

**AUSTIN CITY COUNCIL
MINUTES****REGULAR MEETING
THURSDAY, MAY 18, 2017**

Invocation: Major Jeremy Stirm, Chaplain, Texas Army National Guard; Memorial Day proclamation – To be presented by Mayor Steve Adler and to be accepted by the family of Danny Dietz

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 18, 2017 in the Council Chambers of City Hall, 301 West Second Street, Austin, Texas.

Mayor Adler called the Council Meeting to order at 10:35 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 May 9, 2017 and regular meeting of May 11, 2017.
The minutes from the City Council work session of May 9, 2017 and regular meeting of May 11, 2017 were approved on consent on Council Member Garza's motion, Council Member Kitchen's second on an 11-0 vote.

Item 2 was pulled for discussion.

3. Authorize execution of change order #2 plus additional contingency to the construction contract with FACILITIES REHABILITATION, INC. (MBE - MH) for the West Bank and Los Altos Lift Stations Rehabilitation project in the amount of \$74,626 for a total contract amount not to exceed \$1,526,711. (District 10) (Notes: This contract was awarded in compliance with City Code Chapter 2-9A Minority Owned and Women Owned Business Enterprise Procurement Program by meeting the goals with 67.95% MBE and 16.95% WBE participation.)
The motion authorizing execution of change order number two plus additional contingency to the construction contract with Facilities Rehabilitation, Inc. was approved on consent on Council Member Garza's motion, Council Member Kitchen's second on an 11-0 vote.
4. Authorize execution of change order #14 to the construction contract with SANTA CLARA CONSTRUCTION, LTD (MBE - MH), for the Southeast Allandale Neighborhood Water and Wastewater Improvements project in the amount of \$270,074, for a total contract amount not to exceed \$4,412,084.78. (Districts 7 and 10) (Notes: This contract was awarded in compliance with City Code Chapter 2-9A (Minority Owned and Women Owned Business Enterprise Procurement Program) by meeting the goals with 71.22% MBE and 0.95% WBE participation.)

The motion authorizing execution of change order number 14 to the construction contract with Santa Clara Construction, LTD was approved on consent on Council Member Garza's motion, Council Member Kitchen's second on a 10-1 vote. Council Member Troxclair voted nay.

5. Authorize execution of change order #6 to the construction contract with MOUNTAIN CASCADE OF TEXAS, LLC, for the Boyce Lane Water Main project in the amount of \$215,050, for a total contract amount not to exceed \$5,566,471.30. (District 1) (Notes: This contract was awarded in compliance with City Code Chapter 2-9A (Minority Owned and Women Owned Business Enterprise Procurement Program) by meeting the goals with 21.54% MBE and 4.46% WBE participation.)

The motion authorizing execution of change order number six to the construction contract with Mountain Cascade of Texas, LLC was approved on consent on Council Member Garza's motion, Council Member Kitchen's second on an 11-0 vote.

6. Authorize negotiation and execution of an amendment to the professional services agreement with BROWN REYNOLDS WATFORD ARCHITECTS, INC., for additional architectural services for the Onion Creek Fire/EMS Facility project in the amount of \$23,835, for a total contract amount not to exceed \$530,835. (Notes: This contract was awarded in compliance with City Code Chapter 2-9B (Minority Owned and Women Owned Business Enterprise Procurement Program) by meeting the goals with 46.63 % MBE and 21.41 % WBE participation to date.)

The motion authorizing negotiation and execution of an amendment to the professional services agreement with Brown Reynolds Watford Architects, Inc. was approved on consent on Council Member Garza's motion, Council Member Kitchen's second on an 11-0 vote.

7. Authorize negotiation and execution of an amendment to the professional services agreement with CH2M HILL, INC., for additional professional engineering services for the Walnut Creek Wastewater Treatment Plant Secondary Process Improvements project in an amount of \$104,086.20 for a total contract amount not to exceed \$1,659,086.20. (Notes: This contract was awarded in compliance with City Code Chapter 2-9B (Minority Owned and Women Owned Business Enterprise Procurement Program) by meeting the goals with 15.32 % MBE and 19.96 % WBE participation to date.)

The motion authorizing negotiation and execution of an amendment to the professional services agreement with CH2M Hill, Inc. was approved on consent on Council Member Garza's motion, Council Member Kitchen's second on a 10-0 vote. Council Member Troxclair abstained.

8. Authorize negotiation and execution of a commission agreement with Beili Liu, in an amount not to exceed \$202,500 for artwork for the Austin Energy District Cooling Plant #3 Project (District 9).

The motion authorizing negotiation and execution of a commission agreement with Beili Liu was approved on consent on Council Member Garza's motion, Council Member Kitchen's second on a 10-1 vote. Council Member Troxclair voted nay.

9. Authorize negotiation and execution of a design agreement with Marc Fornes, dba THEVERYMANY, in an amount not to exceed \$1,550,000 for artwork at Austin-Bergstrom International Airport Parking Garage/Administration Building Project (District 2).

The motion authorizing negotiation and execution of a design agreement with Marc Fornes doing business as Theverymany was approved on consent on Council Member Garza's motion, Council Member Kitchen's second on a 9-1 vote. Council Member Troxclair voted nay. Council Member Houston abstained.

10. Authorize negotiation and execution of a commission agreement with Janet Zweig, in an amount not to exceed \$950,000, for artwork for the Terminal/Apron Expansion and Improvement Project at Austin-Bergstrom International Airport. (District 2).
The motion authorizing negotiation and execution of a commission agreement with Janet Zweig was approved on consent on Council Member Garza's motion, Council Member Kitchen's second on a 9-1 vote. Council Member Troxclair voted nay. Council Member Houston abstained.
11. Approve a resolution creating the Art Space Assistance Program as an economic development program of the City, and approve program guidelines.
This item was postponed to June 8, 2017 on consent on Council Member Garza's motion, Council Member Kitchen's second on an 11-0 vote.

Items 12 through 15 were pulled for discussion.

16. Authorize negotiation and execution of an interlocal agreement with AUSTIN TRAVIS COUNTY MENTAL HEALTH MENTAL RETARDATION CENTER D/B/A INTEGRAL CARE (IC) for the Homelessness Outreach Street Team (HOST), to connect homeless individuals with services necessary to begin their process of stability and recovery, in the amount of \$242,354, for the period October 1, 2016 through September 30, 2017.
The motion authorizing negotiation and execution of an interlocal agreement with Austin Travis County Mental Health Mental Retardation Center doing business as Integral Care was approved on consent on Council Member Garza's motion, Council Member Kitchen's second on an 11-0 vote.
17. Approve an ordinance (i) vacating three right of way segments containing an approximately 2,361 square foot portion of Whittier Street and two portions of alley of approximately 622 square feet, adjacent to East Martin Luther King Jr. Boulevard and east of Interstate Highway-35 service road; (ii) vacating a right of way segment containing approximately 1,300 square feet of an alley between East 20th Street and East 21st Street and west of Leona Street; and (iii) vacating three right of way segments containing an approximately 17,838 square foot portion of Concho Street, approximately 277 square feet of an alley between Concho Street and Leona Street, and approximately 1,848 square feet of an alley between Comal Street and Concho Street, all being located north of East 21st Street and south of East 22nd Street, to the BOARD OF REGENTS OF THE UNIVERSITY OF TEXAS SYSTEM (District 1).
Ordinance No. 20170518-017 was approved on consent on Council Member Garza's motion, Council Member Kitchen's second on an 11-0 vote.
18. Approve a resolution initiating amendments to City Code Chapter 25-2 to create a new Rosewood Park Capitol View Corridor, and directing the City Manager to process the amendment to be presented to Council on or before August 17, 2017.
Resolution No. 20170518-018 was postponed indefinitely on consent on Council Member Garza's motion, Council Member Kitchen's second on an 11-0 vote.
19. Approve a resolution authorizing the application for and acceptance of \$452,219 in grant funding from the Texas Automobile Burglary and Theft Prevention Authority to continue the Austin Police Department project entitled the APD Auto Burglary and Theft Interdiction Project.
Resolution No. 20170518-019 was approved on consent on Council Member Garza's motion, Council Member Kitchen's second on an 11-0 vote.

20. Authorize negotiation and execution of Amendment No. 5 with Central Texas Food Bank, Inc. to increase funding for the provision of food and Supplemental Nutrition Assistance Program services in an amount not to exceed \$88,246 for the current contract period ending September 30, 2018, and increase funding for the three remaining 12-month renewal options in an amount not to exceed \$65,483 per renewal option, for a total revised agreement amount not to exceed \$1,748,603.
The motion authorizing negotiation and execution of amendment number five with Central Texas Food Bank, Inc. was approved on consent on Council Member Garza's motion, Council Member Kitchen's second on an 11-0 vote.
21. Approve an ordinance amending the Fiscal Year 2016-2017 Public Works Department Capital Budget (Ordinance Number 20160914-002) to appropriate \$425,000 from a claim settlement to reconstruct 7th Street intersections.
Ordinance No. 20170518-021 was approved on consent on Council Member Garza's motion, Council Member Kitchen's second on an 11-0 vote.
22. Authorize negotiation and execution of an amendment to the interlocal agreement with Williamson County for Forest North, Pearson Ranch Road, Bayswater Gardens, and Lakeline Boulevard Improvement Projects in the amount of \$229,450.96 for a total contract amount not to exceed \$1,638,884.05. (District 6)
The motion authorizing negotiation and execution of an amendment to the interlocal agreement with Williamson County was approved on consent on Council Member Garza's motion, Council Member Kitchen's second on an 11-0 vote.
23. Authorize negotiation and execution of seven contracts with GRAYBAR ELECTRIC COMPANY, INC.; CRAWFORD ELECTRIC SUPPLY COMPANY, INC.; DEALERS ELECTRICAL SUPPLY; ELLIOTT ELECTRIC SUPPLY, INC.; FACILITY SOLUTIONS GROUP, INC.; HILL COUNTRY ELECTRIC SUPPLY, L.P.; and SUMMIT ELECTRIC SUPPLY CO, INC. through the cooperative purchasing programs U.S. Communities Government Purchasing Alliance, and the Local Government Purchasing Cooperative, administered by Texas Association of School Boards (BuyBoard) with an initial term up to 19 months, to provide electrical parts and supplies, in an amount of \$1,740,000, with four 12-month extension options in an amount of \$1,100,000 per extension option, for total contract amounts not to exceed \$6,140,000, divided among the contractors. (Notes: This procurement was reviewed for subcontracting opportunities in accordance with City Code Chapter 2-9D Minority Owned and Women Owned Business Enterprise Procurement Program. For the goods required for this procurement, there were insufficient subcontracting opportunities; therefore, no subcontracting goals were established.)
The motion authorizing negotiation and execution of seven contracts with Graybar Electric Company, Inc.; Crawford Electric Supply Company, Inc.; Dealers Electrical Supply; Elliot Electric Supply, Inc.; Facility Solutions Group, Inc.; Hill Country Electric Supply, L.P.; and Summit Electric Supply Co, Inc. was approved on consent on Council Member Garza's motion, Council Member Kitchen's second on an 11-0 vote.

Item 24 was pulled for discussion.

25. Authorize negotiation and execution of four 24-month contracts with ABESCAPE GROUP LLC; GREAT WESTERN MANAGED SERVICES CORPORATION (WBE); GREATER TEXAS LANDSCAPE, INC.; and PAMPERED LAWNS, AUSTIN, INC., to provide grounds maintenance for medians, orphan properties, ponds and creeks, rights of way, and urban trails, in a total estimated amount of \$4,050,000, with three 12-month extension options for a total

estimated amount of \$2,025,000 per extension option, for a total contract amount not to exceed \$10,125,000, divided among the contractors. (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 no subcontracting opportunities; therefore, no subcontracting goals were established.)

The motion authorizing negotiation and execution of four contracts with Abescape Group LLC; Great Western Managed Services Corporation; Greater Texas Landscape, Inc.; and Pampered Lawns, Austin, Inc. was approved on consent on Council Member Garza's motion, Council Member Kitchen's second on a 10-1 vote. Council Member Houston voted nay.

Item 26 was pulled for discussion.

27. Authorize negotiation and execution of a 36-month contract through the State of Texas Department of Information Resources (DIR) cooperative purchasing program with SIRIUS COMPUTER SOLUTIONS, INC., for the purchase of IBM software licenses and support, professional services, and managed services, in an amount not to exceed \$12,326,680. (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 and services required for this procurement, there were insufficient subcontracting opportunities; therefore, no subcontracting goals were established. Electric Utility Commission Recommendation: Recommended unanimously by the Electric Utility Commission on May 15, 2017 on a 9-0 vote, with two vacancies.)

The motion authorizing negotiation and execution of a contract with Sirius Computer Solutions, Inc. was approved on consent on Council Member Garza's motion, Council Member Kitchen's second on an 11-0 vote.

Items 28 and 29 were pulled for discussion.

30. Authorize award and execution of a 12-month contract with NOLAN POWER GROUP, LLC, to provide 130 volt battery banks and battery testing services, in an amount of \$381,721, with four 12-month extension options in an amount of \$381,721 per extension option, for a total contract amount not to exceed \$1,908,605. (Notes: This solicitation was reviewed for subcontracting opportunities in accordance with City Code Chapter 2-9C Minority Owned and Women Owned Business Enterprise Procurement Program. For the goods and services required for this solicitation, there were insufficient subcontracting opportunities; therefore, no subcontracting goals were established.)

The motion authorizing award and execution of a contract with Nolan Power Group, LLC was approved on consent on Council Member Garza's motion, Council Member Kitchen's second on an 11-0 vote.

31. Authorize award and execution of a 36-month contract with CAPITOL AGGREGATES INC., to provide hydraulic cement, in an estimated amount of \$1,290,000, with two 12-month extension options in an estimated amount of \$450,000 for the first extension option, and \$475,000 for the second extension option, for a total contract amount not to exceed \$2,215,000. (Notes: This solicitation was reviewed for subcontracting opportunities in accordance with City Code Chapter 2-9D Minority Owned and Women Owned Business Enterprise Procurement Program. For the goods required for this solicitation, there were no certified M/WBEs; therefore, no subcontracting goals were established.)

The motion authorizing award and execution of a contract with Capitol Aggregates Inc. was approved on consent on Council Member Garza's motion, Council Member Kitchen's second on an 11-0 vote.

32. Authorize negotiation and execution of a 12-month contract with 3M COGENT, INC., to provide maintenance, support and system upgrades for the Cogent automated fingerprint identification system, in an amount of \$198,942, with four 12-month extension options in an amount of \$41,742 for the first extension option, \$42,993 for the second extension option, \$44,284 for the third extension option, and \$45,612 for the fourth extension option, for a total contract amount not to exceed \$373,573. (Notes: This contract is exempt from the City Code Chapter 2-9C Minority Owned and Women Owned Business Enterprise Procurement Program; therefore, no subcontracting goals were established.)

The motion authorizing negotiation and execution of a contract with 3M Cogent, Inc. was approved on consent on Council Member Garza's motion, Council Member Kitchen's second on an 11-0 vote.

33. Authorize negotiation and execution of a 24-month contract with SAFETEC COMPLIANCE SYSTEMS, INC., or one of the other qualified offerors to Request For Proposals JRD0315, to provide safety data sheet management system and chemical inventory services, for hazardous materials and chemicals, in an estimated amount of \$320,000, with three 12-month extension options in an estimated amount of \$160,000 per extension option, for a total contract amount not to exceed \$800,000. (Notes: This solicitation was reviewed for subcontracting opportunities in accordance with City Code Chapter 2-9C Minority Owned and Women Owned Business Enterprise Procurement Program. For the services required for this solicitation, there were no subcontracting opportunities; therefore, no subcontracting goals were established.)

The motion authorizing negotiation and execution of a contract with Safetec Compliance Systems, Inc. was approved on consent on Council Member Garza's motion, Council Member Kitchen's second on an 11-0 vote.

34. Authorize negotiation and execution of a professional services agreement with the following five staff recommended firms (or other qualified responders) for Request for Qualifications Solicitation No. CLMP217: PARSONS BRINCKERHOFF, INC.; HALFF ASSOCIATES, INC.; AECOM TECHNICAL SERVICES, INC.; KIMLEY-HORN AND ASSOCIATES, INC.; and URBAN DESIGN GROUP PC (WBE-FW), for engineering services for the 2017 Corridor Mobility Preliminary Engineering Reports Rotation List, for an estimated period of two years or until financial authorization is expended, with the total amount not to exceed \$2,500,000 divided among the five firms. (Districts 1, 2, 3, 4, 5, 7, 9, 10) (Notes: This contract will be awarded in compliance with City Code Chapter 2-9B (Minority Owned and Women Owned Business Enterprise Procurement Program) by meeting the goals with 15.80% MBE and 15.80% WBE participation.)

The motion authorizing negotiation and execution of a professional services agreement with Parsons Brinckerhoff, Inc.; Halff Associates, Inc.; Aecom Technical Services, Inc.; Kimley-Horn and Associates, Inc. and Urban Design Group PC was approved on consent on Council Member Garza's motion, Council Member Kitchen's second on an 11-0 vote.

35. Authorize negotiation and execution of a professional services agreement with the following eight staff recommended firms (or other qualified responders) for Request for Qualifications Solicitation No. CLMP218: BINKLEY & BARFIELD, INC.; COBB, FENDLEY & ASSOCIATES, INC.; HDR ENGINEERING, INC.; FREESE AND NICHOLS, INC.; PAPE-DAWSON CONSULTING ENGINEERS, INC.; LJA ENGINEERING, INC.; STANTEC CONSULTING SERVICES, INC.; and ALLIANCE TRANSPORTATION GROUP, INC.

(WBE-FW), for engineering services for the 2017 Local Mobility Preliminary Engineering Reports Rotation List for an estimated period of two years, or until financial authorization is expended, with the total amount not to exceed \$4,000,000 divided among the eight firms. (Districts 1, 2, 5, 6) (Notes: This contract will be awarded in compliance with City Code Chapter 2-9B (Minority Owned and Women Owned Business Enterprise Procurement Program) by meeting the goals with 15.80% MBE and 15.80% WBE participation.)

The motion authorizing negotiation and execution of a professional services agreement with Binkley & Barfield, Inc.; Cobb, Fendley & Associates, Inc.; HDR Engineering, Inc.; Freese and Nichols, Inc.; Pape-Dawson Consulting Engineers, Inc.; LJA Engineering, Inc.; Stantec Consulting Services, Inc.; and Alliance Transportation Group, Inc. was approved on consent on Council Member Garza's motion, Council Member Kitchen's second on an 11-0 vote.

36. Authorize award and execution of a construction contract with MUNIZ CONCRETE & CONTRACTING, INC. (MBE-MH), for Local Mobility Americans with Disabilities Act Sidewalk and Ramp Improvement Group 19 City Wide - Indefinite Delivery/Indefinite Quantity for a total contract amount not to exceed \$10,000,000 for a term of 12 months, or until financial authorization is expended (Districts 1, 2, 3, 4, 9). (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 86.56% MBE and 1.19% WBE participation.)

The motion authorizing award and execution of a construction contract with Muniz Concrete & Contracting, Inc. was approved on consent on Council Member Garza's motion, Council Member Kitchen's second on an 11-0 vote.

37. Authorize negotiation and execution of a professional services agreement with the following four staff recommended firms (or other qualified responders) for Request for Qualifications Solicitation No. CLMP220: MWM DESIGNGROUP, INC. (WBE-FW); KLOTZ ASSOCIATES, INC.; dba RPS KLOTZ ASSOCIATES, HDR ENGINEERING, INC.; and CIVILITUDE, LLC (MBE-MA), for engineering services for the 2017 Local Mobility Field Engineering for Pedestrian, Bikeway and Urban Trail Rotation List for an estimated period of four years or until financial authorization is expended, with the total amount not to exceed \$4,000,000 divided among the four firms. (Notes: This contract will be awarded in compliance with City Code Chapter 2-9B (Minority Owned and Women Owned Business Enterprise Procurement Program) by meeting the goals with 15.80% MBE and 15.80% WBE participation.)

The motion authorizing negotiation and execution of a professional services agreement with MWM DesignGroup, Inc.; Klotz Associates, Inc. doing business as RPS Klotz Associates, HDR Engineering, Inc.; and Civilitude, LLC was approved on consent on Council Member Garza's motion, Council Member Kitchen's second on an 11-0 vote.

38. Approve a resolution for the appointment of directors to the Waller Creek Local Government Corporation board.

Resolution No. 20170518-038 was approved on consent on Council Member Garza's motion, Council Member Kitchen's second on an 11-0 vote.

39. 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 waivers were approved on consent on Council Member Garza's motion, Council Member Kitchen's second on an 11-0 vote.

<u>Board/Nominee</u>	<u>Nominated by</u>
Animal Advisory Commission Katie Jarl	Mayor Adler
Board of Adjustment Christopher Covo	Council Member Troxclair
Building & Fire Code Board of Appeals Pieter Sybesma	Council Member Alter
Design Commission Ben Luckens	Council Member Alter
Electric Board Michael Portnoy	Council Member Alter
Electric Utility Commission David Tuttle	Council Member Alter
Hispanic/Latino Quality of Life Resource Advisory Commission Angelica Erazo	Council Member Houston
Lesbian, Gay, Bisexual, Transgender, and Queer Quality of Life Advisory Commission Awais Azhar	Mayor Adler
Lesbian, Gay, Bisexual, Transgender, and Queer Quality of Life Advisory Commission Danielle Skidmore	Mayor Pro Tem Tovo
Music Commission (effective date June 8, 2017) Stuart Sullivan	Council Member Kitchen
Parks & Recreation Board Dawn Lewis	Council Member Alter
Resource Management Commission Rebecca Brenneman	Council Member Alter
South Central Waterfront Advisory Board (ex-officio) Lauraine Rizer	Office of Real Estate Services

Intergovernmental Nominations

Austin Travis County Integral Care Board of Trustees Sarah Churchill Llamas	Mayor Adler
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Waivers

Approve a waiver of the residency requirement in Section 2-1-21 of the City Code for the service of Michael Ohueri on the Ethics Review Commission.

40. 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 2: Council Member Delia Garza CO 3: Council Member Ellen Troxclair CO 4: Council Member Sabino "Pio" Renteria)

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

Item 41 was pulled for discussion.

42. Approve an ordinance waiving or reimbursing certain fees for four season swim passes and four swim punch cards for the May 13th Pool Plunge Event Raffle to Celebrate the 70th Birthday of the Barton Springs Bathhouse. (Notes: SPONSOR: Council Member Ann Kitchen CO 1: Mayor Steve Adler CO 2: Council Member Leslie Pool CO 3: Council Member Alison Alter)

Ordinance No. 20170518-042 was approved on consent on Council Member Garza's motion, Council Member Kitchen's second on a 10-0 vote. Council Member Troxclair abstained.

43. Approve a resolution directing the City Manager to conduct a lighting inventory study in West Campus and to implement such strategies as are recommended by the study to increase pedestrian safety. (Notes: SPONSOR: Mayor Steve Adler CO 1: Mayor Pro Tem Kathie Tovo CO 2: Council Member Ora Houston CO 3: Council Member Sabino "Pio" Renteria CO 4: Council Member Jimmy Flannigan)

Resolution No. 20170518-043 was approved on consent on Council Member Garza's motion, Council Member Kitchen's second on an 11-0 vote.

44. Approve an ordinance amending Chapter 2-1 of the City Code relating to eligibility requirements for service on a City board by a person required to register as a lobbyist. (Notes: SPONSOR: Mayor Steve Adler CO 1: Council Member Leslie Pool CO 2: Council Member Sabino "Pio" Renteria CO 3: Council Member Jimmy Flannigan CO 4: Council Member Ann Kitchen)

Ordinance No. 20170518-044 was approved on consent on Council Member Garza's motion, Council Member Kitchen's second on an 11-0 vote.

Item 45 was pulled for discussion.

46. Approve an ordinance waiving or reimbursing certain fees for the Shakespeare at Ramsey Park event sponsored by Something for Nothing Theater to be held from June 8-24, 2017 at Ramsey Park. (Notes: SPONSOR: Council Member Alison Alter CO 1: Council Member Sabino "Pio" Renteria CO 2: Mayor Pro Tem Kathie Tovo CO 3: Council Member Leslie Pool)

Ordinance No. 20170518-046 was approved on consent on Council Member Garza's motion, Council Member Kitchen's second on a 10-0 vote. Council Member Troxclair abstained.

47. Approve the waiver or reimbursement of certain costs under City Code Chapter 14-8 for the Texas' Moms Fight Back march sponsored by Education Austin which was held Sunday, May 14, 2017, at Austin City Hall. (Notes: SPONSOR: Council Member Gregorio Casar CO 1: Council Member Leslie Pool CO 2: Council Member Sabino "Pio" Renteria CO 3: Council Member Delia Garza)

The motion approving a waiver or reimbursement of certain costs under City Code Chapter 14-8 for the Texas' Moms Fight Back march was approved on consent on Council Member Garza's motion, Council Member Kitchen's second on a 10-1 vote. Council Member Troxclair voted nay.

Direction was given to staff without objection to include an additional \$100 towards the fee waiver by Council Member Alter.

Item 48 was pulled for discussion.

49. Set a public hearing to receive citizen input on community needs concerning the City's draft Fiscal Year 2017-2018 Action Plan and Community Development Program, as required by the Texas Local Government Code Chapter 373. (Suggested date and time: June 15, 2017, 4:00 p.m., at Austin City Hall, 301 W. Second Street, Austin, TX).

The public hearing was set on consent for June 15, 2017, 4:00 p.m. at 301 W. Second Street, Austin, TX on Council Member Garza's motion, Council Member Kitchen's second on an 11-0 vote.

Items 50 and 51 were pulled for discussion.

Item 52 was a Council Committee Item.

Item 53 was a Public Hearing set for 10:00 a.m.

Items 54 and 55 were Executive Session Items.

Item 56 was a Zoning Ordinance/Restrictive Covenant (HEARINGS CLOSED) Item.

Items 57 through 67 were Zoning and Neighborhood Plan Amendment Items (Public Hearing and Possible Action).

Items 68 through 70 were public hearing items set for 4:00 p.m.

DISCUSSION ITEMS

13. Approve payment of a settlement in Montez v. City of Austin, Cause No. D-1-GN-15-005354 in the 201st Judicial District for Travis County, Texas.

The motion to settle the above-referenced lawsuit, by authorizing the City to pay an amount not to exceed \$130,000 was approved on Council Member Casar's motion, Council Member Pool's second on an 11-0 vote.

50. Set a public hearing to consider an ordinance amending City Code Section 25-1-21 (Definitions) and 30-1-21 (Definitions), amending City Code Chapter 25-2 relating to Planned Unit Development green building criteria, amending City Code Chapters 25-7 (Drainage) and 30-4 (Drainage), and amending City Code Chapters 25-8 (Environment) and 30-5 (Environment). This ordinance will amend Chapter 25-8, Subchapter A, Article 13 (Save Our Springs Initiative) and Chapter 30-5, Subchapter A, Article 13 (Save Our Springs Initiative) This action concerns land located within the Barton Springs Zone. (Suggested date and time: June 15, 2017 at 4:00 p.m. at Austin City Hall, 301 W. Second Street)

The public hearing was set for June 15, 2017, 4:00 p.m. at 301 W. Second Street, Austin, TX on Council Member Pool's motion, Council Member Garza's second on an 11-0 vote.

51. Set a public hearing to consider an ordinance amending City Code Section 25-8-26 (Redevelopment Exception in the Barton Springs Zone), City Code Section 25-8-27 (Redevelopment Exception in the Water Supply Rural and Water Supply Suburban Watersheds), City Code Section 25-8-211 (Water Quality Control Requirement), and City Code Section 30-5-

211 (Water Quality Control Requirement). This action concerns land located within the Barton Springs Zone. (Suggested date and time: August 3, 2017 at 4:00 p.m. at Austin City Hall, 301 W. Second Street.)

The public hearing was set on consent for October 5, 2017, 4:00 p.m. at 301 W. Second Street, Austin, TX on Council Member Pool's motion, Council Member Garza's second on an 11-0 vote.

48. Set a public hearing to consider an ordinance regarding a floodplain variance for the construction of a new building and associated parking at 7604 FM 969 as requested by the owner of the property. (Suggested date and time: June 8, 2017, 4:00 p.m. at Austin City Hall, 301 W. Second Street) (District 1).

The public hearing was set for June 8, 2017, 4:00 p.m. at 301 W. Second Street, Austin, TX on Council Member Houston's motion, Council Member Garza's second on an 11-0 vote.

24. Authorize negotiation and execution of a contract with ZAPS TECHNOLOGIES, INC., to provide two wastewater monitoring devices, in an amount not to exceed \$141,580. (Notes: This contract is exempt from the City Code Chapter 2-9C Minority Owned and Women Owned Business Enterprise Procurement Program; therefore, no subcontracting goals were established.)

The motion authorizing negotiation and execution of a contract with Zaps Technologies, Inc. was approved on Council Member Renteria's motion, Council Member Garza's second on an 8-1 vote. Council Member Houston voted nay. Mayor Pro Tem Tovo and Council Member Troxclair were off the dais.

Direction was given to staff to include language in the note when the contract is exempt from MWBE goals because it is a sole source contract.

41. Approve a resolution initiating the rezoning and future land use map amendment of approximately 205 acres of land known as Little Walnut Creek Greenbelt, located at 5100 E. 51st Street, and directing the City Manager to process the rezoning and amendment cases. (Notes: SPONSOR: Council Member Ora Houston CO 1: Council Member Alison Alter CO 2: Council Member Sabino "Pio" Renteria CO 3: Mayor Pro Tem Kathie Tovo CO 4: Council Member Leslie Pool)

Resolution No. 20170518-041 was approved on Council Member Houston's motion, Council Member Alter's second on a 9-0 vote. Mayor Pro Tem Tovo and Council Member Troxclair were off the dais.

PUBLIC HEARINGS

53. 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)

The public hearing was conducted and a motion to close the public hearing was approved on Council Member Flannigan's motion, Council Member Garza's second on a 10-0 vote. Council Member Houston was off the dais.

The motion to grant the appeal failed on Council Member Pool's motion, Council Member Houston's second on a 5-6 vote. Those voting aye were: Mayor Pro Tem Tovo and Council Members Casar, Houston, Kitchen, and Pool. Those voting nay were: Mayor Adler and Council Members Alter, Flannigan, Garza, Renteria, and Troxclair.

CITIZENS COMMUNICATIONS: GENERAL

Cathy Olive - Constant noise over 85 db's at Circuit of the Americas.

Nicky Goldstein - Noise from race cars during the Circuit of the Americas events.

Aubrey Smith - No changing Givens Park into a dog park. – **Not Present**

Sylvia Mendoza - Illegal immigration.

Carlos León - 1) God, Jesus Christ & The Holy Spirit are shining lights of Good against dark, shadowy evil; 2) Make Austin air clean, clear, & healthy by banning Chemtrails; 3) Losing your marbles Vol. III, Part 4

Zenobia C. Joseph - 1) Lack of Transparency 2) ACC (Cedar Park) Free Service, 3 years Capital Metropolitan Transportation Authority - Federal Transit Administration non-compliance 3) Bathroom policy practices

Jere Locke - Abrupt climate change.

Gus Pena - 1) Memorial Day is May 29th 2017. This is the Day we remember and honor all military veterans who died in all wars of the United States. You all will have the day off. We military veterans still hurt because of the deaths of our fallen comrades. United States Marines, Navy, Army, Air force. Please remember especially my fellow classmates from Johnston High: Alex Quiroz Army, my fellow classmate at Zavala Elementary, Allan Jr. and Johnston High, Toby Rodriguez, Wiley Guerrero, Booker Lofton. I miss you all my friends who died in Vietnam. I will never let any body forget you all especially on Memorial Day. Honor and remember all veterans of all wars. God Bless America and our fallen heroes (veterans) you are not forgotten.

Steve Swanson - Imagine Austin plan - work plans.

Alan Roddy - Lake Austin task force.

Mayor Adler recessed the Council Meeting to go into Executive Session at 12:56 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.

54. Discuss legal issues related to open government matters (Private consultation with legal counsel - Section 551.071 of the Government Code).
Withdrawn without objection.
55. Discuss legal issues related to establishing a new capitol view corridor (Private consultation with legal counsel - Section 551.071 of the Government Code).
Withdrawn without objection.

The Mayor announced that Council would discuss item number 52 on the regular agenda during Executive Session.

52. Approve the appointments of Julie Oliver and Maram Museitif to the Central Health Board of Managers.

Executive Session ended and Mayor Adler reconvened the meeting at 2:39 p.m.

DISCUSSION ITEMS CONTINUED

52. Approve the appointments of Julie Oliver and Maram Museitif to the Central Health Board of Managers.
A motion to approve the appointment of Maram Museitif was made on Council Member Houston's motion, Council Member Troxclair's second on an 11-0 vote.

A motion to postpone the appointment of Julie Oliver to June 15, 2017 was approved on Council Member Houston's motion, Mayor Pro Tem Tovo's second on a 9-1 vote. Council Member Flannigan voted nay. Council Member Casar was off the dais.

ZONING AND NEIGHBORHOOD PLAN AMENDMENTS

56. C14-2016-0124 - Parmer Business Park - District 7 - Approve second and third readings of an ordinance amending City Code Title 25 by zoning property locally known as southwest corner of East Howard Lane and Harris Ridge Boulevard (Harris Branch Watershed) from limited industrial services-planned development area (LI-PDA) combining district zoning to limited industrial services-planned development area (LI-PDA) combining district zoning, to change a condition of zoning. First Reading approved on April 20, 2017. Vote: 11-0. Owner/Applicant: Karlin McCallen Pass, LLC (Matthew Schwab). Agent: Armbrust & Brown, PLLC (Richard T. Suttle). City Staff: Sherri Sirwaitis, 512-974-3057.
Ordinance No. 20170518-056 was approved for limited industrial services-planned development area (LI-PDA) combining district zoning, to change a condition of zoning on Council Member Garza's motion, Council Member Alter's second on a 9-0 vote. Council Members Casar and Troxclair were off the dais.
59. 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 East Cesar Chavez Street (Colorado River Watershed) from Commercial and Industry land uses to Mixed Use land use. Staff Recommendation: Pending. Planning Commission Recommendation: To be reviewed on May 9, 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 August 3, 2017 at the request of staff on Council Member Garza's motion, Council Member Alter's second on a 9-0 vote. Council Members Casar and Troxclair were off the dais.
60. 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 services-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 on May 9, 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 August 3, 2017 at the request of staff on Council Member Garza's motion, Council Member Alter's second on a 9-0 vote. Council Members Casar and Troxclair were off the dais.

61. C14-2016-0090 -130/Parmer - District 1 - Conduct a public hearing and approve an ordinance amending City Code Title 25 by zoning property locally known as 10208 Lindell Lane (Gilleland Creek Watershed) from interim-rural residence (I-RR) district zoning to community commercial-mixed use (GR-MU) combining district zoning. Staff Recommendation: Pending. Zoning and Platting Commission Recommendation: To be reviewed June 6, 2017. Owner: Cottonwood Holdings. Ltd. (Pete Dwyer). Applicant: Land Strategies, Inc. (Paul Linehan). City Staff: Heather Chaffin, 512- 974-2122.

This item was postponed to June 15, 2017 at the request of staff on Council Member Garza's motion, Council Member Alter's second on a 9-0 vote. Council Members Casar and Troxclair were off the dais.

62. C14-2016-0121 – 7700 Parmer Lane - District 6 - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 7700 West Parmer Lane (Lake Creek Watershed) from limited industrial-planned development area (LI-PDA) combining district zoning to limited industrial-planned development area (LI-PDA) combining district zoning, to change a condition of zoning. Staff Recommendation: Pending. Zoning and Platting Commission Recommendation: Postponed indefinitely on April 28, 2017. Owner/Applicant: BRI 1869 Parmer, LLC. Agent: Drenner Group (Amanda Swor). City Staff: Sherri Sirwaitis, 512-974-3057.

This item was postponed indefinitely at the request of staff on Council Member Garza's motion, Council Member Alter's second on a 9-0 vote. Council Members Casar and Troxclair were off the dais.

63. C14-2017-0014 – Victory Medical Center – District 5 - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 2106 & 2108 West Ben White Boulevard (Williamson Creek Watershed) from family residence (SF-3) district zoning to limited office- conditional overlay (LO-CO) combining district zoning. Staff Recommendation: To grant limited office- conditional overlay (LO-CO) combining district zoning. Planning Commission Recommendation: To grant limited office-conditional overlay (LO-CO) combining district zoning. Applicant/ Agent: Land Strategies (Paul Linehan). Owner: Eveanne Enterprises (Dr. William Franklin). City Staff: Andrew Moore, 512-974-7604.

The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20170518-063 for limited office-conditional overlay (LO-CO) combining district zoning was approved on Council Member Garza's motion, Council Member Alter's second on a 9-0 vote. Council Members Casar and Troxclair were off the dais.

64. C14-2017-0016.SH – Aria Grand – District 9 – Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 1800 South Interstate Highway 35 (Harper's Branch Creek Watershed) from community commercial – mixed use – conditional overlay – neighborhood plan (GR-MU-CO-NP) combining district zoning to multifamily residence - highest density – conditional overlay – neighborhood plan (MF-6-CO-

NP) combining district zoning. Staff Recommendation: To grant multifamily residence - highest density – conditional overlay – neighborhood plan (MF-6-CO-NP) combining district zoning. Planning Commission Recommendation: To grant multifamily residence - highest density – conditional overlay – neighborhood plan (MF-6-CO-NP) combining district zoning. Agent: Saigebrook Development (Megan Lasch). Owner: Marina P. Sifuentes and Lendol L. Davis. City Staff: Andrew Moore, 512-974-7604.

The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20170518-064 for multifamily residence - highest density – conditional overlay – neighborhood plan (MF-6-CO-NP) combining district zoning was approved on Council Member Garza’s motion, Council Member Alter’s second on a 9-0 vote. Council Members Casar and Troxclair were off the dais.

65. C14-2017-0020 - The Rail Spur Building – District 3 – Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 618 Tillery Street (Colorado River Watershed) from limited office-conditional overlay-neighborhood plan (LO-CO-NP) combining district zoning and limited office-mixed use-conditional overlay-neighborhood plan (LO-MU-CO-NP) combining district zoning to community commercial services-conditional overlay-neighborhood plan (GR-CO-NP) combining district zoning and community commercial services-mixed use-conditional overlay-neighborhood plan (GR-MU-CO-NP) combining district zoning. Staff Recommendation: Pending. Planning Commission Recommendation: To be reviewed May 23, 2017. Owner: Thomas Calhoon. Applicant: Land Use Solutions, LLC (Michele Haussmann). City Staff: Heather Chaffin, 512- 974-2122.

This item was postponed to August 3, 2017 at the request of staff on Council Member Garza’s motion, Council Member Alter’s second on a 9-0 vote. Council Members Casar and Troxclair were off the dais.

66. C14-2017-0025 - Pompee-Clarke-Cook House - District 9 - Conduct a public hearing and approve an ordinance amending City Code Title 25-2 by rezoning property locally known as 2203 Nueces Street (Shoal Creek Watershed) from community commercial-mixed use-historic landmark-conditional overlay-neighborhood plan (GR-MU-H-CO-NP) combining district zoning to community commercial-mixed use-conditional overlay-neighborhood plan (GR-MU-CO-NP) combining district zoning. Staff Recommendation: To grant community commercial-mixed use-conditional overlay-neighborhood plan (GR-MU-CO-NP) combining district zoning. Planning Commission Recommendation: To be reviewed on May 23, 2017. Owner/Applicant: 2203 Nueces, L.P. (Brad Zucker). Agent: Mike McHone Real Estate (Mike McHone). City Staff: Scott Grantham, 512-974-3574.

This item was postponed to June 15, 2017 at the request of staff on Council Member Garza’s motion, Council Member Alter’s second on a 9-0 vote. Council Members Casar and Troxclair were off the dais.

67. C14H-2017-0006 - 78 San Marcos Rezoning – District 3 – Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 78 San Marcos Street (Ladybird Lake Watershed) from family residence-neighborhood plan (SF-3-NP) combining district zoning to limited office-mixed use-historic landmark-conditional overlay-neighborhood plan (LO-MU-H-CO-NP) combining district zoning. Staff Recommendation: Pending. Planning Commission Recommendation: To be reviewed May 23, 2017. Owner: Carrie Altemus. Applicant: Thrower Design (A. Ron Thrower). City Staff: Heather Chaffin, 512- 974-2122.

This item was postponed to June 8, 2017 at the request of staff on Council Member Garza’s motion, Council Member Alter’s second on a 9-0 vote. Council Members Casar and Troxclair were off the dais.

DISCUSSIONS ITEMS CONTINUED

2. Authorize negotiation and execution of interlocal agreements with the cities of Round Rock, Cedar Park, and Leander for the reimbursement of costs related to the expansion of the Brushy Creek Regional Wastewater System. (District 6)
The motion authorizing negotiation and execution of interlocal agreements with the cities of Round Rock, Cedar Park and Leander was approved on Council Member Flannigan's motion, Council Member Houston's second on a 10-0 vote. Council Member Casar was off the dais.

12. Approve an ordinance amending the Fiscal Year 2016-2017 Budget Stabilization Reserve Fund Operating Budget (Ordinance No. 20160914-001) to transfer out \$3,500,000 to the General Fund; and amending the General Fund Operating Budget (Ordinance No. 20160914-001) to increase the transfer in by \$3,500,000 from the Budget Stabilization Reserve Fund; and appropriating \$3,500,000 to increase expenditures in the Austin Fire Department Operating Budget (Ordinance No. 20160914-001) to provide additional overtime funds that are needed due to the high number of sworn fire vacancies and the requirement to maintain four-person staffing requirements.
Ordinance No. 20170518-012 was approved on Mayor Adler's motion, Council Member Pool's second on a 7-4 vote. Those voting aye were: Mayor Adler, Mayor Pro Tem Tovo, Council Members Casar, Garza, Kitchen, Pool, and Renteria. Those voting nay were: Council Members Alter, Flannigan, Houston, and Troxclair.

Direction was given to staff to take all reasonable steps to mitigate the impact to the FY18 budget resulting from overtime costs.

14. Approve an ordinance amending City Code Chapter 2-5 relating to procedures for City Council meetings, public hearings, appeals, and committees, and City Code Chapter 15-9 relating to utility rate hearings. Related to Item #15
Ordinance No. 20170518-014 was approved on Council Member Renteria's motion, Council Member Houston's second on an 11-0 vote.
15. Approve a resolution adopting procedures for City Council meetings, public hearings, and appeals. Related to Item #14
A motion to approve the resolution was made by Council Member Renteria and seconded by Council Member Houston.

A motion to amend the resolution was approved on Mayor Adler's motion, Council Member Alter's second on a 9-1 vote. Mayor Pro Tem Tovo voted nay. Council Member Pool abstained. The amendment was to add a new Subsection (F) to Article 1, Division 1, Section 6 to read: (F) The City Manager shall publish the final agenda thirteen (13) calendar days prior to the meeting.

A motion to amend Section 1-1-4 (F) was made by Mayor Pro Tem Tovo. The amendment was to have subsection (F) read as follows: (F) The presiding officer should adjourn a council meeting at 10:00 p.m., unless there is a majority vote of the council to continue the meeting. However, if council is considering a matter at 10:00 p.m., the council may proceed with consideration of the matter without first voting to continue the meeting. When possible, if council expects to not extend the meeting past 10:00 pm, reasonable notice should be given to present speakers. The presiding officer may recess a council meeting

that continues past 12:00 midnight and may reconvene the meeting at a time certain during the same day.

A friendly amendment was made by Mayor Adler to have the third sentence read: "When possible, if council expects not to call any new items past 10:00 pm, reasonable notice should be given to present speakers..." The amendment and friendly amendment were accepted without objection.

A motion to amend Section 1-1-9 failed on Mayor Pro Tem Tovo's motion, Council Member Flannigan's second on a 5-6 vote. Those voting aye were: Mayor Pro Tem Tovo, and Council Members Flannigan, Garza, Kitchen, and Pool. Those voting nay were: Mayor Adler and Council Members Alter, Casar, Houston, Renteria, and Troxclair. The amendment was to include in Section 1-1-9 (D) the statement: "Whenever possible, council should attempt to balance time constraints with the need for public input and make an effort to hear three minute testimony from as many present speakers as possible."

Resolution No. 20170518-015 was approved as amended above on Council Member Renteria's motion, Council Member Houston's second on an 11-0 vote.

Direction was given to staff to standardize the capitalization and punctuation throughout the resolution. The new rules will take effect on August 3, 2017.

26. Authorize negotiation and execution of a 36-month contract with CULTURAL STRATEGIES INC. (MBE), or one of the other qualified offerors to Request For Proposals SLW0516-1, to provide education and outreach services for Austin Resource Recovery's composting collection services, in an estimated amount of \$600,000, with two 12-month extension options in an estimated amount of \$200,000 per extension option, for a total contract amount not to exceed \$1,000,000. (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. For the services required for this solicitation, there were no subcontracting opportunities; therefore, no subcontracting goals were established.)
The motion authorizing negotiation and execution of a contract with Cultural Strategies Inc. was approved on Council Member Houston's motion, Council Member Pool's second on an 8-2 vote. Those voting aye were: Mayor Adler and Council Members Alter, Casar, Garza, Houston, Kitchen, Pool, and Renteria. Those voting nay were: Council Members Flannigan and Troxclair. Mayor Pro Tem Tovo was off the dais.

28. Authorize negotiation and execution of a 24-month contract with ASPLUNDH TREE EXPERT CO., or one of the other qualified offerors to Request For Proposals TVN0061, to provide energized transmission line clearance services in an amount of \$6,000,000, with three 12-month extension options in an amount of \$2,500,000 per extension option, for a total contract amount not to exceed \$13,500,000. (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 met and the resulting contract will include 4.21% MBE and 1.86% WBE participation.)
A motion to postpone the item was approved on Council Member Houston's motion, Council Member Flannigan's second on a 10-0 vote. Council Member Casar was off the dais.

29. Authorize negotiation and execution of two contracts with ASPLUNDH TREE EXPERT CO. and WRIGHT TREE SERVICE INC., or one of the other qualified offerors to Request For Proposals TVN0062, to provide energized distribution line clearance services, with an initial 24-month term in an amount of \$34,000,000, with three 12-month extension options in an amount of \$12,000,000 per extension option, for a total contract amount not to exceed \$70,000,000, divided between the contractors. (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 contracts will include 4.20% MBE and 1.86% WBE participation.)

A motion to indefinitely postpone the item was approved on Council Member Houston's motion, Council Member Flannigan's second on a 10-0 vote. Council Member Casar was off the dais.

ZONING AND NEIGHBORHOOD PLAN AMENDMENTS CONTINUED

57. 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.

The public hearing was conducted and a motion to close the public hearing and approve the ordinance on first reading only to change the future land use map (FLUM) to Mixed Use land use was approved on Council Member Renteria's motion, Council Member Flannigan's second on a 10-1 vote. Mayor Pro Tem Tovo voted nay.

58. 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.

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-neighborhood plan (CS-MU-CO-NP) combining district zoning including the recommendation from the Planning Commission to prohibit residential use within 1,000 feet of the Praxair Facility was approved on Council Member Renteria's motion, Council Member Flannigan's second on a 10-1 vote. Mayor Pro Tem Tovo voted nay.

PUBLIC HEARINGS

69. Conduct a public hearing and consider an ordinance amending the Land Development Code (Title 25) relating to voting requirements applicable to recommendations by the Historic Landmark Commission.

This item was postponed to June 8, 2017 at the request of staff on Mayor Pro Tem Tovo's motion, Council Member Garza's second on an 11-0 vote.

70. 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.
The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20170518-070 authorizing the addition of one new neighborhood association was approved on Council Member Renteria's motion, Council Member Pool's second on an 11-0 vote.
68. Conduct a public hearing and consider an ordinance regarding ATMOS Energy Corporation's proposal to increase customer gas rates.
The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20170518-068 was approved on Council Member Garza's motion, Council Member Houston's second on an 11-0 vote.

DISCUSSION ITEMS CONTINUED

45. Approve a resolution directing the City Manager to take appropriate legal action related to Senate Bill 4 (a state law relating to enforcement of immigration law by local governmental entities). (Notes: SPONSOR: Council Member Gregorio Casar CO 1: Council Member Delia Garza CO 2: Council Member Ann Kitchen CO 3: Council Member Jimmy Flannigan CO 4: Mayor Steve Adler)
Resolution No. 20170518-045 was approved on Council Member Casar's motion, Council Member Garza's second on a 10-1 vote. Council Member Troxclair voted nay.

Mayor Adler adjourned the meeting at 5:42 p.m. without objection.

LIVE MUSIC

J. R. Gomez

PROCLAMATIONS

Distinguished Service Award – Michael Knox, Economic Development Department – To be presented by Mayor Steve Adler and to be accepted by the honoree

Distinguished Service Award – Marianne Martinez, Economic Development Department – To be presented by Mayor Steve Adler and to be accepted by the honoree

Proclamation – UTeach Natural Sciences Day – To be presented by Mayor Steve Adler and to be accepted by Michael Marder and Larry Abraham, Co-Directors, UTeach

Certificates of Congratulations – Grant for Technology Opportunities Program awardees – To be presented by Mayor Steve Adler and to be accepted by the honorees

Proclamation – 34th Annual AIDS Candlelight Memorial Day – To be presented by Council Member Jimmy Flannigan and to be accepted by Eric Crabtree, Austin/Central Texas AIDS Candlelight Memorial Coordinator

Proclamation – Emergency Medical Services Week – To be presented by Mayor Steve Adler and to be accepted by EMS Chief of Staff Jasper Brown

Proclamation – Lyme Disease Awareness Month – To be presented by Mayor Steve Adler and to be accepted by Joy Sablatura Rockwell, Co-founder, Texas Lyme Disease Association

Proclamation – Tawny Hammond Day – To be presented by Council Member Leslie Pool and to be accepted by the honoree

Proclamation – Jill Harding Day – To be presented by Council Member Leslie Pool and to be accepted by the honoree

Proclamation – National Public Works Week – To be presented by Mayor Steve Adler and to be accepted by Richard Mendoza, Director, Public Works Department

The minutes were approved on this the 8th day of June 2017 on Council Member Flannigan's motion, Council Member Alter's second on a 9-0 vote. Council Members Garza and Kitchen were absent.