

**AUSTIN CITY COUNCIL  
MINUTES****REGULAR MEETING  
THURSDAY, AUGUST 17, 2017****Invocation:** Pastor Lee Lever, Austin Mennonite 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, August 17, 2017 in the Council Chambers of City Hall, 301 West Second Street, Austin, Texas.

Mayor Adler called the Council Meeting to order at 10:15 a.m.

**CONSENT AGENDA**

The following items were acted on by one motion.

1. Approve the minutes of the Austin City Council work session of August 8, 2017, budget work session of August 9, 2017, and regular meeting of August 10, 2017.  
**The minutes from the City Council work session of August 8, 2017, budget work session of August 9, 2017 and regular meeting of August 10, 2017 were approved on consent on Council Member Flannigan's motion, Council Member Houston's second on an 11-0 vote.**
2. Authorize negotiation and execution of a professional services agreement with CAROLLO ENGINEERS, INC., (staff recommendation) or one of the other qualified responders to the Request for Qualifications Solicitation No. CLMP215 to provide engineering services for the Northeast Wastewater Treatment Plant Expansion to 1.5 Million Gallons Per Day project in an amount not to exceed \$500,000. (District 1) (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 15.90% MBE and 15.80% WBE participation.)  
**The motion authorizing negotiation and execution of a professional services agreement with Carollo Engineers, Inc. was approved on consent on Council Member Flannigan's motion, Council Member Houston's second on an 11-0 vote.**
3. Authorize negotiation and execution of a professional services agreement with RJN GROUP, INC., (staff recommendation) or one of the other qualified responders to the Request for Qualifications Solicitation No. CLMP224 to provide engineering services for the Sanitary Sewer Evaluation Study at the Walnut and Little Walnut Basin Areas in an amount not to exceed \$800,000. (District 1, 4, and 7). (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 18.00% WBE participation.)

**The motion authorizing negotiation and execution of a professional services agreement with RJN Group, Inc. was approved on consent on Council Member Flannigan's motion, Council Member Houston's second on an 11-0 vote.**

**Items 4 and 5 were pulled for discussion.**

6. Authorize negotiation and execution of a 12-month interlocal agreement with the Capital Area Emergency Communication District to reimburse the City for maintenance of the 9-1-1 emergency telephone system database on the county-wide basis in an amount not less than \$589,431.

**The motion authorizing negotiation and execution of an interlocal agreement with the Capital Area Emergency Communication District was approved on consent on Council Member Flannigan's motion, Council Member Houston's second on an 11-0 vote.**

7. Authorize negotiation and execution of a 12-month interlocal agreement with the Capital Area Emergency Communication District to reimburse the City for maintaining Public Safety Answering Points, upgrading and maintaining equipment, and purchasing supplies for the enhanced 9-1-1 emergency telephone system in an amount not less than \$25,000.

**The motion authorizing negotiation and execution of an interlocal agreement with the Capital Area Emergency Communication District was approved on consent on Council Member Flannigan's motion, Council Member Houston's second on an 11-0 vote.**

8. Authorize negotiation and execution of a 12-month interlocal agreement with the Capital Area Emergency Communications District for access to the Enhanced 9-1-1 Services database and Centralized Automatic Message Accounting Trunks services in an amount not to exceed \$14,000 with four 12-month extension options in an amount not to exceed \$14,000 each for a total contract amount not to exceed \$70,000.

**The motion authorizing negotiation and execution of an interlocal agreement with the Capital Area Emergency Communications District was approved on consent on Council Member Flannigan's motion, Council Member Houston's second on an 11-0 vote.**

**Item 9 was pulled for discussion.**

10. Approve an ordinance authorizing the issuance and sale of City of Austin Public Improvement Bonds, Taxable Series 2017, in an amount not to exceed \$25,000,000 in accordance with the parameters set out in the ordinance, authorizing related documents, and approving the payment of the costs of issuance, and all related fees, and providing that the issuance and sale be accomplished not later than February 16, 2018.

**Ordinance No. 20170817-010 was approved on consent on Council Member Flannigan's motion, Council Member Houston's second on a 10-1 vote. Council Member Troxclair voted nay.**

11. Approve an ordinance authorizing the issuance and sale of tax-exempt City of Austin Certificates of Obligation, Series 2017, in an amount not to exceed \$35,325,000, in accordance with the parameters set out in the ordinance, authorizing related documents, and approving the payment of the costs of issuance, and all related fees, and providing that the issuance and sale be accomplished not later than February 16, 2018.

**Ordinance No. 20170817-011 was approved on consent on Council Member Flannigan's motion, Council Member Houston's second on a 10-1 vote. Council Member Troxclair voted nay.**

12. Approve an ordinance authorizing the issuance and sale of tax-exempt City of Austin Public Property Finance Contractual Obligations, Series 2017, in an amount not to exceed \$5,460,000 in accordance with the parameters set out in the ordinance, authorizing related documents, and approving the payment of the costs of issuance, and all related fees and providing that the issuance and sale be accomplished not later than February 16, 2018.  
**Ordinance No. 20170817-012 was approved on consent on Council Member Flannigan's motion, Council Member Houston's second on a 10-1 vote. Council Member Troxclair voted nay.**
13. Approve an ordinance authorizing the issuance and sale of tax-exempt City of Austin Public Improvement Bonds, Series 2017, in a par amount not to exceed \$74,000,000, in accordance with the parameters set out in the ordinance, authorizing related documents, and approving the payment of the costs of issuance, all related fees, and providing that the issuance and sale be accomplished by February 16, 2018.  
**Ordinance No. 20170817-013 was approved on consent on Council Member Flannigan's motion, Council Member Houston's second on an 11-0 vote.**

**Items 14 through 18 were pulled for discussion.**

19. Approve a resolution approving the 2018 list of proposed events and number of days requiring full closure of Republic Square Park to the general public, as required under the Parkland Improvement, Management, and Operations Agreement.  
**Resolution No. 20170817-019 was approved on consent on Council Member Flannigan's motion, Council Member Houston's second on an 11-0 vote.**
20. Approve negotiation and execution of Amendment No. 6 to the agreement with FOUNDATION COMMUNITIES, INC. for the provision of permanent supportive housing services, adding one twelve-month extension option beginning October 1, 2017 in an amount not to exceed \$108,438, for a total agreement amount not to exceed \$622,876.  
**The motion approving negotiation and execution of amendment number six with Foundation Communities, Inc. was approved on consent on Council Member Flannigan's motion, Council Member Houston's second on an 11-0 vote.**
21. Approve negotiation and execution of Amendment No. 7 to the agreement with FRONT STEPS, INC. for the provision of permanent supportive housing services, adding one twelve-month extension option beginning October 1, 2017 in an amount not to exceed \$108,438, for a total agreement amount not to exceed \$799,285.  
**The motion approving negotiation and execution of amendment number seven to the agreement with Front Steps, Inc. was approved on consent on Council Member Flannigan's motion, Council Member Houston's second on an 11-0 vote.**
22. Approve an ordinance authorizing acceptance of \$8,177 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 \$8,177 for public health emergency preparedness activities; and authorizing negotiation and execution of an amendment to a public health emergency preparedness activities contract extending the term through June 30, 2018.  
**Ordinance No. 20170817-022 was approved on consent on Council Member Flannigan's motion, Council Member Houston's second on an 11-0 vote.**

23. Authorize negotiation and execution of Amendment No. 10 to an agreement with THE SALVATION ARMY, INC., Austin Shelter for Women and Children, for the provision of emergency shelter and related services, adding one twelve-month renewal option beginning October 1, 2017 in an amount not to exceed \$1,829,039, for a total agreement amount not to exceed \$13,719,341.

**The motion authorizing negotiation and execution of amendment number ten to an agreement with The Salvation Army, Inc., Austin Shelter for Women and Children was approved on consent on Council Member Flannigan's motion, Council Member Houston's second on an 11-0 vote.**

**Item 24 was pulled for discussion.**

25. Authorize negotiation and execution of a contract with VEOLIA WATER TECHNOLOGIES, INC. DBA KRUGER to provide an ammonia reduction pilot system, in an amount not to exceed \$91,000. (Notes: Sole Source contracts are 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 Veolia Water Technologies Inc. doing business as Kruger was approved on consent on Council Member Flannigan's motion, Council Member Houston's second on an 11-0 vote.**

26. Authorize negotiation and execution of a 12-month contract with PORTER LEE CORPORATION, to provide software upgrade and maintenance services for the barcoded evidence analysis, statistics, and tracking laboratory information management system, in an estimated amount of \$166,425, with four 12-month extension options in an estimated amount of \$35,020 per extension option, for a total contract amount not to exceed \$306,505. (Notes: 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 Porter Lee Corporation was approved on consent on Council Member Flannigan's motion, Council Member Houston's second on an 11-0 vote.**

27. Authorize negotiation and execution of a 12-month contract with CENTRAL TEXAS COMMUNITY HEALTH CENTERS DBA COMMUNITYCARE, to provide Class-D pharmacy services, in an estimated amount of \$80,000, with four 12-month extension options in an estimated amount of \$80,000 per extension option, for a total contract amount not to exceed \$400,000. (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 services required for this procurements, there were no subcontracting opportunities; therefore, no subcontracting goals were established.)

**The motion authorizing negotiation and execution of a contract with Central Texas Community Health Centers doing business as CommunityCare was approved on consent on Council Member Flannigan's motion, Council Member Houston's second on an 11-0 vote.**

**Item 28 was pulled for discussion.**

29. Authorize negotiation and execution of a 120-month contract with CGI TECHNOLOGIES AND SOLUTIONS, INC., to provide maintenance and support of the Advantage financial management system, for a total contract amount not to exceed \$17,338,227. (Notes: Sole Source contracts are exempt from the City Code Chapter 2-9 C 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 CGI Technologies and Solutions, Inc. was approved on consent on Council Member Flannigan's motion, Council Member Houston's second on an 11-0 vote.**

30. Authorize award and execution of a 36-month contract with DHL ANALYTICAL, INC. (MBE), to provide priority and regulated pollutant analyses, in an estimated amount of \$178,500, with two 12-month extension options in an estimated amount of \$59,500 per extension option, for a total contract amount not to exceed \$297,500. (Notes: This solicitation was reviewed for subcontracting opportunities in accordance with City Code Chapter 2-9C Minority Owned and Women Owned Business Enterprise Procurement Program. For the services required for this solicitation, there were insufficient subcontracting opportunities; therefore, no subcontracting goals were established.)

**The motion authorizing award and execution of a contract with DHL Analytical, Inc. was approved on consent on Council Member Flannigan's motion, Council Member Houston's second on an 11-0 vote.**

31. Authorize negotiation and execution of three contracts through the Texas Local Government Purchasing Cooperative, administered by the Texas Association of School Boards, Inc. (BuyBoard) with CASCO INDUSTRIES, INC., DOOLEY TACKABERRY, INC., and METRO FIRE APPARATUS SPECIALISTS, INC., to provide fire hoses and rescue equipment, each with an initial eight month term, in an estimated amount of \$220,000, and each with two 12-month extension options in a combined estimated amount of \$330,000 per extension option, for combined total contract amounts not to exceed \$880,000, 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 no subcontracting opportunities; therefore, no subcontracting goals were established.)

**The motion authorizing negotiation and execution of three contracts through the Texas Local Government Purchasing Cooperative, administered by the Texas Association of School Boards, Inc. with Casco Industries, Inc., Dooley Tackaberry, Inc. and Metro Fire Apparatus Specialists, Inc. was approved on consent on Council Member Flannigan's motion, Council Member Houston's second on an 11-0 vote.**

32. Authorize negotiation and execution of a 36-month contract through the State of Texas Department of Information Resources cooperative purchasing program with Level 3 Financing, Inc. to provide telecommunication and internet services for the Aviation Department, in an amount not to exceed \$384,713. (Notes: This procurement was reviewed for subcontracting opportunities in accordance with City Code Chapter 2-9C Minority Owned and Women Owned Business Enterprise Procurement Program. For the services required for this procurement, there were insufficient number of certified M/WBEs; therefore, no subcontracting goals were established.)

**The motion authorizing negotiation and execution of a contract through the State of Texas Department of Information Resources Cooperative Purchasing Program with Level 3 Financing, Inc. was approved on consent on Council Member Flannigan's motion, Council Member Houston's second on an 11-0 vote.**

33. Authorize negotiation and execution of a 12-month contract with FIRSTWATCH SOLUTIONS, INC., to provide maintenance support and an added module for the FirstWatch data monitoring and bio-surveillance system, in an estimated amount of \$97,998, with four 12-month extension options in an estimated amount of \$32,126 for the first extension option, \$32,859 for the second extension option, \$33,613 for the third extension option, and \$34,394 for the fourth extension

option, for a total contract amount not to exceed \$230,990. (Notes: Sole Source contracts are 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 Firstwatch Solutions, Inc. was approved on consent on Council Member Flannigan's motion, Council Member Houston's second on an 11-0 vote.**

34. Authorize award and execution of a 36-month contract with STRYKER CORP DBA STRYKER SALES CORPORATION, to provide emergency transport equipment, in an estimated amount of \$1,500,000, with two 12-month extension options in an estimated amount of \$500,000 per extension option, for a total contract amount not to exceed \$2,500,000. Related to Item #35 (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 subcontracting opportunities therefore, no subcontracting goals were established.)

**The motion authorizing award and execution of a contract with Stryker Corp doing business as Stryker Sales Corporation was approved on consent on Council Member Flannigan's motion, Council Member Houston's second on an 11-0 vote.**

35. Authorize negotiation and execution of a 36-month contract with STRYKER CORP DBA STRYKER SALES CORPORATION, to provide maintenance and repair services for Stryker emergency transport systems, in an estimated amount of \$2,295,000, with two 12-month extension options in an estimated amount of \$765,000 per extension option, for a total contract amount not to exceed \$3,825,000. Related to Item #34 (Notes: Sole Source contracts are 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 Stryker Corp doing business as Stryker Sales Corporation was approved on consent on Council Member Flannigan's motion, Council Member Houston's second on an 11-0 vote.**

36. Authorize negotiation and execution of a 60-month contract with PARKEON, INC., to provide new parking stations, software and hardware system upgrades and related repair parts for the Parkeon Strada pay station parking management system, in an amount not to exceed \$9,035,370. (Notes: 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 Parkeon, Inc. was approved on consent on Council Member Flannigan's motion, Council Member Houston's second on an 11-0 vote.**

37. Authorize negotiation and execution of a 12-month contract through the State of Texas Department of Information Resources with CARAHSOFT TECHNOLOGY CORP., to provide a new cloud-based service desk software solution with implementation and first year subscription service, in an estimated amount of \$779,197, with four 12-month extension options in an estimated amount of \$389,970 per extension option, for a total contract amount not to exceed \$2,339,077. (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 no subcontracting opportunities; therefore, no subcontracting goals were established.)

**The motion authorizing negotiation and execution of a contract through the State of Texas Department of Information Resources with Carahsoft Technology Corp. was approved on**

**consent on Council Member Flannigan's motion, Council Member Houston's second on an 11-0 vote.**

38. Authorize negotiation and execution of a contract through the U.S. Communities Cooperative with INSIGHT PUBLIC SECTOR, INC., to provide a public information request software management system, with an initial term of 12 months and four 12-month extension options, for a total contract amount not to exceed \$855,774. (Notes: This procurement was reviewed for subcontracting opportunities in accordance with City Code Chapter 2-9C Minority Owned and Women Owned Business Enterprise Procurement Program. For the services required for this procurement, there were no subcontracting opportunities; therefore, no subcontracting goals were established.)

**The motion authorizing negotiation and execution of a contract through the U.S. Communities Cooperative with Insight Public Sector, Inc. was approved on consent on Council Member Flannigan's motion, Council Member Houston's second on an 11-0 vote.**

39. Authorize negotiation and execution of a 12-month contract with ACCENTURE LLP, to provide executive strategic planning services, for a total contract amount not to exceed \$214,800. (Notes: This procurement was reviewed for subcontracting opportunities in accordance with City Code Chapter 2-9C Minority Owned and Women Owned Business Enterprise Procurement Program. For the services required for this procurement, there were no subcontracting opportunities; therefore, no subcontracting goals were established.)

**The motion authorizing negotiation and execution of a contract with Accenture LLP was approved on consent on Council Member Flannigan's motion, Council Member Houston's second on an 11-0 vote.**

40. Authorize negotiation and execution of a 12-month contract with FILM SOCIETY OF AUSTIN, INC. DBA AUSTIN FILM SOCIETY, for software and equipment, in an estimated amount of \$300,000, with three 12-month extension options in an estimated amount of \$300,000 per extension option, for a total contract amount not to exceed \$1,200,000. (Notes: Sole Source contracts are 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 Film Society of Austin, Inc. doing business as Austin Film Society was approved on consent on Council Member Flannigan's motion, Council Member Houston's second on an 11-0 vote.**

41. Authorize negotiation and execution of a 36-month contract through the State of Texas Department of Information Resources with RFD & ASSOCIATES, INC., to provide Computer Associates' Application Performance Monitoring software products including maintenance and support, for a total contract amount not to exceed \$355,000. (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 services required for this procurement, there were no subcontracting opportunities; therefore, no subcontracting goals were established.)

**The motion authorizing negotiation and execution of a contract through the State of Texas Department of Information Resources with RFD & Associates, Inc. was approved on consent on Council Member Flannigan's motion, Council Member Houston's second on an 11-0 vote.**

**Item 42 was pulled for discussion.**

43. Authorize an amendment to the agreement with Aero Solutions LLC., for continued analysis and support for deploying the installation of small cell antenna and support infrastructure on City infrastructure and right-of-way, for an amount increase not to exceed \$164,871, for a revised total amount not to exceed \$370,071. (Notes: This contract 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 contract there were insufficient subcontracting opportunities; therefore, no subcontracting goals were established.)  
**The motion authorizing an amendment to the agreement with Aero Solutions LLC was approved on consent on Council Member Flannigan's motion, Council Member Houston's second on an 11-0 vote.**
44. Authorize award and execution of a 12-month contract with TEXAS ELECTRIC COOPERATIVES; a local bidder that offers the City the best combination of contract price and additional economic development opportunities, including the employment of residents and increased tax revenues; to provide relays for switchgear and control panels in an estimated amount of \$274,157 with four 12-month extension options in an estimated amount of \$274,157 per extension, for a total contract amount not to exceed \$1,370,785. (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 subcontracting opportunities; therefore, no subcontracting goals were established.)  
**This item was withdrawn on consent on Council Member Flannigan's motion, Council Member Houston's second on an 11-0 vote.**
45. Approve an ordinance amending chapters 14-11 and 15-7 and repealing Chapter 15-8 of the City Code related to right of way permitting and City-owned pole attachment agreements for placement of non-City facilities in City right of way and on City-owned poles; declaring an emergency.  
**Ordinance No. 20170817-045 was approved on consent on Council Member Flannigan's motion, Council Member Houston's second on an 11-0 vote.**
46. Authorize negotiation and execution of an interlocal agreement with The University of Texas at Austin to develop a survey, conduct analysis, and develop a final report for the Residential Technology Study for a total amount not to exceed \$50,000.  
**The motion authorizing negotiation and execution of an interlocal agreement with The University of Texas at Austin was approved on consent Council Member Flannigan's motion, Council Member Houston's second on a 10-1 vote. Council Member Troxclair voted nay.**
47. Approve an ordinance denying proposed changes by Oncor Electric Delivery Company LLC to its electric rates within the city limits and providing notice of this ordinance to Oncor Electric Delivery Company LLC.  
**Ordinance No. 20170817-047 was approved on consent on Council Member Flannigan's motion, Council Member Houston's second on a 10-1 vote. Council Member Troxclair voted nay.**

**Item 48 was pulled for discussion.**

49. 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 and amendments to board and commission bylaws were approved on consent on Council Member Flannigan’s motion, Council Member Houston’s second on an 11-0 vote.

**Board and Commission Nominations and Waivers  
August 17, 2017**

**Nominations**

<u>Board/Nominee</u>	<u>Nominated by</u>
<u>2018 Charter Review Commission</u> Karl Thomas Musselman	Council Member Flannigan
<u>2018 Charter Review Commission</u> Tane Ward	Council Member Houston
<u>African American Resource Advisory Commission</u> Sheila Craig	Council Member Garza
<u>Codes &amp; Ordinances Joint Committee</u> Ann Denkler	Zoning & Platting Commission
<u>Codes &amp; Ordinances Joint Committee</u> Ana Aguirre	Zoning & Platting Commission
<u>Codes &amp; Ordinances Joint Committee</u> Bruce Evans	Zoning & Platting Commission

**Waivers**

There are no waivers at this time.

- 50. Approve the waiver or reimbursement of certain fees under City Code Chapter 14-8 for the Travis Country 5K event, which was held May 7, 2017, at Blue Valley Park. (Notes: SPONSOR: Council Member Ellen Troxclair CO 1: Council Member Ora Houston CO 2: Council Member Ann Kitchen CO 3: Council Member Alison Alter)  
**The motion to approve the waiver or reimbursement of certain fees under City Code Chapter 14-8 for the Travis Country 5K event was approved on consent on Council Member Flannigan’s motion, Council Member Houston’s second on an 11-0 vote.**

**Items 51 through 56 were pulled for discussion.**

- 57. Approve the waiver or reimbursement of certain fees under City Code Chapter 14-8 for the Susan G. Komen Race for the Cure 2017, which will be held on Sunday September 24, 2017, beginning at the Austin American Statesman building. (Notes: SPONSOR: Council Member Ellen Troxclair CO 1: Mayor Steve Adler CO 2: Council Member Leslie Pool CO 3: Mayor Pro Tem Kathie Tovo CO 4: Council Member Ora Houston)  
**The motion to approve the waiver or reimbursement of certain fees under City Code Chapter 14-8 for the Susan G. Komen Race for the Cure 2017 was approved on consent on Council Member Flannigan’s motion, Council Member Houston’s second on an 11-0 vote.**

58. Approve an ordinance waiving or reimbursing certain fees for the 1st Annual Charity Show and Shine and BBQ event, sponsored by the Consuelo Mendez Middle School PTSA, which was held on Saturday August 5, 2017, at the Dove Springs Recreation Center. (Notes: SPONSOR: Council Member Delia Garza CO 1: Mayor Pro Tem Kathie Tovo CO 2: Council Member Gregorio Casar CO 3: Council Member Ann Kitchen)  
**Ordinance No. 20170817-058 was approved on consent on Council Member Flannigan's motion, Council Member Houston's second on an 11-0 vote.**
76. Approve a resolution relating to possible legal action regarding the requirements of SB 1004 from the 85th Texas Legislature concerning deployment of wireless communications facilities in the public rights-of-way. (Notes: SPONSOR: Council Member Gregorio Casar CO 1: Council Member Jimmy Flannigan CO 2: Council Member Leslie Pool CO 3: Council Member Delia Garza CO 4: Mayor Adler CO 5: Council Member Alison Alter)  
**Resolution No. 20170817-076 was approved on Council Member Flannigan's motion, Council Member Houston's second on an 11-0 vote.**

Items 59 and 60 were Council Discussion Items.

Item 61 was a Closed Public Hearing.

Items 62 and 63 were Executive Session Items.

Item 64 was a Zoning Ordinance/Restrictive Covenant (HEARING CLOSED) Item.

Items 65 through 68 were Zoning and Neighborhood Plan Amendment Items (Public Hearing and Possible Action).

Items 69 through 75 were public hearing items set for 4:00 p.m.

Item 76 was an Addendum Item.

### **DISCUSSION ITEMS**

4. Authorize award and execution of a construction contract with RS ELLIS, INC/SOUTHWEST CORPORATION for the Walnut Creek Wastewater Treatment Lab and Admin Buildings heating, ventilation, and air conditioning Upgrades Phase 1 project in the amount of \$2,483,881 plus a \$248,388.10 contingency, for a total amount not to exceed \$2,732,269.10. (District 1) (Notes: This contract will be awarded in compliance with City Code Chapter 2-9A (Minority Owned and Women Owned Business Enterprise Procurement Program) through the achievements of Good Faith Efforts with 0.23% MBE and 0.05% WBE participation.)  
**The motion authorizing award and execution of a construction contract with RS Ellis, Inc/Southwest Corporation was approved on Council Member Houston's motion, Council Member Alter's second on a 10-0 vote. Council Member Troxclair abstained.**
56. Approve a resolution initiating amendments to the regulating plan for the Plaza Saltillo Transit-Oriented Development (TOD) Station Area relating to the density bonus program and directing the City Manager to process the amendments and to explore the feasibility of creating a new affordability density bonus program category in all TOD station areas. (Notes: SPONSOR: Council Member Sabino "Pio" Renteria CO 1: Mayor Steve Adler CO 2: Council Member Delia Garza CO 3: Council Member Gregorio Casar CO 4: Council Member Jimmy Flannigan)

A motion to approve the resolution as amended below was made by Council Member Renteria and seconded by Council Member Garza.

The amendment was to revise number II of the second Be It Further Resolved clause to read:

“II. establish appropriate affordability duration requirements to qualify for the Affordability Density Bonus Program; and”

A friendly amendment was made by Council Member Flannigan to amend the last Be It Further Resolved clause to read:

“In conjunction with the CodeNEXT process the City Manager is directed to evaluate the existing Density Bonus programs in TOD district regulating plans, and make recommendations on the establishment of a new Density Bonus Program category to eligible projects to:...”

The friendly amendment was accepted without objection.

A friendly amendment was made by Council Member Alter to amend Part III of the last Be It Further Resolved clause to read:

“III. At least meet the following requirements –  
a. ≤40% MFI = a minimum of 10% of the total units by square footage; and  
b. ≤60% MFI = an additional minimum of 25% of the total units by square footage; and  
c. ≤80% MFI = an additional minimum of 40% of the total units by square footage.”

The friendly amendment was accepted without objection.

A motion to amend the resolution was made by Mayor Pro Tem Tovo and seconded by Council Member Renteria. The amendment was:

To add a new Whereas clause to read: “Whereas, this property falls within the attendance zone of Sanchez Elementary School, a school that AISD has identified as under-enrolled and in danger of closure; and”

To amend the Be It Resolved clause to read: “Eligibility for the new density bonus program should be limited to a development that provides a level of long-term affordability substantially in excess of the current goals and density bonus programs of the Plaza Saltillo regulating plan and limited to the site owned by Habitat for Humanity. The development should be family friendly in terms of amenities, design, and unit mix, and the goal of the substantial majority of units should include multiple bedrooms.”

The amendment was accepted without objection.

Resolution No. 20170817-056 was approved as amended above on Council Member Renteria’s motion, Council Member Garza’s second on an 11-0 vote.

53. Approve a resolution relating to a citizens' task force on displacement issues. (Notes: SPONSOR: Mayor Steve Adler CO 1: Council Member Sabino "Pio" Renteria CO 2: Council Member Leslie Pool CO 3: Council Member Ora Houston CO 4: Council Member Delia Garza)

**A motion to approve the resolution as amended below was made by Mayor Adler and seconded by Council Member Houston.**

**The amendment was to revise the first Be It Resolved clause to read:**

**“The City Council creates a task force to review and recommend the specific strategies in five categories of action, which include (1) preserving and expanding the supply of affordable housing; (2) controlling land for community development; (3) preserving and growing small business and cultural assets; (4) income and asset creation by providing needed services – childcare, transportation, a basic retail sector, access to health care, and employment opportunities – as a precondition for success; and (5) financing strategies to provide community-specific ways to fund the other four categories of action. The task force will commit to a 10-month process that will culminate in identifying sources of information that will reveal the depth of the problem in our communities, set metrics and goals, and give preliminary recommendations for displacement prevention. The task force will be referred to as “Anti-Displacement Task Force”.**

**The friendly amendment was accepted without objection.**

**A friendly amendment was made by Mayor Pro Tem Tovo to add a new Whereas clause and to revise the first Be It Further Resolved clause to read:**

**“Whereas, the City Council has passed multiple resolutions and initiated work related to affordable housing preservation and other anti-gentrification efforts; and”**

**Be It Further Resolved: “The Council finds that the task force will need assistance from the City Manager. To assist the task force with its work, the Council requests the City Manager provide resources to compile data for the task force that includes housing losses due to demolition, condominium conversion, speculative sale, abandonment, increased home prices and rent, and provide other indicators of housing loss and/or displacement drawing from available data; and to provide information to the task force about previously adopted Council Resolutions with the related responses from the City Manager. A partial list of previously adopted Council Resolutions is attached to this Resolution as Exhibit A.”**

**The friendly amendment was accepted without objection.**

**A friendly amendment was made by Council Member Kitchen to revise the second to last paragraph of the Be It Resolved clause to read: “The additional 6 task force members appointed by the Mayor will consist of members who have not been appointed representing the various fields and competencies, including seniors and person with disabilities.”**

**The friendly amendment was accepted without objection.**

**A friendly amendment was made by Council Member Troxclair to revise the second to last paragraph of the Be It Resolved clause to read: “The additional 6 task force members appointed by the Mayor will consist of members who have not been appointed representing the various fields and competencies, including seniors and person with disabilities and local**

government policy expertise and experience in regulatory policy concerning development and housing.”

The amendment was accepted without objection.

A friendly amendment was made by Council Member Pool to revise the first Be It Further Resolved clause to read:

“The Council finds that the task force will need assistance from the City Manager. To assist the task force with its work, the Council requests the City Manager provide resources to compile data for the task force that includes housing losses due to demolition, condominium conversion, speculative sale, abandonment, increased home prices and rent, and provide other indicators of housing loss and/or displacement drawing from available data; and to provide information to the task force about previously adopted Council Resolutions with the related responses from the City Manager, including those recommended in the Mayor’s Task Force on Institutional Racism and Systemic Inequities. A partial list of previously adopted Council Resolutions is attached to this Resolution as Exhibit A.”

The friendly amendment was accepted without objection.

A friendly amendment was made by Council Member Casar to revise Exhibit A to include Resolution 20151210-030.

The friendly amendment was accepted without objection.

Resolution No. 20170817-053 was approved as amended above on Mayor Adler’s motion, Council Member Houston’s second on a 10-1 vote. Council Member Troxclair voted nay.

55. Approve a resolution relating to a gentrification, displacement, and mapping community vulnerability study. (Notes: SPONSOR: Council Member Leslie Pool CO 1: Mayor Steve Adler CO 2: Mayor Pro Tem Kathie Tovo CO 3: Council Member Ora Houston CO 4: Council Member Sabino "Pio" Renteria)

A motion to approve the resolution as amended below was made by Council Member Pool and seconded by Council Member Kitchen.

A friendly amendment was made by Council Member Casar to revise the first Be It Further Resolved clause to read:

“The City Council requests that the Study include sections related to study and data analysis, mapping of vulnerable neighborhoods, and policy tool recommendations; that the Study focus on unique factors, including, but not limited to, race, class, and age, when evaluating the risk of displacement and the degree of harm from displacement; and that the Study be completed on or before August 31, 2018. The City Council also requests a mid-Study report in January, 2018. The City Council also requests that the maximum amount of funds dedicated to the Study be \$62,000.”

The friendly amendment was accepted without objection.

A friendly amendment was made by Council Member Kitchen to revise the first Be It Further Resolved clause to read:

**“The City Council requests that the Study include sections related to study and data analysis, mapping of vulnerable neighborhoods, and policy tool recommendations; that the Study include data in the mapping on public infrastructure investment using existing data; and that the Study be completed on or before August 31, 2018. The City Council also requests a mid-Study report in January, 2018. The City Council also requests that the maximum amount of funds dedicated to the Study be \$69,000.”**

**The friendly amendment was accepted without objection.**

**Resolution No. 20170817-055 was approved as amended above on Council Member Pool’s motion, Council Member Kitchen’s second on a 10-1 vote. Council Member Troxclair voted nay.**

51. Approve a resolution relating to housing cooperatives. (Notes: SPONSOR: Mayor Pro Tem Kathie Tovo CO 1: Mayor Steve Adler CO 2: Council Member Delia Garza CO 3: Council Member Ora Houston CO 4: Council Member Leslie Pool)

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

**A friendly amendment was made by Mayor Pro Tem Tovo. The amendment was:**

**To add a new Whereas clause to read: “Whereas, the Economic Prosperity Commission recommended that “City staff investigate the possibility of requiring and/or incentivizing owners of rental housing developments that are chronic code violators to offer first opportunity to purchase to a cooperative corporation formed by residents with City of Austin-provided or contracted support”; and”**

**To amend the first Be It Resolved clause to read: “The City Council affirms staff efforts to include cooperative housing developers as eligible candidates in the Down Payment Assistance Program. The City Manager is further directed to incorporate scoring criteria for limited and common equity cooperatives within the Rental Housing and Development Assistance Program and the Acquisitions and Development Homeownership Program based on the levels of affordability that the cooperative can achieve. The City Manager is also directed to allow cooperatives to be eligible candidates for any City resources and funding sources available to affordable housing developments.”**

**To add a new Be It Further Resolved clause to read: “The City Manager is directed to explore if the City can implement a “right of first refusal” policy for tenants who live in properties on the Repeat Offender Program to form a cooperative. The City Manager is also directed to review national best practices regarding the formation of cooperatives through “right of first refusal” policies, or similar policies, and to identify potential financing opportunities available to tenants who may want to pursue the establishment of a cooperative, should such a purchase occur. The City Manager is directed to present a memo to Council with her findings by October 16, 2017.”**

**The amendment was accepted without objection.**

**A friendly amendment was made by Council Member Casar to add a new Be It Further Resolved clause to read: “The City Council directs the City Manager to identify additional hurdles to cooperative housing development in the City, to provide recommendations to reduce identified hurdles, and to create incentives for these types of developments.**

Recommendations may include, but are not limited to, code amendments, education and training, or new funding opportunities.”

The friendly amendment was accepted without objection.

Resolution No. 20170817-051 was approved as amended above on Mayor Pro Tem Tovo’s motion, Council Member Casar’s second on an 11-0 vote.

15. Authorize negotiation and execution of an encroachment agreement with CARLYLE LIPPINCOTT 1998 HERITAGE TRUST, MARY LIPPINCOTT 1998 HERITAGE TRUST, and LIPPINCOTT CAPITAL LTD. for the aerial encroachment of right-of-way by balconies and canopies at the intersection of West Elizabeth Street and Eva Street, located at 110 West Elizabeth Street. (District 9)

**The motion authorizing negotiation and execution of an encroachment agreement with Carlyle Lippincott 1998 Heritage Trust, Mary Lippincott 1998 Heritage Trust, and Lippincott Capital Ltd. was approved with the following additional conditions on Mayor Pro Tem Tovo’s motion, Council Member Pool’s second on an 11-0 vote.**

The additional conditions are:

- The applicant agrees to support the establishment of a residential parking program and to pay the City of Austin application fees that the Eva Street residents may incur in the application process, including the initial permit fees for the residential neighbors on Eva Street between Elizabeth and Gibson Streets and subsequent permit fees for five years from the day that the residential parking program is established.
  - To move all commercial services and delivery trucks with the exception of garbage and recycling pickup off of Eva Street and relocate them to the alley.
  - Request and support the neighbors in working with the City toward elimination of the on-street parking on the East side of Eva Street adjacent to the hotel.
  - Design and pay for pedestrian safety enhancements in the alley to include rumble strips, functional planters, shielded nighttime lighting, designated crosswalk zone with a texturized border, signage for drivers and guests to provide notice of vehicles and pedestrians, 24/7 on-site security and traffic calming devices.
  - Extend the no parking zone stripping along Eva Street as shown in the attached exhibit to be attached to the encroachment agreement.
  - To assist the City of Austin with monitoring trends in the volume of traffic and to work with the City in the implementation of these measures to improve traffic.
9. Authorize negotiation and execution of a Family Business Loan Program loan to Lonestar Service Company, LLC, to finance furnishings, tenant finish-out improvements, and related project soft costs associated with lease of a concession facility to be located at 14500 Gregg Manor Rd., a property located within the City’s extraterritorial jurisdiction, in an amount not to exceed \$650,000, funded with proceeds of a U.S. Department of Housing and Urban Development Section 108 Loan to the City.
- The motion authorizing negotiation and execution of a Family Business Loan Program loan to Lonestar Service Company, LLC was approved on Council Member Houston’s motion, Council Member Alter’s second on a 9-2 vote. Those voting aye were: Mayor Adler, Mayor Pro Tem Tovo, and Council Members Alter, Casar, Garza, Houston, Kitchen, Pool, and Renteria. Those voting nay were Council Members Flannigan and Troxclair.**

28. Authorize negotiation and execution of a 60-month contract with ADVANCED TRAFFIC SOLUTIONS, LLC, or one of the other qualified offerors to Request For Proposal JTH0309, to provide specialized software used to manage traffic operations at signalized intersections and control of pedestrian hybrid beacons, in an estimated amount of \$2,100,000, with two 12-month extension options in an estimated amount of \$60,000 per extension option, for a total contract amount not to exceed \$2,220,000. (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 no subcontracting opportunities; therefore no goals were established.)  
**This item was withdrawn without objection at the request of staff.**

### CITIZENS COMMUNICATIONS: GENERAL

Sylvia Mendoza – City Manager input.

Matt Wallace – APD

Rick Hall – APD Carbon Monoxide “The Austin Press”

Frank Ortega - Equity in the workforce, City Manager selection and The Equity office.

Alan Roddy – Be like Travis.

Rudy Hinojosa – A Goodbye to Austin. **Not Present.**

**Mayor Adler recessed the Council Meeting at 12:38 p.m.**

### EXECUTIVE SESSION

62. Discuss legal issues related to open government matters (Private consultation with legal counsel - Section 551.071 of the Government Code).  
**This item was withdrawn without objection.**
63. Discuss legal issues related to the City’s prohibition on housing discrimination based on source of income (Private consultation with legal counsel – Section 551.071 of the Government Code).  
**This item was withdrawn without objection.**

**Mayor Adler reconvened the meeting at 1:39 p.m.**

### DISCUSSION ITEMS CONTINUED

61. Consider a resolution adopting the recommendations of the Electric Utility Commission Resource Planning Working Group for the Austin Energy Resource, Generation and Climate Protection Plan, including long-range planning through 2027.  
**A motion to approve the resolution as amended below was made by Council Member Pool and seconded by Council Member Kitchen.**

**The amendment was to add a new Be It Further Resolved clause to read:**

**“To clarify the recommendations endorsed by the Working Group, the City Council directs the City Manager to conduct the following and present the results to the Electric Utility**



**Commission (EUC), Resource Management Commissions (RMC), and the Austin Energy Utility Oversight Committee (AEUOC) no later than September 30, 2019:**

- 1. Construct a model that achieves both a 75 percent and an 80 percent renewable energy goal by 2027, including a consideration of the costs, benefits, risks, and potential rate impacts.**
- 2. Construct a model that achieves a 100 percent carbon-free energy goal by 2030, including a consideration of the costs, benefits, risks, and potential rate impacts.**
- 3. Study and possibly pilot a utility managed rooftop solar program that requires no investment from customer participants.**
- 4. Evaluate the Working Group’s recommendation to achieve 1,000 MW of energy efficiency by 2027 upon completion of a measurement and verification consultant study, review standards and technology, and an analysis of budget and progress-to-date. Reset the goal if necessary to reflect proportionate demand reduction savings given any new methodology implemented. Austin Energy will concurrently assess the potential to reach a higher goal of 1,100 MW of energy efficiency and demand response by 2027.**
- 5. Using the lessons learned following completion and implementation of the SHINES project, develop a roadmap for implementation of electrical storage to achieve the existing goal of 10 MW of electrical storage by 2025.**
- 6. Study the costs, benefits, risks and potential rate impacts of achieving a more aggressive electric storage goal, such as 50 MW of electrical storage by 2027 and of achieving 100 MW of electrical storage by 2027.**
- 7. Study the technical and economic feasibility of emerging technologies, including dispatchable renewable energy technologies, battery storage, compressed air energy storage, aggregated demand response, and vehicle-to-grid.**
- 8. Reassess the costs and benefits of raising the local solar goals from 200 MW by 2025 to 250 MW by 2025 and to 300 MW by 2027, following the first year of implementation of the commercial value of solar.**
- 9. Assess the feasibility of achieving 100 percent renewable energy by 2035.”**

**An amendment was made by Council Member Kitchen to revise the resolution and the Transportation section of the Working Group Recommendations by providing added direction.**

**The resolution is revised to read: “Council adopts the Electric Utility Commission Resource Planning Working Group 2016-17 Recommendations for Resource Planning Update, including long-range planning through 2027, a copy of which is attached here as Exhibit A, with the following added direction:**

**Transportation:**

**Initiate private public partnerships that promote, market, and provide electric vehicle support that will increase utility revenue while reducing air pollution and greenhouse gases. Expand current efforts and, as possible, utilize these vehicles as a valid distributed storage technology. Added direction:**

- 1. Support the deployment of EV charging infrastructure to enable the City Fleet Services electrification plan, which includes at least 330 new charging stations by 2020 and deployment of at least 8-10 Austin Energy owned and operated DCFast stations by FY 2018.**
- 2. Support the City Fleet Services electrification plan by transitioning 65 Austin Energy retired internal combustion engine vehicles to new electric vehicles by 2020.**

3. Complete the Austin SHINES project by FY19 that includes assessing the value and business case for integrating stationary distributed energy storage. Leverage findings to determine applicability to EV batteries.

Before the 2019 generation plan update, Austin Energy should do an analysis of potential value streams for energy storage that may include Demand Charge Reduction, Peak Load Reduction, Energy Arbitrage, Price Responsive Opportunities, Voltage Support, and Congestion Management and evaluate open standards and business cases that could be applied to a future state of feasible and affordable EV distributed storage. Additionally, to identify potential load and storage resulting from aggressive EV development.

4. Support growth of public and private charging station deployments by offering rebates, operational support, outreach, and special public charging rates to include support for low income populations.
5. Leverage the residential EV time of use rate pilot “EV360,” launched in 2017, to develop lessons learned and best practices in FY18 for consideration in a wider roll-out of this service.

The amendment was accepted without objection.

An amendment was made by Council Member Garza to amend page 7 of the Work Group Recommendations to read: “Austin Energy will:

- Budget at least 2.5% gross revenues to Demand Side Management (recovered in the CDC and base rates) – Austin Energy will work with stakeholders to make future goals ‘budget-based’ rather than MW-based as has been done in the past.
- Commit to achieving a target of at least 1% of energy savings (as compared to energy sales) on an annual basis going forward.
- Commit to directing at least 20% of total DSM budget to existing and potential programs for low-income and hard-to-reach markets in the multifamily and single-family areas along with small business. A minimum of 5 percent of the 20 percent will be dedicated to the low-income weatherization program per year.”

The amendment was accepted without objection.

An amendment was made by Council Member Alter to amend the Energy Efficiency and Demand Response section of Exhibit A by adding a fourth bullet to read:

“Commit to accelerate Plug-In Electric Vehicle (PEV) based demand response capabilities, including modifying the electric vehicle residential charging station rebate program to encourage the deployment of equipment that enables peak shaving for PEV’s similar to AE’s existing *Power Partners* HVAC DR thermostat program.”

The amendment was accepted without objection.

An amendment was made by Mayor Pro Tem Tovo to add a new Be It Further Resolved clause to read:

“The Austin City Council affirms its continued interest in achieving the city’s climate protection goal of reducing emissions as quickly as possible and in generating or contracting for sufficient renewable energy generation to meet at least 75% of customer demand by 2027 and 100% by 2030.”

A friendly amendment was made by Mayor Adler to amend the new Be It Further Resolved clause to read:

“The Austin City Council affirms its continued interest in achieving the city’s climate protection goal of reducing emissions as quickly as possible.”

The friendly amendment as amended was accepted without objection.

**Resolution No. 20170817-061 was approved as amended above on Council Member Pool’s motion, Council Member Kitchen’s second on a 10-1 vote. Council Member Troxclair voted nay.**

54. Approve a resolution relating to legal actions that concern housing discrimination based on source of income. (Notes: SPONSOR: Council Member Gregorio Casar CO 1: Council Member Delia Garza CO 2: Mayor Pro Tem Kathie Tovo CO 3: Council Member Ann Kitchen CO 4: Council Member Alison Alter)

**Resolution No. 20170817-054 was approved on Council Member Casar’s motion, Council Member Garza’s second on a 10-1 vote. Council Member Troxclair voted nay.**

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

64. C14-2016-0017 Driveway Austin – District 1 – Approve second/third readings of an ordinance amending City Code Title 25 by rezoning property locally known as 8400 and 8401 Delwau Lane (Colorado River Watershed) from general office (GO) district zoning to community commercial (GR) district zoning. First Reading approved on September 22, 2016. Vote: 11-0. Owner/Applicant: Interest Partners, LLC (William Dollahite). City Staff: Heather Chaffin, 512-974-2122.

**Ordinance No. 20170817-064 for community commercial (GR) district zoning was approved on Council Member Garza’s motion, Council Member Troxclair’s second on an 11-0 vote.**

65. NPA-2016-0016.01 - 3212 E. Cesar Chavez Street - District 3 - District 3 - Conduct a public hearing and approve an ordinance amending Ordinance No. 20030327-12, 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 and 111 Tillery Street (Colorado River Watershed) from Commercial and Industry land uses to Multifamily and Mixed Use land uses. Staff Recommendation: To grant Mixed Use land use. Planning Commission Recommendation: To be reviewed on August 8, 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 31, 2017 at the request of the neighborhood on Council Member Garza’s motion, Council Member Troxclair’s second on an 11-0 vote.**

66. C14-2016-0079 - 3212 E. Cesar Chavez Street - District 3 -Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 3212 East Cesar Chavez Street and 111 Tillery 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 multifamily residence- highest density-conditional overlay-neighborhood plan (MF-6-CO-NP) combining district zoning and general commercial services-mixed use-conditional overlay-neighborhood plan (CS-MU-CO-NP) combining district zoning. Staff Recommendation: To grant multifamily residence-highest density-conditional overlay-neighborhood plan (MF-6-CO-NP) combining district zoning and general commercial services-

mixed use-conditional overlay-neighborhood plan (CS-MU-CO-NP) combining district zoning. Planning Commission Recommendation: To be reviewed on August 8, 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 31, 2017 at the request of the neighborhood on Council Member Garza's motion, Council Member Troxclair's second on an 11-0 vote.**

67. NPA-2016-0016.04 - The Rail Spur Building - District 3 –Conduct a public hearing to 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 618 Tillery Street (Boggy Creek Watershed) from Office and Mixed Use land use to Commercial and Mixed Use land use. Staff Recommendation: To grant Commercial and Mixed Use land use. Planning Commission Recommendation: To be reviewed on August 8, 2017. Owner/Applicant: Peter Barland. Agent: Peter Barland. City Staff: Maureen Meredith, 512 - 974-2695.

**This item was postponed to October 5, 2017 at the request of staff on Council Member Garza's motion, Council Member Troxclair's second on an 11-0 vote.**

68. C14-2017-0058 – Tap 24 – District 9 – Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 1004 W 24th Street (Shoal Creek Watershed) from general commercial services- neighborhood plan (CS-NP) combining district zoning to commercial-liquor sales- neighborhood plan (CS-1-NP) combining district zoning. Staff Recommendation: To grant commercial-liquor sales-neighborhood plan (CS-1-NP) combining district zoning. Planning Commission Recommendation: To grant commercial-liquor sales-neighborhood plan (CS-1-NP) combining district zoning. Owner/Applicant: AMS Retail Two LLC (Tony Davenport). Agent: Mike McHone Real Estate (Mike McHone). City Staff: Scott Grantham, 512-974-3574.

**The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20170817-068 for commercial-liquor sales- neighborhood plan (CS-1-NP) combining district zoning was approved on Council Member Garza's motion, Council Member Troxclair's second on an 11-0 vote.**

#### **DISCUSSION ITEMS CONTINUED**

5. Authorize negotiation and execution of an amendment to the professional services agreement with MCKINNEY ARCHITECTS INC. dba MCKINNEY YORK ARCHITECTS, for additional architectural services for the InVision Studios project in the amount of \$30,000 for a total contract amount not to exceed \$338,000. (District 9) (Notes: This amendment will be awarded in compliance with City Code Chapter 2-9B (Minority Owned and Women Owned Business Enterprise Procurement Program). Current participation to date is 29.08% MBE and 12.02% WBE.)

**The motion authorizing negotiation and execution of an amendment to the professional services agreement with McKinney Architects Inc. doing business as McKinney York Architects was approved on Mayor Pro Tem Tovo's motion, Council Member Pool's second on an 11-0 vote.**

14. Approve second and third reading of an ordinance relating to special events and high capacity event venues, repealing and replacing City Code Chapter 14-8 relating to right-of-way closures for special events and neighborhood block parties, amending requirements for temporary food establishments during a special event, repealing City Code Section 14-6-3 relating to closures for

a street festivity, amending City Code Chapter 9-2 relating to 24-hour live music and multi-day special event permits; and creating offenses and establishing penalties.

**This item was postponed to August 31, 2017 on Council Member Flannigan's motion, Council Member Garza's second on an 11-0 vote.**

**Direction was given to staff to review options for reducing costs of City fees for neighborhood events and to provide a copy of the draft administrative rules.**

16. Approve an ordinance amending the Fiscal Year 2016-2017 Office of Real Estate Services Capital Budget (Ordinance No. 20160914-002) to increase appropriations by \$121,850,000 for the Planning and Development Center acquisition, for a total appropriation of \$122,500,000. Related to Items #17 and #18.  
**Ordinance No. 20170817-016 was approved on Council Member Flannigan's motion, Council Member Renteria's second on a 10-0 vote. Mayor Pro Tem Tovo abstained.**
17. Authorize negotiation and execution of all documents and instruments necessary or desirable to purchase in fee simple 5.164 acres and improvements out of Lot 3F Austin Mall located at the southwest corner of Middle Fiskville Road and Highland Mall Boulevard at the Austin Community College Highland Mall Campus in Austin, Travis County, Texas, from Highland PDC, LLC, in an amount not to exceed \$122,500,000, including closing costs (District 4). Related to Items #16 and #18.  
**The motion authorizing negotiation and execution of all documents and instruments necessary or desirable to purchase in fee simple 5.164 acres and improvements from Highland Community College Highland Mall Campus was approved on Council Member Flannigan's motion, Council Member Renteria's second on a 10-0 vote. Mayor Pro Tem Tovo abstained.**
18. Approve a resolution declaring the City of Austin's official intent to reimburse itself from proceeds of certificates of obligation to be issued for expenditures in the total amount of \$121,850,000 for the Planning and Development Center acquisition. Related to Items #16 and #17.  
**Resolution No. 20170817-018 was approved on Council Member Flannigan's motion, Council Member Renteria's second on a 10-0 vote. Mayor Pro Tem Tovo abstained.**
24. Authorize negotiation and execution of an amendment to the interlocal agreement with the Texas Department of Transportation for the relocation of existing water and wastewater lines in conflict with the US 290 Improvements at Texas State Highway 71, William Cannon Drive, and Joe Tanner Road project in the amount of \$214,291.55 for a total contract amount not to exceed \$1,186,147.55. (District 8)  
**The motion authorizing negotiation and execution of an amendment to the interlocal agreement with the Texas Department of Transportation was approved on Council Member Houston's motion, Council Member Renteria's second on an 11-0 vote.**
42. 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 solicit the bid and to divide the request for proposal to allow for 3 or 4 zones failed on Council Member Garza's motion, Council Member Casar's second on a 4-7 vote. Those voting aye were: Council Members Casar, Garza, Pool, and Renteria. Those voting nay were: Mayor Adler, Mayor Pro Tem Tovo, and Council Members Alter, Flannigan, Houston, Kitchen, and Troxclair.**

**A motion to postpone this item to August 31, 2017 failed on Council Member Kitchen's motion, Council Member Renteria's second on a 4-6 vote. Those voting aye were: Mayor Pro Tem Tovo and Council Members Houston, Kitchen, and Pool. Those voting nay were: Mayor Adler and Council Members Alter, Flannigan, Garza, Renteria, and Troxclair. Council Member Casar was off the dais.**

**The motion authorizing negotiation and execution of two contracts with Asplundh Tree Expert Co. and Wright Tree Service Inc. for 24 months with direction that any extensions be approved by Council was approved on Council Member Troxclair's motion, Council Member Flannigan's second on an 8-2 vote. Those voting aye were: Mayor Adler, Mayor Pro Tem Tovo, and Council Members Alter, Casar, Flannigan, Houston, Kitchen, and Troxclair. Council Members Garza and Pool voted nay. Council Member Renteria abstained.**

48. Authorize negotiation and execution of an interlocal agreement with the Austin Independent School District for transportation services for students participating in the City's watershed education programs for Fiscal Year 2017-2018 in an amount not to exceed \$30,000, with five additional one-year extension options, each in an amount not to exceed \$30,000, for a total contract amount not to exceed \$180,000.

**The motion authorizing negotiation and execution of an interlocal agreement with the Austin Independent School District was approved on Council Member Houston's motion, Council Member Renteria's second on a 9-2 vote. Those voting aye were: Mayor Adler, Mayor Pro Tem Tovo and Council Members Alter, Casar, Garza, Houston, Kitchen, Pool, and Renteria. Those voting nay were Council Members Flannigan and Troxclair.**

**Direction was given to staff to provide Council with a listing of the past four years of the school that the department has contracted to provide programs or services.**

### **PUBLIC HEARINGS**

69. Conduct a public hearing to receive public comment on growth-related projects within the Drinking Water Protection Zone to be included in the FY 2017-2018 Capital Budget.  
**The public hearing was conducted and a motion to close the public hearing was approved on Council Member Pool's motion, Council Member Renteria's second on an 11-0 vote.**
70. Conduct a public hearing to receive public comment on the proposed rate and fee changes for Austin Water as part of the Fiscal Year 2017-2018 Proposed Budget.  
**The public hearing was conducted and a motion to close the public hearing was approved on Council Member Casar's motion, Council Member Renteria's second on an 11-0 vote.**
71. Conduct a public hearing to receive public comment on the proposed rate and fee changes for Austin Resource Recovery as part of the Fiscal Year 2017-2018 Proposed Budget.

The public hearing was conducted and a motion to close the public hearing was approved on Council Member Casar's motion, Council Member Renteria's second on an 11-0 vote.

### DISCUSSION ITEMS

59. Discussion regarding the City's proposed budget for fiscal year 2017-2018.  
**This item was withdrawn without objection.**
60. Discussion and possible action on the Council Budget Concept Menu.  
**This item was withdrawn without objection.**

Mayor Adler recessed the meeting at 5:38 p.m.

### LIVE MUSIC

DJ HellaYella

Mayor Pro Tem Tovo reconvened the meeting at 6:31 p.m. Council Member Kitchen was absent.

### PUBLIC HEARINGS CONTINUED

72. Conduct a public hearing and consider an ordinance amending the City Code, Chapter 25-10 relating to the regulation of signs.  
**The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20170817-072 was approved on Mayor Pro Tem Tovo's motion, Council Member Pool's second on a 10-0 vote. Council Member Kitchen was off the dais.**

### DISCUSSION ITEMS CONTINUED

52. Approve a resolution creating a task force to analyze and provide recommendations on the Aquatic Master Plan. (Notes: SPONSOR: Mayor Pro Tem Kathie Tovo CO 1: Council Member Leslie Pool CO 2: Council Member Alison Alter CO 3: Council Member Sabino "Pio" Renteria CO 4: Council Member Ann Kitchen)  
**A motion to approve the resolution as amended below was made by Mayor Pro Tem Tovo and seconded by Council Member Alter.**

**The amendment was to revise the Be It Resolved clause to read:**

**"A Task Force on the Aquatic Master Plan is created. The Task Force will consist of four members of the Parks and Recreation Board and will be selected by the existing Parks and Recreation Board Membership. The Task Force will conduct public meetings and solicit additional feedback on this draft planning tool."**

**To revise the first Be It Further Resolved clause to read:**

**"Task Force members should review the Plan with consideration for the existing criteria of geographic equity and access, environment sustainability, and fiscal sustainability, while also taking into account historical and cultural importance, popularity, residential density and future population projections, as well as creative funding sources and opportunities to create or leverage partnerships."**

An amendment was made by Council Member Garza and seconded by Council Member Flannigan to revise the last Be It Further Resolved clause to include possible pool closures.

A friendly amendment was made by Council Member Alter to revise the language of the amendment to read "...including prioritization of investments including consideration of possible closures of pools." The friendly amendment was accepted without objection.

An amendment was made by Council Member Casar and seconded by Council Member Garza to include "...as well as access to aquatics for residents who do not have access".

A friendly amendment to the amendment was made by Council Member Alter to revise the last Be It Further Resolved clause to include the "... as well as creative funding sources, opportunities to create or leverage partnerships and provide policy guidance on how to prioritize investments, including possible pool closures and the building of new aquatics facilities."

The friendly amendment was accepted without objection.

Resolution No. 20170817-052 was approved as amended above on Mayor Pro Tem Tovo's motion, Council Member Alter's second on a 10-0 vote. Council Member Kitchen was off the dais.

#### **PUBLIC HEARINGS CONTINUED**

73. Conduct a public hearing to receive public comment on the proposed rate and fee changes for Austin Energy as part of the Fiscal Year 2017-2018 Proposed Budget. (August 14, 2017 – Unanimously recommended by the Electric Utility Commission on a vote of 8-0, with Commissioners Stout and Zell absent and one vacancy.)  
**The public hearing was conducted and a motion to close the public hearing was approved on Mayor Pro Tem Tovo's motion, Council Member Houston's second on a 9-0 vote. Council Members Kitchen and Renteria were off the dais.**
75. Conduct a public hearing on the proposed property (ad valorem) tax rate for Fiscal Year 2017-2018.  
**The public hearing was conducted and the public hearing was closed without objection.**
74. Conduct a public hearing to receive public comment on the City of Austin Fiscal Year 2017-2018 Proposed Budget.  
**The public hearing was conducted and a motion to recess the public hearing was approved on Council Member Flannigan's motion, Council Member Pool's second on a 10-0 vote. Council Member Kitchen was off the dais.**

**Council will continue to receive public comment on the proposed budget on August 31, 2017 at 4:00 p.m., and will vote to adopt the budget for Fiscal Year 2017-18 at the annual budget meetings at City Hall on the following dates, starting at 9:30 a.m.:**

**Monday, September 11, 2017  
Tuesday, September 12, 2017  
Wednesday, September 13, 2017 (if needed)**



**Mayor Adler adjourned the meeting at 10:25 p.m. without objection.**

**The minutes were approved on this the 31<sup>st</sup> day of August 2017 on Council Member Garza's motion, Council Member Kitchen's second on an 11-0 vote.**