



**AUSTIN CITY COUNCIL
MINUTES**

**REGULAR MEETING
THURSDAY, JANUARY 26, 2017**

Invocation:

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, January 26, 2017 in the Council Chambers of City Hall, 301 West Second Street, Austin, Texas.

Mayor Adler called the Council Meeting to order at 10:15 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 December 13, 2016, regular meeting of December 15, 2016, special called meeting of December 22, 2016, and special called meeting of January 6, 2017.
The minutes from the City Council work session of December 13, 2016, regular meeting of December 15, 2016, special called meeting of December 22, 2016 and special called meeting of January 6, 2017 were approved on consent on Council Member Garza's motion, Council Member Pool's second on an 11-0 vote.
2. Approve an ordinance authorizing acceptance of \$100,000 in grant funds from The Schmidt Family Foundation – The 11th Hour Project and amending the Fiscal Year 2016-2017 Operating Budget – Special Revenue Fund of Austin Energy (Ordinance No. 20160914-001) to appropriate \$100,000 for electric vehicle program outreach and education activities, specifically targeting low-and moderate-income communities. (Unanimously recommended by the Electric Utility Commission on a vote of 9-0, with two vacancies.)
Ordinance No. 20170126-002 was approved on consent on Council Member Garza's motion, Council Member Pool's second on an 11-0 vote.
3. Authorize negotiation and execution of an interlocal agreement with the City of Round Rock for the reimbursement of costs related to repairs, improvements, and modifications to the Brushy Creek Regional Wastewater System.
The motion authorizing negotiation and execution of an interlocal agreement with the City of Round Rock was approved on consent on Council Member Garza's motion, Council Member Pool's second on an 11-0 vote.
4. Authorize negotiation and execution of an agreement with United Airlines to replace diesel powered equipment operated by United Airlines with electric equipment by utilizing an

Environmental Protection Agency Diesel Emission Reduction Act grant, for a total contract amount not to exceed \$120,805. (District 2)

This item was withdrawn on consent on Council Member Garza's motion, Council Member Pool's second on an 11-0 vote.

5. Authorize award and execution of a construction contract with PIATRA, INC., for the Austin-Bergstrom International Airport Bus Shelter Improvements project in the amount of \$496,800 plus a \$49,680 contingency, for a total contract amount not to exceed \$546,480. (District 2) (Notes: This contract will be awarded in compliance with City Code Chapter 2-9A of the City Code (Minority Owned and Women Owned Business Enterprise Procurement Program) by meeting the goals with 12.48% MBE and 87.52% WBE participation.)
The motion authorizing award and execution of a construction contract with Piatra, Inc. was approved on consent on Council Member Garza's motion, Council Member Pool's second on an 11-0 vote.
6. Authorize award and execution of a construction contract with GADBERRY CONSTRUCTION COMPANY, INC. for the Elevator Refurbishment Rebid project in the amount of \$2,927,000 plus a \$292,700 contingency, for a total contract amount not to exceed \$3,219,700. (District 2) (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 0.65% MBE and 3.96% WBE participation.)
The motion authorizing award and execution of a construction contract with Gadberry Construction Company, Inc. was approved on consent on Council Member Garza's motion, Council Member Pool's second on an 11-0 vote.
7. Authorize award and execution of a construction contract with, BLASTCO TEXAS, INC., for the Four Points Elevated Tank Improvements Project in the amount of \$2,984,865 plus a \$298,486.50 contingency, for a total contract amount not to exceed \$3,283,351.50.(District 10) (Notes: This contract will be awarded in compliance with Chapter 2-9A of the City Code (Minority Owned and Women Owned Business Enterprise Procurement Program) by meeting the goals with 3.51% MBE and 7.17% WBE participation.)
The motion authorizing award and execution of a construction contract with Blastco Texas, Inc. was approved on consent on Council Member Garza's motion, Council Member Pool's second on a 10-0 vote. Council Member Troxclair abstained.
8. Authorize execution of an indefinite delivery/indefinite quantity contract with FACILITIES REHABILITATION, INC., for water service line replacement, in an amount not to exceed \$1,000,000 for an initial 12-month term, with three 12-month extension options not to exceed \$1,000,000 each for a total contract amount not to exceed \$4,000,000. (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 98.26% MBE and 1.74% WBE participation.)
The motion authorizing execution of an indefinite delivery/indefinite quantity contract with Facilities Rehabilitation, Inc. was approved on consent on Council Member Garza's motion, Council Member Pool's second on an 11-0 vote.
9. Authorize execution of a construction contract with M. A. SMITH CONTRACTING INC, for the Gonzales Lift Station Abandonment Project in the amount of \$1,173,936.60 plus a \$117,393.60 contingency, for a total contract amount not to exceed \$1,291,330.20. (District 3) (Notes: This contract will be awarded in compliance with City Code Chapter 2-9A of the City Code (Minority

Owned and Women Owned Business Enterprise Procurement Program) by meeting the goals with 8.23% MBE and 0.81% WBE participation.)

The motion authorizing execution of a construction contract with M.A. Smith Contracting Inc. was approved on consent on Council Member Garza's motion, Council Member Pool's second on an 11-0 vote.

10. Authorize award and execution of a construction contract with EXCEL CONSTRUCTION SERVICES, LLC for the Montopolis Reclaimed Water Initiative Storage Reservoir and Pump Station project in the amount of \$10,825,000 plus a \$541,250 contingency, for a total contract amount not to exceed \$11,366,250. (District 2) (Notes: This contract will be awarded in compliance with City Code Chapter 2-9A of the City Code (Minority Owned and Women Owned Business Enterprise Procurement Program) by meeting the goals with 9.88% MBE and 7.64% WBE participation.)

The motion authorizing award and execution of a construction contract with Excel Construction Services, LLC was approved on consent on Council Member Garza's motion, Council Member Pool's second on a 10-0 vote. Council Member Troxclair abstained.

11. Authorize negotiation and execution of an amendment to the professional services agreement with BLACK AND VEATCH CORPORATION for engineering services for the Walnut Creek Wastewater Treatment Plant Tertiary Filter Rehabilitation project in the amount of \$1,992,846 for a total contract amount not to exceed \$4,420,248. (District 1) Related to Item #12. (Notes: This contract was awarded in compliance with City Code Chapter 2-9B of the City Code (Minority Owned and Women Owned Business Enterprise Procurement Program) by meeting the goals with 15.80% MBE and 15.80% WBE participation.)

The motion authorizing negotiation and execution of an amendment to the professional services agreement with Black and Veatch Corporation was approved on consent on Council Member Garza's motion, Council Member Pool's second on an 11-0 vote.

12. Authorize execution of a construction contract with PEPPER-LAWSON WATERWORKS, LLC, for the Walnut Creek Wastewater Treatment Plant Tertiary Filter Rehabilitation project in the amount of \$25,218,000 plus a \$1,260,900 contingency, for a total contract amount not to exceed \$26,478,900. (District 1). Related to Item #11. (Notes: This contract will be awarded in compliance with City Code Chapter 2-9A of the City Code (Minority Owned and Women Owned Business Enterprise Procurement Program) by meeting the goals 12.26% MBE and 1.99% WBE participation.)

The motion authorizing execution of a construction contract with Pepper-Lawson Waterworks, LLC. was approved on consent on Council Member Garza's motion, Council Member Pool's second on an 11-0 vote.

13. Authorize negotiation and execution of a professional services agreement with AECOM TECHNICAL SERVICES, Inc., or one of the other qualified responders for Request for Qualifications Solicitation No. CLMP203, to provide engineering services for Walnut Creek Wastewater Treatment Plant Optimization and Facility Plan in an amount not to exceed \$2,000,000. (District 1). (Notes: This contract will be awarded in compliance with City Code Chapter 2-(Minority Owned and Women Owned Business Enterprise Procurement Program) by meeting the goals with 15.80% MBE and 15.80% WBE participation.)

The motion authorizing negotiation and execution of a professional services agreement with AECOM Technical Services, Inc. was approved on consent on Council Member Garza's motion, Council Member Pool's second on an 11-0 vote.

14. Authorize negotiation and execution of a professional services agreement with HARUTUNIAN ENGINEERING, INC., or one of the other qualified responders for Request for Qualifications Solicitation No. CLMP208 to provide engineering services for Walnut Creek Wastewater Treatment Plant Control System Upgrade for a total contract amount not to exceed \$750,000. (District 1) (Notes: This contract will be awarded in compliance with City Code Chapter 2-B (Minority Owned and Women Owned Business Enterprise Procurement Program) by meeting the goals with 16.00% MBE and 84.00% WBE participation.)
The motion authorizing negotiation and execution of a professional services agreement with Harutunian Engineering, Inc. was approved on consent on Council Member Garza's motion, Council Member Pool's second on an 11-0 vote.
15. Authorize award and execution of a construction contract with SANTA CLARA CONSTRUCTION, LTD., for the Wastewater Line Renewal Spot Rehab Service Indefinite Delivery/Indefinite Quantity project in an amount not to exceed \$3,200,000 for an initial 12-month term, with two 12-month extension options, for a total contract amount not to exceed \$9,600,000. (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 6.25% MBE and 0.73% WBE participation.)
The motion authorizing award and execution of a construction contract with Santa Clara Construction, LTD. was approved on consent on Council Member Garza's motion, Council Member Pool's second on an 11-0 vote.
16. Approve an ordinance amending City Code Chapters 2-3 and 2-7 relating to the duties and functions of the City Auditor and the Ethics Review Commission, the code of ethics, and financial disclosure; and creating an offense.
This item was postponed to February 2, 2017 on consent on Council Member Garza's motion, Council Member Pool's second on an 11-0 vote.
17. Authorize negotiation and execution of a twelve-month interlocal agreement with the Capital Area Council of Governments (CAPCOG) for digital aerial imagery through an existing contract between CAPCOG and Fugro Earth Data, Inc. in an amount not to exceed \$59,355.35.
The motion authorizing negotiation and execution of a twelve-month interlocal agreement with the Capital Area Council of Governments (CAPCOG) was approved on consent on Council Member Garza's motion, Council Member Pool's second on an 11-0 vote.
18. Approve an ordinance amending the Fiscal Year 2016-2017 City of Austin Fee Schedule, attached as Exhibit A to Ordinance No. 20160914-003, to change the fee for providing a zoning compliance letter from \$513 to \$35.
This item was withdrawn on consent on Council Member Garza's motion, Council Member Pool's second on an 11-0 vote.

Item 19 was pulled for discussion.

20. Authorize a payment not to exceed \$405,000 for a judgment and associated costs in Lynch v. City of Austin, Cause No. D-1-GN-12-000682 in the 261st Travis County Judicial District, Travis County Texas.
The motion to settle the above referenced lawsuit in an amount not to exceed \$405,000 was approved on consent on Council Member Garza's motion, Council Member Pool's second on an 11-0 vote.

21. Authorize the consent to a partition, partial assignment and assumption of a lease agreement between The Austin Symphony Orchestra Society and Waller Creek Conservancy relating to an existing long-term lease on Symphony Square, located at 1101 Red River. (District 1)
The motion authorizing the consent to a partition, partial assignment and assumption of a lease agreement between The Austin Symphony Orchestra Society and Waller Creek Conservancy was approved on consent on Council Member Garza's motion, Council Member Pool's second on an 11-0 vote.

Items 22 & 23 were pulled for discussion.

24. Authorize the execution of an agreement with 9th Red River, LLC, for partial reimbursement of costs associated with constructing Great Streets streetscape improvements at 805 Neches Street (Holiday Inn Express Hotel) & 810 Red River Street (Indigo Hotel) in an amount not to exceed \$183,454. (District 9)
This item was withdrawn on consent on Council Member Garza's motion, Council Member Pool's second on an 11-0 vote.
25. Authorize negotiation and execution of an interlocal agreement with Travis County related to operation of a central booking facility and related services in the amount of \$6,661,523 for Fiscal Year 2016-2017.
The motion authorizing negotiation and execution of an interlocal agreement with Travis County was approved on consent on Council Member Garza's motion, Council Member Pool's second on a 10-1 vote. Council Member Troxclair voted nay.
26. Approve negotiation and execution of contracts with the following three providers of HIV-related services under the Ryan White Part C HIV Early Intervention grant: CENTRAL TEXAS COMMUNITY HEALTH CENTERS, INC., for a 12-month term beginning January 1, 2017, with five 12-month renewal options in an amount not to exceed \$455,830 for each 12-month term, for a total contract amount not to exceed \$2,734,980; AIDS SERVICES OF AUSTIN, INC., for a 12-month term beginning January 1, 2017, with five 12-month renewal options in an amount not to exceed \$163,360 for each 12-month term, for a total contract amount not to exceed \$980,160; COMMUNITY ACTION OF CENTRAL TEXAS, INC., for a 12-month term beginning January 1, 2017, with five 12-month renewal options in an amount not to exceed \$119,960 for each 12-month term,, for a total contract amount not to exceed \$719,760.
The motion approving negotiation and execution of contracts under the Ryan White Part C HIV Early Intervention grant with Central Texas Community Health Centers, Inc., AIDS Services of Austin, Inc. and Community Action of Central Texas, Inc. was approved on consent on Council Member Garza's motion, Council Member Pool's second on a 10-1 vote. Council Member Troxclair voted nay.
27. Approve an ordinance authorizing acceptance of \$32,228 in additional grant funds from the U.S. COMMITTEE FOR REFUGEES AND IMMIGRANTS (USCRI) and amending the Fiscal Year 2016-2017 Austin Public Health Department Operating Budget Special Revenue Fund (Ordinance No. 20160914-001) to appropriate \$32,228 for the Refugee Health Screening grant program that provides various medical screening services.
Ordinance No. 20170126-027 was approved on consent on Council Member Garza's motion, Council Member Pool's second on an 11-0 vote.
28. Authorize award and execution of a 12-month contract with HD SUPPLY WATERWORKS LTD, to provide gate valves, in an estimated amount of \$207,257, with five 12-month extension options in an estimated of \$207,257 per extension option, for a total contract amount not to

exceed \$1,243,542. (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 insufficient subcontracting opportunities therefore, no subcontracting goals were established.)

The motion authorizing award and execution of a contract with HD Supply Waterworks LTD. was approved on consent on Council Member Garza's motion, Council Member Pool's second on an 11-0 vote.

29. Authorize award and execution of a 24-month contract with SOLOMON CORPORATION, for the sale of used and obsolete transformers, with an estimated revenue amount of \$322,195, with three 12-month extension options in an estimated revenue amount of \$161,097 per extension option, for a total estimated revenue amount of \$805,486. (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.) (Unanimously recommended by the Electric Utility Commission on a vote of 9-0, with two vacancies.)

The motion authorizing and execution of a contract with Solomon Corporation was approved on consent on Council Member Garza's motion, Council Member Pool's second on an 11-0 vote.

30. Authorize negotiation and execution of a 36-month contract through the State of Texas Department of Information Resources cooperative purchasing program with Convergeone, Inc., to provide Avaya IP telephony equipment, professional services, and hardware and software maintenance support, in an amount not to exceed \$3,327,000. (Notes: This procurement will be awarded by a cooperative purchase agreement with the State of 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 Convergeone, Inc. was approved on consent on Council Member Garza's motion, Council Member Pool's second on an 11-0 vote..

31. Authorize award and execution of a 36-month contract with GREENWICH, INC. DBA COMMERCIAL KITCHEN PARTS & SERVICE, to provide kitchen equipment maintenance and repair services in an estimated amount of \$846,759, with three 12-month extension options in an estimated amount of \$282,253 per extension option, for a total contract amount not to exceed \$1,693,518. (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 an insufficient number of certified M/WBES; therefore, no subcontracting goals were established.)

The motion authorizing award and execution of a contract with Greenwich, Inc. doing business as Commercial Kitchen Parts & Service was approved on consent on Council Member Garza's motion, Council Member Pool's second on an 11-0 vote.

32. Authorize award and execution of a 36-month contract with MINER CENTRAL TEXAS, to provide automatic door maintenance, repair, replacement, inspection, and installation services, in an estimated amount of \$316,245, with two 12-month extension options in an estimated amount of \$105,415 per extension option, for a total contract amount not to exceed \$527,075. (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 Miner Central Texas was approved on consent on Council Member Garza's motion, Council Member Pool's second on an 11-0 vote.

33. Authorize an amendment to the contract with SUCCESSFACTORS, AN SAP COMPANY, to provide continued subscription for talent, performance, and learning management software, to increase the term by 24 months in an estimated amount of \$610,158, for two additional 12-month extension options in an estimated amount of \$314,231 for the first extension option, and \$323,658 for the second extension, for a total revised contract amount not to exceed \$2,545,702. (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.) (Unanimously recommended by the Electric Utility Commission on a vote of 9-0, with two vacancies.)

The motion authorizing an amendment to the contract with SuccessFactors, an SAP Company, was approved on consent on Council Member Garza's motion, Council Member Pool's second on an 11-0 vote.

34. Approve an ordinance authorizing negotiation and execution of an advance funding agreement with the Texas Department of Transportation (TxDOT) for the installation of pedestrian safety devices citywide; authorizing the acceptance of \$1,983,750 in grant funds from TxDOT; amending the Fiscal Year 2016-2017 Austin Transportation Department Operating Budget Special Revenue Fund (Ordinance No. 20160914-001) to appropriate \$1,983,750 in grant funds from TxDOT; and amending the Austin Transportation Department Capital Budget (Ordinance No. 20160914-002) to transfer in and appropriate \$1,983,750 from the Austin Transportation Department Operating Budget Special Revenue Fund for the installation of pedestrian safety devices.

Ordinance No. 20170126-034 was approved on consent on Council Member Garza's motion, Council Member Pool's second on an 11-0 vote.

35. Authorize negotiation and execution of an interlocal agreement with the Capital Metropolitan Transportation Authority for the establishment of a public plaza and a permanent downtown rail station on 4th Street, between Red River Street and Trinity Street, and to conduct the necessary process to establish two-way traffic on 5th Street between IH 35 and Brazos Street. (District 9)

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

36. Approve an ordinance authorizing negotiation and execution of an Advance Funding Agreement with the Texas Department of Transportation (TxDOT) to develop and implement an interface to share traffic management data and video between the City and TxDOT; amending the Fiscal Year 2016-2017 Austin Transportation Department Operating Budget Special Revenue Fund (Ordinance No. 20160914-001) to accept and appropriate \$199,840 in grant funds from TxDOT; and amending the Austin Transportation Department Capital Budget (Ordinance 20160914-002) to transfer in and appropriate \$199,840 from the Austin Transportation Department Operating Budget Special Revenue Fund for the data and video sharing project.

Ordinance No. 20170126-036 was approved on consent on Council Member Garza's motion, Council Member Pool's second on an 11-0 vote.

Item 37 was pulled for discussion.

38. Approve a resolution regarding demolished market-affordable units. (Notes: SPONSOR: Mayor Pro Tem Kathie Tovo CO 1: Mayor Steve Adler CO 2: Council Member Leslie Pool CO 3: Council Member Delia Garza CO 4: Council Member Ora Houston)
Resolution No. 20170126-038 was approved on consent on Council Member Garza's motion, Council Member Pool's second on an 11-0 vote.
39. Approve an ordinance waiving or reimbursing certain fees for the Dell Children's Gala fundraising event sponsored by Dell Children's Hospital to be held Saturday, January 28th, 2017 at the Austin Convention Center. (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)
Ordinance No. 20170126-039 was approved on consent on Council Member Garza's motion, Council Member Pool's second on an 11-0 vote.

Item 40 was pulled for discussion.

41. Approve a resolution directing the City Manager to process amendments from Council relating to formation of a Lesbian, Gay, Bisexual, Transgender and Queer (LGBTQ) Quality of Life Advisory Commission. (Notes: SPONSOR: Council Member Jimmy Flannigan CO 1: Mayor Steve Adler CO 2: Council Member Ora Houston CO 3: Council Member Delia Garza CO 4: Council Member Alison Alter)
Resolution No. 20170126-041 was approved on consent on Council Member Garza's motion, Council Member Pool's second on an 11-0 vote.

Item 42 was pulled for discussion.

43. Approve a resolution directing the City Manager to develop a pay for success type of contract proposal for permanent supportive housing for the homeless population in which the City would make payments based on specific outcomes that include a reduction in City costs relating to the homeless population. (Notes: SPONSOR: Mayor Pro Tem Kathie Tovo CO 1: Mayor Steve Adler CO 2: Council Member Leslie Pool CO 3: Council Member Ann Kitchen)
**A friendly amendment was made by Mayor Adler to revise to add the following language to the BE IT RESOLVED clause and was accepted without objection:
"The City Manager should provide information for rental units at or below 120% MFI."**
Resolution No. 20170126-043 was approved as amended on consent on Council Member Garza's motion, Council Member Pool's second on an 11-0 vote.
44. Approve a resolution directing the City Manager to begin testing and implementation for expansion of library services to selected locations to provide for General Citizen Communication via videoconferencing, to be in conformance with City Code, Section 2-5-28; and to develop a methodology to analyze such expansion of services and to identify gaps in access to videoconferencing; and to plan for expanded services and make related reports. (Notes: SPONSOR: Council Member Ann Kitchen CO 1: Council Member Alison Alter CO 2: Council Member Leslie Pool CO 3: Council Member Jimmy Flannigan)
This item was postponed to February 2, 2017 on Council Member Garza's motion, Council Member Pool's second on an 11-0 vote.
45. Approve a resolution supporting safe and affordable access to legal abortions and the work of associated health care providers. (Notes: SPONSOR: Council Member Leslie Pool CO 1: Council

Member Gregorio Casar CO 2: Mayor Steve Adler CO 3: Council Member Delia Garza CO 4: Council Member Ann Kitchen)

Resolution No. 20170126-045 was approved on consent on Council Member Garza's motion, Council Member Pool's second on a 9-1 vote. Council Member Troxclair voted nay. Council Member Houston abstained.

Item 46 was pulled for discussion.

47. Approve an ordinance waiving or reimbursing fees for the 2017 Chinese New Year Celebration event sponsored by the Chinese Society of Austin which is to be held February 4, 2017, at the Asian American Resource Center. (Notes: SPONSOR: Council Member Ora Houston CO 1: Mayor Pro Tem Kathie Tovo CO 2: Council Member Leslie Pool CO 3: Council Member Jimmy Flannigan)

Ordinance No. 20170126-047 was approved on consent on Council Member Garza's motion, Council Member Pool's second on an 11-0 vote.

48. Approve an ordinance waiving or reimbursing certain fees for the Operation Blue Santa's Breakfast which was held on December 2, 2016, at the Palmer Events Center. (Notes: SPONSOR: Mayor Pro Tem Kathie Tovo CO 1: Mayor Steve Adler CO 2: Council Member Delia Garza CO 3: Council Member Sabino "Pio" Renteria)

Ordinance No. 20170126-048 was approved on consent on Council Member Garza's motion, Council Member Pool's second on an 11-0 vote.

49. Approve the waiver or reimbursement of certain fees under City Code Chapter 14-8 for the Women's March on Austin which was held January 21, 2017, at the Texas State Capital. (Notes: SPONSOR: Council Member Delia Garza CO 1: Mayor Pro Tem Kathie Tovo CO 2: Council Member Leslie Pool CO 3: Council Member Ann Kitchen CO 4: Mayor Steve Adler CO 5: Council Member Flannigan)

The motion approving the waiver or reimbursement of certain fees under City Code Chapter 14-8 for the Women's March on Austin was approved on consent on Council Member Garza's motion, Council Member Pool's second on a 10-1 vote. Council Member Troxclair voted nay. Council Member Flannigan contributed an additional \$500 to the fee reimbursement.

Item 50 was a Council Committee Item.

Item 51 was a Closed Public Hearing Item.

Item 52 was an Executive Session Item.

Items 53 through 55 were Zoning Ordinances / Restrictive Covenants (HEARINGS CLOSED)

Items 56 through 88 were Zoning and Neighborhood Plan Amendment Items (Public Hearing and Possible Action).

Items 89 through 92 were public hearing items set for 4:00 p.m.

CITIZENS COMMUNICATIONS: GENERAL

Akwasi Evans - Cultural economic disparity. – **Not Present.**

Julian Reyes - TBA.

Brian Seay - Phantom traffic congestion.

Jeannie Ramirez - Firework issues / Donald Trump.

Zenobia Joseph - Title VI Civil Rights Act of 1964. Capital Metro: Opposition to connections 2025 (service plan) disparate impact regarding Route 392 elimination, Routes 383/392 consolidation, and removal of all 8 buses from North Lamar Transit Center, including 323E to U.S. Post Office Cross Park.

Pinaki Ghosh - Protecting citizens equity in East Austin.

Iris Leija - TBD.

Jennifer Hellow - 7th and Neches (5 step plan)

Koo-Hyun Kim - Democratization of City of Austin. 1) City Attorney should prosecute Austin Community College. 2) Wells Fargo Bank. 3) Governor Greg Abbott. 4) Director of DPS Homeland Security Officer for City of Austin.

Mayor Adler recessed the Council Meeting to go into Executive Session at 12:41 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.

52. 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.

Mayor Adler announced that item 42 would be discussed in executive session.

42. Approve a resolution related to Austin Resource Recovery's curbside textile collection contract. (Notes: SPONSOR: Council Member Ellen Troxclair CO 1: Mayor Steve Adler CO 2: Council Member Ora Houston CO 3: Council Member Ann Kitchen)

Mayor Adler reconvened the meeting at 2:08 p.m.

ZONING AND NEIGHBORHOOD PLAN AMENDMENTS

53. NPA-2016-0010.02 - East Sixth Street Village - District 3 - Approve third reading of 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) for property locally known as 622 Pedernales Street (Lady Bird Lake Watershed) from industry land use to mixed use land use. First Reading approved on September 22, 2016. Vote: 10-0, Council Member Troxclair was off the dais. Second Reading approved on December 15, 2016. Vote: 11-0. Owner/Applicant: 2422 Hidalgo Street, LP (M. Timothy Clark). Agent: 2422 Hidalgo Street, LP (David Cox). City Staff: Maureen Meredith, 512-974-2695.

Ordinance No. 20170126-053 to change the future land use map (FLUM) to mixed land use was approved on Council Member Garza's motion, Council Member Renteria's second on an 11-0 vote.

54. C14-2016-0041 - East Sixth Street Village South - District 3 - Approve third reading of an ordinance amending City Code Title 25 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. First Reading approved on September 22, 2016. Vote: 11-0. Second Reading approved on December 15, 2016. Vote: 11-0. Owner/Applicant: 2416 East Sixth Street, L.P. (David Cox). City Staff: Heather Chaffin, 512-974-2122.

Ordinance No. 20170126-054 for general commercial services-vertical mixed use building-conditional overlay-neighborhood plan (CS-V-CO-NP) combining district zoning was approved on Council Member Garza's motion, Council Member Renteria's second on an 11-0 vote.

55. C14-2016-0043 - East Sixth Street Village North - District 3 – Approve third reading of an ordinance amending City Code Title 25 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. First Reading approved on September 22, 2016. Vote: 11-0. Second Reading approved on December 15, 2016. Vote: 11-0. Owner/Applicant: 2416 East Sixth Street, L.P. (David Cox). City Staff: Heather Chaffin, 512-974-2122.

Ordinance No. 20170126-055 for general commercial services-mixed use-conditional overlay-neighborhood plan (CS-MU-CO-NP) combining district zoning was approved on Council Member Garza's motion, Council Member Renteria's second on an 11-0 vote.

56. NPA-2016-0005.01 - Thrasher Lane Lots - 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 2500, 2508, & 2514 Thrasher Lane (Carson Creek Watershed) from Commercial to Mixed Use land use. Staff Recommendation: To grant Mixed Use and Commercial land use. Planning Commission Recommendation: To be reviewed on January 24, 2017. Owner/Applicant: Dalor, LTD (David Suissa). Agent: Permit Partners (David Cancialosi). City Staff: Maureen Meredith, (512) 974-2695.

This item was postponed to February 16, 2017 at the request of staff on Council Member Garza's motion, Council Member Renteria's second on an 11-0 vote.

57. C14-2016-0070 - Thrasher Lane Lots - District 3 - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 2500, 2508 and 2514 Thrasher Lane (West Country Club Creek and Carson Creek Watersheds) 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. Staff Recommendation: To grant general commercial services-mixed used-conditional overlay-

neighborhood plan (CS-MU-CO-NP) combining district zoning. Planning Commission Recommendation: To be reviewed January 24, 2017. Agent: Permit Partners/David Cancialosi. Owner: Dalor Ltd. (David Suissa). City Staff: Andrew Moore, 512-974-7604.

This item was postponed to February 16, 2017 at the request of staff on Council Member Garza's motion, Council Member Renteria's second on an 11-0 vote.

58. NPA-2016-0005.02 - Montopolis-Ben White FLUM Amendment - 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 6700 and 6800 E. Ben White Blvd., & 2601 Montopolis Drive Lane (Country Club East & Carson Creek Watershed) from Industry to Mixed Use land use. Staff Recommendation: To deny Mixed Use land use. Planning Commission Recommendation: To grant the Applicant's request for an indefinite postponement. Owner/Applicant: Ocampo Partners, Ltd. Agent: Coats Rose (John M. Joseph). City Staff: Maureen Meredith, (512) 974-2695.

This item was postponed indefinitely on Council Member Garza's motion, Council Member Renteria's second on an 11-0 vote.

59. C14-2016-0085 - Montopolis-E. Ben White Zoning - District 3 - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 2601 Montopolis Drive and 6700 and 6800 E. Ben White Boulevard (Country Club East and Carson Creek Watersheds) from limited industrial services-neighborhood plan (LI-NP) combining district zoning to general commercial services-mixed use-neighborhood plan (CS-MU-NP) combining district zoning. Staff Recommendation: To deny general commercial services-mixed use-neighborhood plan (CS-MU-NP) combining district zoning. Planning Commission Recommendation: To grant the Applicant's request for an indefinite postponement. Agent: Coats Rose/John Joseph. Owner: Ocampo Partners Ltd. City Staff: Andrew Moore, 512-974-7604.

This item was postponed indefinitely on Council Member Garza's motion, Council Member Renteria's second on an 11-0 vote.

60. C14-78-220 (RCT) - Montopolis-Ben White Subdivision - District 3 - Conduct a public hearing to terminate a restrictive covenant on property locally known as 6700 & 6800 E. Ben White Blvd and 2601 Montopolis Drive (Country Club East and Carson Creek Watersheds). Staff Recommendation: To grant the termination of the Restrictive Covenant as it relates to this property. Planning Commission Recommendation: To grant the Applicant's request for indefinite postponement. Applicant/Agent: Coats Rose/John Joseph. Owner: Ocampo Partners Ltd. City Staff: Andrew Moore, 512-974-7604.

This item was postponed indefinitely on Council Member Garza's motion, Council Member Renteria's second on an 11-0 vote.

61. NPA-2016-0005.03 – 2509 Montopolis Drive - 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 2507, 2509, 2511 Montopolis, in addition to adjacent 1.36 acre tract (Country Club East) from Industry to Mixed Use land use. Staff Recommendation: To deny Mixed Use land use. Planning Commission Recommendation: To be reviewed on February 14, 2017. Owner/Applicant: John Robert Stratton. City Staff: Maureen Meredith, (512) 974-2695.

This item was postponed to March 2, 2017 at the request of staff on Council Member Garza's motion, Council Member Renteria's second on an 11-0 vote.

62. C14-2016-0113 – 2509 Montopolis – District 3 – Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 2506, 2509 & 2511 Montopolis Drive (West Country Club and Carson Creek Watersheds) 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. Staff Recommendation: To deny general commercial services-mixed use-neighborhood plan (CS-MU-NP) combining district zoning. Planning Commission Recommendation: To be reviewed February 14, 2017. Agent: Graves Dougherty Hearon & Moody (Michael Whellan). Owner: John Robert Stratford. City Staff: Andrew Moore, 512-974-7604.
This item was postponed to March 2, 2017 at the request of staff on Council Member Garza’s motion, Council Member Renteria’s second on an 11-0 vote.
63. NPA-2016-0013.01 - Bouldin Courts - District 9 - Conduct a public hearing and approve an ordinance amending Ordinance No. 020523-32, the Bouldin Creek Neighborhood Plan, an element of the Imagine Austin Comprehensive Plan, to change the land use designation on the future land use map (FLUM) on property locally known as 908, 1000, & 1002 South 2nd Street (East Bouldin Watershed) from Single Family to Higher Density Single Family land use. Staff Recommendation: To grant Higher Density Single Family land use. Planning Commission Recommendation: To grant Higher Density Single Family land use. Owner/Applicant: PSW Homes, LLC (Jarrod Corbell). City Staff: Maureen Meredith, (512) 974-2695.
This item was postponed to February 2, 2017 at the request of the applicant on Council Member Garza’s motion, Council Member Renteria’s second on a 10-0 vote. Mayor Pro Tem Tovo recused herself.
64. C14-2016-0077 - Bouldin Courts - District 9 - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 900, 904, 908, 1000 & 1002 South 2nd Street and 705 Christopher Street (East Bouldin Creek Watershed) community commercial-mixed use-conditional overlay-neighborhood plan (GR-MU-CO-NP) combining district zoning and 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-conditional overlay-neighborhood plan (SF-6-CO-NP) combining district zoning. Planning Commission Recommendation: To grant townhouse and condominium residence-conditional overlay-neighborhood plan (SF-6-CO-NP) combining district zoning. Agent: PSW Homes (Jarred Corbell). Owner: 1st Street Highlands LP (PSW Homes). City Staff: Andrew Moore, 512-974-7604.
This item was postponed to February 2, 2017 at the request of the applicant on Council Member Garza’s motion, Council Member Renteria’s second on a 10-0 vote. Mayor Pro Tem Tovo recused herself.
65. NPA-2016-0016.01 - 3212 E. Cesar Chavez Street - District 3 – Conduct a public hearing and approve an ordinance amending Ordinance No. 030327-12, the Govalle/Johnston Terrace Combined Neighborhood Plan, an element of the Imagine Austin Comprehensive Plan, to change the land use designation on the future land use map (FLUM) on property locally known as 3212 E. Cesar Chavez Street (Colorado River Watershed) from Commercial and Industry to Mixed Use land use. Staff Recommendation: Pending. Planning Commission Recommendation: To be reviewed on January 24, 2017. Owner/Applicant: Painter Enterprises, a Texas Corporation. Agent: Husch Blackwell (Nikelle Meade). City Staff: Maureen Meredith, (512) 974-2695.
This item was postponed to March 2, 2017 at the request of staff on Council Member Garza’s motion, Council Member Renteria’s second on an 11-0 vote.

66. C14-2016-0079 - 3212 E. Cesar Chavez Street – District 3 – Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 3212 East Cesar Chavez Street (Colorado River Watershed) from limited industrial-conditional overlay-neighborhood plan (LI-CO-NP) combining district zoning and general commercial services-conditional overlay-neighborhood plan (CS-CO-NP) combining district zoning to general commercial services-mixed use-vertical mixed use building-conditional overlay-neighborhood plan (CS-MU-V-CO-NP) combining district zoning. Staff Recommendation: Pending. Planning Commission Recommendation: To be reviewed January 24, 2017. Owner: Painter Enterprises Inc. (Donald E. Painter). Applicant: Husch Blackwell LLP (Nikelle Meade). City Staff: Heather Chaffin, 512- 974-2122.
This item was postponed to March 2, 2017 at the request of staff on Council Member Garza’s motion, Council Member Renteria’s second on an 11-0 vote.
67. NPA-2016-0021.01 - Ben White Zoning - District 3 - Conduct a public hearing and approve an ordinance amending Ordinance No. 20061116-055 of the East Riverside/Oltorf Combined Neighborhood Plan, an element of the Imagine Austin Comprehensive Plan, to change the future land use designation on the future land use map (FLUM) on property locally known as 5016 ½ E. Ben White Blvd. (Country Club West/Carson Creek Watershed) from Commercial land use to Mixed Use land use. Staff Recommendation: To grant Commercial land use and Mixed Use land use. Planning Commission Recommendation: To grant Commercial land use and Mixed Use land use. Owner/Applicant: Ashley Gibson). Agent: Brown and Gay Engineers (Steven Buffum, P.E.). City Staff: Maureen Meredith, 512-974-2695.
This item was postponed to February 16, 2017 at the request of the applicant on Council Member Garza’s motion, Council Member Renteria’s second on an 11-0 vote.
68. C14-2016-0069 - Ben White Zoning - District 3 - Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 5016 ½ East Ben White Boulevard (West Country Club and Carson Creek Watersheds) from general commercial services-conditional overlay-neighborhood plan (CS-CO-NP) combining district zoning to general commercial services-mixed use-conditional overlay-neighborhood plan (CS-MU-CO-NP) combining district zoning for Tract 1 and from community commercial-conditional overlay-neighborhood plan (GR-CO-NP) combining district zoning to community commercial-mixed use-conditional overlay -neighborhood plan (GR-MU- CO-NP) combining district zoning for Tract 2. Staff Recommendation: To grant general commercial services-mixed use-conditional overlay-neighborhood plan (CS-MU-CO-NP) combining district zoning for Tract 1 and community commercial-mixed use-conditional overlay-neighborhood plan (GR-MU- CO-NP) combining district zoning for Tract 2. Planning Commission Recommendation: To grant general commercial services -mixed use-conditional overlay- neighborhood plan (CS-MU-CO-NP) for Tract 1; and community commercial-mixed use-conditional overlay-neighborhood plan (GR-MU- CO-NP) combining district zoning for Tract 2. Applicant: Brown & Gay Engineers (Steven Buffum). Owner: Azur Property Investment. City Staff: Andrew Moore, 512-974-7604.
This item was postponed to February 16, 2017 at the request of the applicant on Council Member Garza’s motion, Council Member Renteria’s second on an 11-0 vote.
69. C14-2015-0119 - Neal Mixed Use Zoning - District 9 - Conduct a public hearing and approve an ordinance amending City Code Title 25 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: Not applicable; Case withdrawn by Applicant. Planning Commission Recommendation: Not applicable; Case withdrawn by Applicant. Owner/Applicant:

F. Scott Holdings, LLC (John Neal). Agent: Site Specifics (John Hussey). City Staff: Andrew Moore, 512-974-7604.

This item was withdrawn without objection.

70. C14-2016-0020 - Lantana IV - District 8 - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 7717 Southwest Parkway (Williamson Creek Watershed-Barton Springs Zone) from neighborhood commercial-neighborhood plan (LR-NP) combining district zoning to community commercial-mixed use-neighborhood plan (GR-MU-NP) combining district zoning. Staff Recommendation: Pending. Planning Commission Recommendation: To be reviewed on February 14, 2017. Owner/Applicant: JDI Holding LLC (Douglas Ivey). Agent: Sprouse Shrader Smith PLLC (Terry Irion). City Staff: Andrew Moore, 512-974-7604.
This item was postponed to March 2, 2017 at the request of staff on Council Member Garza's motion, Council Member Renteria's second on an 11-0 vote.
71. C14-2016-0021 - Double Creek Residences - District 5 - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 420 East FM 1626 Road (Onion Creek Watershed) from general commercial services-conditional overlay (CS-CO) combining district zoning, general commercial services-mixed use-conditional overlay (CS-MU-CO) combining district zoning, and community commercial (GR-CO) combining district zoning to general commercial services-mixed use-conditional overlay (CS-MU-CO) combining district zoning. Staff Recommendation: Pending. Zoning and Platting Commission Recommendation: To be reviewed February 7, 2017. Owner/Applicant: Riddell Family Limited Partnership (Jim Henry). Agent: Walters Southwest (Amanda Swor). City Staff: Wendy Rhoades, 512-974-7719.
This item was postponed to March 2, 2017 at the request of staff on Council Member Garza's motion, Council Member Renteria's second on an 11-0 vote.
72. C14-2016-0023.SH - Elysium Park - District 7 - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 3300 Oak Creek Drive (Walnut Creek Watershed) from industrial park-conditional overlay (IP-CO) combining district zoning and rural residence (RR) district zoning to multifamily residence-moderate-high density-conditional overlay (MF-4-CO) combining district zoning. Staff Recommendation: To grant multifamily residence-moderate-high density-conditional overlay (MF-4-CO) combining district zoning. Zoning and Platting Commission Recommendation: To grant multifamily residence-moderate-high density-conditional overlay (MF-4-CO) combining district zoning. The ordinance may include waiver of fees. Owner/Applicant: Two-Way Land, L.P. (John K. Condon). Agent: Waeltz & Prete, Inc. (Antonio A. Prete). City Staff: Sherri Sirwaitis, 512-974-3057. A valid petition has been filed on opposition to this rezoning request.
This item was postponed to February 2, 2017 at the request of the applicant on Council Member Garza's motion, Council Member Renteria's second on an 11-0 vote.
73. C14-2016-0050 - Plaza Saltillo Tract 1/2/3 - District 3 - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 901, 1011, and 1109 E. 5th Street (Waller Creek Watershed) from transit oriented development-neighborhood plan (TOD-NP) combining district zoning to transit oriented development-central urban redevelopment-neighborhood plan (TOD-CURE-NP) combining district zoning. Staff Recommendation: To grant transit oriented development-central urban redevelopment-neighborhood plan (TOD-CURE-NP) combining district zoning. Planning Commission Recommendation: To grant transit oriented development-central urban redevelopment-neighborhood plan (TOD-CURE-NP) combining district zoning. Owner: Capital Metro

Transportation Authority (Shanea Davis). Applicant: Land Use Solutions, LLC (Michele Haussmann). City Staff: Heather Chaffin, 512-974-2122.

This item was postponed to February 9, 2017 at the request of the neighborhood on Council Member Garza's motion, Council Member Renteria's second on an 11-0 vote.

74. C14-2016-0049 - Plaza Saltillo Tract 4/5 - District 3 - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 1211 and 1301 E. 5th Street (Waller Creek Watershed; Lady Bird Lake Watershed) from transit oriented development-neighborhood plan (TOD-NP) combining district zoning to transit oriented development-central urban redevelopment-neighborhood plan (TOD-CURE-NP) combining district zoning. Staff Recommendation: To grant transit oriented development-central urban redevelopment-neighborhood plan (TOD-CURE-NP) combining district zoning. Planning Commission Recommendation: To grant transit oriented development-central urban redevelopment-neighborhood plan (TOD-CURE-NP) combining district zoning. Owner: Capital Metro Transportation Authority (Shanea Davis). Applicant: Land Use Solutions, LLC (Michele Haussmann). City Staff: Heather Chaffin, 512-974-2122.

This item was postponed to February 9, 2017 at the request of the neighborhood on Council Member Garza's motion, Council Member Renteria's second on an 11-0 vote.

75. C14-2016-0051 - Plaza Saltillo Tract 6 - District 3 - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 413 Navasota Street (Lady Bird Lake Watershed) from transit oriented development-neighborhood plan (TOD-NP) combining district zoning to transit oriented development-central urban redevelopment-neighborhood plan (TOD-CURE-NP) combining district zoning. Staff Recommendation: To grant transit oriented development-central urban redevelopment-neighborhood plan (TOD-CURE-NP) combining district zoning. Planning Commission Recommendation: To grant transit oriented development-central urban redevelopment-neighborhood plan (TOD-CURE-NP) combining district zoning. Owner: Capital Metro Transportation Authority (Shanea Davis). Applicant: Land Use Solutions, LLC (Michele Haussmann). City Staff: Heather Chaffin, 512-974-2122.

This item was postponed to February 9, 2017 at the request of the neighborhood on Council Member Garza's motion, Council Member Renteria's second on an 11-0 vote.

77. C14-2016-0071 - 1301 West Koenig Rezoning - District 7 - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 1301 West Koenig Lane (Shoal Creek Watershed) from general commercial services-mixed use-conditional overlay-neighborhood plan (CS-MU-CO-NP) combining district zoning to multifamily residence-highest density-conditional overlay-neighborhood plan (MF-6-CO-NP) combining district zoning for Tract 1 and general commercial services-mixed use-conditional overlay-neighborhood plan (CS-MU-CO-NP) combining district zoning for Tract 2, to change a condition of zoning. Staff Recommendation: To grant multifamily residence-highest density-conditional overlay-neighborhood plan (MF-6-CO-NP) combining district zoning for Tract 1 and general commercial services-mixed use-conditional overlay-neighborhood plan (CS-MU-CO-NP) combining district zoning for Tract 2, to change a condition of zoning. Planning Commission Recommendation: To grant multifamily residence-highest density-conditional overlay-neighborhood plan (MF-6-CO-NP) combining district zoning for Tract 1 and general commercial services-mixed use-conditional overlay-neighborhood plan (CS-MU-CO-NP) combining district zoning for Tract 2, to change a condition of zoning. Owner: Hardeman Family Joint Venture, Ltd. (Bryan Hardeman). Applicant: Smith, Robertson, Elliott & Douglas, L.L.P. (David Hartman). City Staff: Wendy Rhoades, 512-974-7719.

This item was postponed to February 9, 2017 at the request of the applicant on Council Member Garza's motion, Council Member Renteria's second on an 11-0 vote.

78. C14-2016-0087 - 2431 E. Oltorf Street - District 3 - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 2431 E. Oltorf Street (Country Club West Creek Watershed) from community commercial services (GR) district zoning to multifamily residence highest density- conditional overlay (MF-6-CO) combining district zoning. Staff Recommendation: To grant multifamily moderate-high density (MF-4) district zoning. Planning Commission Recommendation: To grant multifamily residence - highest density-conditional overlay (MF-6-CO) combining district zoning. Agent: South Llano/Glen Coleman. Owner: Jimmy Nassour. City Staff: Andrew Moore, 512-974-7604.
The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20170126-078 for multifamily residence - highest density-conditional overlay (MF-6-CO) combining district zoning was approved on Council Member Garza's motion, Council Member Renteria's second on an 11-0 vote.
81. C14-2016-0100 - 1207 W. 22nd Street– District 9 – Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 1207 West 22nd Street (Shoal Creek Watershed) from family residence-conditional overlay-neighborhood plan (SF-3-CO-NP) combining district zoning to single family residence-small lot-neighborhood plan (SF-4A-NP) combining district zoning. Staff Recommendation: To grant single- family residence small lot-conditional overlay-neighborhood plan (SF-4A-CO-NP) combining district zoning. Planning Commission Recommendation: To grant single-family residence small lot-conditional overlay-neighborhood plan (SF-4A-CO-NP) combining district zoning. Owner: Bernard Reingold and Brian Copeland. Applicant: Mike McHone Real Estate (Mike McHone). City Staff: Heather Chaffin, 512-974-2122.
The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20170126-081 for single-family residence small lot-conditional overlay-neighborhood plan (SF-4A-CO-NP) combining district zoning was approved on Council Member Garza's motion, Council Member Renteria's second on an 11-0 vote.
83. C14-2016-0110 - West House, LLC - District 9 - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 1005 West Avenue (Shoal Creek Watershed) from multifamily residence-moderate-high density (MF-4) district zoning to downtown mixed use-conditional overlay (DMU-CO) combining district zoning, as amended. Staff Recommendation: To grant downtown mixed use-conditional overlay (DMU-CO) combining district zoning. Planning Commission Recommendation: To grant downtown mixed use-conditional overlay (DMU-CO) combining district zoning. Owner/Applicant: West House, LLC (Adam Moore). Agent: Hajjar / Peters (Kareem Hajjar). City Staff: Wendy Rhoades, 512-974-7719.
The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20170126-083 for downtown mixed use-conditional overlay (DMU-CO) combining district zoning was approved on Council Member Garza's motion, Council Member Renteria's second on an 11-0 vote.
84. C14-2016-0116 – 1616 E. Oltorf Street – District 3 – Conduct a public hearing and approve an ordinance amending City Code Title 25-2 by rezoning property locally known as 1616 E. Oltorf Street (Harper's Branch Watershed) from community commercial services (GR) district zoning to general commercial services (CS) district zoning. Staff Recommendation: To grant commercial services – conditional overlay (CS-CO) district zoning. Planning Commission Recommendation:

To be reviewed January 24, 2017. Owner/Applicant: 1616 West Sixth St. Ltd/Will Marsh. Agent: Armbrust & Brown PLLC (Richard Suttle). City Staff: Andrew Moore, 512-974-7604.

The public hearing was conducted and a motion to close the public hearing and approve the ordinance on first reading only for commercial services-mixed use conditional overlay (CS-MU-CO) district zoning with the following conditions was approved on Council Member Garza's motion, Council Member Renteria's second on an 11-0 vote. The conditions were:

- No pawn shops
- Drive-in uses would require conditional use permit

85. C14-2016-0117 - Neill-Cochran House Museum - District 9 - Conduct a public hearing and approve an ordinance amending Title 25 by rezoning property locally known as 2310 San Gabriel Street (Waller Creek Watershed) from family residence-historic landmark-neighborhood plan (SF-3-H-NP) combining district zoning to neighborhood commercial-historic landmark-conditional overlay-neighborhood plan (LR-H-CO-NP) combining district zoning. Staff Recommendation: To grant neighborhood commercial-historic landmark-conditional overlay-neighborhood plan (LR-H-CO-NP) combining district zoning. Planning Commission Recommendation: To grant neighborhood commercial-historic landmark-conditional overlay-neighborhood plan (LR-H-CO-NP) combining district zoning. Owner: National Society of the Colonial Dames in Texas. Applicant: Neill-Cochran House Museum (Rowena Dasch). City Staff: Heather Chaffin, 512- 974-2122.

The public hearing was conducted and a motion to close the public hearing and approve the ordinance on first reading only for neighborhood commercial-historic landmark-conditional overlay-neighborhood plan (LR-H-CO-NP) combining district zoning was approved on Council Member Garza's motion, Council Member Renteria's second on an 11-0 vote.

86. C14-2016-0119 - 3119 E Howard Lane - District 1 - Conduct a public hearing and approve an ordinance amending City Code Title 25 by zoning property locally known as 3119 East Howard Lane (Harris Branch Watershed) from interim-rural residence (I-RR) district zoning to limited industrial services (LI) district zoning. Staff Recommendation: To grant warehouse/limited office (W/LO) district zoning, with conditions. Zoning and Platting Commission Recommendation: To grant warehouse/limited office (W/LO) district zoning, with conditions. Owner/Applicant: Peter Pham Phuong. Agent: Jeffrey Ashorn. City Staff: Sherri Sirwaitis, 512-974-3057.

The public hearing was conducted and a motion to close the public hearing and approve the ordinance on first reading only for warehouse/limited office (W/LO) district zoning, with conditions was approved on Council Member Garza's motion, Council Member Renteria's second on an 11-0 vote.

87. C14-2016-0123 - 6914 McNeil Dr. - District 6 - Conduct a public hearing and approve an ordinance amending City Code Title 25 by zoning property locally known as 6914 McNeil Drive (Rattan Creek Watershed) from interim-rural residence (I-RR) district zoning to community commercial (GR) district zoning. Staff Recommendation: To grant community commercial-conditional overlay (GR-CO) combining district zoning. Zoning and Platting Commission Recommendation: To grant community commercial-conditional overlay (GR-CO) combining district zoning. Owner/Applicant: Douglas L. Reynolds. Agent: Thrower Design (A. Ron Thrower). City Staff: Sherri Sirwaitis, 512-974-3057.

The public hearing was conducted and a motion to close the public hearing and approve the ordinance on first reading only for community commercial-conditional overlay (GR-CO) combining district zoning was approved on Council Member Garza's motion, Council Member Renteria's second on an 11-0 vote.

88. C14-2016-0127 - Harris Tract Rezoning - District 8 - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 1608 Barclay Drive (Eanes Creek Watershed; Barton Creek Watershed-Barton Springs Zone) from development reserve (DR) district zoning to single family residence-standard lot (SF-2) district zoning. Staff Recommendation: To grant single-family residence standard lot (SF-2) district zoning. Zoning and Platting Commission Recommendation: To grant single -family residence standard lot (SF-2) district zoning. Applicant: Adam and Megan Harris. Agent: Masterplan (Karen Wunsch). City Staff: Andrew Moore, 512-974-7604.
The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20170126-088 for single -family residence standard lot (SF-2) district zoning was approved on Council Member Garza’s motion, Council Member Renteria’s second on an 11-0 vote.
76. C14-2016-0063.SH - Villas at Vinson Oak Rezone - District 3 - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 4507 and 4511 Vinson Drive (Williamson Creek 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-neighborhood plan (SF-6-NP) combining district zoning. This case involves a S.M.A.R.T. Housing project. Owner/Applicant: Notigius LLC - Series Vinson (Antonio Giustino). Agent: Perales Engineering, LLC (Jerry Perales, P.E.). City Staff: Wendy Rhoades, 512-974-7719. A valid petition has been filed in opposition to this rezoning request.
This item was postponed to February 9, 2017 at the request of the neighborhood and applicant on Council Member Renteria’s motion, Council Member Garza’s second on an 11-0 vote.

DISCUSSION ITEMS

19. Approve an ordinance establishing a pilot program related to sound equipment for certain businesses located on Red River Street.
A motion to approve the item with the amendments listed below was made by Council Member Renteria and seconded by Council Member Casar.

The amendments were:

To revise Part 3 (4) to read: “PILOT PROGRAM VENUE means an outdoor music venue located along Red River Street between 6th and 12th Streets that is permitted as an outdoor music venue as of January 26, 2017.”

To revise Part 5. (A) (B) (C) to read:

“(A) The City Council recommends, as part of the pilot program, the City Manager create an interdepartmental working group that consists of City employees from City departments with regulatory, administrative, or enforcement responsibilities related to outdoor music venues. The City Council recommends the interdepartmental working group meet prior to providing the updates described in Part 5(B) of this ordinance; and recommends the interdepartmental working group meet prior to providing the evaluation described in Part 5(C) of this ordinance. The City Council also recommends the City \ Manager create a dedicated complaint line answered by the Music Office and utilize noise \ sentinels to measure sound levels.”

(B)The City Manager is directed to provide the Music Commission and Council an update on economic impacts, public safety impacts, and sound complaints related to the pilot program every 90 days of the pilot program. At a minimum, factors that should be considered include: sound complaints received from 3-1-1 or received by the Music Office, number of criminal citations, documented violations of sound impact plans, modifications to sound impact plans, tax revenues, sound measurements from non-pilot program venue properties, and costs to the City. Sound measurements means measurements using the “A” or “C” weighting networks.

(C)After the pilot program ends, the City Manager is directed to evaluate the pilot program; and to provide the Music Commission and Council with the evaluation. The evaluation should include any recommended changes to City Code; and should identify stakeholder concerns and comments. At a minimum, a stakeholder is a person who resides or is an organization that operates within the boundaries of the following associations: Downtown Austin Neighborhood Association (“DANA”), North University Neighborhood Association (“NUNA”), Hyde Park, Hancock, and Eastwoods; a person who makes a sound complaint related to the pilot program; and Austin Music Venue Alliance; Austin Neighborhoods Council, Austin Creative Alliance, Red River Merchants Association, Austin Music People, Waller Creek Conservancy, Downtown Austin Alliance, music venues, hotels, and other businesses in or near the Red River Cultural District.”

The following friendly amendments were made by Mayor Pro Tem Tovo and approved without objection:

To revise Part 2 to read: “The pilot program will begin on May 1, 2017.”

To revise Part 5, Subsection C to include:

“Prior to the conclusion of the 6-month period, the City Manager is directed to evaluate the pilot program and to provide the Music Commission and Council with information based on the data and stakeholder input. At the conclusion of the pilot, the City Manager is directed to evaluate the pilot program. The evaluation should include any recommended changes to City Code and should identify stakeholder concerns and comments.”

Direction was given to the City Manager to place an item on the agenda to consider extending the program another 6 months.

A recommendation from staff to revise Part 4, Section (B) (2) to read: “1:30 a.m. to 1:00 a.m. on Fridays or Saturdays” was approved without objection.

A friendly amendment to include the following language to Part 5, Section (C) was made by Council Member Alter and approved without objection. “The evaluation should include information on direct benefits to musicians, venue employees and auxiliary personnel.”

The following amendments to Part 2 of the ordinance were made by Mayor Pro Tem Tovo and approved without objection:

“This ordinance creates a pilot program that authorizes extended decibel limits and hours to operate sound equipment at outdoor music venues located along Red River Street between 6th and 12th Streets (commonly referred to as the “Red River Cultural District”). The pilot program will begin on May 1, 2017. Unless the Council or City Manager determines it is necessary to terminate the program earlier, the pilot program will continue for 12 months if it receives an affirmative vote of the City Council at the 6-month mark.

The City Manager is authorized to terminate this pilot program without further Council action.”

Ordinance No. 20170126-019 was approved as amended above on Council Member Renteria’s motion, Council Member Casar’s second on a 9-1 vote. Council Member Houston voted nay. Council Member Garza abstained.

The following items were taken in a combined motion.

22. Approve a resolution supporting the Austin Children's Outdoor Bill of Rights to increase opportunities for children to learn and play in nature. (Related to Item #23)
Resolution No. 20170126-022 was approved on Council Member Pool’s motion, Council Member Alter’s second on an 11-0 vote.

23. Approve an ordinance amending the Fiscal Year 2016-2017 Parks and Recreation Department Operating Budget Special Revenue Fund (Ordinance No. 20160914-001) to accept \$50,000 in grant funds from the National League of Cities and amending the Fiscal Year 2016-2017 Parks and Recreation Department Capital Budget (Ordinance No. 20160914-002) to transfer in and appropriate \$50,000 from the Parks and Recreation Department Operating Budget Special Revenue Fund for the Connecting Children to Nature Implementation Grant. (Related to Item #22)
Ordinance No. 20170126-023 was approved on Council Member Pool’s motion, Council Member Alter’s second on an 11-0 vote.

37. 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.
A motion to approve the following appointments and certain related waivers was made on Council Member Flannigan’s motion and seconded by Council Member Houston.

A motion to postpone the appointment of Lawrence Rick Jacobi was approved on Council Member Pool’s motion, Council Member Alter’s second on a 7-4 vote. Those voting aye were: Mayor Adler, Mayor Pro Tem Tovo, Council Members Alter, Casar, Garza, Kitchen and Pool. Those voting nay were: Council Members Flannigan, Houston, Renteria and Troxclair.

The following appointments and certain related waivers were approved on Council Member Flannigan’s motion, Council Member Houston’s second on an 11-0 vote.

Removal of Board Member	
Board/Nominee	Nominated by
Historic Landmark Commission Arif Panju	Council Member Flannigan
Zoning & Platting Commission Susan Harris	Council Member Alter
Land Development Code Advisory Group Guy Dudley	Council Member Flannigan

**Land Development Code Advisory Group
Roger Borgelt**

Council Member Alter

Nominations

Board/Nominee

Nominated by

**African American Resource Advisory Commission
Ruthie Redmond***

Council Member Pool

**Airport Advisory Commission
Michael Watry**

Council Member Flannigan

**Airport Advisory Commission
William McDaniel***

Council Member Pool

**Animal Advisory Commission
Edward Flores**

Council Member Flannigan

**Animal Advisory Commission
Craig Nazor***

Council Member Pool

**Arts Commission
Jamie Castillo ***

Council Member Garza

**Board of Adjustment
Brooke Bailey ***

Mayor Adler

**Board of Adjustment (alternate)
Kelly Blume ***

Mayor Adler

**Board of Adjustment (alternate)
Martha Gonzalez ***

Mayor Adler

**Board of Adjustment (alternate)
Pim Mayo**

Mayor Adler

**Board of Adjustment
Bryan King***

Council Member Houston

**Board of Adjustment
James Valdez***

Council Member Renteria

**Board of Adjustment
Melissa Hawthorne ***

Council Member Kitchen

**Board of Adjustment
Don Leighton-Burwell***

Council Member Pool

Board of Adjustment Melissa Neslund*	Council Member Troxclair
Bond Oversight Commission Kristina Hager *	Council Member Garza
Bond Oversight Commission Alice Hammer	Council Member Flannigan
Bond Oversight Commission Linda Guerrero*	Council Member Pool
Building & Fire Code Board of Appeals Aubrey Brasfield *	Council Member Garza
Building & Fire Code Board of Appeals Matt Hart*	Council Member Pool
Building & Standards Commission Natalya Sheddan *	Mayor Adler
Building & Standards Commission Wordy Thompson*	Council Member Renteria
Building & Standards Commission Charles Cloutman *	Council Member Kitchen
Building & Standards Commission Melissa Orren*	Council Member Pool
Building & Standards Commission Brian Talley*	Council Member Troxclair
Building & Standards Commission Andrea Freiburger *	Mayor Pro Tem Tovo
Commission for Women Rossana Barrios *	Council Member Garza
Commission for Women Tanya Athar-Jogee	Council Member Flannigan
Commission for Women Flannery Bope*	Council Member Pool
Commission on Immigrant Affairs Nicole Merritt*	Council Member Pool
Commission on Seniors Billy Jackson	Council Member Garza

Commission on Seniors Erica Garcia-Pittman*	Council Member Pool
Commission on Veterans Affairs Adrenne Mendoza *	Council Member Garza
Commission on Veterans Affairs Pete Salazar*	Council Member Pool
Commission on Veterans Affairs Zach Goldstein	Mayor Pro Tem Tovo
Community Technology & Telecommunication Commission Claudia Yanez	Council Member Garza
Community Technology & Telecommunication Commission Lemuel Williams *	Council Member Flannigan
Community Technology & Telecommunication Commission Mateo Clarke*	Council Member Pool
Construction Advisory Committee Thomas Dodd*	Council Member Pool
Design Commission Martha Gonzalez *	Council Member Garza
Design Commission Beau Frail	Council Member Flannigan
Design Commission Katie Halloran	Council Member Pool
Downtown Austin Community Court Advisory Board Andrew Cates *	Council Member Garza
Downtown Austin Community Court Advisory Board Gary Ponder	Council Member Flannigan
Downtown Austin Community Court Advisory Board Lea Downey Gallatin*	Council Member Pool
Downtown Commission Andrew Harrison	Council Member Flannigan
Downtown Commission Jennifer Bristol*	Council Member Pool
Early Childhood Council Monica Sanchez *	Council Member Garza

Early Childhood Council Rebecca Harrison	Council Member Flannigan
Early Childhood Council Rhonda Paver*	Council Member Pool
Economic Prosperity Commission Kirsha Haverlah *	Council Member Garza
Electric Board Matthew Friestman	Mayor Adler
Electric Board Mark Weaver	Council Member Flannigan
Electric Utility Commission Shudde Fath *	Council Member Garza
Electric Utility Commission Teresa Reel	Council Member Houston
Environmental Commission Marisa Perales *	Council Member Garza
Environmental Commission Peggy Maceo*	Council Member Pool
Ethics Review Commission Peter Einhorn *	Council Member Garza
Ethics Review Commission Brian Thompson*	Council Member Pool
Hispanic/Latino Quality of Life Resource Advisory Commission Jovita Flay	Council Member Flannigan
Hispanic/Latino Quality of Life Resource Advisory Commission Rodolfo Jimenez*	Council Member Pool
Historic Landmark Commission Terri Myers*	Council Member Pool
Human Rights Commission Marshall Bennett	Council Member Flannigan
Human Rights Commission Garry Brown*	Council Member Pool
Joint Inclusion Committee Debasree DasGupta	Asian American Quality of

Library Commission Aimee Finney *	Life Advisory Commission Council Member Garza
Library Commission Chad Williams*	Council Member Pool
MBE/WBE and Small Business Enterprise Procurement Program Advisory Committee Reginald Worlds*	Council Member Pool
Mayor’s Committee for People with Disabilities Tanya Winters*	Council Member Pool
Mechanical, Plumbing & Solar Board David Dixon*	Council Member Pool
Mexican American Cultural Center Advisory Board Blanca Valencia *	Council Member Garza
Mexican American Cultural Center Advisory Board Ricardo Hernandez*	Council Member Pool
Music Commission Rick Carney *	Council Member Garza
Music Commission Barbara Rappaport *	Council Member Flannigan
Music Commission Elizabeth McQueen*	Council Member Pool
Parks & Recreation Board Francoise Luca*	Council Member Pool
Planning Commission Greg Anderson **	Council Member Flannigan
Public Safety Commission Noel Landuyt	Council Member Flannigan
Public Safety Commission Rebecca Webber*	Council Member Pool
Resource Management Commission Derrick Lesnau	Council Member Houston
Resource Management Commission Kaiba White *	Council Member Garza

Resource Management Commission James Babyak	Council Member Flannigan
Resource Management Commission Leo Dielmann*	Council Member Pool
Robert Mueller Municipal Airport Plan Implementation Advisory Commission Michael Jones *	Council Member Garza
Robert Mueller Municipal Airport Plan Implementation Advisory Commission Corky Hilliard*	Council Member Pool
Urban Renewal Board Celina Romero	Mayor Adler
Urban Renewal Board Jana Ortega	Mayor Adler
Urban Transportation Commission Alex Reyna *	Council Member Flannigan
Urban Transportation Commission Kelly Davis*	Council Member Pool
Water & Wastewater Commission Nhat Ho *	Council Member Garza
Water & Wastewater Commission Annie Kellough*	Council Member Pool
Zero Waste Advisory Commission Kaiba White*	Council Member Pool
Zoning & Platting Commission Ana Aguirre *	Council Member Garza
Zoning & Platting Commission V Bruce Evans *	Council Member Flannigan
Zoning & Platting Commission Ann Denkler*	Council Member Pool
Zoning & Platting Commission Jim Duncan	Council Member Alter
Land Development Code Advisory Group Eric Schultz	Council Member Flannigan

**Land Development Code Advisory Group
Christopher Allen**

Council Member Alter

Intergovernmental Bodies

**City of Austin Employees' Retirement System
Elizabeth Gonzales**

Mayor Adler

(* Indicates reappointment of a current member.)

(** Greg Anderson was appointed to fill vacancy for an unexpired term created by resignation of Michael Wilson, who resigned effective February 14, 2017.)

Waivers

Approve a waiver of the residency requirement in Section 2-1-21 of the City Code for the service of Marshall Bennett on the Human Rights Commission.

Approve a waiver of the residency requirement in Section 2-1-21 of the City Code for the service of Charles Cloutman on the Building & Standards Commission.

Approve a waiver of the residency requirement in Section 2-1-21 of the City Code for the service of Thomas Dodd on the Construction Advisory Committee.

Approve a waiver of the residency requirement in Section 2-1-21 of the City Code for the service of Matthew Friestman on the Electric Board.

Approve a waiver of the residency requirement in Section 2-1-21 of the City Code for the service of Annie Kellough on the Water & Wastewater Commission.

Approve a waiver of the residency requirement in Resolution No. 20160811-031 for the service of Ken Rigsbee on the Bond Election Advisory Task Force.

Approve a waiver of the attendance requirement in Section 2-1-26 of the City Code for the service of Brian Thompson on the Ethics Review Commission. The waiver includes absences through today's date.

Approve a waiver under Section 2-1-27(E) of the City Code of the training deadline established by Section 2-1-23(B) of the City Code for the service of Angela Newell on the Community Technology & Telecommunications Commission if the required training by Section 2-1-23 is completed on or before February 26, 2017.

Approve a waiver of the requirement in Section 2-1-21(H) of the City Code for the appointment of Martha Gonzalez. The waiver allows her simultaneous service on the Board of Adjustment and Design Commission.

Approve a waiver of the requirement in Section 2-1-21(H) of the City Code for the appointment of Kaiba White. The waiver allows her simultaneous service on the Zero Waste Advisory Commission and Resource Management Commission.

Approve a waiver of the requirement in Section 2-1-21(H) of the City Code for the appointment of Greg Anderson. The waiver allows his simultaneous service on the Airport Advisory Commission and Planning Commission.

**Approval of Universal Changes to Bylaws for the following Boards:
Music Commission**

Council Committees and Other Intergovernmental Bodies

Approve a resolution appointing members to Council committees and other intergovernmental bodies. (See Attachment A)

Resolution No. 20170126-037 was approved on Council Member Flannigan's motion, Council Member Houston's second on an 11-0 vote.

Mayor Adler stated that in pursuant to City Code § 2-5-102 (E), he appointed Council Members Alison Alter and Jimmy Flannigan to the Mobility Committee and provided written notice to the City Clerk pursuant to the ordinance.

40. Approve a resolution relating to the economic viability of Austin's music and creative industries. (Notes: SPONSOR: Mayor Steve Adler CO 1: Council Member Sabino "Pio" Renteria CO 2: Council Member Gregorio Casar CO 3: Council Member Leslie Pool CO 4: Mayor Pro Tem Kathie Tovo)
Resolution No. 20170126-040 was approved on Mayor Adler's motion, Council Member Pool's second on an 11-0 vote.

PUBLIC HEARINGS

The following items were taken in a combined motion.

89. 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 February 16, 2017 at the request of staff on Mayor Pro Tem Tovo's motion, Council Member Garza's second on a 10-0 vote. Council Member Casar was off the dais.
90. Conduct a public hearing and consider a resolution supporting an application to be submitted to the Texas Department of Housing and Community Affairs by Del Valle 969 Apartments, Ltd., or an affiliated entity, for the new construction of an affordable multi-family development to be located at approximately 14011 FM 969, in the Extraterritorial Jurisdiction of the City of Austin.
This item was postponed to March 2, 2017 at the request of staff on Mayor Pro Tem Tovo's motion, Council Member Garza's second on a 10-0 vote. Council Member Casar was off the dais.
91. Conduct a public hearing and consider a resolution regarding an application to be submitted to the Texas Department of Housing and Community Affairs by Govalle Affordable Housing, L.P., or

an affiliated entity, for low income housing tax credits in connection with the new construction of an affordable multi-family development to be located on Shady Lane within the thinkEAST Planned Unit Development. (District 3)

This item was postponed to February 9, 2017 at the request of staff on Mayor Pro Tem Tovo's motion, Council Member Garza's second on a 10-0 vote. Council Member Casar was off the dais.

92. Conduct a public hearing and consider a resolution regarding an application to be submitted to the Texas Department of Housing and Community Affairs by Pathways at Gaston Place, LP, or an affiliated entity, for low income housing tax credits in connection with the rehabilitation of an affordable multi-family development located at 1941 Gaston Place. (District 1)
- This item was postponed to February 2, 2017 at the request of staff on Mayor Pro Tem Tovo's motion, Council Member Garza's second on a 10-0 vote. Council Member Casar was off the dais.**

DISCUSSION ITEMS CONTINUED

42. Approve a resolution related to Austin Resource Recovery's curbside textile collection contract. (Notes: SPONSOR: Council Member Ellen Troxclair CO 1: Mayor Steve Adler CO 2: Council Member Ora Houston CO 3: Council Member Ann Kitchen)
- This item was postponed to February 2, 2017 on Council Member Houston's motion, Council Member Troxclair's second on an 11-0 vote.**
50. Approve the Parkland Events Taskforce Final Report. (January 24, 2017—Approved by the Parks and Recreation Board on a 8-0 vote with Board Member Vane recusing from the vote and Board Members Larkins and Schmitz absent)
- The motion approving the Parkland Events Taskforce Final Report was approved on Council Member Pool's motion, Council Member Alter's second on an 11-0 vote.**
51. C7a-2016-0003 – Entrada – Approve second and third readings of an ordinance to annex the Entrada annexation area for full purposes (approximately 246 acres in northeastern Travis County south of Wells Branch Parkway at the intersection of Immanuel Road and Crystal Bend Drive; contiguous to District 1). THE PUBLIC HEARINGS FOR THIS ITEM WERE HELD AND CLOSED ON OCTOBER 6 AND 13, 2016.
- This item was postponed indefinitely on Council Member Troxclair's motion, Council Member Houston's second on a 10-1 vote. Mayor Pro Tem Tovo voted nay.**

Mayor Adler recessed the meeting at 5:33 p.m. for Live Music and Proclamations.

LIVE MUSIC

Barton Hills Elementary School Choir

PROCLAMATIONS

Proclamation - Barton Hills Elementary School Choir Appreciation Day - To be presented by Council Member Ann Kitchen and to be accepted by Gavin Tabone, Barton Hills Choir Director

Proclamation - KMFA 50th Anniversary Day - To be presented by Mayor Steve Adler and to be accepted by Ann Hume Wilson, KMFA President and General Manager, and Mandy Dealey, Board Chair

Proclamation - Integral Care 50th Anniversary Day - To be presented by Mayor Pro Tem Kathie Tovo

Mayor Adler reconvened the meeting at 6:47 p.m.

DISCUSSION ITEMS CONTINUED

46. Approve a resolution initiating a City Code amendment to remove the supermajority requirement for the Historic Landmark Commission to recommend historic zoning of a property over the protest of the owner. (Notes: SPONSOR: Mayor Pro Tem Kathie Tovo CO 1: Council Member Leslie Pool CO 2: Council Member Ora Houston CO 3: Council Member Sabino "Pio" Renteria) **Resolution No. 20170126-046 was approved as amended below on Mayor Pro Tem Tovo's motion, Council Member Pool's second on a 9-2 vote. Those voting aye were: Mayor Adler, Mayor Pro Tem Tovo, Council Members Alter, Casar, Flannigan, Houston, Kitchen, Pool and Renteria. Those voting nay were: Council Members Garza and Troxclair.**

The amendment was to revise the 12th Whereas Clause to read:

"WHEREAS, this requirement has resulted in numerous failures to recommend historic designation despite the fact that a majority of Historic Landmark Commission members supported the initiation; and". The amendment was accepted without objection.

79. C14-2016-0096 - 7901 Ranch Road 2222 - District 10 - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 7901 Ranch to Market Road 2222 (West Bull Creek Watershed) from limited office-conditional overlay (LO-CO) combining district zoning to general office-mixed use (GO-MU) combining district zoning. Staff Recommendation: To grant general office-mixed use-conditional overlay (GO-MU-CO) combining district zoning. Zoning and Platting Commission Recommendation: To grant general office-mixed use-conditional overlay (GO-MU-CO) combining district zoning. Owner/Applicant: Malamae/Dentastic, LP (James V. Potter). City Staff: Sherri Sirwaitis, 512-974-3057. A valid petition has been filed in opposition to this rezoning request.

The public hearing was conducted and a motion to close the public hearing and approve the ordinance on first reading only for general office-mixed use-conditional overlay (GO-MU-CO) combining district zoning with the following conditions was approved on Council Member Casar's motion, Council Member Garza's second on a 7-4 vote. Those voting aye were: Mayor Adler, Council Members Casar, Flannigan, Garza, Houston, Renteria and Troxclair. Those voting nay were: Mayor Pro Tem Tovo, Council Members Alter, Pool and Kitchen.

The conditions were:

- Allow a business or trade school as a conditional use,
- Prohibit all other GO uses that are not permitted in the NO zoning district,
- Prohibit Multifamily Residential Use, Art Workshop, Convalescent Services, Communications Services and Cultural Services uses,
- Include a 35-foot building setback/vegetative buffer from the south property line,
- Require that an 8-foot high fence be constructed and maintained along the south property line that abuts the existing residential properties.

- **The maximum height of the building would be limited to 28 feet and may not exceed two stories in height,**
- **Include a 35-foot building setback/vegetative buffer from the west property line,**
- **Limit the hours of operation for a Business or Trade School use on the site from 8:00 A.M. to 6:00 P.M.**

80. C14-2016-0097 - South Congress Residences - District 3 - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 4714 South Congress Avenue (Williamson Creek Watershed) from general commercial services-mixed use-conditional overlay-neighborhood plan (CS-MU-CO-NP) combining district zoning to general commercial services-mixed use-vertical mixed use building-neighborhood plan (CS-MU-V-NP) combining district zoning. Staff Recommendation: To grant general commercial services-mixed use-vertical mixed use building-neighborhood plan (CS-MU-V-NP) combining district zoning. Planning Commission Recommendation: To grant general commercial services-mixed use-vertical mixed use building-neighborhood plan (CS-MU-V-NP) combining district zoning. Owner: Diamond Real Estate Investment, Inc. (Curt Sutherland). Applicant: Guefen Development Company (David Kulkarni). Agent: Alice Glasco Consulting (Alice Glasco). City Staff: Wendy Rhoades, 512-974-7719.

The public hearing was conducted and a motion to close the public hearing and approve the ordinance on first reading only for general commercial services-mixed use-vertical mixed use building-neighborhood plan (CS-MU-V-NP) combining district zoning with the following additional conditions was approved on Council Member Renteria's motion, Council Member Pool's second on an 11-0 vote.

The additional conditions were:

- **Provide 10% of the rental units at 60 percent median family income.**
- **All affordable units will be spread proportionately throughout all unit types and all amenities will be available to the residents of the affordable units.**
- **The building height will not seek a variance to exceed the currently allowed building height of 60 feet.**

In addition, the developer stated they are willing to provide relocation assistance to the existing commercial renters and to provide 1500 square feet of reduced rent equal to 80% of the market rate for a period of five years.

A friendly amendment was made by Council Member Pool to clarify that the building height would be 60 feet from the ground level and accepted without objection.

82. C14-2016-0106 - 4411 SOCO - District 3 - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 4411 South Congress Avenue (Williamson Creek Watershed) from general commercial services-mixed use-neighborhood plan (CS-MU-NP) combining district zoning to general commercial services-mixed use-vertical mixed use building-neighborhood plan (CS-MU-V-NP) combining district zoning. Staff Recommendation: To grant general commercial services-mixed use-vertical mixed use building-neighborhood plan (CS-MU-V-NP) combining district zoning. Planning Commission Recommendation: To grant general commercial services-mixed use-vertical mixed use building-neighborhood plan (CS-MU-V-NP) combining district zoning. Owner: Olivia and Harry Wilke. Applicant: LEMCO Holdings, LLC (David Cox). Agent: Alice Glasco Consulting (Alice Glasco). City Staff: Wendy Rhoades, 512-974-7719.

The public hearing was conducted and a motion to close the public hearing and approve the ordinance on first reading only for general commercial services-mixed use-vertical mixed

use building-neighborhood plan (CS-MU-V-NP) combining district zoning with the following additional conditions was approved on Council Member Renteria's motion, Council Member Casar's second on an 8-2 vote. Those voting aye were: Mayor Adler, Council Members Flannigan, Garza, Houston, Kitchen, Pool, Renteria and Troxclair. Those voting nay were: Mayor Pro Tem Tovo and Council Member Alter. Council Member Casar was off the dais.

The additional conditions were:

- Provide 5% of the rental units at 60 percent median family income or MFI and 5% of the rental units at 80 percent median family income or MFI.
- All affordable units will be spread proportionately throughout all unit types and all amenities will be available to the residents of the affordable units.
- The building height will not seek a variance to exceed the currently allowed building height of 60 feet.

A friendly amendment was made by Council Member Pool to clarify that the building height would be 60 feet from the ground level and accepted without objection.

Mayor Adler adjourned the meeting at 9:56 p.m. without objection.

The minutes were approved on this the 9th day of February 2017 on Council Member Garza's motion, Council Member Troxclair's second on an 11-0 vote.