

**AUSTIN CITY COUNCIL
MINUTES****WORK SESSION MEETING
TUESDAY, JUNE 12, 2018**

The City Council of Austin, Texas convened in a Work Session Meeting on Tuesday, June 12, 2018, City Hall at 301 W. Second Street, Austin, Texas.

Mayor Adler called the Council Meeting to order at 9:12 a.m.

- D.2. Discussion and possible action regarding a comprehensive revision to the Land Development Code, commonly referred to as 'CodeNEXT,' relating to the regulation of land use and development in the City of Austin and its extraterritorial jurisdiction, together with related actions and City Code amendments. (No public comment will be taken).

Presentation was made by Lauren Avioli, Planner, Neighborhood Housing and Development Department.

I.A.1: What is our income-restricted housing goal? What capacity is needed to reach that goal? How often should we evaluate and re-calibrate the program to ensure we meet that goal?

Direction was given to staff to:

- **Provide links to the online maps and table that show the properties that have subsidized units funded or created through incentive programs such as the density bonus program.**
- **Any analysis from the UT Gentrification Study, the Anti-Displacement Task Force or others that would identify how many renters were dismissed from their complexes due to demolitions versus just market rate increases and rent due to housing supply.**
- **Provide the map in draft 3 that provides the analysis with regard to the density bonus program that shows where it is believed the 6600 capacity will be achieved.**
- **Provide maps of the sub-areas (rental map and ownership map) and the link to the proposed general administrative procedures for affordable housing and downtown density bonus program.**

II.A.1: What should be our overall housing capacity goal to meet the goals in Imagine Austin and the Strategic Housing Blueprint?

Council agreed by consensus on support for the following statement “One of the goals of CodeNEXT should be to allow an overall housing capacity that lets us reach the Strategic Housing Blueprint and Imagine Austin goal of 135,000 housing units being built in the city in the next 10 years to address our housing needs.” Council Member Houston (4), Council Member Casar (5), Council Member Kitchen (5), Council Member Renteria (5), Council Member Flannigan (5), Mayor Adler (5), Mayor Pro Tem Tovo (4), Council Member Alter

(2), Council Member Pool (4), Council Member Garza (5). Council Member Troxclair was absent.

Council did not agree by consensus on support for the following statement “Overall housing capacity must be greater than 135,000 to not inadvertently prevent us from achieving that goal, with the understanding that there are other factors that can affect the achievement of this goal.” Council Member Houston (3), Council Member Casar (2), Council Member Kitchen (4), Council Member Renteria (5), Council Member Flannigan (4), Mayor Adler (5), Mayor Pro Tem Tovo (4), Council Member Alter (3), Council Member Pool (0), Council Member Garza (2). Council Member Troxclair was absent.

Council did not agree by consensus on support for the following statement “Overall housing capacity must be greater than 135,000 – potentially two times greater – to not inadvertently prevent us from achieving that goal, with the understanding that there are other factors that can affect the achievement of this goal.” Council Member Houston (4), Council Member Casar (2), Council Member Kitchen (4), Council Member Renteria (5), Council Member Flannigan (3), Mayor Adler (5), Mayor Pro Tem Tovo (4), Council Member Alter (3), Council Member Pool (0), Council Member Garza (2). Council Member Troxclair was absent.

Council agreed by consensus on support for the following statement “Our housing goals should be achieved equitably throughout the city.” Council Member Houston (5), Council Member Casar (5), Council Member Kitchen (5), Council Member Renteria (5), Council Member Flannigan (5), Mayor Adler (5), Mayor Pro Tem Tovo (5), Council Member Alter (5), Council Member Pool (4), Council Member Garza (5). Council Member Troxclair was absent.

Council revisited the previous statement and agreed by consensus on support for the following statement “Overall housing capacity must be greater than 135,000 to not inadvertently prevent us from achieving that goal, with the understanding that there are other factors that can affect the achievement of this goal.” Council Member Houston (3), Council Member Casar (3), Council Member Kitchen (4), Council Member Renteria (5), Council Member Flannigan (4), Mayor Adler (5), Mayor Pro Tem Tovo (4), Council Member Alter (3), Council Member Pool (0), Council Member Garza (3). Council Member Troxclair was absent.

The following discussion was bookmarked for further discussion.

- The amount to set the overall housing capacity at.

I.A.1: What is our income-restricted goal?

Council agreed by consensus on support for the following statement “Council reaffirms a goal of at least 60,000 as contained in the Strategic Housing Blueprint.” Council Member Houston (2), Council Member Casar (5), Council Member Kitchen (5), Council Member Renteria (5), Council Member Flannigan (5), Mayor Adler (5), Mayor Pro Tem Tovo (5), Council Member Alter (3), Council Member Pool (1), Council Member Garza (5). Council Member Troxclair was absent.

IA1: What capacity is needed to reach that goal?

Council agreed by consensus on support for the following statement “Council will consider and strive to significantly increase the capacity of affordable housing units, building on Draft 3.” Council Member Houston (4), Council Member Casar (4), Council Member Kitchen (5), Council Member Renteria (5), Council Member Flannigan (5), Mayor Adler (5), Mayor Pro Tem Tovo (5), Council Member Alter (4), Council Member Pool (3), Council Member Garza (4). Council Member Troxclair was absent.

IA.1: How often should we evaluate and recalibrate the program to ensure we need that goal?

Council agreed by consensus on support for the following statement “The fee in lieu where allowed has to be calibrated at least equal to the costs of the unit on-site (includes all costs).” Council Member Houston (5), Council Member Casar (4), Council Member Kitchen (5), Council Member Renteria (5), Council Member Flannigan (4), Mayor Adler (5), Mayor Pro Tem Tovo (5), Council Member Alter (5), Council Member Garza (4). Council Member Pool was off the dais. Council Member Troxclair was absent.

Council did not agreed by consensus for support for the following statement “Council should approve all fee in lieu of requests for residential projects including exceptions to on-site units such as donation of land. Council Member Houston (4), Council Member Kitchen (2), Council Member Renteria (5), Council Member Flannigan (1), Mayor Adler (2), Mayor Pro Tem Tovo (5), Council Member Alter (5), Council Member Pool (5), Council Member Garza (3). Council Member Casar was off the dais. Council Member Troxclair was absent.

The following discussion were bookmarked for further discussion.

- Process and criteria for approving fee in lieu rather than on-site units.
- Transition Zones
- Allowable Uses
- Compatibility
- Criteria for approval of fee in lieu of requests.

Direction was given to staff to:

- Provide links and copies of the maps that show where the zones are that have density bonuses in them and the maps that apply the set-aside percentage to the specific geographies.
- Circumstances when a request would go to Planning Commission vs. Council using the process for variances as a model. Criteria that would guide when a fee in lieu of would be appropriate.

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.

Mayor Adler recessed the Council Meeting to go into Executive Session at 12:18 p.m.

- E.1. Discuss legal issues related to open government matters (Private consultation with legal counsel – Section 551.071 of the Government Code).
Withdrawn without objection.
- E.2. Discuss legal issues in Thomas Munroe II et al v. City of Austin et al Cause No. 1:16-cv-011166-RP, in the United States District Court for the Western Division of Texas (Private consultation with legal counsel - Section 551.071 of the Government Code).
- E.3. Discuss legal issues in Stephen Melvin et al v. City of Austin, Cause No. D-1-GN-17-006621 in the 459th Judicial District Court of Travis County, Texas (Private consultation with legal counsel - Section 551.071 of the Government Code).
- E.4. Discuss real estate and legal matters related to the purchase, exchange, lease or value of an interest in real property and improvements for an Austin Energy headquarters (Real property - Section 551.072 of the Government Code and Private consultation with legal counsel - Section 551.071 of the Government Code).
- E.5. Discuss real estate and legal matters related to the purchase, exchange, lease, or value of real property locally known as the Lions Municipal Golf Course, generally located at the intersection of Lake Austin Boulevard and Exposition Boulevard (Real property - Section 551.072 of the Government Code and Private consultation with legal counsel - Section 551.071 of the Government Code).
Withdrawn without objection.
- E.6. Discuss legal issues related to the Brackenridge Development Agreement concerning property generally located west of SH Loop 1 and along Lake Austin Boulevard (Private consultation with legal counsel - Section 551.071 of the Government Code).

Mayor Adler announced the Council would be discussing item 21 during Executive Session.

- 21. Approve a resolution extending the temporary housing allowance for City Manager Spencer Cronk for an additional six months to the end of February 2019.

Mayor Adler reconvened the Council meeting at 2:44 p.m.

BRIEFINGS

- B.1. Charter Review Commission Update.
Presentation was made by Jessica Palvino, Chair, Ingrid Weigland, Vice Chair, and Karl Thomas Musselman.

Direction was given to provide to Council information on Seattle's experience in terms of how successful the campaigns were for candidates who participated in the program and the independent analysis of Seattle's program.

COUNCIL ITEMS OF INTEREST CONTINUED

Mayor Adler introduced the agenda for the June 14, 2018 Council meeting and allowed Council to give input or ask questions on any item posted on the agenda. Staff was available to provide verbal responses to Council questions. Discussion was held on the following items taken from Thursday's agenda.

76. Approve an ordinance waiving or reimbursing certain fees for the Party for Chica Power, sponsored by Latinitas Nonprofit Organization, to be held on Saturday June 16, 2018 at the Austin Central Public Library. Council Sponsors: Council Member Delia Garza, Council Member Jimmy Flannigan, Council Member Sabino 'Pio' Renteria, Council Member Leslie Pool, Council Member Ann Kitchen. District(s) Affected: District 9.
At the scheduled Council meeting of June 14, 2018, Mayor Pro Tem Tovo will give \$200.

BRIEFINGS CONTINUED

- B.2. Briefing on the Heritage Grant Working Group Recommendations.
Presentation was made by Mark Washington, Assistant City Manager and Cara Berton, Senior Planner, Planning and Zoning Department.
- B.3. Discussion regarding 10414 McKalla Place to include site analysis, proposal and use of site as a Major League Soccer stadium.
Presentation was made by Greg Canally, Deputy Chief Financial Officer; Rebecca Giello, Interim Director Economic Development; Chris Dunlavey, FAIA President; and Bryan Slater, Senior Project Manager B&D Venues.

Direction was given to staff to include in the proposal significantly higher green building ratings; living wage and prevailing wage should be part of any jobs on site and in terms of the construction; to see significant public use of the site; and to conduct a check to ensure that the proposal meets the community values.

Mayor Adler recessed the meeting at 5:30 p.m. to June 13, 2018 at 9:00 a.m. in Boards and Commissions without objection.

The City Council of Austin, Texas reconvened the Work Session Meeting of Tuesday, June 12, 2018, City Hall at 301 W. Second Street, Austin, Texas on June 13, 2018.

Mayor Pro Tem Tovo called the Council Meeting back to order at 9:11 a.m.

COUNCIL ITEMS OF INTEREST CONTINUED

28. Authorize negotiation and execution of a 84-month lease agreement for approximately 102,301 square feet of office space and 5,000 square feet of storage space for the Austin Code Department, Economic Development Department, and Human Resources Department with 5204 Ben White 2017, LP, a Texas Limited Partnership, located at 5202 Ben White Boulevard, in amount not to exceed \$20,154,160.76. District(s) Affected: District 3.
Direction was given to the City Manager for further discussion on moving all of Economic Development to one space and to provide additional space options explored.
57. Approve an ordinance amending City Code Chapter 13-2 (Ground Transportation Passenger Services) related to regulation of taxicabs and limousines, and repealing certain requirements.
64. Approve a resolution concerning improvements to the city's Historic Preservation Program to advance program mission and performance objectives. Council Sponsors: Mayor Pro Tem Tovo Kathie Tovo, Mayor Steve Adler, Council Member Leslie Pool, Council Member Ora Houston, Council Member Ann Kitchen.

65. Approve an ordinance establishing specialized functions, certifications, assignments, and additional pay for sworn police personnel employed by the Austin Police Department; and declaring an emergency. Council Sponsors: Council Member Leslie Pool, Mayor Pro Tem Kathie Tovo, Council Member Delia Garza, Council Member Sabino 'Pio' Renteria.
Direction was given to staff to provide the cost of specialized functions, certifications, assignments, and additional pay separately, not aggregated.
66. Approve a resolution directing the City Manager to prepare a recommendation for a project and financing plan, and possible Tax Increment Reinvestment Zone No. 17 amendments and other options that would direct tax increment funding towards addressing homelessness and housing initiatives. Council Sponsors: Mayor Steve Adler, Council Member Ora Houston, Council Member Sabino 'Pio' Renteria, Council Member Ann Kitchen.
67. Approve an ordinance amending Chapter 2-1 of the City Code to create a Tourism Commission.
72. Approve a resolution creating a Parks and Recreation Recycling Task Force to make recommendations concerning cost-effective ways to expand recycling in parks and directing the City Manager to provide staff support for the task force. Council Sponsors: Council Member Leslie Pool, Mayor Steve Adler, Council Member Alison Alter, Council Member Ann Kitchen, Council Member Sabino 'Pio' Renteria.
73. Approve a resolution directing the City Manager to reduce racial disparities and budgetary impacts related to the Police Department's use of discretionary arrests in lieu of citations for certain non-violent misdemeanors. Council Sponsors: Council Member Gregorio Casar, Council Member Delia Garza, Mayor Steve Adler, Council Member Ann Kitchen.
74. Approve a resolution related to City policies and use of City resources related to immigration enforcement.

COUNCIL DISCUSSION

- D.1. Discussion regarding the Waller Creek boathouse contract.

Mayor Adler adjourned the meeting at 11:15 a.m.

The minutes were approved on this the 9th day of August 2018 on Council Member Garza's motion, Council Member Alter's second on an 11-0 vote.