

**AUSTIN CITY COUNCIL
MINUTES****REGULAR MEETING
THURSDAY, MAY 4, 2017**

Invocation: Pastor Anthony Mays, Mount Sinai Missionary Baptist Church

The following represents the actions taken by the Austin City Council in the order they occurred during the meeting. While the minutes are not in sequential order, all agenda items were discussed. The City Council of Austin, Texas, convened in a regular meeting on Thursday, May 4, 2017 in the Council Chambers of City Hall, 301 West Second Street, Austin, Texas.

Mayor Adler called the Council Meeting to order at 10:12 a.m. Council Member Garza was absent.

CONSENT AGENDA

The following items were acted on by one motion.

1. Approve the minutes of the Austin City Council regular meeting of April 13, 2017, work session of April 18, 2017, budget work session of April 19, 2017 and regular meeting of April 20, 2017. **The minutes from the City Council regular meeting of April 13, 2017, work session of April 18, 2017, budget work session of April 19, 2017 and regular meeting of April 20, 2017 were approved on consent on Council Member Troxclair's motion, Council Member Alter's second on a 10-0 vote. Council Member Garza was absent.**
2. Approve issuance of a rebate to Lodge at Stone Oak Ranch, LLC, for performing energy efficiency improvements at the Lodge at Stone Oak Ranch Apartments located at 5400 Parmer Lane, in an amount not to exceed \$128,441 (District 6). **The motion approving issuance of a rebate to Lodge at Stone Oak Ranch, LLC was approved on consent on Council Member Troxclair's motion, Council Member Alter's second on a 9-1 vote. Council Member Troxclair voted nay. Council Member Garza was absent.**
3. Authorize negotiation and execution of a professional services agreement with the following three staff recommended firms (or other qualified responders) for Request for Qualifications Solicitation No. CLMP219: BAER ENGINEERING AND ENVIRONMENTAL CONSULTING, INC., AECOM TECHNICAL SERVICES, INC., and TRC ENVIRONMENTAL CORP., INC., for engineering services for the 2017 Brownfields Environmental Services Rotation List for an estimated period of five years or until financial authorization is expended, with the total amount not to exceed \$1,200,000.00 divided among the three firms. (Notes: This contract will be awarded in compliance with 49 CFR Part 26 Disadvantaged Business Enterprise Program by meeting the goal with 10.32% DBE participation.) **The motion authorizing negotiation and execution of a professional services agreement with Baer Engineering and Environmental Consulting, Inc., Aecom Technical Services, Inc., and**

TRC Environmental Corp., Inc. was approved on consent on Council Member Troxclair's motion, Council Member Alter's second on a 10-0 vote. Council Member Garza was absent.

4. Approve an ordinance establishing classifications and positions in the classified service of the Austin Fire Department; creating certain positions; establishing pay rates; repealing (Ordinance No. 20160914-004) relating to Fire Department classifications and positions; and declaring an emergency. Related to Item #5
Ordinance No. 20170504-004 was approved on consent on Council Member Troxclair's motion, Council Member Alter's second on a 10-0 vote. Council Member Garza was absent.
5. Approve an ordinance amending the Fiscal Year 2016-2017 Austin Fire Department General Fund Operating Budget (Ordinance No. 20160914-001) to increase the number of authorized positions by one for a lieutenant sworn full-time equivalent which is fully offset by a reimbursement from the Airport Operating Fund. Related to Item #4
Ordinance No. 20170504-005 was approved on consent on Council Member Troxclair's motion, Council Member Alter's second on a 10-0 vote. Council Member Garza was absent.

Item 6 was pulled for discussion.

7. Approve an ordinance amending the Fiscal Year 2016-2017 Management Services Department Operating Budget Special Revenue Fund (Ordinance No. 20160914-001) to accept and appropriate up to \$1,250,000 in grant funds from Bloomberg Philanthropies for the implementation of the Innovation Team program.
Ordinance No. 20170504-007 was approved on consent on Council Member Troxclair's motion, Council Member Alter's second on a 10-0 vote. Council Member Garza was absent.

Item 8 was pulled for discussion.

9. Authorize negotiation and execution of all documents and instruments necessary or desirable to grant a temporary construction easement for approximately 333 square feet of land located on the northeast corner of Interstate Highway 35 and Woodland Avenue, to the TEXAS DEPARTMENT OF TRANSPORTATION (TxDOT), for the TxDOT Mobility Project (District 9).
The motion authorizing negotiation and execution of all documents and instruments necessary or desirable to grant a temporary construction easement was approved on consent on Council Member Troxclair's motion, Council Member Alter's second on a 10-0 vote. Council Member Garza was absent.
10. Approve negotiation and execution of an interlocal agreement with Travis County to analyze the feasibility of co-location opportunities for City and Travis County courthouses in an amount not to exceed \$62,000.
The motion approving negotiation and execution of an interlocal agreement with Travis County was approved on consent on Council Member Troxclair's motion, Council Member Alter's second on a 10-0 vote. Council Member Garza was absent.
11. Approve an ordinance amending the Fiscal Year 2016-2017 Parks and Recreation Department Operating Budget Special Revenue Fund (Ordinance No. 20160914-001) to accept \$1,000,000 in grant funds; and amending the Fiscal Year 2016-2017 Parks and Recreation Department Capital Budget (Ordinance No. 20160914-002) to transfer in and appropriate \$1,000,000 from the Parks and Recreation Department Operating Budget Special Revenue Fund for the Texas Parks and Wildlife Urban Outdoor Recreation Grant Program for improvements to Emma Long Metro Park.

Ordinance No. 20170504-011 was approved on consent on Council Member Troxclair's motion, Council Member Alter's second on a 10-0 vote. Council Member Garza was absent.

Item 12 was pulled for discussion.

13. Approve an ordinance amending the Fiscal Year 2016-2017 Parks and Recreation Department Operating Budget Special Revenue Fund (Ordinance No. 20160914-001) to accept grant funds in the amount of \$500,000; and amending the Fiscal Year 2016-2017 Parks and Recreation Department Capital Budget (Ordinance No. 20160914-002) to transfer in and appropriate \$500,000 from the Parks and Recreation Department Operating Budget Special Revenue Fund for the Texas Parks and Wildlife Urban Indoor Recreation Grant Program for the Dove Springs Recreation Center expansion.

Ordinance No. 20170504-013 was approved on consent on Council Member Troxclair's motion, Council Member Alter's second on a 10-0 vote. Council Member Garza was absent.

14. Approve an ordinance authorizing acceptance of \$118,591 in grant funds from the TEXAS DEPARTMENT OF STATE HEALTH SERVICES, and amending the Fiscal Year 2016-2017 Austin Public Health Department Operating Budget Special Revenue Fund (Ordinance No. 20160914-001) to appropriate \$118,591 for the Infectious Disease Surveillance and Epidemiology Activities grant.

Ordinance No. 20170504-014 was approved on consent on Council Member Troxclair's motion, Council Member Alter's second on a 10-0 vote. Council Member Garza was absent.

15. Authorize negotiation and execution of a 48-month contract with GRID SUBJECT MATTER EXPERTS, LLC, or one of the other qualified offerors to Request For Proposals GAL0025REBID, to provide consulting expertise regarding the replacement of the control systems for electrical grids, and related engineering applications, in an amount of \$1,899,071, with six 12-month extension options in an amount of \$183,488 per extension option, for a total contract amount not to exceed \$3,000,000. (Notes: This solicitation was reviewed for subcontracting opportunities in accordance with City Code Chapter 2-9C Minority Owned and Women Owned Business Enterprise Procurement Program and subcontractor goals were applied to the solicitation. The subcontracting goals were met and the resulting contract will include 2.51% WBE participation.)

The motion authorizing negotiation and execution of a contract with Grid Subject Matter Experts, LLC was approved on consent on Council Member Troxclair's motion, Council Member Alter's second on a 10-0 vote. Council Member Garza was absent.

16. Authorize negotiation and execution of a 24-month contract with THE JW GROUP, INC., or one of the other qualified offerors to Request For Qualification Statements PAX0502, to provide information technology consultant services to the Aviation Department, in an estimated amount of \$1,600,000, with three 12-month extension options in an estimated amount of \$800,000 per extension option, for a total contract amount not to exceed \$4,000,000. (Notes: This solicitation was reviewed for subcontracting opportunities in accordance with City Code Chapter 2-9C Minority Owned and Women Owned Business Enterprise Procurement Program and subcontractor goals were applied to the solicitation. The subcontracting goals were exceeded and the resulting contract will include 5% WBE participation.)

The motion authorizing negotiation and execution of a contract with The JW Group, Inc. was approved on consent on Council Member Troxclair's motion, Council Member Alter's second on a 10-0 vote. Council Member Garza was absent.

Items 17 and 18 were pulled for discussion.

19. Authorize award and execution of a 24-month contract with LONGHORN INTERNATIONAL TRUCKS, for the purchase of aftermarket parts for medium and heavy duty trucks and equipment, in an estimated amount of \$957,000, with three 12-month extension options in an estimated amount of \$478,500 per extension option, for a total contract amount not to exceed \$2,392,500. (Notes: This solicitation was reviewed for subcontracting opportunities in accordance with City Code Chapter 2-9D Minority Owned and Women Owned Business Enterprise Procurement Program. For the goods required for this solicitation, there were an insufficient number of certified M/WBEs and insufficient subcontracting opportunities; therefore, no subcontracting goals were established.)
The motion authorizing award and execution of a contract with Longhorn International Trucks was approved on consent on Council Member Troxclair's motion, Council Member Alter's second on a 10-0 vote. Council Member Garza was absent.
20. Authorize negotiation and execution of a 32-month contract through the U.S. Communities Government Purchasing Alliance cooperative with ADVANCE STORES COMPANY INC. DBA CARQUEST DBA ADVANCE AUTO PARTS, for the purchase of aftermarket parts for light duty vehicles and equipment, in an estimated amount of \$1,536,000, with two 12-month extension options in an estimated amount of \$576,000 per option, for a total contract amount not to exceed \$2,688,000. (Notes: This procurement was reviewed for subcontracting opportunities in accordance with City Code Chapter 2-9C Minority Owned and Women Owned Business Enterprise Procurement Program. For the goods required for this procurement, there were an insufficient number of certified M/WBEs and no subcontracting opportunities; therefore, no subcontracting goals were established.)
The motion authorizing negotiation and execution of a contract with Advance Stores Company Inc. doing business as Carquest doing business as Advance Auto Parts was approved on consent on Council Member Troxclair's motion, Council Member Alter's second on a 10-0 vote. Council Member Garza was absent.
21. Authorize award and execution of four contracts with POWER SUPPLY INC., TEXAS ELECTRIC COOPERATIVES, TECHLINE INC., and HOLZBERG COMMUNICATIONS, to provide capacitor banks and associated parts, with an initial 12-month term, in an estimated amount of \$625,337, with four 12-month extension options in an estimated amount of \$625,337 per extension option, for total contract amounts not to exceed \$3,126,685, divided among the contractors. (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 contracts with Power Supply Inc., Texas Electric Cooperatives, Techline Inc., and Holzberg Communications was approved on consent on Council Member Troxclair's motion, Council Member Alter's second on a 10-0 vote. Council Member Garza was absent.
22. Authorize an amendment to the contracts with PIKE ELECTRIC INC. and DASHIELL CORPORATION to provide continued relay installation, maintenance and testing services, and to increase the term by three months in an amount of \$800,785, for revised total contract amounts not to exceed \$3,358,785, divided among both contractors. (Notes: This contract was awarded in compliance with City Code Chapter 2-9C Minority Owned and Women Owned Business Enterprise Procurement Program. No subcontracting opportunities were identified; therefore, no goals were established for the solicitation.)

The motion authorizing an amendment to the contracts with Pike Electric Inc. and Dashiell Corporation was approved on consent on Council Member Troxclair's motion, Council Member Alter's second on a 10-0 vote. Council Member Garza was absent.

23. Authorize an amendment to the contract with SETON FAMILY OF HOSPITALS DBA DELL CHILDREN'S MEDICAL CENTER OF CENTRAL TEXAS, to provide continued sexual assault medical forensic examination services for children, to increase the funding for the first 12-month extension option in an estimated amount of \$75,000, and to add five additional 12-month extension options in an estimated amount of \$125,000 for the second extension option, \$131,250 for the third extension option, \$137,813 for the fourth extension option, \$144,704 for the fifth extension option, and \$151,939 for the sixth extension option, for a revised total contract amount not to exceed \$865,706. (Notes: This contract was awarded in compliance with City Code Chapter 2-9C Minority Owned and Women Owned Business Enterprise Procurement Program. No subcontracting opportunities were identified; therefore, no goals were established.)
The motion authorizing an amendment to the contract with Seton Family of Hospitals doing business as Dell Children's Medical Center of Central Texas was approved on consent on Council Member Troxclair's motion, Council Member Alter's second on a 10-0 vote. Council Member Garza was absent.
24. Authorize negotiation and execution of a 24-month contract with PRIME CONTROLS, L.P., or one of the other qualified offerors to Request for Proposals MEA0306, to provide installation and upgrades for the control automation systems for Austin Energy's District Cooling Plants, in an estimated amount not to exceed \$1,705,000, with two 12-month extension options in an amount not to exceed \$852,500 per extension option, for a total contract amount not to exceed \$3,410,000. (Notes: This solicitation was reviewed for subcontracting opportunities in accordance with City Code Chapter 2-9C Minority Owned and Women Owned Business Enterprise Procurement Program. For the services required for this solicitation, there were insufficient subcontracting opportunities and an insufficient number of certified M/WBEs; therefore, no subcontracting goals were established.)
The motion authorizing negotiation and execution of a contract with Prime Controls, L.P. was approved on consent on Council Member Troxclair's motion, Council Member Alter's second on a 10-0 vote. Council Member Garza was absent.
25. Authorize award and execution of an interlocal agreement with the CITY OF GRAND PRAIRIE, TEXAS to allow for cooperative procurement of goods and services. (Notes: This contract is exempt from the City Code Chapter 2-9C Minority Owned and Women Owned Business Enterprise Procurement Program; therefore, no subcontracting goals were established.)
The motion authorizing award and execution of an interlocal agreement with the City of Grand Prairie, Texas was approved on consent on Council Member Troxclair's motion, Council Member Alter's second on a 10-0 vote. Council Member Garza was absent.
26. Authorize negotiation and execution of a 12-month contract with BERMEX, INC., or one of the other qualified offerors to Request For Proposals RMJ0310, to provide manual meter reading services for electric and water utility meters, in an amount of \$3,500,000, with four 12-month extension options in an amount of \$3,500,000 per extension option, for a total contract amount not to exceed \$17,500,000. (Notes: This solicitation was reviewed for subcontracting opportunities in accordance with City Code Chapter 2-9C Minority Owned and Women Owned Business Enterprise Procurement Program. For the goods and services required for this solicitation, there were insufficient subcontracting opportunities and no availability of M/WBEs; therefore, no subcontracting goals were established.)

The motion authorizing negotiation and execution of a contract with Bermex, Inc. was approved on consent on Council Member Troxclair's motion, Council Member Alter's second on a 10-0 vote. Council Member Garza was absent.

Items 27 and 28 were pulled for discussion.

29. Approve a resolution declaring the City of Austin's official intent to reimburse itself from proceeds of general obligation bonds to be issued for transportation and mobility-related expenditures in the total amount of \$39,000,000. Related to Item(s) 30 and 31
Resolution No. 20170504-029 was approved on consent on Council Member Troxclair's motion, Council Member Alter's second on a 10-0 vote. Council Member Garza was absent.
30. Approve an ordinance amending the Fiscal Year 2016-2017 Austin Transportation Department Capital Budget (Ordinance No. 20160914-002) to increase appropriations by \$30,500,000 for regional mobility, corridor mobility, bikeways, capital renewal projects and safety, including the City's Vision Zero plan to eliminate traffic-related fatalities; and amending the Fiscal Year 2016-2017 Public Works Department Capital Budget (Ordinance No. 20160914-002) to increase appropriations by \$8,500,000 for sidewalks, safe routes to schools, and urban trails. Related to Item(s) 29 and 31
Ordinance No. 20170504-030 was approved on consent on Council Member Troxclair's motion, Council Member Alter's second on a 10-0 vote. Council Member Garza was absent.
31. Approve an ordinance amending the Fiscal Year 2016-2017 Austin Transportation Department Operating Budget (Ordinance No. 20160914-001) to increase appropriations by \$321,441 and to increase the number of authorized staff positions by seven full-time equivalents to support the 2016 General Obligation Bonds for Transportation and Mobility (2016 Mobility Bond); amending the Fiscal Year 2016-2017 Public Works Department Operating Budget (Ordinance No. 20160914-001) to increase appropriations by \$192,854 and to increase the number of authorized staff positions by five full-time equivalents to support the 2016 Mobility Bond; amending the Fiscal Year 2016-2017 Financial Services Department Operating Budget (Ordinance No. 20160914-001) to increase the number of authorized staff positions by seven full-time equivalents to support the 2016 Mobility Bond; and amending the Fiscal Year 2016-2017 Small and Minority Business Resources Department Operating Budget (Ordinance No. 20160914-001) to increase the number of authorized staff positions by two full-time equivalents to support the 2016 Mobility Bond. Related to Item(s) 29 and 30
Ordinance No. 20170504-031 was approved on consent on Council Member Troxclair's motion, Council Member Alter's second on a 10-0 vote. Council Member Garza was absent.
32. Approve a resolution authorizing negotiation and execution of an Advance Funding Agreement with the Texas Department of Transportation in an amount not to exceed \$17,000,000 for improvements to Parmer Lane/FM 734. (District 6)
Resolution No. 20170504-032 was approved on consent on Council Member Troxclair's motion, Council Member Alter's second on a 10-0 vote. Council Member Garza was absent.
33. Approve a resolution authorizing negotiation and execution of an Advance Funding Agreement with the Texas Department of Transportation in an amount not to exceed \$46,000,000 for improvements to the Loop 360 corridor intersections at Westlake Drive, Courtyard Drive, Lakewood Drive, and Spicewood Springs Road. (District 10).
Resolution No. 20170504-033 was approved on consent on Council Member Troxclair's motion, Council Member Alter's second on a 10-0 vote. Council Member Garza was absent.

34. Approve a resolution authorizing negotiation and execution of one Advance Funding Agreement and two Agreements to Contribute Right-of-Way Funds with the Texas Department of Transportation in a combined amount not to exceed \$7,500,000 for improvements to the intersection of RM 620 and RM 2222 and acquisition of necessary rights of way. (Districts 6 and 10)
Resolution No. 20170504-034 was approved on consent on Council Member Troxclair's motion, Council Member Alter's second on a 10-0 vote. Council Member Garza was absent.
35. Approve appointments and certain related waivers to citizen boards and commissions, to Council committees and other intergovernmental bodies and removal and replacement of members; and amendments to board and commission bylaws.
The following appointments and certain related waivers were approved on consent on Council Member Troxclair's motion, Council Member Alter's second on a 10-0 vote. Council Member Garza was absent.

Nominations

<u>Board/Nominee</u>	<u>Nominated by</u>
<u>Animal Advisory Commission</u> Dr. Lauren Cannon	Council Member Alter
<u>Arts Commission</u> Amy Mok	Council Member Alter
<u>Asian American Quality of Life Advisory Commission</u> Nu Chanpheng	Council Member Garza
<u>Building & Standards Commission</u> Ashley Holmes	Council Member Houston
<u>Commission on Immigrant Affairs</u> Montserrat Garibay	Mayor Pro Tem Tovo
<u>Commission in Immigrant Affairs</u> Abby Anna Batko-Taylor	Council Member Garza
<u>Human Rights Commission</u> Sukyi McMahon	Council Member Casar
<u>MBE/WBE and Small Business Enterprise Procurement Program Advisory Committee</u> Lorene Phillips	Council Member Alter
<u>Mechanical, Plumbing and Solar Board</u> William Harris	Council Member Alter

Waivers

Approve a waiver of the filing deadline for the statement of financial information as prescribed in Sections 2-1-25 and 2-7-72 of the City Code and establishing a new deadline of Thursday, June 8, 2017 for the following members:

Michael Clark-Madison	Urban Renewal Board
Nicole Sunstrum	Urban Renewal Board
Parisa Fatehi	Urban Renewal Board
Jana Ortega	Urban Renewal Board
Michelle Trevino	Historic Landmark Commission
James Shieh	Planning Commission
Stephen Oliver	Planning Commission
Jose Vela	Planning Commission
Tom Nuckols	Planning Commission
Ed Scruggs	Public Safety Commission
Melissa Blanding	Water & Wastewater Commission
Sunil Lavani	Zoning & Platting Commission

36. Approve the waiver or reimbursement of certain fees under City Code Chapter 14-8 for the St. John Unity Walk which was held Saturday, April 29, 2017 at Webb Middle School. (Notes: SPONSOR: Council Member Gregorio Casar CO 1: Council Member Sabino "Pio" Renteria CO 2: Mayor Steve Adler CO 3: Council Member Delia Garza)
The motion approving the waiver or reimbursement of certain fees under City Code Chapter 14-8 for the St. John Unity Walk was approved on consent on Council Member Troxclair's motion, Council Member Alter's second on a 9-0 vote. Council Member Troxclair abstained. Council Member Garza was absent.
37. Approve an ordinance waiving or reimbursing certain fees for the Arab-American Anti-Discrimination Committee Ramadan Iftar Dinner sponsored by the Arab-American Anti-Discrimination Committee which will be held June 10, 2017 at the Asian American Resource Center. (Notes: SPONSOR: Council Member Gregorio Casar CO 1: Council Member Alison Alter CO 2: Council Member Leslie Pool CO 3: Mayor Steve Adler CO 4: Council Member Ann Kitchen)
Ordinance No. 20170504-037 was approved on consent on Council Member Troxclair's motion, Council Member Alter's second on a 9-0 vote. Council Member Troxclair abstained. Council Member Garza was absent.
38. Approve an ordinance amending Ordinance No. 20160623-071 to waive or reimburse certain additional fees, payments, and costs for the City co-sponsored 2016 Austin Symphony July 4th Concert and Fireworks event which was held on July 4, 2016 at Auditorium Shores. (Notes: SPONSOR: Mayor Pro Tem Kathie Tovo CO 1: Mayor Steve Adler CO 2: Council Member Leslie Pool CO 3: Council Member Sabino "Pio" Renteria)
Ordinance No. 20170504-038 was approved on consent on Council Member Troxclair's motion, Council Member Alter's second on a 9-0 vote. Council Member Troxclair abstained. Council Member Garza was absent.
39. Approve a resolution directing the City Manager to explore the use of sustainable robotic delivery devices for in-city deliveries, to determine if City Code amendments or other actions are required to authorize a pilot program to allow use of the devices, and to make a recommendation to

Council by June 30, 2017. (Notes: SPONSOR: Mayor Pro Tem Kathie Tovo CO 1: Mayor Steve Adler CO 2: Council Member Jimmy Flannigan CO 3: Council Member Ora Houston)

Resolution No. 20170504-039 was approved on consent on Council Member Troxclair's motion, Council Member Alter's second on a 10-0 vote. Council Member Garza was absent.

40. Approve the waiver or reimbursement of certain fees under City Code Chapter 14-8 for the Day for the Fallen March event sponsored by the Workers Defense Project which was held March 1, 2017 at the JJ Pickle Federal building. (Notes: SPONSOR: Council Member Ann Kitchen CO 1: Council Member Sabino "Pio" Renteria CO 2: Council Member Leslie Pool CO 3: Council Member Delia Garza CO 4: Mayor Steve Adler)

The motion approving the waiver or reimbursement of certain fees under City Code Chapter 14-8 for the Day for the Fallen March event was approved on consent on Council Member Troxclair's motion, Council Member Alter's second on a 9-0 vote. Council Member Troxclair abstained. Council Member Garza was absent.

41. Approve an ordinance relating to the creation of a temporary plaza in the South Central Waterfront Area; and waiving certain code requirements and associated fees. (Notes: SPONSOR: Mayor Pro Tem Kathie Tovo CO 1: Council Member Delia Garza CO 2: Council Member Ellen Troxclair CO 3: Council Member Sabino "Pio" Renteria)

This item was postponed to May 18, 2017 on consent on Council Member Troxclair's motion, Council Member Alter's second on a 10-0 vote. Council Member Garza was absent.

Item 42 was pulled for discussion.

43. Set a public hearing regarding ATMOS Energy MidTex Corporation's proposal to increase customers' gas rates. (Suggested date and time May 18, 2016, 4:00 p.m. at City Hall, 301 W. Second Street, Austin, TX)

The public hearing was set on consent for May 18, 2017, 4:00 p.m. at 301 W. Second Street, Austin, TX on Council Member Troxclair's motion, Council Member Alter's second on a 10-0 vote. Council Member Garza was absent.

DISCUSSION ITEMS

6. Approve a settlement in Barbara Leffingwell's personal injury claim against the City of Austin.
The motion to settle the above referenced lawsuit by authorizing the City to pay an amount not to exceed \$250,000 was approved on Council Member Renteria's motion, Council Member Houston's second on a 10-0 vote. Council Member Garza was absent.
12. Approve an ordinance amending the Fiscal Year 2016-2017 Parks and Recreation Department Capital Budget (Ordinance No. 20160914-002) to transfer in and appropriate \$993,841 from the Austin Convention Center Department Tourism and Promotion Fund Operating Budget.
Ordinance No. 20170504-012 was approved on Council Member Flannigan's motion, Council Member Pool's second on a 10-0 vote. Council Member Garza was absent.
17. Authorize negotiation and execution of a contract with REMOTEC INC., for an unmanned bomb squad robotic vehicle for the Austin Police Department, in an amount not to exceed \$303,019. (Notes: This contract is exempt from the City Code Chapter 2-9D Minority Owned and Women Owned Business Enterprise Procurement Program; therefore, no subcontracting goals were established.)

The motion authorizing negotiation and execution of a contract with Remotec Inc. was approved on Council Member Houston's motion, Council Member Renteria's second on a 10-0 vote. Council Member Garza was absent.

18. Authorize negotiation and execution of a 24-month contract with ALTA PLANNING + DESIGN, INC., or one of the other qualified offerors to Request For Proposals MMO0302, to implement the Smart Trips program, in an estimated amount of \$600,000, with three 12-month extension options in an estimated amount of \$300,000 per extension option, for a total contract amount not to exceed \$1,500,000. (Notes: This solicitation was reviewed for subcontracting opportunities in accordance with City Code Chapter 2-9C Minority Owned and Women Owned Business Enterprise Procurement Program and subcontractor goals were applied to the solicitation. The subcontracting goals were exceeded and the resulting contract will include 12% MBE participation.)

A motion to approve the item with the following amendment was made by Council Member Alter. The amendment was to require staff to provide an annual report and return to Council before an extension may be granted. The amendment was accepted without objection.

The motion authorizing negotiation and execution of a contract with Alta Planning + Design Inc. was approved as amended above on Council Member Alter's motion on an 8-2 vote. Those voting aye were: Mayor Adler, Mayor Pro Tem Tovo, Council Members Alter, Casar, Flannigan, Kitchen, Pool and Renteria. Those voting nay were: Council Members Houston and Troxclair. Council Member Garza was absent.

27. Approve an ordinance amending the Fiscal Year 2016-2017 Austin Transportation Department Operating Budget (Ordinance No. 20160914-001) to increase transfers out in an amount not to exceed \$500,000; amending the Austin Transportation Department Capital Budget (Ordinance 20160914-002) to transfer in and appropriate up to \$500,000 from the Austin Transportation Department Operating Budget for the conversion of East 5th Street to two lanes eastbound and one lane westbound from Brazos Street to IH 35 to reduce congestion and improve mobility in the downtown area; and authorizing the City Manager to initiate the conversion process and use the authority granted to the City Traffic Engineer to make appropriate operational changes. (District 9)

Ordinance No. 20170504-027 was approved with the following direction on Council Member Kitchen's motion, Council Member Renteria's second on an 8-2 vote. Those voting aye were: Mayor Adler, Mayor Pro Tem Tovo, Council Members Alter, Casar, Flannigan, Kitchen, Pool and Renteria. Those voting nay were: Council Members Houston and Troxclair. Council Member Garza was absent.

Direction was given to staff to make public restrooms a priority in the early phase of the project and to seek joint funding between Capital Metro and the City of Austin.

28. 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 for the financial contribution to storm drain improvements in the project area, in an amount not to exceed \$3,000,000 (District 9).

The motion authorizing negotiation and execution of an interlocal agreement with the Capital Metropolitan Transportation Authority was approved with the following direction on Council Member Kitchen's motion, Council Member Renteria's second on an 8-2 vote. Those voting aye were: Mayor Adler, Mayor Pro Tem Tovo, Council Members

Alter, Casar, Flannigan, Kitchen, Pool and Renteria. Those voting nay were: Council Members Houston and Troxclair. Council Member Garza was absent.

Direction was given to staff to make public restrooms a priority in the early phase of the project and to seek joint funding between Capital Metro and the City of Austin.

42. Set a public hearing to consider an ordinance that continues and readopts City Code Chapter 9-3, relating to juvenile curfews. (Suggested date and time: May 11, 2017, 4:00pm at Austin City Hall, 301 West Second Street, Austin, TX)

A motion to set the public hearing for June 15, 2017 was made by Council Member Casar and seconded by Council Member Troxclair.

A substitute motion to set the public hearing for June 8, 2017 was made by Council Member Pool. The motion failed due to a lack of a second.

The public hearing was set for June 15, 2017, 4:00 p.m. at 301 W. Second Street, Austin, TX on Council Member Casar's motion, Council Member Troxclair's second on a 9-1 vote. Council Member Pool voted nay. Council Member Garza was absent.

8. Approve an ordinance vacating approximately 2,727 square feet of an alley right-of-way, located at 924 E. Dean Keeton, extending from E. Dean Keeton Street to Red River Street, to 927 Dean Keeton Investors, Ltd. (District 9)

Ordinance No. 20170504-008 was approved on Mayor Pro Tem Tovo's motion, Council Member Kitchen's second on a 10-0 vote. Council Member Garza was absent.

CITIZENS COMMUNICATIONS: GENERAL

Lance Keltner - EMS provider in Austin. Why only Acadian?

Greg Webb - Rezoning on Sprinkle Cutoff Road. – **Not Present.**

Koo-Hyun Kim - Crimes committed by 1) ACC 2) Wells Fargo Bank 3) Federal Government

Mayor Adler recessed the Council Meeting to go into Executive Session at 12:15 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.

44. Discuss legal issues related to open government matters (Private consultation with legal counsel - Section 551.071 of the Government Code).

45. Evaluate the performance of, and consider compensation and benefits for, the City Auditor (Personnel matters, Section 551.074 of the Government Code).

This item was withdrawn without objection.

46. Evaluate the performance of, and consider compensation and benefits for, the City Clerk (Personnel matters, Section 551.074 of the Government Code).
This item was withdrawn without objection.
47. Evaluate the performance of, and consider compensation and benefits for, the Municipal Court Clerk (Personnel matters, Section 551.074 of the Government Code).
This item was withdrawn without objection.
48. Evaluate the performance of, and consider compensation and benefits for, the City Manager (Personnel matters, Section 551.074 of the Government Code).
49. Discuss legal issues related to Lake Austin Collective Inc. and Marisa B. Lipscher's claim under the Open Meetings Act against the City of Austin (Private consultation with legal counsel - Section 551.071 of the Government Code).
This item was withdrawn without objection.

Executive session ended and Mayor Adler reconvened the meeting at 3:47 p.m.

Items 44 through 49 were Executive Session Items.

Items 50 and 51 were Zoning Ordinances / Restrictive Covenants Items (HEARINGS CLOSED).

Items 52 through 61 were Zoning and Neighborhood Plan Amendment Items (Public Hearing and Possible Action).

Items 62 through 66 were public hearing items set for 4:00 p.m.

ZONING AND NEIGHBORHOOD PLAN AMENDMENTS

50. NPA-2016-0021.01 –5016 ½ E. Ben White Blvd. - Approve third reading of 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 East Ben White Boulevard (Country Club West Watershed; Carson Creek Watershed) from Commercial land use to Mixed Use land use. First Reading approved on February 16, 2017, vote 10-0. Second Reading approved on March 23, 2017. Vote: 9-2, Council Members Pool and Renteria voted nay. Owner/Applicant: Ashley Gibson. Agent: Brown and Gay Engineers (Steven Buffum, P.E.). City Staff: Maureen Meredith, 512-974-2695.
Ordinance No. 20170504-050 for Mixed Use land use was approved on Council Member Troxclair's motion, Council Member Renteria's second on a 10-0 vote. Council Member Garza was absent.

Direction was given to staff to research the ability on future decisions where Council approves only emergency vehicles and pedestrian and bike access, whether it is possible to require the right-of-way width be sufficient to allow a road to be built in the future.

51. C14-2016-0069 - Ben White Zoning - District 3 - Approve third reading of an ordinance amending City Code Title 25 by rezoning property locally known as 5016-½ East Ben White Boulevard (Country Club West Watershed; Carson Creek Watershed) 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. First Reading approved on February 16, 2016, vote 10-0. Second Reading approved on March 23, 2017, vote 10-0. Applicant/Agent: Brown & Gay Engineers (Steven Buffum). Owner: Azur Property Investment. City Staff: Andrew Moore, 512-974-7604.

Ordinance No. 20170504-051 for 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 was approved on Council Member Troxclair's motion, Council Member Renteria's second on a 10-0 vote. Council Member Garza was absent.

52. 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 and 2511 Montopolis Drive, in addition to adjacent 1.36 acre tract (Country Club East Watershed) from Industry land use to Mixed Use land use. Staff Recommendation: To deny Mixed Use land use. Planning Commission Recommendation: To grant Mixed Use land use. Owner/Applicant: John Robert Stratton. City Staff: Maureen Meredith, 512-974-2695.

This item was postponed to May 18, 2017 at the request of the applicant on Council Member Troxclair's motion, Council Member Renteria's second on a 10-0 vote. Council Member Garza was absent.

53. 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 2507, 2509 and 2511 Montopolis Drive (Country Club East Watershed) 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 grant general commercial services-mixed use-neighborhood plan (CS-MU-CO-NP) combining district zoning. Agent: Drenner Group (Leah Bojo). Owner: John Robert Stratford. City Staff: Andrew Moore, 512-974-7604.

This item was postponed to May 18, 2017 at the request of the applicant on Council Member Troxclair's motion, Council Member Renteria's second on a 10-0 vote. Council Member Garza was absent.

54. C14-2015-0083 - River Place - Districts 6 and 10 -Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as Milky Way Drive (West Bull Creek Watershed) from development reserve (DR) district zoning to single family residence-standard lot-conditional overlay (SF-2-CO) combining district zoning. Staff Recommendation: To grant single family residence-large lot-conditional overlay (SF-1-CO) combining district zoning, with conditions. Zoning and Platting Commission Recommendation: To grant single family residence-large lot-conditional overlay (SF-1-CO) combining district zoning, with conditions. Owner/Applicant: Berta Bradley. Agent: McLean & Howard, LLP (Jeff Howard). City Staff: Sherri Sirwaitis, 512-974-3057.

This item was indefinitely postponed at the request of staff on Council Member Troxclair's motion, Council Member Renteria's second on a 10-0 vote. Council Member Garza was absent.

55. C14-2015-0084 - River Place-Autism Center - Districts 6 and 10 - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as East of River Place Boulevard (West Bull Creek Watershed) from development reserve (DR) district zoning to general office-conditional overlay (GO-CO) combining district zoning. Staff Recommendation: To grant general office-conditional overlay (GO-CO) combining district zoning. Zoning and Platting Commission Recommendation: To grant general office-conditional overlay (GO-CO) combining district zoning. Owner/Applicant: Berta Bradley. Agent: McLean & Howard, LLP (Jeff Howard). City Staff: Sherri Sirwaitis, 512-974-3057.
This item was withdrawn without objection.
59. C14-2017-0007 - 7300 South Congress Avenue Rezoning - District 2 - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as the 7300 South Congress Avenue (South Boggy Creek Watershed) from development reserve (DR) district zoning to townhouse and condominium residence (SF-6) district zoning. Staff Recommendation: To grant townhouse and condominium residence (SF-6) district zoning. Zoning and Platting Commission Recommendation: To grant townhouse and condominium residence (SF-6) district zoning. Owner/Applicant: Elwyn Carol Williams, Jr. Agent: Thrower Design (Ron Thrower). City Staff: Wendy Rhoades, 512-974-7719.
The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20170504-059 for townhouse and condominium residence (SF-6) district zoning was approved on Council Member Troxclair's motion, Council Member Renteria's second on a 10-0 vote. Council Member Garza was absent.
60. C14-2017-0009 - 11444 Manchaca Road - District 5 - Conduct a public hearing and approve an ordinance amending City Code Title 25 by zoning property locally known as the 11444 Manchaca Road (Slaughter 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 be reviewed on May 2, 2017. Owner/Applicant: 720 Lamar Place, L. C. (Guy Oliver). Agent: Husch Blackwell LLP (Nikelle Meade). 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 community commercial-conditional overlay (GR-CO) combining district zoning was approved on Council Member Troxclair's motion, Council Member Renteria's second on a 10-0 vote. Council Member Garza was absent.
61. C14-85-288.22 (RCA) - 7919 W. SH 71 RCA - District 8 - Conduct a public hearing to amend a restrictive covenant on property locally known as 7919 W. SH 71 (Williamson Creek Watershed). Staff Recommendation: To grant the amendment to reduce the allowable impervious cover and increase the floor to area ratio to .4 to 1 and other provisions. Planning Commission Recommendation: To grant the amendment to reduce the allowable impervious cover and increase the floor to area ratio to .4 to 1 and other provisions. Applicant: Metcalfe Wolff Stuart & Williams (Michele R. Lynch). Owner: Ridglea Properties (Stan Caskey). City Staff: Andrew Moore, 512-974-7604.
The public hearing was conducted and a motion to close the public hearing and approve the amendment to the restrictive covenant to reduce the allowable impervious cover and increase the floor to area ratio to .4 to 1 and other provisions was approved on Council Member Troxclair's motion, Council Member Renteria's second on a 10-0 vote. Council Member Garza was absent.

DISCUSSION ITEMS CONTINUED

56. C14-2016-0125 – 13007 Cantarra - District 1 -Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 13007 Cantarra Drive (Harris Branch Watershed) from neighborhood commercial-mixed use-conditional overlay (LR-MU-CO) combining district zoning to neighborhood commercial-mixed use-conditional overlay (LR-MU-CO) combining district zoning, to change a condition of zoning. Staff Recommendation: To grant neighborhood commercial-mixed use-conditional overlay (LR-MU-CO) combining district zoning, with conditions. Zoning and Platting Commission Recommendation: To forward to City Council without a recommendation. Owner/Applicant: Unity Five Investment, LLC (Nasruddin Mahesania). Agent: Alice Glasco Consulting (Alice Glasco). City Staff: Sherri Sirwaitis, 512-974-3057.
This item was postponed to June 15, 2017 at the request of Council on Council Member Houston's motion, Council Member Alter's second on a 10-0 vote. Council Member Garza was absent.

58. C14-2017-0003 – Krisland Property - District 6 - Conduct a public hearing and approve an ordinance amending City Code Title 25 by zoning property locally known as 13033 Pond Springs Road (Lake Creek Watershed) from interim-rural residence (I-RR) district zoning to community commercial (GR) district zoning. Staff Recommendation: To grant community commercial-mixed use (GR-MU) combining district zoning. Zoning and Platting Commission Recommendation: To grant community commercial-mixed use-conditional overlay (GR-MU-CO) combining district zoning. Owner/Applicant: Krisland Property of Texas, LLC (Johan Rahardjo). Agent: Vincent Gerard & Associates (Vincent G. Huebinger). City Staff: Sherri Sirwaitis, 512-974-3057.
A motion approving the ordinance for community commercial-mixed use (GR-MU) combining district zoning was made by Council Member Flannigan and seconded by Council Member Casar.

An amendment to approve the ordinance on first and second reading only for community commercial-mixed use (GR-MU) combining district zoning was approved on Mayor Pro Tem Tovo's motion, Council Member Pool's second on a 6-4 vote. Those voting aye were: Mayor Adler, Mayor Pro Tem Tovo, Council Members Alter, Houston, Kitchen and Pool. Those voting nay were: Council Members Casar, Flannigan, Renteria and Troxclair. Council Member Garza was absent.

The public hearing was conducted and a motion to close the public hearing and approve the ordinance on first and second reading only for community commercial-mixed use (GR-MU) combining district zoning was approved on Council Member Flannigan's motion, Council Member Casar's second on a 10-0 vote. Council Member Garza was absent.

PUBLIC HEARINGS

62. Conduct a public hearing and consider an appeal of the decision of the Historic Landmark Commission to grant a demolition permit for property located at 1207 W. 22½ Street and 1209 W. 22½ Street. (HDP-2016-0468 and HDP-2016-0469) (District 9)
This item was withdrawn without objection.

64. Conduct a public hearing and consider an ordinance amending Ordinance No. 020829-58, relating to restricted parking, to authorize the addition of one new neighborhood association to "Exhibit A" of Ordinance No. 020829-58 under Section 12-5-29 of the City Code.
This item was withdrawn without objection.
65. 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 June 8, 2017 at the request of staff on Council Member Houston's motion, Council Member Alter's second on a 10-0 vote. Council Member Garza was absent.
66. 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 June 8, 2017 at the request of staff on Council Member Houston's motion, Council Member Alter's second on a 10-0 vote. Council Member Garza was absent.
63. Conduct a public hearing and consider a resolution for an application to be submitted to the Texas Department of Housing and Community Affairs by TX Creekview Austin, LP, or an affiliated entity, for the new construction of an affordable multi-family development to be called Creekview Apartment Homes, to be located near the intersection of Old Manor Road and Springdale Road. (District 1)
A motion to close the public hearing and approve Resolution No. 20170504-063 was approved on Council Member Renteria's motion, Council Member Houston's second on an 8-2 vote. Those voting aye were: Mayor Adler, Mayor Pro Tem Tovo, Council Members Alter, Casar, Flannigan, Kitchen, Pool and Renteria. Those voting nay were: Council Members Houston and Troxclair. Council Member Garza was absent.

Mayor Adler recessed the meeting at 5:18 p.m.

LIVE MUSIC

Ashley Borrero

PROCLAMATIONS

Proclamation – Motorcycle Safety and Awareness Month – To be presented by Mayor Pro Tem Kathie Tovo

Proclamation – Building Safety Month – To be presented by Mayor Steve Adler

Proclamation – Mental Health Month and Children's Mental Health Awareness Day – To be presented by Mayor Steve Adler and to be accepted by Christinia Kuehn, Child and Youth Mental Health Planning Partnership ad hoc Committee

Proclamation – CelebrASIA Austin Asian Pacific American Food & Heritage Festival Day – To be presented by Mayor Steve Adler and to be accepted by Taja Beekley, Manager, Asian American Resource Center

Proclamation – Barton Springs Bathhouse 70th Birthday Month – To be presented by Council Member Leslie Pool and to be accepted by Mike Cannatti, President, Barton Springs Conservancy

Proclamation – Digital Inclusion Week – To be presented by Mayor Pro Tem Kathie Tovo and to be accepted by Juanita Budd, Austin Free-Net; Sylvia Blanco, Housing Authority of the City of Austin; and John Speirs, Telecommunications and Regulatory Affairs Department

Mayor Adler reconvened the meeting at 6:26 p.m.

DISCUSSION ITEMS CONTINUED

57. C14-2016-0134 - Pioneer at Walnut Creek - District 1 - Conduct a public hearing and approve an ordinance amending City Code Title 25 by zoning property locally known as 11126 Sprinkle Cutoff Road (Walnut Creek Watershed) from interim-rural residence (I-RR) district zoning to multifamily residence-low density (MF-2) district zoning. Staff Recommendation: To grant townhouse and condominium residence (SF-6) district zoning. Zoning and Platting Commission Recommendation: To grant townhouse and condominium residence (SF-6) district zoning. Owner/Applicant: Nirav Amin. Agent: Vincent Gerard & Associates (Vincent G. Huebinger). 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 townhouse and condominium residence (SF-6) district zoning was approved on Council Member Houston's motion, Mayor Pro Tem Tovo's second on a 10-0 vote. Council Member Garza was absent.

Direction was given to staff to provide recommendations on providing sidewalks that would link the property and Samsung; an update on the status of the capital improvement projects being planned by the City and County regarding arterial extensions for Braker Lane; and to provide the daily and peak trip counts for the road.

Mayor Adler adjourned the meeting at 7:00 p.m. without objection.

The minutes were approved on this the 11th day of May 2017 on Council Member Houston's motion, Council Member Pool's second on an 11-0 vote.