

**AUSTIN CITY COUNCIL
MINUTES****REGULAR MEETING
THURSDAY, SEPTEMBER 28, 2017**

Invocation: Pastor Brad Highum, Abiding Love Lutheran Church

Special Presentation: Honorary Citizen certificates, Dominican Republic delegation

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, September 28, 2017 in the Council Chambers of City Hall, 301 West Second Street, Austin, Texas.

Mayor Adler called the Council Meeting to order at 10:20 a.m. Council Member Troxclair was absent.

CONSENT AGENDA

The following items were acted on by one motion.

1. Approve the minutes of the Austin City Council budget work session of August 23, 2017, special called emergency meeting of August 29, 2017, work session of August 29, 2017, budget work session of August 30, 2017, special called emergency meeting of August 31, 2017, regular meeting of August 31, 2017, special called of September 5, 2017, special called of September 6, 2017, special called of September 7, 2017, and budget and tax adoption meetings of September 11, 2017, September 12, 2017 and September 13, 2017.
The minutes of the City Council budget work session of August 23, 2017, special called emergency meeting of August 29, 2017, work session of August 29, 2017, budget work session of August 30, 2017, special called emergency meeting of August 31, 2017, regular meeting of August 31, 2017, special called of September 5, 2017, special called of September 6, 2017, special called of September 7, 2017, and budget and tax adoption meetings of September 11, 2017, September 12, 2017 and September 13, 2017 were approved on consent on Council Member Garza's motion, Council Member Casar's second on a 10-0 vote. Council Member Troxclair was absent.
2. Authorize negotiation and execution of a fourth amendment to the interlocal agreement with Travis County for the City's provision of animal services, for a 12-month term beginning October 1, 2017 in an amount not to exceed \$1,658,126.

The motion authorizing negotiation and execution of a fourth amendment to an interlocal agreement with Travis County was approved on consent on Council Member Garza's motion, Council Member Casar's second on a 10-0 vote. Council Member Troxclair was absent.

3. Approve negotiation and execution of an interlocal agreement with Travis County for the enrichment and training of canines by incarcerated individuals for an initial 12-month term, with two 12-month renewal options.

The motion authorizing negotiation and execution of an interlocal agreement with Travis County was approved on consent on Council Member Garza's motion, Council Member Casar's second on a 10-0 vote. Council Member Troxclair was absent.

4. Approve negotiation and execution of an interlocal agreement with Travis County for the fostering of kittens by incarcerated individuals for an initial 12-month term, with two 12-month renewal options.

The motion authorizing negotiation and execution of an interlocal agreement with Travis County was approved on consent on Council Member Garza's motion, Council Member Casar's second on a 10-0 vote. Council Member Troxclair was absent.

5. Approve issuance of a rebate to the Mary Lee Foundation for performing energy efficiency improvements at its facilities located on Lamar Square Drive, in an amount not to exceed \$99,639. (District 5) September 18, 2017 – Recommended by the Electric Utility Commission on a 7-0 vote, with Commissioners Fath, Reel, and Wray absent and one vacancy.

The motion authorizing the issuance of a rebate to the Mary Lee Foundation was approved on consent on Council Member Garza's motion, Council Member Casar's second on a 10-0 vote. Council Member Troxclair was absent.

6. Approve issuance of a rebate to Dillard's, Inc., for performing energy efficiency improvements at its retail facility located at 3211 Feathergrass Court, in an amount not to exceed \$79,992. (District 7) September 18, 2017 – Recommended by the Electric Utility Commission on a 7-0 vote, with Commissioners Fath, Reel, and Wray absent and one vacancy.

The motion authorizing the issuance of a rebate to Dillard's, Inc. was approved on consent on Council Member Garza's motion, Council Member Casar's second on a 10-0 vote. Council Member Troxclair was absent.

7. Approve issuance of a rebate to Round Rock ISD for performing energy efficiency improvements at McNeil High School located at 5720 McNeil Drive, in an amount not to exceed \$70,265.

This item was withdrawn on consent on Council Member Garza's motion, Council Member Casar's second on a 10-0 vote. Council Member Troxclair was absent.

8. Approve issuance of a rebate to the Texas Facilities Commission for performing energy efficiency improvements at the Brown-Heatly Office Building located at 4900 N. Lamar Blvd., in an amount not to exceed \$113,798. (District 9) September 18, 2017 – Recommended by the Electric Utility Commission on a 7-0 vote, with Commissioners Fath, Reel, and Wray absent and one vacancy.

The motion authorizing the issuance of a rebate to the Texas Facilities Commission was approved on consent on Council Member Garza's motion, Council Member Casar's second on a 10-0 vote. Council Member Troxclair was absent.

9. Approve issuance of a rebate to the Texas Facilities Commission for performing energy efficiency improvements at the William P. Hobby Jr. Office Building located at 333 Guadalupe Street, in an amount not to exceed \$154,924 (District 9). September 18, 2017 – Recommended by the Electric Utility Commission on a 7-0 vote, with Commissioners Fath, Reel, and Wray absent and one vacancy.

The motion authorizing the issuance of a rebate to the Texas Facilities Commission was approved on consent on Council Member Garza's motion, Council Member Casar's second on a 10-0 vote. Council Member Troxclair was absent.

10. Authorize the negotiation and execution of a Community Facilities and Cost Reimbursement Agreement with Austin 1801 East 6th, L.P., a Texas limited partnership, for a portion of the Plaza Saltillo Water Rehabilitation Phase II Capital Improvement Project for an amount not to exceed \$250,000. (District 3)

The motion authorizing the negotiation and execution of a Community Facilities and Cost Reimbursement Agreement with Austin 1801 East 6th, L.P., a Texas limited partnership, was approved on consent on Council Member Garza's motion, Council Member Casar's second on a 10-0 vote. Council Member Troxclair was absent.

Item 11 was pulled for discussion.

12. Authorize the use of the Design-Build procurement method in accordance with Texas Government Code Chapter 2269 for the design and construction services for the Downtown Chiller Capacity Addition. (District 9)

The motion authorizing the use of the Design-Build procurement method was approved on consent on Council Member Garza's motion, Council Member Casar's second on a 10-0 vote. Council Member Troxclair was absent.

13. Authorize negotiation and execution of a professional services agreement with PARSONS WATER & INFRASTRUCTURE INC., (staff recommendation) or one of the other qualified responders for Request for Qualifications Solicitation No. CLMP230 to provide engineering services for the Greater Walnut Area Centralized Odor Control Facility in an amount not to exceed \$800,000. (District 1)

The motion authorizing negotiation and execution of a professional services agreement with Parsons Water & Infrastructure Inc. was approved on consent on Council Member Garza's motion, Council Member Casar's second on a 10-0 vote. Council Member Troxclair was absent.

14. Authorize award and execution of a construction contract with SANTA CLARA CONSTRUCTION, LTD, for the Citywide Stormwater Infrastructure Maintenance Indefinite Delivery/Indefinite Quantity in the amount of \$2,000,000 for an initial one-year term, with three one-year extension options of \$2,000,000, for a total contract amount not to exceed \$8,000,000.

The motion authorizing award and execution of a construction contract with Santa Clara Construction, Ltd was approved on consent on Council Member Garza's motion, Council Member Casar's second on a 10-0 vote. Council Member Troxclair was absent.

Items 15 and 16 were pulled for discussion.

17. Approve negotiation and execution of an interlocal agreement with Travis County to purchase emergency response vehicles from Travis County in an amount not to exceed \$1,616,600.

The motion authorizing negotiation and execution of an interlocal agreement with Travis County was approved on consent on Council Member Garza's motion, Council Member Casar's second on a 10-0 vote. Council Member Troxclair was absent.

Item 18 was pulled for discussion.

19. Approve an ordinance amending City Code Chapter 2-10 (Municipal Court) to revise and add provisions regarding indigency.

This item was postponed to October 12, 2017 at the request of staff on Council Member Garza's motion, Council Member Casar's second on a 10-0 vote. Council Member Troxclair was absent.

Direction was given to staff to include additional amendments to City Code Section 2-10 regarding fines, alternative sentencing and imprisonment based on stakeholder feedback and bring the item back for Council approval on October 12, 2017.

20. Approve a resolution consenting to the issuance of Multi-family Private Activity Bonds, by Austin Affordable PFC, Inc., an affiliate of the Housing Authority of the City of Austin, in an amount not to exceed \$38,000,000 to finance, in part, the development and new construction of an affordable multi-family rental development located at the southwest corner of Dessau Road and Howard Lane. (District 7)

Resolution No. 20170928-020 was approved on consent on Council Member Garza's motion, Council Member Casar's second on a 9-1 vote. Council Member Houston voted nay. Member Troxclair was absent.

21. Authorize the negotiation and execution of Amendment No. 1 to the Agreement Concerning Implementation of the East 11th and 12th Streets Urban Renewal Plan between the City and the Urban Renewal Agency relating to the roles, responsibilities, and processes for the redevelopment of the East 11th and 12th Street Revitalization Project to add two 12-month extension options.

The motion authorizing negotiation and execution of amendment number one to the Agreement Concerning Implementation of the East 11th and 12th Streets Urban Renewal Plan was approved on consent on Council Member Garza's motion, Council Member Casar's second on a 10-0 vote. Council Member Troxclair was absent.

22. Authorize the negotiation and execution of a one-year contract with BUSINESS INVESTMENT GROWTH to provide training and technical assistance services to certified microenterprise firms

in an amount not to exceed \$200,000 with one 12-month extension option in an amount not to exceed \$200,000, for a total contract amount not to exceed \$400,000.

The motion authorizing the negotiation and execution of a contract with Business Investment Growth was approved on consent on Council Member Garza's motion, Council Member Casar's second on a 10-0 vote. Council Member Troxclair was absent.

23. Authorize negotiation and execution of a one-year contract with AUSTIN TENANTS' COUNCIL to fund and administer the Tenants' Rights Assistance Program for community education and information about tenant protection laws in an amount not to exceed \$288,729 with one 12-month extension option in an amount not to exceed \$288,729 per extension option, for a total contract amount not to exceed \$577,458.

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

24. Authorize negotiation and execution of a 12-month contract with PEOPLEFUND to fund and administer the Community Development Bank program, to support job creation and expansion of small businesses by providing loan services, in an amount not to exceed \$150,000 with one 12-month extension option in an amount not to exceed \$150,000 per extension option, for a total contract amount not to exceed \$300,000.

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

Item 25 was pulled for discussion.

26. Authorize the negotiation and execution of a one-year contract with FAMILY ELDERCARE, INC. to fund and administer the Senior Services Program in an amount not to exceed \$134,000 with one 12-month extension option in an amount not to exceed \$134,000, for a total contract amount not to exceed \$268,000.

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

27. Authorize negotiation and execution of an 84-month lease for approximately 59,494 square feet of office space for the Development Services Department and Austin Energy, at 5202 East Ben White Boulevard, in Austin, Travis County, Texas, from 5204 BEN WHITE 2017, LP, A TEXAS LIMITED PARTNERSHIP, in an amount not to exceed \$10,936,187.34 (District 3).

The motion authorizing the negotiation and execution of an 84-month lease with 5204 Ben White 2017, LP, A Texas Limited Partnership was approved on consent on Council Member Garza's motion, Council Member Casar's second on a 9-0 vote. Mayor Adler recused himself. Council Member Troxclair was absent.

28. Authorize negotiation and execution of a 60-month lease renewal for approximately 27,520 square feet of warehouse space for the Austin Police Department for the Blue Santa Program and

the Community Liaison Unit, located at 4101 South Industrial Drive, Suite 260, Austin, Travis County, Texas, from ICON OWNER POOL 6 AUSTIN, LLC, in an amount not to exceed \$1,455,257.60 (District 2).

The motion authorizing the negotiation and execution of a 60-month lease renewal with Icon Owner Pool 6 Austin, LLC, was approved on consent on Council Member Garza's motion, Council Member Casar's second on a 10-0 vote. Council Member Troxclair was absent.

29. Approve negotiation and execution of an interlocal agreement regarding the exchange of extraterritorial jurisdiction ("ETJ") with the City of Manor, whereby approximately 27 acres will be released from Austin's ETJ to Manor's ETJ and approximately 7 acres will be disannexed from Manor's city limits and released to Austin's ETJ.

The motion authorizing negotiation and execution of an interlocal agreement with the City of Manor was approved on consent on Council Member Garza's motion, Council Member Casar's second on a 10-0 vote. Council Member Troxclair was absent.

30. Authorize the execution of an interlocal agreement with the University of Texas at Austin to provide special event services on an as-needed basis.

The motion authorizing the execution of an interlocal agreement with the University of Texas at Austin was approved on consent on Council Member Garza's motion, Council Member Casar's second on a 10-0 vote. Council Member Troxclair was absent.

31. Authorize negotiation and execution of a fourth amendment to the interlocal agreement with Travis County for the City's provision of public health services, for a 12-month period beginning October 1, 2017 in an amount not to exceed \$4,403,824.

The motion authorizing negotiation and execution of a fourth amendment of an interlocal agreement with Travis County was approved on consent on Council Member Garza's motion, Council Member Casar's second on a 10-0 vote. Council Member Troxclair was absent.

32. Authorize negotiation and execution of a contract with Pike Electric, LLC, or the other qualified offeror to Request For Proposals DNJ0003REBID, to provide electric relay devices and related services, for an initial term of two years with three one-year extension options, for a total contract amount not to exceed \$4,160,000.(Notes: This solicitation was reviewed for subcontracting opportunities in accordance with City Code Chapter 2-9C Minority Owned and Women Owned Business Enterprise Procurement Program. For the services required for this solicitation, there were insufficient subcontracting opportunities; therefore, no subcontracting goals were established.)

The motion authorizing the negotiation and execution of a contract with Pike Electric, LLC, was approved on consent on Council Member Garza's motion, Council Member Casar's second on a 9-1 vote. Council Member Houston voted nay. Council Member Troxclair was absent.

33. Authorize negotiation and execution of a contract through the State of Texas Department of Information Resources cooperative purchasing program with Neos Consulting Group LLC

(WBE), to provide software and implementation services for a time and attendance, labor scheduling and leave management solution, for an initial term of three years with one two-year extension option, for a total contract amount not to exceed \$8,598,885.(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 an insufficient number of certified M/WBEs; therefore, no subcontracting goals were established.)

The motion authorizing the negotiation and execution of a contract through the State of Texas Department of Information Resources cooperative purchasing program with Neos Consulting Group LLC was approved on consent on Council Member Garza's motion, Council Member Casar's second on a 10-0 vote. Council Member Troxclair was absent.

34. Authorize negotiation and execution of a contract with Bentley Systems, Inc., to provide an enterprise license for engineering and design software and support, for a term of three years, in an amount not to exceed \$654,134. (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 the negotiation and execution of a contract with Bentley Systems, Inc. was approved on consent on Council Member Garza's motion, Council Member Casar's second on a 10-0 vote. Council Member Troxclair was absent.

35. Authorize negotiation and execution of various cooperative contracts during Fiscal Year 2017-2018 through the State of Texas Department of Information Resources cooperative purchasing program for the purchase of computer, network and other technology hardware, software and related maintenance and technology services, for a total amount not to exceed \$65,733,000.(Notes: These contracts will be awarded by a cooperative purchase agreement with the State of Texas Department Information Resources in accordance with Chapter 2054 of the Texas Government Code.)

The motion authorizing the negotiation and execution of various cooperative contracts through the State of Texas Department of Information Resources cooperative purchasing program was approved on consent on Council Member Garza's motion, Council Member Casar's second on a 10-0 vote. Council Member Troxclair was absent.

36. Authorize award and execution of a contract with Fortiline Inc. DBA Fortiline Waterworks, to provide water meter lids and boxes, for an initial term of two years, with three one-year extension options, for a total contract amount not to exceed \$570,000.(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 subcontracting opportunities; therefore, no subcontracting goals were established.)

The motion authorizing the award and execution of a contract with Fortiline Inc. doing business as Fortiline Waterworks was approved on consent on Council Member Garza's motion, Council Member Casar's second on a 10-0 vote. Council Member Troxclair was absent.

37. Authorize negotiation and execution of four contracts with Dooley Tackaberry, Inc., First Alarm Fire Sales, LLC, Hilti, Inc., and The Supply Cache, Inc., to provide fire protection equipment and supplies, each for an initial term of three years, with two one-year extension options, for total contract amounts not to exceed \$525,000, divided among the contractors.(Notes: This solicitation was reviewed for subcontracting opportunities in accordance with City Code Chapter 2-9D Minority Owned and Women Owned Business Enterprise Procurement Program. For the goods required for this solicitation, there were no subcontracting opportunities; therefore, no subcontracting goals were established.)
- The motion authorizing the negotiation and execution of four contracts with Dooley Tackaberry, Inc., First Alarm Fire Sales, LLC, Hilti, Inc., and The Supply Cache, Inc. was approved on consent on Council Member Garza's motion, Council Member Casar's second on a 10-0 vote. Council Member Troxclair was absent.**
38. Authorize award and execution of a contract with Metro Fire Apparatus Specialists, Inc., to provide fire apparatus pumps and associated parts, for an initial term of three years, with two one-year extension options, for a total contract amount not to exceed \$370,000.(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 subcontracting opportunities; therefore, no subcontracting goals were established.)
- The motion authorizing the award and execution of a contract with Metro Fire Apparatus Specialists, Inc. was approved on consent on Council Member Garza's motion, Council Member Casar's second on a 10-0 vote. Council Member Troxclair was absent.**
39. Authorize an amendment to prior Council action authorizing a contract to provide automotive batteries and repair parts with AutoZone Parts, Inc., to correct the cooperative program from National Intergovernmental Purchasing Alliance Company to The Cooperative Purchasing Network (Region 4 Education Service Center).(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 an amendment to a contract with AutoZone Parts, Inc. was approved on Council Member Garza's motion, Council Member Casar's second on a 10-0 vote. Council Member Troxclair was absent.**
40. Authorize award and execution of a contract with Lone Star Products and Equipment LLC, to provide light bars, sirens, parts, and accessories for emergency vehicles for an initial term of three years with two one-year extension options, for a total contract amount not to exceed \$850,000.(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 subcontracting goals were established.)

The motion authorizing the award and execution of a contract with Lone Star Products and Equipment LLC was approved on consent on Council Member Garza's motion, Council Member Casar's second on a 10-0 vote. Council Member Troxclair was absent.

Item 41 was pulled for discussion.

42. Authorize award and execution of a contract with Martin Marietta Materials, Inc., to provide concrete materials, for an initial term of two years, with three one-year extension options, for a total contract amount not to exceed \$1,212,500.(Notes: This solicitation was reviewed for subcontracting opportunities in accordance with City Code Chapter 2-9D Minority Owned and Women Owned Business Enterprise Procurement Program. For the goods required for this solicitation, there were insufficient subcontracting opportunities; therefore, no subcontracting goals were established.)

The motion authorizing the award and execution of a contract with Martin Marietta Materials, Inc. was approved on consent on Council Member Garza's motion, Council Member Casar's second on a 10-0 vote. Council Member Troxclair was absent.

43. Authorize negotiation and execution of a contract through the National Joint Powers Alliance cooperative purchasing program with Tyler Technologies, Inc., to provide a public health inspection and permitting software, including maintenance and support, with an initial term of three years and two one-year extension options, for a total contract amount not to exceed \$655,289. (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 National Joint Powers Alliance cooperative purchasing program with Tyler Technologies, Inc. was approved on consent on Council Member Garza's motion, Council Member Casar's second on a 10-0 vote. Council Member Troxclair was absent.

Item 44 was pulled for discussion.

45. Authorize negotiation and execution of an interlocal agreement with the University of Texas at Austin to provide a gentrification, displacement, and mapping study of vulnerable neighborhoods in an amount not to exceed \$69,000. (Notes: This contract is exempt from the City Code Chapter 2-9C Minority Owned and Women Owned Business Enterprise Procurement Program; therefore, no subcontracting goals were established.)

The motion authorizing negotiation and execution of an interlocal agreement with the University of Texas at Austin was approved on consent on Council Member Garza's motion, Council Member Casar's second on a 10-0 vote. Council Member Troxclair was absent.

46. Approve the second reading of an ordinance granting a franchise agreement to Oncor Electric Delivery Company LLC for use of the City's rights of way for placing facilities or equipment to provide electric utility services within Oncor's certificated area.

This item was postponed to October 12, 2017 on consent on Council Member Garza's motion, Council Member Casar's second on a 10-0 vote. Council Member Troxclair was absent.

47. Authorize negotiation and execution of a 12-month interlocal agreement with the Capital Area Council of Governments to provide funding as part of the Ozone Advance Program, a clean air program, in an amount not to exceed \$108,304.

The motion authorizing negotiation and execution of an interlocal agreement with the Capital Area Council of Governments was approved on consent on Council Member Garza's motion, Council Member Casar's second on a 10-0 vote. Council Member Troxclair was absent.

48. Approve an ordinance amending City Code Section 12-4-64 (D) to modify the length of an existing school zone by 185 feet, on Travis Country Circle for the safety of the students attending Regents School of Austin and providing for emergency passage.

Ordinance No. 20170928-048 was approved on consent on Council Member Garza's motion, Council Member Casar's second on a 10-0 vote. Council Member Troxclair was absent.

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 were approved on consent on Council Member Garza's motion, Council Member Casar's second on a 10-0 vote. Council Member Troxclair was absent.

Nominations

Board/Nominee

Nominated by

Anti-Displacement Task Force

Ruby Roa

Mayor Pro Tem Tovo

Building and Standards Commission

John Green

Council Member Casar

Zero Waste Advisory Commission

Melissa Rothrock

Council Member Garza

Waivers

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

Approve a waiver of the attendance requirement in Section 2-1-26 of the City Code for the service of Roscoe Overton on the Early Childhood Council. The waiver includes absences through today's date.

Approve a waiver under Section 2-1-27(e) of the City Code of the training deadline established by Section 2-1-23(B) of the City Code for Kelly Estrella appointed to the LGBTQ Quality of Life Advisory Commission if she completes the training required by Section 2-1-23 on or before October 31, 2017.

Item 50 was pulled for discussion.

51. Approve a resolution initiating amendments to the regulating plan for the Plaza Saltillo Transit-Oriented Development Station Area, by extending its boundaries to include the Housing Authority of the City of Austin Chalmers Courts location. (Notes: SPONSOR: Council Member Sabino "Pio" Renteria CO 1: Council Member Jimmy Flannigan CO 2: Mayor Steve Adler CO 3: Council Member Delia Garza CO 4: Council Member Gregorio Casar)

This item was postponed to October 12, 2017 on consent on Council Member Garza's motion, Council Member Casar's second on a 10-0 vote. Council Member Troxclair was absent.

Item 52 was pulled for discussion.

53. Approve an ordinance waiving or reimbursing certain additional fees for the 1st Annual Charity Show and Shine and BBQ, sponsored by the Consuelo Mendez Middle School PTSA, which was held Saturday August 5, 2017 at Dove Springs Recreation Center. (Notes: SPONSOR: Council Member Delia Garza CO 1: Council Member Ann Kitchen CO 2: Mayor Pro Tem Kathie Tovo CO 3: Council Member Gregorio Casar)

Ordinance No. 20170928-053 was approved on consent on Council Member Garza's motion, Council Member Casar's second on a 10-0 vote. Council Member Troxclair was absent.

54. Approve an ordinance waiving or reimbursing certain fees for the Taiwan Night Market event, sponsored by the Chinese Society of Austin, which was held on Saturday, September 16, 2017, at the Asian American Resource Center. (Notes: SPONSOR: Mayor Pro Tem Kathie Tovo CO 1: Council Member Alison Alter CO 2: Council Member Ora Houston CO 3: Council Member Jimmy Flannigan)

Ordinance No. 20170928-054 was approved on consent on Council Member Garza's motion, Council Member Casar's second on a 10-0 vote. Council Member Troxclair was absent.

Items 55 and 56 were pulled for discussion.

57. Approve a resolution directing the City Manager to develop a comprehensive city-wide needs and gap assessment of high quality child care facilities and the feasibility of adding a child care facility to the Austin Community College Highland Campus. (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 CO 4: Council Member Leslie Pool)

Resolution No. 20170928-057 was approved on consent on Council Member Garza's motion, Council Member Casar's second on a 10-0 vote. Council Member Troxclair was absent.

58. Approve an ordinance waiving or reimbursing certain fees for the Shakespeare in the Park event, sponsored by the Something for Nothing Theater, which will be held on October 19 to November 4, 2017 at Ramsey Park. (Notes: SPONSOR: Council Member Alison Alter CO 1: Council Member Jimmy Flannigan CO 2: Council Member Ora Houston CO 3: Council Member Leslie Pool)

Ordinance No. 20170928-058 was approved on consent on Council Member Garza's motion, Council Member Casar's second on a 10-0 vote. Council Member Troxclair was absent.

59. Approve a waiver or reimbursement of certain fees under City Code Chapter 14-8 for the AIDS Walk Austin event, sponsored by AIDS Services of Austin, which will be held on Sunday October 29, 2017 at Republic Square Park. (Notes: SPONSOR: Council Member Jimmy Flannigan CO 1: Mayor Steve Adler CO 2: Mayor Pro Tem Kathie Tovo CO 3: Council Member Delia Garza CO 4: Council Member Sabino "Pio" Renteria)

The motion approving the waiver or reimbursement of certain fees under City Code Chapter 14-8 for the AIDS Walk Austin event was approved on consent on Council Member Garza's motion, Council Member Casar's second on a 10-0 vote. Council Member Troxclair was absent.

Direction was given to staff without objection to include an additional \$300 towards the fee waiver by Council Member Alter.

60. Approve a resolution directing the City Manager to initiate an amendment to City Code Section 11-1-28(C) to change the calculation for the maximum number of years for which additional taxes may be collected from three years to the fullest extent the law allows prior to the date of historic designation removal. (Notes: SPONSOR: Mayor Pro Tem Kathie Tovo CO 1: Mayor Steve Adler CO 2: Council Member Ora Houston CO 3: Council Member Sabino "Pio" Renteria CO 4: Council Member Alison Alter)

Resolution No. 20170928-060 was approved on consent on Council Member Garza's motion, Council Member Casar's second on a 10-0 vote. Council Member Troxclair was absent.

61. Set a public hearing to consider an ordinance on first reading regarding the application submitted by Acadian Ambulance Service of Texas, Inc., to renew a non-emergency medical transfer franchise under Chapter 10-2 of the City Code. (Suggested date and time: October 19, 2017, 4:00 p.m., at Austin City Hall, 301 West Second Street, Austin, TX.)

The public hearing was set on consent for October 19, 2017, 4:00 p.m. at 301 W. Second Street, Austin, TX on Council Member Garza's motion, Council Member Casar's second on a 10-0 vote. Council Member Troxclair was absent.

62. Set a public hearing for an application to be submitted to the Texas Department of Housing and Community Affairs by Austin DMA Housing III, LLC, or an affiliated entity, for a proposed affordable multi-family development for seniors to be known as The Nightingale and located at 5900 Charles Merle Drive in the Goodnight Ranch Planned Unit Development. (District 2)

(Suggested date and time: October 19, 2017 beginning at 4:00 p.m. at Austin City Hall, 301 W. Second Street, Austin, TX)

The public hearing was set on consent for October 19, 2017, 4:00 p.m. at 301 W. Second Street, Austin, TX on Council Member Garza's motion, Council Member Casar's second on a 10-0 vote. Council Member Troxclair was absent.

63. Set a public hearing for an application to be submitted to the Texas Department of Housing and Community Affairs by the Austin Geriatric Center, Inc., or an affiliated entity, for the rehabilitation of the senior housing units in the Rebekah Baines Johnson Center and the development of additional new affordable senior housing at the site, located at 21 Waller Street. (District 3) (Suggested date and time: October 19, 2017 beginning at 4:00 p.m. at Austin City Hall, 301 W. Second Street, Austin, TX)

The public hearing was set on consent for October 19, 2017, 4:00 p.m. at 301 W. Second Street, Austin, TX on Council Member Garza's motion, Council Member Casar's second on a 10-0 vote. Council Member Troxclair was absent.

100. Set a public hearing to receive recommendations from the stakeholders group established by City Council to make recommendations concerning non-criminal alternatives to City Code Chapter 9-3, relating to a juvenile curfew, and to consider an ordinance that continues, readopts, or amends City Code Chapter 9-3, relating to a juvenile curfew.

This item was withdrawn on consent on Council Member Garza's motion, Council Member Casar's second on a 10-0 vote. Council Member Troxclair was absent.

101. Approve a resolution directing the City Manager to establish criteria for requiring small area planning in designated areas along major corridors and to incorporate this criteria in the CodeNext rewrite of the Land Development Code. (Notes: SPONSOR: Council Member Ann Kitchen CO 1: Mayor Steve Adler CO 2: Council Member Leslie Pool CO 3: Council Member Gregorio Casar)

Resolution No. 20170928-101 was approved on consent on Council Member Garza's motion, Council Member Casar's second on a 10-0 vote. Council Member Troxclair was absent.

102. Authorize negotiation and execution of a 60-month lease for approximately 6,959 square feet of office and warehouse space for the Office of Innovation and for Communication and Technology Management, located at 93 Red River Street, from 93 RED RIVER INVESTORS, LTD., in an amount not to exceed \$1,222,109.07 (District 9).

This item was withdrawn on consent on Council Member Garza's motion, Council Member Casar's second on a 10-0 vote. Council Member Troxclair was absent.

Item 64 was a Briefing item set for 10:30 a.m.

Item 65 was the Austin Housing and Finance Corporation Meeting set for 10:30 a.m.

Items 66 and 67 were Executive Session items.

Items 68 and 69 were Zoning Ordinance/Restrictive Covenant (HEARINGS CLOSED) Items.

Items 70 through 93 were Zoning and Neighborhood Plan Amendment Items (Public Hearing and Possible Action).

Items 94 through 100 were public hearing items set for 4:00 p.m.

Items 101 through 103 were Addendum items.

DISCUSSION ITEMS

11. Authorize the negotiation and execution of a cost participation agreement with the Austin Community College District for the City to reimburse the Austin Community College District for an amount not to exceed \$1,460,660 for costs associated with the design and construction of an oversized wastewater main and appurtenances related to Service Extension Request No. 3145 that will provide wastewater service to a proposed mixed-use development located at 5900 Airport Boulevard. (District 4)
This item was postponed to October 5, 2017 without objection.

BRIEFING

64. Public Safety Labor Negotiations Update.
Presentation was made by Rey Arellano, Assistant City Manager, City Manager's Office; Larry Watts, Deputy Labor Relations Officer, Labor Relations Department, Chris Jistel, Budget Manager, Financial Services Department.

DISCUSSION ITEMS CONTINUED

44. Approve an ordinance amending City Code Chapter 2-7, Article 6 relating to anti-lobbying and procurement.
This item was postponed to October 19, 2017 on Council Member Pool's motion, Council Member Renteria's second on a 9-1 vote. Council Member Flannigan voted nay. Council Member Troxclair was absent.

Direction was given to staff to place revisions on the October 11, 2017 Ethics Review Commission agenda and proceed with the planned biosolids contract.

56. Approve a resolution authorizing negotiation of the acquisition, restoration, programming, and maintenance of 500 Montopolis Drive as a historic museum that would attract tourists. (Notes: SPONSOR: Mayor Steve Adler CO 1: Council Member Sabino "Pio" Renteria CO 2: Mayor Pro Tem Kathie Tovo CO 3: Council Member Ora Houston)
Resolution No. 20170928-056 was approved on Council Member Renteria's motion, Council Member Houston's second on a 10-0 vote. Council Member Troxclair was absent.

Direction was given to staff to discuss with Travis County and Austin Independent School District what role they would like to play in the rehabilitation and preservation of the land.

41. Authorize award and execution of a contract with Elastec, Inc., to provide two pontoon boats, motors, and trailers, in an amount not to exceed \$116,080.(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 postponed to October 5, 2017 at the request of staff on Council Member Houston's motion, Council Member Renteria's second on a 10-0 vote. Council Member Troxclair was absent.

CITIZENS COMMUNICATIONS: GENERAL

Karen Flanagan - Development in established neighborhoods.

Rick Hernandez - Talk over item #101- **Not Present.**

Cynthia Valadez - Completion of funding for MACC and other Latino projects impacting our community and highlighting our history, culture, and contributions to the COA.

Jill Ramirez - Mayors proposal.

Maria Isabel Lopez - Downtown puzzle. **Not Present.**

Negar Kidman - Inspection fee for residential water tap line. **Not Present.**

Jeffrey Pease - Luke Parsons contract and the City of Austin not doing anything to pursue investigation or prosecution.

David King - TBD.

Paul Robbins - City issues.

Mayor Adler recessed the Council Meeting to go into Executive Session at 12:28 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.

66. 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.

67. Discuss legal issues related to Breiaon King v. Officer Bryan Richter et al, Cause No. 1:16-cv-01020, in the United States District Court for the Western Division of Texas (Private consultation with legal counsel - Section 551.071 of the Government Code).

This item was withdrawn without objection.

The Mayor announced that Council would discuss item number 18 on the regular agenda during Executive Session.

18. Approve a resolution ratifying the collective bargaining agreement between the City and the Austin Firefighters Association relating to wages, hours, and terms and conditions of employment for Austin firefighters.

Executive Session ended and Mayor Adler reconvened the meeting at 1:53 p.m.

DISCUSSION ITEMS CONTINUED

15. Approve a resolution adopting the Austin Convention and Visitors Bureau (doing business as Visit Austin) 2017-2018 Marketing Plan and Proposed Budget; setting the contract payment as required by the Chapter 351 of the Texas Tax Code; and authorizing the City Manager to file the approved documents with the City Clerk's Office as required by the Texas Tax Code.

This item was postponed to October 12, 2017 on Council Member Pool's motion, Council Member Kitchen's second on a 7-3 vote. Those voting aye were: Mayor Adler, Mayor Pro Tem Tovo, Council Members Alter, Casar, Garza, Kitchen, and Pool. Those voting nay were: Council Members Flannigan, Houston, and Renteria. Council Member Troxclair was absent.

Direction was given to staff to carry over the existing budget.

18. Approve a resolution ratifying the collective bargaining agreement between the City and the Austin Firefighters Association relating to wages, hours, and terms and conditions of employment for Austin firefighters.

Resolution No. 20170928-018 was approved on Council Member Garza's motion, Council Member Renteria's second on a 7-3 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, and Houston. Council Member Troxclair was absent.

Direction was given to staff to explore a memorandum of understanding or other method for developing internship programs to improve the diversity of the force.

ZONING AND NEIGHBORHOOD PLAN AMENDMENTS

68. C14-2017-0036 Parker Creek Ranch Residential – District 1 – Approve second/third readings of an ordinance amending City Code Title 25 by rezoning property locally known as 7620 Decker Lane (Decker Creek and Walnut Creek Watersheds). Applicant Request: To rezone from interim-rural residence (I-RR) district zoning and single-family residence (standard lot) (SF-2) district zoning to single-family residence (small lot) (SF-4(A)) district zoning. First Reading approved on August 31, 2017. Vote: 11-0. Owner: Continental Homes of Texas L.P. (Ian Cude). Applicant: Alice Glasco Consulting (Alice Glasco). City Staff: Heather Chaffin, 512- 974-2122.
Ordinance No. 20170928-068 for single-family residence (small lot) (SF-4(A)) district zoning was approved on Council Member Houston’s motion, Council Member Renteria’s second on a 9-0 vote. Council Member Renteria was off the dais. Council Member Troxclair was absent.
69. C14-2017-0054 – San Antonio Street Rezoning - District 9 – Approve second and third readings of an ordinance amending City Code Title 25 by rezoning property locally known as 1202 San Antonio Street (Shoal Creek Watershed) from general office (GO) district to downtown mixed use-conditional overlay (DMU-CO) combining district zoning. First Reading approved on August 3, 2017. Vote: 10-0-1, Mayor Adler – abstained. Owner/Applicant: Texas Association of Counties (Gene Terry). Agent: A Glasco Consulting (Alice K Glasco). City Staff: Scott Grantham, 512-974-3574.
Ordinance No. 20170928-069 for downtown mixed use-conditional overlay (DMU-CO) combining district zoning was approved on Council Member Houston’s motion, Council Member Renteria’s second on an 8-0 vote. Council Member Renteria was off the dais. Mayor Adler recused himself. Council Member Troxclair was absent.
70. NPA-2017-0013.01 - Bouldin Creek Neighborhood Plan Area-Wide Neighborhood Plan Amendment to Add Garage Placement Design Tool - Conduct a public hearing to approve an ordinance amending Ordinance No. 20020523-32, the Bouldin Creek Neighborhood Plan, an element of the Imagine Austin Comprehensive Plan, to adopt the Garage Placement design tool for Single-Family, Duplex, and Two-Family Residential uses (Sec. 25-2-1604) area-wide in this planning area. If adopted, text will be added to the plan document with general information on Section 24-2-1604. Staff Recommendation: To recommend adoption of the Garage Placement Design tool with text amendments to the plan document. Planning Commission Recommendation: To grant adding the Garage Placement Design tool with text amendments to the plan document. Applicant: Bouldin Creek Neighborhood Plan Contact Team (Sean Kelly, Chair/Stuart Hampton, Previous Chair). City Staff: Maureen Meredith, 512-974-2695.
This item was postponed indefinitely at the request of staff on Council Member Houston’s motion, Council Member Renteria’s second on a 9-0 vote. Council Member Renteria was off the dais. Council Member Troxclair was absent.
71. C14-2017-0026 - Bouldin Creek Neighborhood Plan Area-Wide Neighborhood Plan Amendment to Add Garage Placement Design Tool - Conduct a public hearing to approve an ordinance amending Ordinance No. 20020523-33, the Bouldin Creek Neighborhood Plan zoning ordinance, an element of the Imagine Austin Comprehensive Plan, to adopt the Garage Placement design tool for Single-Family, Duplex, and Two-Family Residential uses (Sec. 25-2-1604) area-wide in this planning area. Staff Recommendation: To recommend adoption of the Garage Placement

Design tool. Planning Commission Recommendation: To grant adding the Garage Placement Design Tool (Sec. 25-2-1604) to the planning area. Applicant: Bouldin Creek Neighborhood Plan Contact Team (Sean Kelly, Chair/Stuart Hampton, Previous Chair). City Staff: Andrew Moore, 512-974-7604.

This item was postponed indefinitely at the request of staff on Council Member Houston's motion, Council Member Renteria's second on a 9-0 vote. Council Member Renteria was off the dais. Council Member Troxclair was absent.

72. NPA-2016-0005.04 - 500 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 500 Montopolis Drive (Country Club East) from Single Family to Mixed Use land use. Staff Recommendation: To grant Mixed Use land use. Planning Commission Recommendation: To deny the change of the land use designation on the future land use map (FLUM). Owner/Applicant: Keep Investment Group, LLC (Austin Stowell). Agent: Drenner Group (Amanda Swor). City Staff: Maureen Meredith, (512) 974-2695.

This item was postponed indefinitely at the request of staff on Council Member Houston's motion, Council Member Renteria's second on a 9-0 vote. Council Member Renteria was off the dais. Council Member Troxclair was absent.

73. C14H-2017-0055 - 500 Montopolis - District 3 - Conduct a public hearing and approve an ordinance City Code Title 25 by rezoning property locally known as 500 Montopolis Drive (Country Club East Creek Watershed). Applicant Request: To rezone from family residence-neighborhood plan (SF-3-NP) combining district zoning to community commercial-mixed use-historic landmark-neighborhood plan (GR-MU-H-NP) combining district zoning and community commercial-mixed use-neighborhood plan (GR-MU-NP) combining district zoning. Staff Recommendation: To grant community commercial-mixed use-historic landmark-conditional overlay-neighborhood plan (GR-MU-H-CO-NP) combining district zoning and community commercial-mixed use-conditional overlay-neighborhood plan (GR-MU-CO-NP) combining district zoning. Historic Landmark Commission: To grant community commercial-mixed use-historic landmark-conditional overlay-neighborhood plan (GR-MU-H-CO-NP) combining district zoning and community commercial-mixed use-conditional overlay-neighborhood plan (GR-MU-CO-NP) combining district zoning. Planning Commission Recommendation: To grant family residence-historic landmark-neighborhood plan (SF-3-H-NP) combining district zoning. Owner: KEEP Investment Group, LLC (Austin Stowell). Applicant: City of Austin Planning and Zoning Department (Jerry Rusthoven). City Staff: Heather Chaffin, 512- 974-2122.

This item was postponed indefinitely at the request of staff on Council Member Houston's motion, Council Member Renteria's second on a 9-0 vote. Council Member Renteria was off the dais. Council Member Troxclair was absent.

74. NPA-2016-0005.02 - Montopolis - Ben White FLUM Amendment - District 3 -Conduct a public hearing and approve an ordinance amending Ordinance No. 20010927-05, the Montopolis Neighborhood Plan, an element of the Imagine Austin Comprehensive Plan, to change the land use designation on the future land use map (FLUM) on property locally known as 6700 and 6800

E. Ben White Blvd., & 2601 Montopolis Drive (Country Club East Watershed; Carson Creek Watershed) from Industry to Commercial land use (Tract 3) and Mixed Use land use (Tracts 1 & 2). Staff Recommendation: To deny Mixed Use land use. Planning Commission Recommendation: To be reviewed October 24, 2017. Owner/Applicant: Ocampo Partners, Ltd. Agent: Coats Rose (John M. Joseph). City Staff: Maureen Meredith, 512-974-2695.

This item was postponed to November 9, 2017 at the request of staff on Council Member Houston's motion, Council Member Renteria's second on a 9-0 vote. Council Member Renteria was off the dais. Council Member Troxclair was absent.

75. C14-2016-0085 - Montopolis - E. Ben White Zoning - District 3 - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 6700 and 6800 East Ben White Boulevard, and 2601 Montopolis Drive (Country Club East Watershed; Carson Creek Watershed). Applicant Request: Applicant request: To rezone from limited industrial services - neighborhood plan (LI-NP) combining district zoning to general commercial services - mixed use - neighborhood plan (CS-MU-NP) combining district zoning for Tracts 1 & 2 and from limited industrial services - neighborhood plan (LI-NP) combining district zoning to general commercial services - neighborhood plan (CS-NP) combining district zoning for Tract 3. Staff Recommendation: To deny general commercial services - mixed use - neighborhood plan (CS-MU-NP) combining district zoning for Tracts 1 & 2 and general commercial services - neighborhood plan (CS-NP) combining district zoning for Tract 3. Planning Commission Recommendation: To be reviewed on October 24, 2017. Owner: Ocampo Partners Ltd. Applicant/Agent: Coats Rose/John Joseph. City Staff: Andrew Moore, 512-974-7604.

This item was postponed to November 9, 2017 at the request of staff on Council Member Houston's motion, Council Member Renteria's second on a 9-0 vote. Council Member Renteria was off the dais. Council Member Troxclair was absent.

76. C14-78-220 (RCT) -Montopolis - Ben White Subdivision - District 3 - Conduct a public hearing to terminate a restrictive covenant on property locally known as 6700 & 6800 E. Ben White Blvd and 2601 Montopolis Drive (Country Club West and Carson Creek Watersheds). Staff Recommendation: To grant the termination of the Restrictive Covenant as it relates to this property. Planning Commission Recommendation: To be reviewed October 24, 2017. Applicant/Agent: Coats Rose/John Joseph. Owner: Ocampo Partners Ltd. City Staff: Andrew Moore, 512-974-7604.

This item was postponed to November 9, 2017 at the request of staff on Council Member Houston's motion, Council Member Renteria's second on a 9-0 vote. Council Member Renteria was off the dais. Council Member Troxclair was absent.

77. 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

grant Mixed Use land use. Owner/Applicant: Painter Enterprises, a Texas Corporation. Agent: Husch Blackwell (Nikelle Meade). City Staff: Maureen Meredith, 512-974-2695.

This item was postponed to October 19, 2017 at the request of the staff on Council Member Houston's motion, Council Member Renteria's second on a 9-0 vote. Council Member Renteria was off the dais. Council Member Troxclair was absent.

78. 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). Applicant Request: To rezone 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 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. 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 October 19, 2017 at the request of the staff on Council Member Houston's motion, Council Member Renteria's second on a 9-0 vote. Council Member Renteria was off the dais. Council Member Troxclair was absent.

79. C14-2017-0089 – Georgian Acres Neighborhood Park - District 4 - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 500 East Powell Lane (Little Walnut Creek Watershed). Applicant's Request: To rezone from general commercial services-conditional overlay-neighborhood plan (CS-CO-NP) combining district zoning to public-neighborhood plan (P-NP) combining district zoning. Staff Recommendation: To grant public-neighborhood plan (P-NP) combining district zoning. Planning Commission Recommendation: To grant public-neighborhood plan (P-NP) combining district zoning. Owner/Applicant: City of Austin Park & Recreation Department (Gregg Montes). City Staff: Sherri Sirwaitis, 512-974-3057.

This item was postponed to October 19, 2017 at the request of staff on Council Member Houston's motion, Council Member Renteria's second on a 9-0 vote. Council Member Renteria was off the dais. Council Member Troxclair was absent.

80. NPA-2016-0016.02 --20 Strandtman Cove & 5221 E. Cesar Chavez Street - 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 20 Strandtman Cove & 5221 E. Cesar Chavez Street (Colorado River Watershed) from Industry to Mixed Use land use. Staff Recommendation: Recommendation is

pending. Planning Commission Recommendation: To be reviewed on September 26, 2017. Owner/Applicant: AUS Holdings, LLC (Brian Bilderback) and William Wappler. Agent: Coats Rose (John Joseph) and Graves, Dougherty, Hearon & Moody (Michael Whellan). City Staff: Maureen Meredith, (512) 974-2695.

This item was postponed to December 7, 2017 at the request of staff on Council Member Houston's motion, Council Member Renteria's second on a 9-0 vote. Council Member Renteria was off the dais. Council Member Troxclair was absent.

81. C14-2016-0021 - Double Creek Residences - District 5 - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 420 East FM 1626 Road (Onion Creek Watershed). Applicant Request: To rezone from general commercial services-conditional overlay (CS-CO) combining district zoning; general commercial services-mixed use-conditional overlay (CS-MU-CO) combining district zoning and community commercial (GR-CO) combining district zoning to general commercial services-mixed use-conditional overlay (CS-MU-CO) combining district zoning. Staff Recommendation: Pending. Zoning and Platting Commission Recommendation: To be reviewed on October 3, 2017. Owner/Applicant: Riddell Family Limited Partnership (Jim Henry). Agent: Walters Southwest (Amanda Swor). City Staff: Wendy Rhoades, 512-974-7719.

This item was postponed to November 2, 2017 at the request of staff on Council Member Houston's motion, Council Member Renteria's second on a 9-0 vote. Council Member Renteria was off the dais. Council Member Troxclair was absent.

82. C14-2016-0090 130/Parmer – District 1 - 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). Applicant Request: To rezone 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 October 3, 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 November 2, 2017 at the request of staff on Council Member Houston's motion, Council Member Renteria's second on a 9-0 vote. Council Member Renteria was off the dais. Council Member Troxclair was absent.

83. C14-2017-0027 - Texas Motor Transportation and Oil Field Haulers Inc. - District 1 -Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 700 East 11th Street (Waller Creek Watershed). Applicant Request: To rezone from general commercial services (CS) district zoning to Central Business District (CBD) zoning. Staff Recommendation: To grant Central Business District (CBD) zoning. Planning Commission Recommendation: To grant Central Business District (CBD) zoning. Owner/Applicant: Texas Motor Transportation & Oil Field Haulers, Inc. (John Esparza). Agent: Metcalfe Wolff Stuart & Williams (Michele R. Lynch). City Staff: Scott Grantham, 512-974-3574.

The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20170928-083 for Central Business District (CBD) zoning was approved on

Council Member Houston's motion, Council Member Renteria's second on a 9-0 vote. Council Member Renteria was off the dais. Council Member Troxclair was absent.

84. C14-2017-0050 - 1501 Airport Commerce Drive - District 3 -Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 1501 Airport Commerce Drive (Carson Creek Watershed). Applicant Request: To rezone from general commercial services-conditional overlay-neighborhood plan (CS-CO-NP) combining district zoning to general commercial services-conditional overlay-neighborhood plan (CS-CO-NP) combining district zoning, to change a condition of zoning. Staff Recommendation: To grant general commercial services-conditional overlay- neighborhood plan (CS-CO-NP) combining district zoning, to change a condition of zoning. Planning Commission Recommendation: To be reviewed on September 12, 2017. Owner/Applicant: W2 Hill ACP II LP/Simmons Vedder (Steven Freche). Agent: Thrower Design (Ron Thrower). City Staff: Andrew Moore, 512-974-7604.

This item was postponed to November 9, 2017 at the request of staff on Council Member Houston's motion, Council Member Renteria's second on a 9-0 vote. Council Member Renteria was off the dais. Council Member Troxclair was absent.

Item 85 was pulled for discussion.

86. C14-2017-0064 - Verizon Wireless - Armadillo - District 2 - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 6705-1/2 Emerald Forest Drive (Williamson Creek Watershed) from neighborhood office-mixed use-conditional overlay-neighborhood plan (NO-MU-CO-NP) combining district zoning to neighborhood office-mixed use-conditional overlay-neighborhood plan (NO-MU-CO-NP) combining district zoning, to change a condition of zoning. Staff Recommendation: To grant neighborhood office-mixed use-conditional overlay-neighborhood plan (NO-MU-CO-NP) combining district zoning, to change a condition of zoning. Planning Commission Recommendation: To grant neighborhood office-mixed use-conditional overlay-neighborhood plan (NO-MU-CO-NP) combining district zoning, to change a condition of zoning. Owner/Applicant: James Hembree and Tina Keeling. Agent: Vincent Gerard & Associates, Inc. (Vincent G. Huebinger). City Staff: Wendy Rhoades, 512-974-7719.

The motion to close the public hearing and approve the ordinance on first reading only for neighborhood office-mixed use-conditional overlay-neighborhood plan (NO-MU-CO-NP) combining district zoning was approved with the following additional conditions on Council Member Houston's motion, Council Member Renteria's second on a 9-0 vote. Council Member Renteria was off the dais. Council Member Troxclair was absent.

The additional conditions are:

- **The site be limited to a single cell phone tower**
- **The height of the cell phone tower be limited to 70 feet**

87. C14-2017-0067 – Champion Tract 1C - District 10 – Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 6500 FM 2222 Road (West Bull Creek Watershed) from neighborhood commercial- conditional overlay (LR-

CO) combining district to general commercial services- conditional overlay (CS-CO) combining district. Staff Recommendation: To grant general commercial services- conditional overlay (CS-CO) combining district. Zoning and Platting Commission Recommendation: To be reviewed on September 19, 2017. Owner/Applicant: Champion, Meier Assets, Ltd. (Terry Bray). Agent: Ambrust & Brown, L.L.P (Richard T. Suttle, Jr.). City Staff: Scott Grantham, 512-974-3574.

This item was postponed to November 9, 2017 at the request of staff on Council Member Houston's motion, Council Member Renteria's second on a 9-0 vote. Council Member Renteria was off the dais. Council Member Troxclair was absent.

88. C14-2017-0079 – 3003 & 3005 Manchaca Road – District 5 – Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 3003 & 3005 Manchaca Road (West Bouldin Watershed). Applicant Request: To rezone from family residence (SF-3) district zoning to limited office-mixed use (LO-MU) combining district zoning. Staff Recommendation: To grant limited office-mixed use (LO-MU) combining district zoning. Planning Commission Recommendation: To grant limited office-mixed use (LO-MU) combining district zoning. Owner/Applicant: Goodman-Lee, LLC (Daniel Carl, 3003 Manchaca Rd) & Aziz and Nneka Laurent (3005 Manchaca Rd). Agent: Metcalf Wolff Stuart & Williams, LLP (Michele Rogerson Lynch). City Staff: Andrew Moore, 512-974-7604.

The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20170928-088 for limited office-mixed use (LO-MU) combining district zoning was approved on Council Member Houston's motion, Council Member Renteria's second on a 9-0 vote. Council Member Renteria was off the dais. Council Member Troxclair was absent.

89. C14-2017-0080 – 3101 Manchaca Road – District 5 – Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 3101 Manchaca Road (West Bouldin Watershed). Applicant Request: To rezone from family residence (SF-3) district zoning to limited office-mixed use (LO-MU) combining district zoning. Staff Recommendation: To grant limited office-mixed use (LO-MU) combining district zoning. Planning Commission Recommendation: To grant limited office-mixed use (LO-MU) combining district zoning. Owner/Applicant: Goodman-Lee, LLC (Daniel Carl). Agent: Metcalf Wolff Stuart & Williams, LLP (Michele Rogerson Lynch). City Staff: Andrew Moore, 512-974-7604.

The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20170928-089 for limited office-mixed use (LO-MU) combining district zoning was approved on Council Member Houston's motion, Council Member Renteria's second on a 9-0 vote. Council Member Renteria was off the dais. Council Member Troxclair was absent.

90. C14-2017-0081 – 2005 South Lamar Blvd – District 5 – Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 2005 South Lamar Boulevard (West Bouldin Creek Watershed). Applicant Request: To rezone from family residence (SF-3) district zoning to general commercial services –vertical mixed use (CS-V) combining district zoning. Staff Recommendation: To grant general commercial services – vertical mixed use (CS-V) combining district zoning. Planning Commission Recommendation: To grant general commercial services –vertical mixed use (CS-V) combining district zoning.

Owner/Applicant: Michael Kuhn. Agent: Metcalf Wolff Stuart & Williams, LLP (Michele Rogerson Lynch). City Staff: Andrew Moore, 512-974-7604.

The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20170928-090 for general commercial services-vertical mixed use (CS-V) combining district zoning was approved on Council Member Houston's motion, Council Member Renteria's second on a 9-0 vote. Council Member Renteria was off the dais. Council Member Troxclair was absent.

91. C14-2017-0083 - Mosaic Sound Collective – District 1 –Conduct a public hearing and approve an ordinance amending City Code Title 25 by zoning property locally known as 6400 FM 969 (Walnut Creek Watershed). Applicant Request: To rezone from general office-neighborhood plan (GO-NP) combining district to commercial-liquor sales-mixed use-neighborhood plan (CS-1-MU-NP) combining district zoning for Tract 1 and general commercial services-mixed use-neighborhood plan (CS-MU-NP) combining district zoning for Tract 2. Staff recommendation: To grant commercial-liquor sales-mixed use-conditional overlay-neighborhood plan (CS-1-MU-CO-NP) combining district zoning for Tract 1 and general commercial services-mixed use-conditional overlay -neighborhood plan (CS-MU-CO-NP) combining district zoning for Tract 2. Planning Commission recommendation: To grant commercial-liquor sales-mixed use-conditional overlay-neighborhood plan (CS-1-MU-CO-NP) combining district zoning for Tract 1 and general commercial services-mixed use-conditional overlay-neighborhood plan (CS-MU-CO-NP) combining district zoning for Tract 2. Owner: Austin 1825 Fortview, Inc. (Jimmy Nassour). Applicant: Alice Glasco Consulting (Alice Glasco). City Staff: Heather Chaffin, 512- 974-2122.
- The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20170928-091 for commercial liquor sales-mixed use-conditional overlay-neighborhood plan (CS-1-MU-CO-NP) combining district zoning for Tract 1 and general commercial services-mixed use-conditional overlay-neighborhood plan (CS-MU-CO-NP) combining district zoning for Tract 2 was approved on Council Member Houston's motion, Council Member Renteria's second on a 9-0 vote. Council Member Renteria was off the dais. Council Member Troxclair was absent.**
92. C14-2017-0085 – Charles Ford Rezoning - District 6 - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 12101 ½ Conrad Road (Walnut Creek Watershed). Applicant's Request: To rezone from single family residence-standard lot (SF-2) district zoning to family residence (SF-3) district zoning. Staff Recommendation: To grant family residence (SF-3) district zoning. Zoning and Platting Commission Recommendation: Forwarded to Council without a recommendation due to lack of an affirmative vote. Owner/Applicant: Charles Ford. City Staff: Sherri Sirwaitis, 512-974-3057.
- This item was postponed to October 12, 2017 at the request of the applicant on Council Member Houston's motion, Council Member Renteria's second on a 9-0 vote. Council Member Renteria was off the dais. Council Member Troxclair was absent.**
93. C14-2017-0087 - Mockingbird - District 3 - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 203 West Mockingbird Lane (Williamson Creek Watershed) from single family residence-small lot-neighborhood plan (SF-4A-NP) combining district zoning to family residence-neighborhood plan (SF-3-NP) combining

district zoning. Staff Recommendation: To grant family residence-neighborhood plan (SF-3-NP) combining district zoning. Planning Commission Recommendation: To grant family residence-neighborhood plan (SF-3-NP) combining district zoning. Owner/Applicant: Stuart Carr. Agent: Cody Carr. City Staff: Wendy Rhoades, 512-974-7719.

The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20170928-093 for family residence-neighborhood plan (SF-3-NP) combining district zoning was approved on Council Member Houston's motion, Council Member Renteria's second on a 9-0 vote. Council Member Renteria was off the dais. Council Member Troxclair was absent.

ZONING AND NEIGHBORHOOD PLAN AMENDMENTS

85. C14-2017-0052 - 4920 Spicewood Springs Road - District 10 - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 4920 Spicewood Springs Road (Bull Creek Watershed). Applicant's Request: To rezone from limited office-conditional overlay (LO-CO) combining district zoning to limited office-conditional overlay (LO-CO) combining district zoning, to change a condition of zoning. Staff Recommendation: To grant limited office-conditional overlay (LO-CO) combining district zoning. Zoning and Platting Commission Recommendation: To deny Applicant's request for rezoning limited office-conditional overlay (LO-CO) combining district zoning, to change a condition of zoning. Owner/Applicant: Richard Haberman Trust (Danny Haberman, Trustee). Agent: CivilE, LLC (Lawrence M. Hanrahan, P.E.). City Staff: Sherri Sirwaitis, 512-974-3057. A valid petition has been filed in opposition to this rezoning request.

The public hearing was conducted and a motion to close the public hearing and deny the rezoning request was approved on Council Member Alter's motion, Council Member Pool's second on an 8-0 vote. Mayor Adler abstained. Council Member Houston was off the dais. Council Member Troxclair was absent.

PUBLIC HEARINGS

95. Conduct a public hearing and consider an ordinance adopting the 2015 International Fire Code, and related local amendments.

This item was postponed to November 2, 2017 at the request of staff without objection.

98. Conduct a public hearing and consider an ordinance regarding a floodplain variance for the construction of a church building and associated parking at 7604 FM 969 as requested by the owner of the property. The property is partially in the 25-year and 100-year floodplains of Walnut Creek. (District 1).

This item was withdrawn without objection.

DISCUSSION ITEMS CONTINUED

25. Authorize negotiation and execution of a one-year service agreement with the AUSTIN HOUSING FINANCE CORPORATION to manage and operate various housing programs on the

City's behalf during Fiscal Year 2017 - 2018 using funds received by the City from the U.S. Department of Housing and Urban Development, in addition to local City funds, in an amount not to exceed \$17,782,983.

The motion authorizing the negotiation and execution of an agreement with the Austin Housing Finance Corporation was approved on Council Member Renteria's motion, Council Member Garza's second on a 9-0 vote. Mayor Pro Tem Tovo was off the dais. Council Member Troxclair was absent.

Mayor Adler recessed the Council Meeting and called the Board of Directors' Meeting of the Austin Housing Finance Corporation to order at 4:12 p.m. See separate minutes.

65. The Mayor will recess the City Council meeting to conduct a Board of Directors' Meeting of the Austin Housing Finance Corporation. Following adjournment of the AHFC Board meeting the City Council will reconvene.

Mayor Adler reconvened the Council Meeting at 4:31 p.m.

DISCUSSION ITEMS CONTINUED

16. Approve a resolution authorizing the City Manager to grant agreements for Fiscal Year 2017-2018 in an amount not to exceed \$8,624,405, and authorizing payment in the amount of \$60,000 for Zachary Scott Theatre Center maintenance required under a separate operations agreement.
A motion to divide the question and separate out the items relating to the Zachary Scott Theatre Center was accepted without objection on Council Member Kitchen's motion.

The motion to the resolution with the exception of the contracts and operations agreement payment relating to the Zachary Scott Theatre Center was approved on Council Member Kitchen's motion, Council Member Garza's second on a 9-0 vote. Mayor Pro Tem Tovo abstained from the portion of the contract relating to Creative Action. Council Member Troxclair was absent.

The motion to approve the Zachary Scott Theatre contract and operations agreement payment to include language in the last contract to this contract with a provision that states that the final adjudication by the board upheld on appeal would result in the return of the remainder of this year's contract was approved on Council Member Garza's motion, Council Member Kitchen's second on an 8-1 vote. Mayor Adler voted nay. Council Member Alter abstained. Council Member Troxclair was absent.

Direction was given to staff to provide the lease payments for the Zach Scott Theatre.

Resolution No. 20170928-016 was approved as amended above on the separate votes listed above.

50. Approve a resolution relating to the creation of Neighborhood Empowerment Zones and a Multifamily Property Tax Exemption Program to improve access to affordable housing. (Notes:

SPONSOR: Mayor Pro Tem Kathie Tovo CO 1: Mayor Steve Adler CO 2: Council Member Ora Houston CO 3: Council Member Ann Kitchen CO 4: Council Member Sabino “Pio” Renteria)

The motion to approve the resolution was made by Mayor Pro Tem Tovo and seconded by Council Member Kitchen.

A friendly amendment was made by Council Member Flannigan and accepted without objection.

The amendment was to add a fifth bullet point under the first Be It Resolved clause to read:

- **“A metric that prioritizes multifamily dwellings that align with the City’s stated goal of achieving geographic dispersion of affordable housing in accordance with approved Council Resolution 20111215-058;”**

Resolution No. 20170928-050 was approved as amended above on Mayor Pro Tem Tovo’s motion, Council Member Kitchen’s second on a 9-0 vote. Council Member Garza was off the dais. Council Member Troxclair was absent.

PUBLIC HEARINGS CONTINUED

94. Conduct a public hearing and consider an ordinance adopting the 2017 National Electrical Code, and related local amendments.

The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20170928-094 was approved on Council Member Casar’s motion, Council Member Pool’s second on a 10-0 vote. Council Member Troxclair was absent.

96. Conduct a public hearing and consider an ordinance adopting the 2015 International Building Code, the 2015 International Existing Building Code, and related local amendments.

The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20170928-096 was approved on Council Member Houston’s motion, Council Member Garza’s second on a 10-0 vote. Council Member Troxclair was absent.

97. Conduct a public hearing and consider an ordinance adopting the 2015 International Property Maintenance Code and related local amendments.

The public hearing was conducted and a motion to close the public hearing for the exception of discussion of insect screening and approve the ordinance on first reading only was approved on Mayor Pro Tem Tovo’s motion, Council Member Casar’s second on a 10-0 vote. Council Member Troxclair was absent.

Mayor Adler recessed the meeting at 5:59 p.m.

LIVE MUSIC

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PROCLAMATIONS

Distinguished Service Award – Susan Janek – To be presented by Mayor Steve Adler and to be accepted by the honoree

Proclamation – National Cyber Security Awareness Month – To be presented by Mayor Steve Adler

Proclamation – PGA Tour and Dell Technologies Charitable Donations – to be presented by Mayor Steve Adler

Proclamation – Domestic Violence Awareness Month – To be presented by Council Member Ora Houston and to be accepted by Kirsha Haverlah

Proclamation – Public Power Week – To be presented by Mayor Steve Adler

Proclamation and Certificates of Completion – Small Business Program – To be presented by Mayor Steve Adler and to be accepted by the honorees

Mayor Adler reconvened the meeting at 7:10 p.m.

AFTER 10:00 P.M.

The motion to waive the rules and allow Council to meet after 10:00 p.m. was approved on Council Member Flannigan's motion, Council Member Alter's second on a 9-1 vote. Council Member Alter voted nay. Council Member Troxclair was absent.

DISCUSSION ITEMS CONTINUED

52. Approve a resolution directing the City Manager to explore funding options such as public improvement districts, tax increment financing, public-private partnerships, and increases in hotel occupancy taxes to fund improvements to downtown Austin, to address homelessness in downtown Austin, to support the local music industry, and to fund park, civic, and historic facilities and districts including expansion of the Convention Center. (Notes: SPONSOR: Mayor Steve Adler CO 1: Council Member Sabino "Pio" Renteria CO 2: Council Member Gregorio Casar CO 3: Council Member Jimmy Flannigan CO 4: Council Member Ann Kitchen)

A motion to approve the draft two of the resolution was made by Mayor Adler and seconded by Council Member Kitchen.

A substitute motion to postpone the item to October 12, 2017 failed on Council Member Houston's motion, Council Member Garza's second on a 2-8 vote. Those voting aye were: Council Members Garza and Houston. Those voting nay were: Mayor Adler, Mayor Pro Tem Tovo, Council Members Alter, Casar, Flannigan, Kitchen, Pool, and Renteria. Council Member Troxclair was absent.

A substitute motion was made by Mayor Pro Tem Tovo and accepted without objection. The motion was to include the following amendments including the proposed amendments from Mayor Adler:

To revise the third Whereas clause to read:

“Whereas, Resolution No. 20170209-033 directed the City Manager to assess a number of financial tools and possible funding options for the projects and entities in Downtown; and”

To revise the fifth Whereas clause to read:

“Whereas, long-standing needs, including addressing homelessness, supporting the local music industry, preserving historic sites, and honoring and celebrating Latino/Hispanic and Black culture, in and around Downtown require immediate and stable funding sources to be realized; and”

To revise item one in the first Be It Resolved Clause to read:

“That the City Council wishes the City Manager to continue the staff process on the Waller Creek Tax Increment Finance Zone (TIF) temporal expansion. At the required TIF briefing or soon thereafter, the City Manager should delineate the proposed roles and responsibilities of the City of Austin, the Waller Creek Local Government Corporation, and the Waller Creek Conservancy.”...

To revise item three in the second paragraph of the first Be It Resolved Clause to read:

“In conjunction with this analysis, the City Manager is directed to consider whether monies secured through expanding the geographic boundaries of the Waller Creek TIF (identified as “Expanded or New Downtown TIF” in the staff memo of July 6, 2017,) could be used to support services and housing for individuals experiencing homelessness and if other financial strategies, such as participating in the Downtown Austin Alliance funding mechanism, would also be available in addition to or more appropriate for meeting this need.”

To revise item four in the first Be It Revolved clause to read:

“That the City Council affirms its interest in considering an application for a Tourism Public Improvement District extending through 2029 that would begin with a 1% tax increase and increase to 2% once the current Convention Center debt is defeased and would provide that 40% of the TPID tax would exclusively fund services and housing for individuals experiencing homelessness. It should further provide for public safety and health and sanitation purposes in and around downtown, which will improve and benefit the downtown hotels participating in the TIPD, and the City Manager is directed to report back to City Council by December 15, 2017, as to legal, practical and logistical issues related hereto.

To revise the second Be It Further Resolved Clause to read:

“This resolution should not be viewed as a decision or an inclination at the point to expand or renovate the Convention Center but does request information relevant to that decision. But if the Convention Center is renovated or expanded, and the hotel occupancy tax can thus be increased, the City Council commits that the taxes would be used, as allowed by law and as otherwise available and desirable, for projects such as those mentioned earlier in this

resolution and the following projects (without limitation) included in Part A through Part E can be studied, evaluated, and returned to council separately.”

To revise part c of the second Be It Further Resolved Clause to read:

“Creation of dedicated funding streams to provide at least \$3.2 million for the local music industry and, in accordance with Resolution 20170831-060, continuing to allocate 15% of hotel occupancy taxes for historic preservation annually.”

To revise part d of the second Be it Further Resolved Clause to read:

“Projects identified above, but also including without limitation the George Washington Carver Museum, the MexicArte Museum, the Asian American Resource Center, or other projects that might come forward through the Spirit of East Austin Process.”

To revise part e of the second Be It Further Resolved Clause to read:

“Renovation and expansion options of all or part of the Travis County Exposition Center, and surrounding Walter E. Long Metropolitan Park area, as a convention center facility located in the City of Austin, either funded directly with Hotel Occupancy Tax, establishment of a venue, or other funding source as allowed by state law.”

To revise the fourth Be It Further Resolved clause to read:

“If the City Council votes to renovate or expand the Austin Convention Center, the design should minimize impact to the street grid system, work to restore the street grid system to the historic Waller Grid plan where possible and prudent, activate as much as possible and prudent the street level experience, and retain or enhance ad valorem tax revenue. The Manager should explore innovative design options and collaborations, such as the use of a public-private partnership, long-term land leases, and construction of residential and office towers above any expanded convention space. The Manager should also explore options for design of any renovation or expansion including working with the Center for Sustainable Development at the University of Texas, an RFI process inviting designs, or other process.”

To revise part a of the last Be It Further Resolved clause to read:

“Options for policies related to any TPID agreements, TIF mechanisms, uses of hotel occupancy taxes, and RFI’s related to the public-private partnership through which the Convention Center could be expanded or renovated.”

A substitute motion was made by Council Member Houston and accepted without objection. The motion was to include the following amendments:

To add a new second whereas clause to read:

‘Whereas, other initiatives have identified important priorities outside of the downtown core that merit investment including, but not limited to, the Spirit of East Austin initiative which was created to address historic inequities and the lack of financial investment in the Eastern crescent and a path forward to reverse the impacts of generations of neglect; and”

To revise the third whereas clause to read:

“Whereas, the Austin City Council passed Resolution No. 20170209-033 directing the City Manager to provide information about financial needs related to various projects and entities in the downtown core west of IH-35; and”

To revise the fourth whereas clause to read:

“Whereas, Resolution No. 20170209-033 directed the City Manager to assess a number of financial tools and possible funding options for the projects and entities in the downtown core west of IH-35; and”

To revise the sixth whereas clause to read:

“Whereas, long-standing needs, including addressing homelessness, supporting the local music industry, preserving historic sites, and honoring and celebrating Latino/Hispanic and Black culture, in and around downtown require immediate and stable funding sources to be identified; and”

To add a new seventh whereas clause to read:

“Whereas, all parts of the City have areas that are frequented by tourists; and:

To add a new eighth whereas clause to read:

“Whereas, Resolution No. 20170831-060 asked the City Manager to provide a report to the City Council on options to include the Travis County Exposition Center as a venue funded with hotel occupancy tax revenue, or other revenue; and”

To revise the second paragraph of item three to the first Be It Resolved Clause to read:

“In conjunction with this analysis, the City Manager is directed to consider whether monies could be used to support services and housing for individuals experiencing homelessness and if other financial strategies, such as participating in or expanding the Downtown Austin Alliance funding mechanism, would also be available in addition to or more appropriate for meeting this need.”

To revise item four to the first Be It Resolved Clause to read:

“That the City Council affirms its interest in considering an application for a Tourism Public Improvement District that would provide at least 40% of the TPID tax directly to the City to fund services and housing for individuals experiencing homelessness and other community priorities. It should further provide for public safety and health and sanitation purposes in and around downtown which will improve and benefit the downtown hotels participating in the TPID and the City Manager is directed to report back to City Council by December 15, 2017, as to legal, practical and logistical issues related hereto.”

To add a new item five to the first Be It Resolved Clause and renumber the remaining sections. The new Be It Resolved clause is to read:

“That the City Council affirms its commitment to create a dedicated funding stream to address historic inequities in investment of city resources in the Eastern crescent, including Walter E. Long Metropolitan Park, the Travis County Exposition Center and the Spirit of East Austin community initiatives. To that end, the City Manager is directed to identify

financial options, such as hotel occupancy taxes, general obligation bonds, or other financing mechanisms, for investment into these important community priorities.”

To revise part a. of the second Be It Further Resolved Clause to read:

“Purchasing, renovating, or repairing other historic assets in the immediate vicinity of the Convention Center, including historic East Sixth Street, historic portions of the Red River Cultural District, East 11th Street, East 12th Street, Walter E. Long Metropolitan Park and visitor centers in a way that provides for allowable public and civic use of the space.”

To revise part d. of the second Be It Further Resolved Clause to read:

“Projects identified above, but also including without limitation the George Washington Carver Genealogy Center, the MexicArte Museum, and the Asian American Resource Center, or other projects that might come forward through the Spirit of East Austin process.”

To revise part e. of the second Be It Further Resolved Clause to read:

“Partnering with Travis County for renovation and expansion options of all or part of the Travis County Exposition Center, and surrounding Walter E. Long Metropolitan Park area, as a convention center facility located in the City of Austin, either funded directly with Hotel Occupancy Tax, or funded through establishment of a venue, or other funding source as allowed by state law.”

An amendment was made by Council Member Alter and accepted without objection to revise and change the order of the Be it Further Resolved clauses as follows:

“Be it Further Resolved:

The Council requests information relevant to make a decision on whether or not to expand or renovate the Austin Convention Center or opt for another venue option allowable by the laws governing the Hotel Occupancy Tax. This resolution should not be viewed as a decision or an inclination at this point to expand or renovate the Convention Center. The Manager should explore innovative design options and collaborations, such as the use of a public-private partnership, long-term land leases, and construction of residential and office towers above any expanded convention space. The Manager should also explore options for design of any renovation or expansion including working with the Center for Sustainable Development at the University of Texas, an RFI process inviting designs, or other process. If the City Council were to renovate or expand the Austin Convention Center, the design should minimize impact to the street grid system, work to restore the street grid system to the historic Waller Grid plan where possible and prudent, activate as much as possible and prudent the street level experience and retain or enhance ad valorem tax revenue.

Be It Further Resolved:

If the Convention Center is renovated or expanded and the hotel occupancy tax can thus be increased, the City Council commits that the taxes would be used, as allowed by law and as otherwise available and desirable, for projects such as those mentioned in this resolution and the following projects (without limitation):

- a. Purchasing, renovating, or repairing other historic assets in the immediate vicinity of the Convention Center, including historic East Sixth Street, historic portions of the Red River Cultural District, East 11th Street, East 12th Street, Walter E. Long Metropolitan Park and visitor centers in a way that provides for allowable public and civic use of the space.
- b. Purchasing, renovating, or repairing other historic assets throughout the city that attract tourists and convention delegates, as allowed by state law.
- c. Creation of dedicated funding streams to provide at least \$3.2 million for the local music industry, in accordance with Resolution 20170831-060 to allocation 15% of hotel occupancy taxes million for historic preservation annually.
- d. Projects identified above, but also including without limitation, the George Washington Carver Genealogy Center, the MexicArte Museum, and the Asian American Resource Center, or other projects that might come forward through the Spirit of East Austin process.
- e. Renovation and expansion options of all or part of the Travis County Exposition Center, and surrounding Walter E. Long Metropolitan Park area, as a convention center facility located in the City of Austin either funded directly with Hotel Occupancy Tax, or funded through establishment of a venue, or other funding source, as allowed by state law.

Be It Further Resolved:

The City Manager shall consider and respond, as part of the analysis, legal practical or other questions submitted from Council Members.

Be It Further Resolved:

The City Manager shall address in her analysis the following and shall provide updates to Council as appropriate:

- a. Options for policies related to any TPID agreements, TIF mechanism, uses of hotel occupancy taxes, and RFIs related to the public-private partnership through which the Convention Center may be expanded or renovated;
- b. Policies and options for distributing or awarding revenue for homeless services, transitional or permanent supportive housing, support for the local music industry, and historic preservation.

An amendment was made by Mayor Pro Tem Tovo and accepted without objection to include the following amendments:

To revise item 6 in the first Be It Resolved Clause to read:

“That the City Manager is directed to negotiate the acquisition of the Palm School for use as a public and civic space. The City Manager is further directed to provide Council by December 15, 2017, with an analysis of available funding options (including certificates of obligation, hotel occupancy taxes reserved in the Historic Preservation Fund, venue funding, hotel occupancy taxes available under Section 351.101 if the Convention Center is expanded or renovated, or other sources of funds). The Manager’s analysis should also describe how allowable uses would differ depending on which funding sources get used.”

To revise the last Be It Further Resolved Clause by replacing “analysis” with “analyses”.

Resolution 20170928-052 was approved as amended above on Mayor Adler’s motion, Council Member Kitchen’s second on a 10-0 vote. Council Member Troxclair was absent.

55. Approve a resolution directing the City Manager to convene a stakeholder process to gain feedback on elements of a paid sick days policy for private employers in Austin. (Notes: SPONSOR: Council Member Gregorio Casar CO 1: Council Member Delia Garza CO 2: Council Member Ann Kitchen CO 3: Mayor Steve Adler)

Resolution No. 20170928-055 was approved on Council Member Casar’s motion, Council Member Renteria’s second on a 10-0 vote. Council Member Troxclair was absent.

PUBLIC HEARINGS CONTINUED

99. Conduct a public hearing and consider an ordinance amending City Code Section 25-2-355 relating to voting requirements applicable to zoning recommendations by the Historic Landmark Commission.

The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20170928-099 was approved on Mayor Pro Tem Tovo’s motion, Council Member Pool’s second on a 9-1 vote. Council Member Garza voted nay. Council Member Troxclair was absent.

Direction was given to staff to incorporate the adopted changes in the CodeNEXT process.

103. Conduct a public hearing to receive recommendations from the stakeholders group established by City Council to make recommendations concerning non-criminal alternatives to City Code Chapter 9-3, relating to a juvenile curfew, and to consider an ordinance that continues, readopts, or amends City Code Chapter 9-3, relating to a juvenile curfew.

The public hearing was conducted and a motion to close the public hearing and deny the approval of the ordinance was approved on Council Member Renteria’s motion, Council Member Casar’s second on a 10-0 vote. Council Member Troxclair was absent.

Mayor Adler adjourned the meeting at 12:19 a.m.