council Member Zimmerman's motion, Council Member Kitchen's second on a 10-0 vote. Council Member Troxclair was absent.
12. Approve an ordinance approving the proposed 2017 assessment roll for the Whisper Valley Public Improvement District. Related to Items #13 and #60.
Ordinance No. 20161103-012 was approved on consent on Council Member Zimmerman's motion, Council Member Kitchen's second on a 10-0 vote. Council Member Troxclair was absent.
13. Approve a resolution adopting the Whisper Valley Public Improvement District Annual Service and Assessment Plan Update for 2017. Related to Items #12 and #60.
Resolution No. 20161103-013 was approved on consent on Council Member Zimmerman's motion, Council Member Kitchen's second on a 10-0 vote. Council Member Troxclair was absent.
14. Approve an ordinance approving the proposed 2017 assessment roll for the Estancia Hill Country Public Improvement District (PID). Related to Items #15 and #61.
Ordinance No. 20161103-014 was approved on consent on Council Member Zimmerman's motion, Council Member Kitchen's second on a 10-0 vote. Council Member Troxclair was absent.
15. Approve a resolution adopting the Estancia Hill Country Public Improvement District (PID) Annual Service and Assessment Plan Update for 2017 and 2016 Addendum to Estancia Hill Country PID Service and Assessment Plan. Related to Items #14 and #61.
Resolution No. 20161103-015 was approved on consent on Council Member Zimmerman's motion, Council Member Kitchen's second on a 10-0 vote. Council Member Troxclair was absent.
16. Approve an ordinance setting the assessment rate and approving a proposed 2017 assessment roll for the Austin Downtown Public Improvement District. Related to Items #17 and #58.
Ordinance No. 20161103-016 was approved on consent on Council Member Zimmerman's motion, Council Member Kitchen's second on a 9-0 vote. Council Member Gallo recused herself. Council Member Troxclair was absent.

17. Approve a resolution adopting the Austin Downtown Public Improvement District Service and Assessment Plan and Budget update for 2017-2018. Related to Items #16 and #58.
Resolution No. 20161103-017 was approved on consent on Council Member Zimmerman's motion, Council Member Kitchen's second on a 9-0 vote. Council Member Gallo recused herself. Council Member Troxclair was absent.
18. Approve an ordinance setting the assessment rate and approving a proposed 2017 assessment roll for the East Sixth Street Public Improvement District. Related to Items #19 and #57.
Ordinance No. 20161103-018 was approved on consent on Council Member Zimmerman's motion, Council Member Kitchen's second on a 10-0 vote. Council Member Troxclair was absent.
19. Approve a resolution adopting the East Sixth Street Public Improvement District Service and Assessment Plan and Budget update for 2017. Related to Items #18 and #57.
Resolution No. 20161103-019 was approved on consent on Council Member Zimmerman's motion, Council Member Kitchen's second on a 10-0 vote. Council Member Troxclair was absent.
20. Approve an ordinance setting the assessment rate and approving a proposed 2017 assessment roll for the South Congress Preservation and Improvement District. Related to Items #21 and #56.
Ordinance No. 20161103-020 was approved on consent on Council Member Zimmerman's motion, Council Member Kitchen's second on a 10-0 vote. Council Member Troxclair was absent.
21. Approve a resolution adopting the South Congress Preservation and Improvement District Service and Assessment Plan and Budget update for 2017. Related to Items #20 and #56.
Resolution No. 20161103-021 was approved on consent on Council Member Zimmerman's motion, Council Member Kitchen's second on a 10-0 vote. Council Member Troxclair was absent.
22. Authorize negotiation and execution of an interlocal agreement with Travis County Emergency Services District (ESD) #2 that authorizes the Emergency Medical Services Department to provide dispatch services for ambulances being added by ESD #2 for a 12 month term beginning on October 1, 2016 in exchange for payment of \$20,000 per unit per year by ESD #2.
The motion authorizing negotiation and execution of an interlocal agreement with Travis County Emergency Services District number two was approved on consent on Council Member Zimmerman's motion, Council Member Kitchen's second on a 10-0 vote. Council Member Troxclair was absent.
23. Approve a resolution authorizing issuance by Northtown Municipal Utility District of Unlimited Tax and Revenue Refunding Bonds, Series 2016, in an amount not to exceed \$8,315,000.
Resolution No. 20161103-023 was approved on consent on Council Member Zimmerman's motion, Council Member Kitchen's second on a 10-0 vote. Council Member Troxclair was absent.
24. Approve an ordinance authorizing acceptance of \$65,192 in grant funds from the TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS, and amending the Fiscal Year 2016-2017 Health and Human Services Department Operating Budget Special Revenue Fund (Ordinance No. 20160914-001) to appropriate \$65,192 for the delivery of basic needs, case management, employment support and preventive health services to low-income residents.

Ordinance No. 20161103-024 was approved on consent on Council Member Zimmerman's motion, Council Member Kitchen's second on a 10-0 vote. Council Member Troxclair was absent.

25. Approve negotiation and execution of Amendment No. 3 for a 12-month extension of an interlocal agreement with AUSTIN INDEPENDENT SCHOOL DISTRICT for the provision of educational and skill-building services in an amount not to exceed \$1,282,485, for a total agreement amount not to exceed \$3,216,485.
The motion authorizing negotiation and execution of amendment number three for an extension of an interlocal agreement with Austin Independent School District was approved on consent on Council Member Zimmerman's motion, Council Member Kitchen's second on a 9-1 vote. Council Member Zimmerman voted nay. Council Member Troxclair was absent.

Items 26 and 27 were pulled for discussion.

28. Authorize negotiation and execution of a 60-month lease renewal for approximately 964 square feet of office space and three boat slips for the Lake Patrol Unit of the Austin Police Department, located at 2215 Westlake Drive, from LAKE AUSTIN MARINA I L.P., a Texas limited partnership, in an amount not to exceed \$226,214 (District 10).
The motion authorizing negotiation and execution of a lease renewal from the Lake Austin Marina I L.P. was approved on consent on Council Member Zimmerman's motion, Council Member Kitchen's second on a 9-0 vote. Council Member Zimmerman abstained. Council Member Troxclair was absent.

Item 29 was pulled for discussion.

30. Authorize award and execution of a 36-month contract with JOHN BEAN TECHNOLOGIES CORPORATION DBA JBT AEROTECH, JETWAY SYSTEMS, to provide JetAire pre-conditioned air units inspection, maintenance, repair services, and training, in an amount not to exceed \$339,000, with three 12-month extension options in an amount not to exceed \$113,000 per extension option, for a total contract amount not to exceed \$678,000. (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 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 John Bean Technologies Corporation doing business as JBT Aerotech, Jetway Systems was approved on consent on Council Member Zimmerman's motion, Council Member Kitchen's second on a 9-0 vote. Council Member Zimmerman abstained. Council Member Troxclair was absent.
31. Authorize negotiation and execution of a contract with IER, INC., for the purchase and installation of keypad and new barcode/passport readers for the common use self-service kiosk at Austin-Bergstrom International Airport, in an amount not to exceed \$117,360. (Notes: This contract is exempt from the City Code Chapter 2-9D 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 IER, Inc. was approved on consent on Council Member Zimmerman's motion, Council Member Kitchen's second on a 9-0 vote. Council Member Zimmerman abstained. Council Member Troxclair was absent.

32. Authorize negotiation and execution of a 12-month contract with OPEN TEXT CORPORATION to provide additional licenses, continued software maintenance and support, and services related to the Enterprise Document and Image Management System, in an amount not to exceed \$229,368, with four 12-month extension options in an amount not to exceed \$199,213 for the first extension option, \$207,299 for the second extension option, \$215,385 for the third extension option, \$223,470 for the fourth extension option, for a total contract amount not to exceed \$1,074,735. (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 Open Text Corporation was approved on consent on Council Member Zimmerman's motion, Council Member Kitchen's second on a 9-0 vote. Council Member Zimmerman abstained. Council Member Troxclair was absent.
33. Authorize negotiation and execution of a 60-month contract with TECHLINE INC., to provide lighting control system devices, in an amount not to exceed \$2,408,250. (Notes: This contract is exempt from the City Code Chapter 2-9D 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 Techline Inc. was approved on consent on Council Member Zimmerman's motion, Council Member Kitchen's second on a 9-0 vote. Council Member Zimmerman abstained. Council Member Troxclair was absent.
34. Authorize negotiation and execution of a 14-month contract through the HOUSTON-GALVESTON AREA COUNCIL cooperative purchasing program with TOTER INCORPORATED, to provide residential refuse, recycling, and organics containers, in an amount not to exceed \$4,910,000, with four 12-month extension options in an amount not to exceed \$4,400,000 for the first extension option, \$5,100,000 for the second extension option, \$4,725,000 for the third extension option, and \$2,100,000 for the fourth extension option, for a total contract amount not to exceed \$21,235,000. (Notes: This procurement 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 insufficient subcontracting opportunities; therefore, no subcontracting goals were established.)
The motion authorizing negotiation and execution of a contract through the Houston-Galveston Area Council cooperative purchasing program with Toter Incorporated was approved on consent on Council Member Zimmerman's motion, Council Member Kitchen's second on a 9-1 vote. Council Member Zimmerman voted nay. Council Member Troxclair was absent.
35. Authorize negotiation and execution of a 24-month contract with SUEZ TREATMENT SOLUTIONS, INC., or one of the other qualified offerors to Request For Proposals CAK0008, for the rental of mobile demineralizer and water treatment equipment, in an amount not to exceed \$600,000, with two 24-month extension options in an amount not to exceed \$600,000 per extension option, for a total contract amount not to exceed \$1,800,000. (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.)
A motion authorizing negotiation and execution of a contract with Suez Treatment Solutions, Inc. was approved on consent on Council Member Zimmerman's motion,

Council Member Kitchen's second on a 9-0 vote. Council Member Zimmerman abstained. Council Member Troxclair was absent.

36. Authorize negotiation and execution of a 12-month contract with CAPITAL AREA OCCUPATIONAL MEDICINE DBA ST. DAVID'S OCCUPATIONAL HEALTH SERVICES, to provide medical services, in an amount not to exceed \$106,450, with three 12-month extension options in an amount not to exceed \$106,450 per extension option, for a total contract amount not to exceed \$425,800. (Notes: This procurement 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 procurement, there were insufficient subcontracting opportunities; therefore, no subcontracting goals were established.)
The motion authorizing negotiation and execution of a contract with Capital Area Occupational Medicine doing business as St. David's Occupational Health Services was approved on consent on Council Member Zimmerman's motion, Council Member Kitchen's second on a 9-0 vote. Council Member Zimmerman abstained. Council Member Troxclair was absent.
37. Authorize negotiation and execution of 60-month contract through the STATE OF TEXAS DEPARTMENT OF INFORMATION RESOURCES cooperative purchasing program with CDW-GOVERNMENT LLC, to provide Austin Energy with Cisco products and services including maintenance and support, in an amount not to exceed \$10,000,000. (Notes: This contract will be awarded by a cooperative purchase agreement with the Texas Department of Information Resources (DIR) 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 CDW-Government LLC was approved on consent on Council Member Zimmerman's motion, Council Member Kitchen's second on a 9-0 vote. Council Member Zimmerman abstained. Council Member Troxclair was absent.
38. Authorize negotiation and execution of a 12-month contract with MATRIX CONSULTING GROUP, LTD., to provide a comprehensive fee study for the Development Services Department's fee structure, schedule and related operations, in an amount not to exceed \$98,300, with two 12-month extension options in an amount not to exceed \$50,000 per extension option, for a total contract amount not to exceed \$198,300. (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; therefore, no subcontracting goals were established.)
The motion authorizing negotiation and execution of a contract with Matrix Consulting Group, Ltd. was approved on consent on Council Member Zimmerman's motion, Council Member Kitchen's second on a 9-0 vote. Council Member Zimmerman abstained. Council Member Troxclair was absent.
39. Approve ratification of two 12-month emergency contracts to provide grounds maintenance for right of ways, medians and urban trails with PAMPERED LAWNS AUSTIN, INC. in an amount not to exceed \$267,750 and with GREATER TEXAS LANDSCAPES, INC. in an amount not to exceed \$327,250, for a total amount not to exceed \$595,000. (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 approving ratification of two emergency contracts with Pampered Lawns Austin, Inc. and Greater Texas Landscapes, Inc. was approved on consent on Council Member Zimmerman's motion, Council Member Kitchen's second on a 10-0 vote. Council Member Troxclair was absent.

40. Approve an ordinance amending the Fiscal Year 2016-2017 Austin Transportation Department Operating Budget Special Revenue Fund (Ordinance No. 20160914-001) to accept \$26,022 grant funds from the Capital Area Council of Governments Regional Air Quality Grant Program; and amending the Fiscal Year 2016-2017 Austin Transportation Department Capital Budget (Ordinance No. 20160914-002) to transfer in and appropriate the grant funds to purchase a tool to track data for the City's program to reduce employee commutes in motor vehicles and improve employee health, reduce vehicle emissions, and increase parking availability at City buildings.
Ordinance No. 20161103-040 was approved on consent on Council Member Zimmerman's motion, Council Member Kitchen's second on a 10-0 vote. Council Member Troxclair was absent.
41. Approve an ordinance amending Exhibit A to the Fiscal Year 2016-2017 City of Austin Fee Schedule Ordinance No. 20160914-003 to set administrative fees and rental fees for considering, approving, monitoring, and licensing the use of right of way and transportation infrastructure by wireless service providers for small cell networks.
This item was postponed to November 10, 2016 on consent on Council Member Zimmerman's motion, Council Member Kitchen's second on a 10-0 vote. Council Member Troxclair was absent.
42. Authorize the negotiation and execution of a community facilities agreement with AC 811 W Live Oak, LLC, a Texas limited liability company, in an amount not to exceed \$1,000,000, for a public storm drain infrastructure improvement project to be constructed as part of a development located at 811 West Live Oak. (District 9)
The motion authorizing negotiation and execution of an agreement with AC 811 W Live Oak, LLC was approved on consent on Council Member Zimmerman's motion, Council Member Kitchen's second on a 9-0 vote. Council Member Zimmerman abstained. Council Member Troxclair was absent.

Action was taken on item 43 but was reconsidered later in the meeting.

44. Approve a resolution relating to commercial demolitions and notice. (Notes: SPONSOR: Council Member Sabino "Pio" Renteria CO 1: Mayor Pro Tem Kathie Tovo CO 2: Council Member Gregorio Casar CO 3: Council Member Delia Garza)
Resolution No. 20161103-044 was approved on consent on Council Member Zimmerman's motion, Council Member Kitchen's second on a 9-1 vote. Council Member Zimmerman voted nay. Council Member Troxclair was absent.
45. Approve a resolution directing the City Manager to develop a process for coordinating with other governmental and quasi-governmental entities to strategically leverage real estate opportunities to advance community policy priorities. (Notes: SPONSOR: Mayor Pro Tem Kathie Tovo CO 1: Council Member Delia Garza CO 2: Council Member Ora Houston CO 3: Council Member Leslie Pool CO 4: Mayor Steve Adler)
Resolution No. 20161103-045 was approved as amended below on consent on Council Member Zimmerman's motion, Council Member Kitchen's second on a 9-0 vote. Council Member Zimmerman abstained. Council Member Troxclair was absent.

The amendment was to have the resolution read:

“WHEREAS, the Imagine Austin Comprehensive Plan proposes to “create complete neighborhoods across Austin that have a mix of housing types and land uses, affordable housing, and transportation options” as one of its Neighborhood Policy Building Blocks; and

WHEREAS, government entities within the City have both undeveloped and developed parcels that may be underutilized and could accommodate new or different uses; and

WHEREAS, public land has the potential to provide substantial community benefits in areas where rising valuations make land acquisition challenging for public entities; and

WHEREAS, both the state and federal government have requirements for prioritizing the disposition of surplus property based on legislative policy. For example, the Texas Transportation Code includes a provision that certain surplus lands be offered to local municipalities before soliciting private bids; and

WHEREAS, similar purchase options regarding surplus property do not exist among local governmental and quasi-governmental entities in the Austin area; and

WHEREAS, several local entities are currently engaged in planning processes or other analyses of their real estate portfolios; and

WHEREAS, the City has created a Strategic Facilities Governance Team composed of executive staff from Financial Services, the Office of Real Estate Services, and Building Services to more effectively manage the City’s portfolio of real estate and facilities; and

WHEREAS, the City’s Strategic Facilities Governance Team is working with Travis County’s Economic Development and Strategic Investments Division to coordinate strategies and consider service co-location opportunities; and

WHEREAS, the Austin Independent School District (AISD) has indicated an interest in receiving proposals for the sale, exchange, or lease of ten properties in its real estate portfolio; and

WHEREAS, both Travis County and AISD have initiated master planning processes that may identify additional tracts for potential redevelopment as well as facility needs; and

WHEREAS, Travis County maintains a Master Plan for its facilities that identifies properties with current and future redevelopment potential and explicitly prioritizes affordable housing development; and

WHEREAS, the Joint Subcommittee of the City, Travis County, and AISD adopted a resolution to pursue developing a collaborative affordable housing project on public land, and AISD and the City have now passed similar resolutions of support; and

WHEREAS, the City’s Regional Affordability Committee’s strategic plan includes the objective to have local governmental entities collaborate in using public land for affordable housing, associated supportive services for families, and other community benefits; and

WHEREAS, co-location and joint-use agreements offer opportunities for interagency partnerships; and

WHEREAS, many communities across the country, such as King County, San Francisco, and New York, have developed collaborative approaches for identifying public land development opportunities; and

WHEREAS, because of the very high cost of real estate in the City, it is in the best interest of the citizens and families of the City and Travis County that the City, AISD, and Travis County work together to leverage opportunities for using public land for public benefits and retaining this land in the public realm; and

WHEREAS, in 2009 the City led the effort to create an Intergovernmental Stimulus Steering Coordination Committee, which included the City, Travis County, AISD, Austin Community College (ACC), the Travis County Healthcare District, and Capital Metro, and this example could serve as a model for future collaboration; NOW, THEREFORE,

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

The City Manager is directed to have the City's Strategic Facilities Governance Team work with other local governmental and quasi-governmental entities, including AISD, Travis County, Capital Metro, and ACC, on creating a process for identifying opportunities within each entity's real estate portfolio for coordination on facilities and redevelopment of public land and identification of opportunities for joint-use agreements, with the aim of achieving shared priority policy goals, such as creating affordable and permanent supportive housing, supporting transportation goals, or supportive space for creatives.

BE IT FURTHER RESOLVED:

The City Manager is directed to present preliminary findings at a City Council work session no later than February 2017."

46. Approve an ordinance waiving or reimbursing certain fees for the Dia de los Muertos musical festival benefitting and sponsored by Easter Seals Central Texas which was held on Saturday, October 15 at Fiesta Gardens. (Notes: SPONSOR: Council Member Sabino "Pio" Renteria CO 1: Council Member Delia Garza CO 2: Council Member Sheri Gallo CO 3: Council Member Leslie Pool)
Ordinance No. 20161103-046 was approved on consent on Council Member Zimmerman's motion, Council Member Kitchen's second on a 10-0 vote. Council Member Troxclair was absent.
47. Approve a resolution relating to community meetings and on-site supervision for children. (Notes: SPONSOR: Council Member Sabino "Pio" Renteria CO 1: Mayor Pro Tem Kathie Tovo CO 2: Council Member Delia Garza CO 3: Council Member Ora Houston CO 4: Mayor Steve Adler)
Resolution No. 20161103-047 was approved on consent on Council Member Zimmerman's motion, Council Member Kitchen's second on a 9-1 vote. Council Member Zimmerman voted nay. Council Member Troxclair was absent.
48. Approve an ordinance waiving or reimbursing certain fees for the House the Homeless Memorial event sponsored by House the Homeless which is to be held Sunday, November 13, 2016 at Vic

Mathias Shores. (Notes: SPONSOR: Mayor Pro Tem Kathie Tovo CO 1: Council Member Gregorio Casar CO 2: Council Member Leslie Pool CO 3: Council Member Sabino "Pio" Renteria)

Ordinance No. 20161103-048 was approved on consent on Council Member Zimmerman's motion, Council Member Kitchen's second on a 10-0 vote. Council Member Troxclair was absent.

49. Approve a resolution adopting the Age-Friendly Austin Plan (AFAP), and directing the city manager to amend the Imagine Austin Comprehensive Plan to include the AFAP. (Notes: SPONSOR: Council Member Ann Kitchen CO 1: Mayor Pro Tem Kathie Tovo CO 2: Mayor Steve Adler CO 3: Council Member Leslie Pool CO 4: Council Member Gregorio Casar)

Resolution No. 20161103-049 was approved on consent on Council Member Zimmerman's motion, Council Member Kitchen's second on a 9-0 vote. Council Member Zimmerman abstained. Council Member Troxclair was absent.

50. Approve a resolution directing the City Manager to prepare a report regarding options for increasing connectivity and accessibility for the areas surrounding parkland located in the North Lamar and Georgian Acres Planning Area. (Notes: SPONSOR: Council Member Gregorio Casar CO 1: Council Member Ora Houston CO 2: Council Member Leslie Pool CO 3: Council Member Sabino "Pio" Renteria)

Resolution No. 20161103-050 was approved on consent on Council Member Zimmerman's motion, Council Member Kitchen's second on a 9-0 vote. Council Member Zimmerman abstained. Council Member Troxclair was absent.

51. Approve a resolution directing the City Manager to develop a Smart Cities Strategic Roadmap with recommendations to improve city services and efficiency, and identify potential public and private funding opportunities. (Notes: SPONSOR: Council Member Ann Kitchen CO 1: Mayor Steve Adler CO 2: Council Member Leslie Pool CO 3: Council Member Sheri Gallo)

Resolution No. 20161103-051 was approved on consent on Council Member Zimmerman's motion, Council Member Kitchen's second on a 9-0 vote. Council Member Zimmerman abstained. Council Member Troxclair was absent.

52. Approve a resolution related to improving access to municipal services for residents with limited English proficiency. (Notes: SPONSOR: Council Member Delia Garza CO 1: Mayor Pro Tem Kathie Tovo CO 2: Council Member Gregorio Casar CO 3: Council Member Sabino "Pio" Renteria)

Resolution No. 20161103-052 was approved on consent on Council Member Zimmerman's motion, Council Member Kitchen's second on a 9-0 vote. Council Member Zimmerman abstained. Council Member Troxclair was absent.

Item 53 was pulled for discussion.

54. Approve an ordinance waiving or reimbursing certain fees and waiving certain requirements for the Festival de las Artes Latinamericanas event sponsored by Voces Latinas which was held Saturday, October 22, 2016 at the Emma S. Barrientos Mexican American Cultural Center. (Notes: SPONSOR: Council Member Gregorio Casar CO 1: Mayor Steve Adler CO 2: Council Member Sabino "Pio" Renteria CO 3: Council Member Delia Garza CO 4: Council Member Leslie Pool)

Ordinance No. 20161103-054 was approved on consent on Council Member Zimmerman's motion, Council Member Kitchen's second on a 10-0 vote. Council Member Troxclair was absent.

55. Approve the waiver or reimbursement of certain fees under City Code Chapter 14-8 for the AIDS Walk Austin event sponsored by AIDS Services of Austin which was held Sunday, October 16, 2016 at Palm Park. (Notes: SPONSOR: Council Member Gregorio Casar CO 1: Mayor Steve Adler CO 2: Council Member Sabino "Pio" Renteria CO 3: Mayor Pro Tem Kathie Tovo)
The motion approving the waiver or reimbursement of certain fees for the for the AIDS Walk Austin event was approved on consent on Council Member Zimmerman's motion, Council Member Kitchen's second on a 10-0 vote. Council Member Troxclair was absent.
56. Set a public hearing to consider the South Congress Preservation and Improvement District 2017 assessments. (Suggested date and time: December 1, 2016, 4:00 p.m., at Austin City Hall, 301 W. Second Street, Austin, TX). Related to Items #20 and #21.
The public hearing was set on consent for December 1, 2016, 4:00 p.m. at 301 W. Second Street, Austin, TX on Council Member Zimmerman's motion, Council Member Kitchen's second on a 10-0 vote. Council Member Troxclair was absent.
57. Set a public hearing to consider the East Sixth Street Public Improvement District 2017 assessments. (Suggested date and time: December 1, 2016, 4:00 p.m., at Austin City Hall, 301 W. Second Street, Austin, TX). Related to Items #18 and #19.
The public hearing was set on consent for December 1, 2016, 4:00 p.m. at 301 W. Second Street, Austin, TX on Council Member Zimmerman's motion, Council Member Kitchen's second on a 10-0 vote. Council Member Troxclair was absent.
58. Set a public hearing to consider the Austin Downtown Public Improvement District 2017 assessments. (Suggested date and time: December 1, 2016, 4:00 p.m., at Austin City Hall, 301 W. Second Street, Austin, TX). Related to Items #16 and #17.
The public hearing was set on consent for December 1, 2016, 4:00 p.m. at 301 W. Second Street, Austin, TX on Council Member Zimmerman's motion, Council Member Kitchen's second on a 9-0 vote. Council Member Gallo recused. Council Member Troxclair was absent.
59. Set a public hearing to consider the Indian Hills Public Improvement District 2017 assessments. (Suggested date and time: December 1, 2016, 4:00 pm, at Austin City Hall, 301 W. Second Street, Austin, TX). Related to Items #10 and #11.
The public hearing was set on consent for December 1, 2016, 4:00 p.m. at 301 W. Second Street, Austin, TX on Council Member Zimmerman's motion, Council Member Kitchen's second on a 10-0 vote. Council Member Troxclair was absent.
60. Set a public hearing to consider the Whisper Valley Public Improvement District 2017 assessments. (Suggested date and time: December 1, 2016, 4:00 pm, at Austin City Hall, 301 W. Second Street, Austin, TX). Related to Items #12 and #13.
The public hearing was set on consent for December 1, 2016, 4:00 p.m. at 301 W. Second Street, Austin, TX on Council Member Zimmerman's motion, Council Member Kitchen's second on a 10-0 vote. Council Member Troxclair was absent.
61. Set a public hearing to consider the Estancia Hill Country Public Improvement District 2017 assessments. (Suggested date and time: December 1, 2016, 4:00 p.m., at Austin City Hall, 301 W. Second Street, Austin, TX). Related to Items #14 and #15.
The public hearing was set on consent for December 1, 2016, 4:00 p.m. at 301 W. Second Street, Austin, TX on Council Member Zimmerman's motion, Council Member Kitchen's second on a 10-0 vote. Council Member Troxclair was absent.

62. Set a public hearing to consider an ordinance regarding floodplain variances for construction of a commercial building and associated parking at 1000 N. Lamar Blvd within the 25-year and 100-year floodplains of Shoal Creek. (District 9) (Suggested date and time: November 10, 2016, 4:00 p.m., at Austin City Hall, 301 West Second Street, Austin, TX)
The public hearing was set on consent for November 10, 2016, 4:00 p.m. at 301 W. Second Street, Austin, TX on Council Member Zimmerman's motion, Council Member Kitchen's second on a 10-0 vote. Council Member Troxclair was absent.
63. Set a public hearing to consider a resolution supporting an application to be submitted to the Texas Department of Housing and Community Affairs by Harris Ridge Apartments, Ltd., or an affiliated entity, for the new construction of an affordable multi-family development to be located at the Southwest corner of Howard Lane and Dessau Road. (District 7) (Suggested date and time: December 1, 2016 beginning at 4:00 p.m. at Austin City Hall, 301 W. Second Street, Austin, TX.)
The public hearing was set on consent for December 1, 2016, 4:00 p.m. at 301 W. Second Street, Austin, TX on Council Member Zimmerman's motion, Council Member Kitchen's second on a 10-0 vote. Council Member Troxclair was absent.

Items 64 through 66 were Council Committee Items.

Item 67 was a Zoning and Neighborhood Plan Amendment (Public Hearing and Possible Action).

Item 68 was a Briefing Item.

Items 69 through 72 were Executive Session Items.

Item 73 was the Austin Housing and Finance Corporation Meeting set for 3:00 p.m.

Items 74 through 79 were public hearing items set for 4:00 p.m.

BRIEFING

68. City of Dripping Springs Draft Wastewater Discharge Permit
The presentation was made by Mike Personett, Assistant Director, Chris Herrington, Supervising Engineer, Watershed Protection Department and Trish Link, Assistant City Attorney, Law Department.

DISCUSSION ITEMS

6. Authorize execution of change order #6 to the construction contract with JAY-REESE CONTRACTORS, INC., for the Boardwalk Trail at Lady Bird Lake American Disabilities Act Fishing Pier project in the amount of \$616,811.76, for a total contract amount not to exceed \$22,388,252.06. (Districts 3 and 9) (Notes: This contract was awarded in compliance with City Code Chapter 2-9A (Minority Owned and Women Owned Business Enterprise Procurement Program) through the achievement of good faith efforts with 1.26% MBE and 20.64% WBE participation.)
The motion authorizing execution of a change order number six to the construction contract with Jay-Reese Contractors, Inc. was approved on Council Member Pool's motion, Council

Member Renteria's second on a 9-1 vote. Council Member Zimmerman voted nay. Council Member Troxclair was absent.

29. Authorize execution of a six year interlocal agreement with Dallas County Texas acting through the Southwestern Institute of Forensic Sciences at Dallas, for forensic services total estimated contract amount not to exceed \$3,600,000.

A motion to approve the item was made by Council Member Casar and seconded by Council Member Pool.

A motion was made to change the language back to a 12 month interlocal agreement was made by Council Member Zimmerman. The motion failed for a lack of a second.

The motion authorizing execution of an interlocal agreement with Dallas County Texas acting through the Southwestern Institute of Forensic Sciences at Dallas was approved on Council Member Casar's motion, Council Member Pool's second on a 10-0 vote. Council Member Troxclair was absent.

27. Approve the cancellation of the November 8, 2016 work session.
The motion to cancel the November 8, 2016 work session was approved on Council Member Pool's motion, Council Member Zimmerman's second on a 9-1 vote. Council Member Houston voted nay. Council Member Troxclair was absent.

64. Approve an ordinance amending City Code Chapter 2-1 (City Boards) relating to the Parks and Recreation Board.

Ordinance No. 20161103-064 was approved on Mayor Pro Tem Tovo's motion, Council Member Renteria's second on a 10-0 vote. Council Member Troxclair was absent.

65. Approve a resolution amending Resolution No. 20150618-081 to designate the East Cesar Chavez Neighborhood Planning Team as the responsible organization to conduct the nomination and election process for a representative from the East Austin area.

Resolution No. 20161103-065 was approved on Council Member Renteria's motion, Council Member Houston's second on a 10-0 vote. Council Member Troxclair was absent.

Mayor Adler recessed the meeting at 11:55 a.m.

Mayor Pro Tem Tovo reconvened the meeting at 12:06 p.m.

CITIZENS COMMUNICATIONS: GENERAL

Paul Robbins - City issues including Electric Utility bills.

Timothy Miller - New right turn only lane on Anderson and 183. (Videoconference from District 6 field office)

Mark Rogers - Growth. (Videoconference from District 6 field office)

Osayekeme Ebomwonyi - Gang violence and rape in the community.

Koo Hyun Kim - Democracy at City Hall – **Not Present.**

Sylvia Mendoza - Toll Roads. – **Not Present.**

Travis Duncan - Renewable energy.

Chiomi Okon - Cognitive homeless population and education.

Iris Leija - TBA.

Krystal Johnson - Upcoming events at Planet K.

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 Brian Rodgers v. City of Austin, Cause No. D-1-GN-16-000615 in the 345th Judicial District, Travis County, Texas (Private consultation with legal counsel - Section 551.071 of the Government Code).
This item was withdrawn without objection.
71. Discuss legal issues related to Texas Gas Service's proposal to increase retail customer rates.
This item was withdrawn without objection.
72. Discuss legal issues related to proposed state highway projects, including SH 45 Southwest, located over the Barton Springs portion of the Edwards Aquifer Recharge and Contributing Zones (Private consultation with legal counsel - Section 551.071 of the Government Code).
This item was withdrawn without objection.

Mayor Adler recessed the meeting at 12:33 p.m.

Mayor Adler reconvened the meeting at 1:33 p.m.

DISCUSSION ITEMS CONTINUED

Items 26 and 67 were acted on in a combined motion.

26. Approve second and third reading of an ordinance amending Ordinance No. 960613-J and authorizing execution of the first amendment to a settlement agreement relating to the development of property located at 6409 City Park Road (Champion Tract). Related to Item #67.
This item was postponed to November 10, 2016 on Council Member Gallo's motion, Council Member Houston's second on a 10-0 vote. Council Member Troxclair was absent.

67. C14-2015-0160 - Champions Tract #3 - District 10 - Conduct a public hearing and approve third reading of an ordinance amending City Code Title 25 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 multifamily residence-moderate-high density-conditional overlay (MF-4-CO) combining district zoning. First Reading approved on June 23, 2016. Vote: 11-0. Second Reading approved on September 22, 2016. Vote: 9-0, Council Member Pool abstained; Council Member Troxclair was off the dais. 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. Related to Item #26.

This item was postponed to November 10, 2016 on Council Member Gallo's motion, Council Member Houston's second on a 10-0 vote. Council Member Troxclair was absent.

Mayor Adler recessed the Council Meeting to go into Executive Session at 4:11 p.m.

EXECUTIVE SESSION

The City Council went into Executive Session, pursuant to Chapter 551 of the Texas Government Code, to receive advice from Legal Counsel, to discuss matters of land acquisition, litigation, and personnel matters as specifically listed on this agenda and to receive advice from Legal Counsel regarding any other item on this agenda.

53. Approve a resolution initiating historic zoning for the property located at 1618 Palma Plaza and initiating an amendment to City Code Chapter 25-11 relating to the release of certain demolition permits. (Notes: SPONSOR: Mayor Pro Tem Kathie Tovo CO 1: Council Member Ora Houston CO 2: Council Member Ann Kitchen CO 3: Council Member Leslie Pool)

Mayor Adler reconvened the meeting at 4:35 p.m.

DISCUSSION ITEMS CONTINUED

53. Approve a resolution initiating historic zoning for the property located at 1618 Palma Plaza and initiating an amendment to City Code Chapter 25-11 relating to the release of certain demolition permits. (Notes: SPONSOR: Mayor Pro Tem Kathie Tovo CO 1: Council Member Ora Houston CO 2: Council Member Ann Kitchen CO 3: Council Member Leslie Pool)

A motion to approve the initiation of historic zoning was made by Mayor Pro Tem Tovo and seconded by Council Member Pool.

The motion to postpone the item to November 10, 2016 was approved on Council Member Zimmerman's motion, Council Member Renteria's second on a 6-4 vote. Those voting aye were: Mayor Adler, Council Members Casar, Gallo, Garza, Renteria and Zimmerman. Those voting nay were: Mayor Pro Tem Tovo, Council Members Houston, Kitchen and Pool. Council Member Troxclair was absent.

PUBLIC HEARINGS

74. 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 December 15, 2016 at the request of staff on Council Member Pool's motion, Council Member Zimmerman's motion on a 9-0 vote. Mayor Pro Tem Tovo was off the dais. Council Member Troxclair was absent.

75. Conduct a public hearing and consider an appeal regarding the Planning Commission's approval of two compatibility waivers for development at 2510 South Congress Avenue (Site Plan No. SP-2015-0300C)(District 3).

This item was postponed to December 15, 2016 at the request of staff on Council Member Pool's motion, Council Member Zimmerman's motion on a 9-0 vote. Mayor Pro Tem Tovo was off the dais. Council Member Troxclair was absent.

Mayor Adler recessed the Council Meeting and called the Board of Directors' Meeting of the Austin Housing Finance Corporation to order at 4:40 p.m. See separate minutes.

Mayor Adler called the Council Meeting back to order at 4:42 p.m.

Mayor Adler recessed the meeting at 5:38 for Live Music and Proclamations.

LIVE MUSIC

Ruben Ramos

PROCLAMATIONS

Proclamation - Rainforest Partnership - To be presented by Mayor Steve Adler and to be accepted by Niyanta Spelman

Proclamation - Austin Opera 30th season - To be presented by Mayor Steve Adler

Proclamation - Dr. Mitchel Wong and Dr. Shannon Wong - To be presented by Council Member Sheri Gallo and to be accepted by the honorees

Proclamation - Weather-Ready Nation Ambassadors - To be presented by Mayor Steve Adler and to be accepted by Joe Pantaloni, Director, Watershed Protection Department

Proclamation - Diabetes Awareness Month - To be presented by Mayor Steve Adler and to be accepted by Shannon Jones, Director, Health and Human Services Department

Proclamation - Municipal Court Week - To be presented by Mayor Steve Adler and to be accepted by Sherry Statman, Municipal Court Presiding Judge, and Mary Jane Grubb, Municipal Court Clerk

Mayor Adler reconvened the meeting at 7:00 p.m.

DISCUSSION ITEMS CONTINUED

66. Approve a resolution related to the sterilization of animals impounded at the Austin Animal Shelter, and directing the City Manager to return to Council with a related City Code amendment. (Notes: Committee)

The motion to approve the resolution as amended below was made by Council Member Garza and seconded by Mayor Pro Tem Tovo.

The amendment to revise the BE IT RESOLVED BY THE COUNCIL OF THE CITY OF AUSTIN clause to read:

“The City Council instructs the City Manager to return to Council on November 10, 2016 with an amendment to Section 3-1-29 (Sterilization) of the City Code as follows: “The city manager or the manager of an animal shelter may sterilize an animal if it has been impounded one or more times unless:

- (1) the surgery could harm the animal due to the animal’s age or health;
- (2) prior to the expiration of the animal shelter’s three-day hold period, the animal’s owner objects to the animal being sterilized; or
- (3) the animal’s surgery would require the animal to be held at the animal shelter overnight instead the animal shelter is at or beyond capacity at the time.”

A friendly amendment was made to include the language “On second impoundment, the animal will be sterilized unless they have met the above amendments.” The amendment was accepted by the maker of the motion.

Resolution No. 20161103-066 was approved as amended above on Council Member Houston’s motion, Council Member Casar’s second on an 8-1 vote. Council Member Houston voted nay. Council Member Gallo was off the dais. Council Member Troxclair was absent.

43. 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 Kitchen’s second on a 10-0 vote. Council Member Troxclair was absent.

A motion to reconsider item 43 was approved on Mayor Adler’s motion, Council Member Pool’s second on a 9-0 vote. Council Member Gallo was off the dais. Council Member Troxclair was absent.

The motion approving the following appointments and certain related waivers were approved on Mayor Adler’s motion, Council Member Pool’s second on a 9-0 vote. Council Member Gallo was off the dais. Council Member Troxclair was absent.

Nominations

Board/Nominee
Joint Inclusion Committee (LGBT nominee)
 Solis Rough

Nominated by
 Joint Inclusion Committee

Urban Renewal Board
 Nicole Sunstrum

Mayor Adler

Urban Renewal Board
 Nathaniel Bradford

Mayor Adler

Visitor Impact Task Force

Alyson McGee

Historic Landmark Commission

Intergovernmental/Nominee**Austin Travis County Integral Care Board of Trustees**

Robert Chapa, Jr.

Nominated by**Mayor Adler****Waivers****There are no waivers at this time.****Approval of Universal Changes to Bylaws for the following Boards:****Building & Standards Commission****PUBLIC HEARINGS**

76. Conduct a public hearing for the full purpose annexation of the Wildhorse/Webb Tract annexation area (approximately 104 acres in eastern Travis County at the northeastern corner of the intersection of Decker Lane and Lindell Lane; contiguous to District 1).
The public hearing was held and a motion to close the public hearing was approved on Council Member Zimmerman's motion, Council Member Houston's motion on a 9-0 vote. Council Member Gallo was off the dais. Council Member Troxclair was absent.
77. Conduct a public hearing and consider an ordinance regarding Texas Gas Service's proposal to increase customer rates.
The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20161103-077 was approved on Council Member Houston's motion, Council Member Garza's motion on a 9-0 vote. Council Member Gallo was off the dais. Council Member Troxclair was absent.
79. Conduct a public hearing and consider a resolution regarding a request by Kyle Hill (Martin, Frost & Hill) for Snarf's Sandwiches located at 1404 S. 1st St. 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 school.
The public hearing was conducted and a motion to close the public hearing and approve Resolution No. 20161103-079 for a waiver was approved on Council Member Renteria's motion, Council Member Zimmerman's second on an 8-1 vote. Council Member Garza voted nay. Council Member Gallo was off the dais. Council Member Troxclair was absent.
78. Conduct a public hearing and consider an ordinance approving a Project Consent Agreement waiving provisions of City Code Title 25 to incentivize preservation of a 41.04 acre tract of land at 2636 Bliss Spillar Road located within the Barton Springs Zone and allowing construction of commercial development of a 12.08 acre tract of land located at 12501 Hewitt Lane in the City's Desired Development Zone.
The public hearing was conducted and a motion to approve the ordinance on first reading only as amended below was approved on Council Member Kitchen's motion, Council Member Pool's second on a 9-0 vote. Council Member Gallo was off the dais. Council Member Troxclair was absent.

The amendment was to add a new Paragraph (E)(4) to read:**"(4) Expiration. The conservation easement or other encumbrance required to preserve the tract under this subsection must include an expiration clause specifying that, if**

a site plan application is not submitted prior to the expiration of the PCA, the conservation easement or other encumbrance expires and is of no force and effect.”

To add a new Paragraph (D)(9) and (D)(10) to read:

“(9) Commercial Design Standards & Sidewalks. Compliance with Chapter 25-2, Subchapter E (Design Standards and Mixed Use) is not required, but sidewalks of at least six feet in width are required along the frontage of Hewitt Lane and Brodie Lane, at a location determined in site development review.

(10) Height Restriction. The food sales accessory use project, which may include an incidental service station use, described in Subsection (A) of this PCA is limited to 60-feet in height.”

Mayor Adler adjourned the meeting at 8:51 p.m. without objection.

The minutes were approved on this the 10th day of November 2016 on Council Member Renteria’s motion, Council Member Pool’s second on an 11-0 vote.