

**AUSTIN CITY COUNCIL
MINUTES****REGULAR MEETING
THURSDAY, DECEMBER 13, 2018**

Invocation: Reverend Doctor Margaret Aymer, Austin Presbyterian Theological Seminary.

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, December 13, 2018 in the Council Chambers of City Hall, 301 West Second Street, Austin, Texas.

Mayor Adler called the Council Meeting to order at 10:45 a.m. Council Member Renteria was absent.

CONSENT AGENDA

The following items were acted on by one motion.

1. Approve the minutes of the Austin City Council special called meeting of November 20, 2018, work session of November 27, 2018, discussion of November 27, 2018, discussion of November 28, 2018, and regular meeting of November 29, 2018.

The motion approving the minutes of the Austin City Council special called meeting of November 20, 2018, work session of November 27, 2018, discussion of November 27, 2018, discussion of November 28, 2018, and regular meeting of November 29, 2018 was approved on consent on Council Member Garza's motion, Council Member Alter's second on an 8-0 vote. Mayor Adler and Council Member Flannigan were off the dais. Council Member Renteria was absent.

2. Authorize recurring expenditures for the renewal of an electronic subscription to E-Source and professional dues and memberships in national and state associations and organizations related to the electric utility industry, in an amount not to exceed \$695,709.

The motion authorizing recurring expenditures was approved on consent on Council Member Garza's motion, Council Member Alter's second on a 7-1 vote. Council Member Troxclair voted nay. Mayor Adler and Council Member Flannigan were off the dais. Council Member Renteria was absent.

3. Authorize negotiation and execution of an amendment to the cost participation agreement with Desta Three Partnership, Ltd. to increase the amount of the City's participation from \$211,895.00 to an amount not to exceed \$240,155.47 of which the City's total soft cost reimbursement will not exceed \$73,983.48, and approve an ordinance waiving City Code section 25-9-62(D) limiting soft cost reimbursement. District(s) Affected: District 8.

The motion authorizing negotiation and execution of an amendment to the cost participation agreement with Desta Three Partnership, Ltd. was approved on consent on Council Member Garza's motion, Council Member Alter's second on an 8-0 vote. Mayor Adler and Council Member Flannigan were off the dais. Council Member Renteria was absent.

4. Authorize negotiation and execution of a restated interlocal agreement with the cities of Round Rock, Cedar Park, and Leander for the reimbursement of costs related to the expansion of the Brushy Creek Regional Wastewater System.
The motion authorizing negotiation and execution of a restated interlocal agreement with the cities of Round Rock, Cedar Park, and Leander was approved on consent on Council Member Garza's motion, Council Member Alter's second on an 8-0 vote. Mayor Adler and Council Member Flannigan were off the dais. Council Member Renteria was absent.
5. Authorize additional contingency funding for the construction contract with Central Road and Utility, Ltd. dba CRU, Ltd. (MBE), for the Tracon Building Stormwater Improvements project in the amount of \$224,000 for a total contract amount not to exceed \$2,350,240.00. [Note: This contract was awarded in compliance with City Code Chapter 2-9A (Minority Owned and Women Business Enterprise Procurement Program). Current Participation to date is 12.97% MBE and 0.78% WBE.] District(s) Affected: District 2.
The motion authorizing additional contingency funding for the construction contract with Central Road and Utility, Ltd. doing business as CRU, Ltd. was approved on consent on Council Member Garza's motion, Council Member Alter's second on an 8-0 vote. Mayor Adler and Council Member Flannigan were off the dais. Council Member Renteria was absent.
6. Authorize award and execution of a construction contract with Matous Construction, Ltd., for the Hornsby Bend Side Stream Treatment Plant (SSTP) Relief project in the amount of \$12,604,000 plus a \$1,260,400 contingency, for a total contract amount not to exceed \$13,864,400. [Note: This contract will be awarded in compliance with City Code Chapter 2-9A (Minority Owned and Women Owned Business Enterprise Procurement Program) by meeting the goals with 24.73% MBE and 3.31% WBE participation.]
The motion authorizing award and execution of a construction contract with Matous Construction, Ltd. was approved on consent on Council Member Garza's motion, Council Member Alter's second on an 8-0 vote. Mayor Adler and Council Member Flannigan were off the dais. Council Member Renteria was absent.
7. Authorize award and execution of a construction contract with Majestic Services, Inc. (WBE), for Pleasant Hill Branch Library Roof Replacement & HVAC Upgrade REBID project in the amount of \$667,777 plus a \$66,777 contingency, for a total contract amount not to exceed \$734,554. [Note: This contract will be awarded in compliance with City Code Chapter 2-9A (Minority Owned and Women Owned Business Enterprise Procurement Program) through the achievement of Good Faith Effort with 9.26% MBE and 36.58% WBE participation.] District(s) Affected: District 2.
The motion authorizing award and execution of a construction contract with Majestic Services, Inc. was approved on consent on Council Member Garza's motion, Council Member Alter's second on an 8-0 vote. Mayor Adler and Council Member Flannigan were off the dais. Council Member Renteria was absent.
8. Authorize award and execution of a construction contract with Alpha Paving Industries, LLC (DBE) for ADA Ramp & Bus Stop Improvements 2018-2020 Citywide Indefinite Delivery/Indefinite Quantity contract in the amount of \$750,000 for an initial 12 month term, with one 12 month extension option of \$250,000, for a total contract amount not to exceed \$1,000,000. [Note: This contract will be awarded in compliance with City Code Chapter 2-9A (Minority Owned and Women Owned Business Enterprise Procurement Program) by meeting the goals with 98.00% DBE participation.] District(s) Affected: District 1, District 2, District 3, District 4, District 5, District 6, District 7, District 8, District 9, District 10.

The motion authorizing award and execution of a construction contract with Alpha Paving Industries, LLC was approved on consent on Council Member Garza's motion, Council Member Alter's second on an 8-0 vote. Mayor Adler and Council Member Flannigan were off the dais. Council Member Renteria was absent.

9. Authorize additional funding for the professional services agreement with M. Arthur Gensler, Jr. and Associates Inc., dba Gensler to provide additional design services for the Austin Bergstrom International Airport Terminal/Apron Expansion and Improvements Project in the amount of \$3,000,000, for a total contract amount not to exceed \$41,457,000. [Note: This amendment will be awarded in compliance with City Code 2-9B (Minority Owned and Women Owned Business Enterprise Procurement Program). Current participation to date is 12.57% MBE and 11.24% WBE.]. District(s) Affected: District 2.

The motion authorizing additional funding for the professional services agreement with M. Arthur Gensler, Jr. and Associates Inc., doing business as Gensler was approved on consent on Council Member Garza's motion, Council Member Alter's second on an 8-0 vote. Mayor Adler and Council Member Flannigan were off the dais. Council Member Renteria was absent.

Items 10 and 11 were pulled for discussion.

12. Authorize negotiation and execution of an amendment to the legal services agreement with Foley Gardere, LLP in an amount of \$145,000 related to City of Austin v. Figer et al, Cause No. C-1-CV-18-002185, for a total contract not to exceed \$195,000.00.

The motion authorizing negotiation and execution of an amendment to the legal services agreement with Foley Gardere, LLP was approved on consent on Council Member Garza's motion, Council Member Alter's second on an 8-0 vote. Mayor Adler and Council Member Flannigan were off the dais. Council Member Renteria was absent.

Items 13 and 14 were pulled for discussion.

15. Authorize negotiation, execution and ratification of an interlocal agreement with Travis County and the Austin Travis County Mental Health Mental Retardation Center D/B/A Integral Care for the Expanded Mobile Crisis Outreach Team, which offers a first response team for mental health crises in collaboration with City first responders, for a 12-month term beginning October 1, 2018 in an amount not to exceed \$1,147,229.

The motion authorizing negotiation, execution and ratification of an interlocal agreement with Travis County and the Austin Travis County Mental Health Mental Retardation Center doing business as Integral Care was approved on consent on Council Member Garza's motion, Council Member Alter's second on an 8-0 vote. Mayor Adler and Council Member Flannigan were off the dais. Council Member Renteria was absent.

Items 16 and 17 were pulled for discussion.

18. Approve a resolution accepting the 2019 list of proposed events and the maximum number of days requiring full closure of Republic Square Park to the general public, as required under the Parkland Improvement, Management, and Operations Agreement, and authorize negotiation and execution of an amendment to the Parkland Improvement, Management, and Operations Agreement allowing the City Manager to maintain and approve the list of proposed events annually and establishing an annual limit. District(s) Affected: District 9.

Resolution No. 20181213-018 was approved on consent on Council Member Garza's motion, Council Member Alter's second on an 8-0 vote. Mayor Adler and Council Member Flannigan were off the dais. Council Member Renteria was absent.

19. Approve a resolution authorizing the City Manager to apply for up to \$50,000 in grant funding from the Texas Parks and Wildlife Department's Community Outdoor Outreach Program for the outdoor outreach and programming that includes underserved youth, teens, adults, and seniors at the Camacho Activity Center. District(s) Affected: District 3.
Resolution No. 20181213-019 was approved on consent on Council Member Garza's motion, Council Member Alter's second on an 8-0 vote. Mayor Adler and Council Member Flannigan were off the dais. Council Member Renteria was absent.
20. Approve a resolution consenting to the annexation by Lazy Nine Municipal Utility District 1A of approximately 124 acres within the City of Austin's extraterritorial jurisdiction. This action concerns land located within the Barton Springs Zone.
Resolution No. 20181213-020 was approved on consent on Council Member Garza's motion, Council Member Alter's second on an 8-0 vote. Mayor Adler and Council Member Flannigan were off the dais. Council Member Renteria was absent.

Action was taken on Item 21 but later reconsidered.

22. Authorize negotiation and execution of an interlocal agreement with Del Valle Independent School District for youth development services for a 12-month term ending September 30, 2019 and four 12-month renewal options.
The motion authorizing negotiation and execution of an interlocal agreement with Del Valle Independent School District was approved on consent on Council Member Garza's motion, Council Member Alter's second on a 7-1 vote. Council Member Troxclair voted nay. Mayor Adler and Council Member Flannigan were off the dais. Council Member Renteria was absent.
23. Authorize the negotiation and execution of Amendment No. 3 to an agreement with Texas RioGrande Legal Aid, Inc. for tenant resident advocacy services to increase funding in an amount not to exceed \$110,000 for each remaining 12-month extension option, for a total agreement amount not to exceed \$1,970,000.
The motion authorizing negotiation and execution of Amendment No. 3 to an agreement with Texas RioGrande Legal Aid, Inc. was approved on consent on Council Member Garza's motion, Council Member Alter's second on a 7-1 vote. Council Member Troxclair voted nay. Mayor Adler and Council Member Flannigan were off the dais. Council Member Renteria was absent.
24. Approve a resolution that adopts a newly updated list of projects approved for Quarter Cent funding that supersedes previous Quarter Cent Project lists.
Resolution No. 20181213-024 was approved on consent on Council Member Garza's motion, Council Member Alter's second on an 8-0 vote. Mayor Adler and Council Member Flannigan were off the dais. Council Member Renteria was absent.
25. Authorize negotiation and execution of a cooperative contract with United Parcel Service D/B/A UPS, for shipping services, for up to 39 months in an amount not to exceed \$309,000. (Note: 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 cooperative contract with United Parcel Service doing business as UPS was approved on consent on Council Member Garza's motion, Council Member Alter's second on an 8-0 vote. Mayor Adler and Council Member Flannigan were off the dais. Council Member Renteria was absent.

26. Authorize award and execution of a multi-term contract with Ferguson Enterprises Inc., D/B/A Wolseley Industrial Group, to provide janitorial supplies and inventory services, for up to five years for a total contract amount not to exceed \$9,500,000. (Note: This solicitation was reviewed for subcontracting opportunities in accordance with City Code Chapter 2-9D Minority Owned and Women Owned Business Enterprise Procurement Program. For the goods required for this solicitation, there were no subcontracting opportunities, therefore, no subcontracting goals were established).
- The motion authorizing award and execution of a multi-term contract with Ferguson Enterprises Inc., doing business as Wolseley Industrial Group was approved on consent on Council Member Garza's motion, Council Member Alter's second on an 8-0 vote. Mayor Adler and Council Member Flannigan were off the dais. Council Member Renteria was absent.**
27. Authorize negotiation and execution of a multi-term contract with Marsh Wortham, a division of Marsh USA, Inc., to provide excess liability insurance services, for up to five years for a total contract amount not to exceed \$9,000,000. (Note: This solicitation was reviewed for subcontracting opportunities in accordance with City Code Chapter 2-9C Minority Owned and Women Owned Business Enterprise Procurement Program. For the services required for this solicitation, there were no subcontracting opportunities; therefore, no subcontracting goals were established).
- The motion authorizing negotiation and execution of a multi-term contract with Marsh Wortham, a division of Marsh USA, Inc. was approved on consent on Council Member Garza's motion, Council Member Alter's second on an 8-0 vote. Mayor Adler and Council Member Flannigan were off the dais. Council Member Renteria was absent.**
28. Authorize award and execution of a multi-term contract with On Site Auto Trim Inc. D/B/A Austin Interiors, to provide furniture upholstery services, for up to five years for a total contract amount not to exceed \$625,000. (Note: 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 award and execution of a multi-term contract with On Site Auto Trim Inc. doing business as Austin Interiors was approved on consent on Council Member Garza's motion, Council Member Alter's second on an 8-0 vote. Mayor Adler and Council Member Flannigan were off the dais. Council Member Renteria was absent.**
29. Authorize negotiation and execution of a contract with ZirMed, Inc., to provide a revenue cycle management solution, for a term of five years, in an amount not to exceed \$950,000. (Note: Sole source contracts are exempt from the City Code Chapter 2-9C Minority Owned and Women Owned Business Enterprise Procurement Program; therefore, no subcontracting goals were established).
- The motion authorizing negotiation and execution of a contract with ZirMed, Inc. was approved on consent on Council Member Garza's motion, Council Member Alter's second on an 8-0 vote. Mayor Adler and Council Member Flannigan were off the dais. Council Member Renteria was absent.**
30. Authorize negotiation and execution of a multi-term contract with Powell Electrical Systems, Inc., to provide indoor arc-resistant switchgear, for up to five years for a total contract amount not to exceed \$22,000,000. (Note: 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 negotiation and execution of a multi-term contract with Powell Electrical Systems, Inc. was approved on consent on Council Member Garza's motion, Council Member Alter's second on an 8-0 vote. Mayor Adler and Council Member Flannigan were off the dais. Council Member Renteria was absent.

31. Authorize an amendment to an existing contract with Grid Solutions (US) LLC D/B/A GE Grid Solutions LLC, to provide substation communication hardware, software, installation and training services, for an increase in the amount of \$1,000,000, for a revised total contract amount not to exceed \$3,478,935. (Note: This contract was awarded in compliance with City Code Chapter 2-9D of the Minority Owned and Women Owned Business Enterprise Procurement Program. No subcontracting opportunities were identified; therefore, no goals were established).

The motion authorizing an amendment to an existing contract with Grid Solutions (US) LLC doing business as GE Grid Solutions LLC was approved on consent on Council Member Garza's motion, Council Member Alter's second on an 8-0 vote. Mayor Adler and Council Member Flannigan were off the dais. Council Member Renteria was absent.

32. Authorize negotiation and execution of a cooperative contract with LexisNexis Risk Solutions FL Inc. D/B/A LexisNexis Risk Solutions, to provide an online subscription service agreement, for a term of five years in an amount not to exceed \$460,000. (Note: 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 cooperative contract with LexisNexis Risk Solutions FL Inc. doing business as LexisNexis Risk Solutions was approved on consent on Council Member Garza's motion, Council Member Alter's second on an 8-0 vote. Mayor Adler and Council Member Flannigan were off the dais. Council Member Renteria was absent.

33. Authorize negotiation and execution of a multi-term contract with DirectApps Inc. D/B/A Direct Technology, to provide energy efficiency data management and reporting services, for up to five years for a total contract amount not to exceed \$1,000,000. (Note: This solicitation was reviewed for subcontracting opportunities in accordance with City Code Chapter 2-9C Minority Owned and Women Owned Business Enterprise Procurement Program. For the services required for this solicitation, there were no subcontracting opportunities; therefore, no subcontracting goals were established).

The motion authorizing negotiation and execution of a multi-term contract with DirectApps Inc. doing business as Direct Technology was approved on consent on Council Member Garza's motion, Council Member Alter's second on an 8-0 vote. Mayor Adler and Council Member Flannigan were off the dais. Council Member Renteria was absent.

34. Authorize an amendment to an existing contract with Primate Technologies, Inc., for enhancements of control room visualization software and continued maintenance and support, to increase the amount by \$618,750 and extend the term for up to five years, for a total revised total contract amount not to exceed \$1,372,160. (Note: 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 an amendment to an existing contract with Primate Technologies, Inc. was approved on consent on Council Member Garza's motion, Council Member Alter's

second on an 8-0 vote. Mayor Adler and Council Member Flannigan were off the dais. Council Member Renteria was absent.

35. Authorize an amendment to an existing contract with Air Cleaning Technologies, Inc., to provide continued diesel exhaust removal systems, preventative maintenance, and inspection services, for an increase in the amount of \$400,000, for a revised total contract amount not to exceed \$750,000. (Note: 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 an amendment to an existing contract with Air Cleaning Technologies, Inc. was approved on consent on Council Member Garza's motion, Council Member Alter's second on an 8-0 vote. Mayor Adler and Council Member Flannigan were off the dais. Council Member Renteria was absent.

Item 36 was pulled for discussion.

37. Authorize award and execution of a multi-term contract with Wholesale & MFR PVF Inc., to provide prefabricated public restrooms, for up to five years for a total contract amount not to exceed \$1,350,000. (Note: This solicitation was reviewed for subcontracting opportunities in accordance with City Code Chapter 2-9D Minority Owned and Women Owned Business Enterprise Procurement Program. For the goods required for this solicitation, there were no subcontracting opportunities; therefore, no subcontracting goals were established).

The motion authorizing award and execution of a multi-term contract with Wholesale & MFR PVF Inc. was approved on consent on Council Member Garza's motion, Council Member Alter's second on a 7-1 vote. Council Member Troxclair voted nay. Mayor Adler and Council Member Flannigan were off the dais. Council Member Renteria was absent.

38. Authorize negotiation and execution of a contract with Fundamentals Group Inc. D/B/A TXP Inc., for child care consulting services, in an amount not to exceed \$75,000. (Note: This procurement was reviewed for subcontracting opportunities in accordance with City Code Chapter 2-9C Minority Owned and Women Owned Business Enterprise Procurement Program. For the services required for this procurement, there were no subcontracting opportunities; therefore, no subcontracting goals were established).

The motion authorizing negotiation and execution of a contract with Fundamentals Group Inc. doing business as TXP Inc. was approved on consent on Council Member Garza's motion, Council Member Alter's second on a 7-1 vote. Council Member Troxclair voted nay. Mayor Adler and Council Member Flannigan were off the dais. Council Member Renteria was absent.

Item 39 was pulled for discussion.

40. Approve an ordinance amending City Code Chapters 2-9A, 2-9B, 2-9C, and 2-9D regarding certification for the City's Minority-Owned and Women-Owned Business Enterprise Procurement Program and incorporating the findings of the 2015 Disparity Study.

Ordinance No. 20181213-040 was approved on consent on Council Member Garza's motion, Council Member Alter's second on a 7-1 vote. Council Member Troxclair voted nay. Mayor Adler and Council Member Flannigan were off the dais. Council Member Renteria was absent.

41. Approve an ordinance amending City Code Chapter 14-11 related to permitting placement of cellular nodes on City-owned poles in City rights-of-way as well as new node poles in City rights-of-way.

Ordinance No. 20181213-041 was approved on consent on Council Member Garza's motion, Council Member Alter's second on an 8-0 vote. Mayor Adler and Council Member Flannigan were off the dais. Council Member Renteria was absent.

42. 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.

Resolution 20181213-042 appointing Felipe Ulloa to the Travis Central Appraisal District Board of Directors for a two-year term expiring on December 31, 2020 was approved on consent on Council Member Garza's motion, Council Member Alter's second on an 8-0 vote. Mayor Adler and Council Member Flannigan were off the dais. Council Member Renteria was absent.

Items 43 through 47 were pulled for discussion.

102. Authorize negotiation and execution of an amendment to the interlocal agreement with the Texas Department of Public Safety (DPS) for medical oversight of DPS' Division of Emergency Management programs, including but not limited to its First Responder Organization and its Emergency Care Attendant and Tactical Medic Program.

The motion authorizing negotiation and execution of an amendment to the interlocal agreement with the Texas Department of Public Safety was approved on consent on Council Member Garza's motion, Council Member Alter's second on an 8-0 vote. Mayor Adler and Council Member Flannigan were off the dais. Council Member Renteria was absent.

Item 103 was pulled for discussion.

104. Authorize negotiation and execution of an encroachment agreement with Bread and Circus LLC for the surface and subsurface encroachment of approximately 586 square feet of right-of-way by a proposed staircase, concrete footing, accessible ramp and rails within East 4th Street and Sabine Street between East 4th Street and East 5th Street, located at 401 Sabine Street. District(s) Affected: District 9.

The motion authorizing negotiation and execution of an encroachment agreement with Bread and Circus LLC was approved on consent on Council Member Garza's motion, Council Member Alter's second on an 8-0 vote. Mayor Adler and Council Member Flannigan were off the dais. Council Member Renteria was absent.

105. Authorize negotiation and execution of Amendment No. 5 to the agreement with Austin Travis County Mental Health Mental Retardation Center, dba Integral Care, for the expansion of homeless outreach services to increase funding in an amount not to exceed \$130,000 for the current term and for each of the two remaining 12-month extension options, for a total agreement amount not to exceed \$9,687,380.

The motion authorizing negotiation and execution of Amendment No. 5 to the agreement with Austin Travis County Mental Health Mental Retardation Center, doing business as Integral Care was approved on consent on Council Member Garza's motion, Council Member Alter's second on an 8-0 vote. Mayor Adler and Council Member Flannigan were off the dais. Council Member Renteria was absent.

Item 106 was pulled for discussion.

107. Approve a resolution directing the City Manager to limit the areas included in the Trails Pilot Program regarding the use of electric bikes and electric scooters on specific trails maintained by the Parks and Recreation Department. Council Sponsors: Council Member Alison Alter, Council Member Leslie Pool, Council Member Ann Kitchen, Mayor Pro Tem Kathie Tovo.

Resolution No. 20181213-107 was approved as amended below on consent on Council Member Garza's motion, Council Member Alter's second on an 8-0 vote. Mayor Adler and Council Member Flannigan were off the dais. Council Member Renteria was absent.

A friendly amendment was made by Council Member Alter and accepted without objection. The amendment was to revise the resolution to read: "The City Manager is directed to exclude from the Trails Pilot Program the Shoal Creek Trail north of 15th Street."

Direction was given to staff to ensure the departments have adequate resources to conduct this pilot and to ensure enforcement of the rules in place for our parks trails where the pilot will not be implemented.

DISCUSSION ITEMS

11. Approve a resolution adopting the City's Federal Legislative Program for the 116th U.S. Congress.

Resolution No. 20181213-011 was approved on Council Member Houston's motion, Council Member Alter's second on a 7-1 vote. Council Member Troxclair voted nay. Mayor Adler and Council Member Flannigan were off the dais. Council Member Renteria was absent.

16. Authorize negotiation and execution of all documents and instruments necessary or desirable to purchase in fee simple approximately 3.325 acres and improvements located at the northeast corner of Philomena Street and Mueller Blvd. in the Mueller Development in Austin, Travis County, Texas from Mueller Aldrich SW L1B5, LP in an amount not to exceed \$150,000,000 including closing costs. Related to Item #17. District(s) Affected: District 9.

The motion authorizing negotiation and execution of all documents and instruments necessary or desirable to purchase in fee simple approximately 3.325 acres and improvements was approved on Council Member Casar's motion, Council Member Pool's second on an 8-0 vote. Mayor Adler and Council Member Flannigan were off the dais. Council Member Renteria was absent.

17. Approve an ordinance amending the Fiscal Year 2018-2019 Capital Budget of Austin Energy (Ordinance No. 20180911-001) to increase appropriations by \$148,700,000, for the Austin Energy Headquarters acquisition. Related to Item #16.

Ordinance No. 20181213-017 was approved on Council Member Casar's motion, Council Member Pool's second on an 8-0 vote. Mayor Adler and Council Member Flannigan were off the dais. Council Member Renteria was absent.

48. Approve a resolution authorizing the filing of eminent domain proceedings for the acquisition of easement rights consisting of approximately 0.064 acres (2,794 square feet) of land situated in the J.P. Wallace Survey, in Travis County, Texas, being a portion of Lot A, LIMON-DEMENT Addition, recorded in Vol. 78, pg. 289 of the plat records of Travis County, Texas, said Lot A being described in a general warranty deed with vendor's lien to 8151 North Lamar, L.P., recorded in Document No. 2014009267 of the official public records of Travis County, Texas, in the amount of \$32,291. The owner of the needed property interest is 8151 North Lamar, a Texas limited partnership. The property is located entirely in District 4, at 8151 North Lamar Blvd., Austin, Texas 78753. The general route of the project is along the east side of North Lamar Blvd. from the Justin Lane Substation on North Lamar Blvd. crossing Lamar Blvd. at Wagon Trail Road from there the circuit traverses the North Park Estates and Gracywoods neighborhoods until it reaches the McNeil Substation on Knollpark Drive, in Austin, Travis County, Texas. District(s) Affected: District 4.

Resolution No. 20181213-048 was approved on Council Member Garza's motion, Council Member Houston's second on an 8-0 vote. Mayor Adler and Council Member Flannigan were off the dais. Council Member Renteria was absent.

49. Approve a resolution authorizing the filing of eminent domain proceedings for the acquisition of easement rights consisting of approximately 0.333 acres (14,524 square feet) of land in a part of Lot 1, Block A, Scofield Ranch Retail Subdivision, a Subdivision in Travis County, Texas, according to the Plat recorded in Document No. 200100026, Official Public Records Travis County, Texas, the said Lot 1 being described to HD Development Properties LP, in that certain warranty deed recorded in Document No. 2003211517 of which, both documents are recorded in the official public records of Travis County, Texas, in the amount of \$100,144. The owner of the needed property interest is HD Development Properties LP, a Georgia limited partnership, now known as HD Development of Maryland, Inc., a Maryland Corporation. The property is located entirely in District 7, at 13309 North IH-35, Austin, Texas 78753. The general route of the project is along the south side of Avenue N and West Howard Lane from the Howard Lane Substation on Gardenia Drive to the east side of Center Line Pass into the Techridge Substation. District(s) Affected: District 7.
- Resolution No. 20181213-049 was approved on Council Member Garza's motion, Council Member Houston's second on an 8-0 vote. Mayor Adler and Council Member Flannigan were off the dais. Council Member Renteria was absent.**
50. Approve a resolution authorizing the filing of eminent domain proceedings for the acquisition of easement rights consisting of approximately 0.036 acres (1,567 square feet) of land situated in the J.P. Wallace Survey, in Travis County, Texas, and being a portion of a called 0.34 of one acre tract of land described in a warranty deed with vendor's lien to Ricardo Meza and Idelfonso Gracia, recorded in Document No. 2007153333 of the official public records of Travis County, Texas, in the amount of \$29,693. The owners of the needed property interest are Ricardo Meza and Idelfonso Gracia. The property is located entirely in District 4, at 8603 North Lamar Blvd., Austin, Texas 78753. The general route of the project is along the east side of North Lamar Blvd. from the Justin Lane Substation on North Lamar Blvd. crossing Lamar Blvd. at Wagon Trail Road from there the circuit traverses the North Park Estates and Gracywoods neighborhoods until it reaches the McNeil Substation on Knollpark Drive, in Austin, Travis County, Texas. District(s) Affected: District 4.
- Resolution No. 20181213-050 was approved on Council Member Garza's motion, Council Member Houston's second on an 8-0 vote. Mayor Adler and Council Member Flannigan were off the dais. Council Member Renteria was absent.**
51. Approve a resolution authorizing the filing of eminent domain proceedings for the acquisition of easement rights consisting of three tracts (Tract #1 being 0.012 acres (520 square feet), Tract #2 being 0.071 acres (3,110 square feet), and Tract #3 being 0.121 acres (5,274 square feet) for a total of approximately 0.204 acres (8,904 square feet) of land located in the Francisco Garcia Survey No. 60, Travis County, Texas, and being out of and in a portion of that called 4.06 acres of land as described to Saeed Moshfegh in that certain warranty deed with vendor's lien and recorded as Document No. 2017045033, official public records Travis County, Texas, in the amount of \$17,718. The owner of the needed property interest is Saeed Moshfegh. The property is located entirely in District 7, at 13700 Pansy Trail, Austin, Texas 78727. The general route of the project is along the south side of Avenue N and West Howard Lane from the Howard Lane Substation on Gardenia Drive to the east side of Center Line Pass into the Techridge Substation, in Austin, Travis County, Texas. District(s) Affected: District 7.
- Resolution No. 20181213-051 was approved on Council Member Garza's motion, Council Member Houston's second on an 8-0 vote. Mayor Adler and Council Member Flannigan were off the dais. Council Member Renteria was absent.**
52. Approve a resolution authorizing the filing of eminent domain proceedings for the acquisition of easement rights consisting of approximately 0.021 acres (904 square feet) of land situated in the J. Applegait Survey, in Travis County, Texas, being a portion of Lot 5, Block D, North Lamar Park Section Three, recorded in Vol. 20, pg. 15 of the plat records of Travis County, Texas, said

Lot 5 being described in a deed to Mary F. Powers, recorded in Vol. 5553, pg. 669 of the deed records of Travis County, Texas, in the amount of \$6,380. The owner of the needed property interest is Mary F. Powers. The property is located entirely in District 4, at 8908 Shepard Dr., Austin, Texas 78753. The general route of the project is along the east side of North Lamar Blvd. from the Justin Lane Substation on North Lamar Blvd. crossing Lamar Blvd. at Wagon Trail Road from there the circuit traverses the North Park Estates and Gracywoods neighborhoods until it reaches the McNeil Substation on Knollpark Drive, in Austin, Travis County, Texas. District(s) Affected: District 4.

Resolution No. 20181213-052 was approved on Council Member Garza's motion, Council Member Houston's second on an 8-0 vote. Mayor Adler and Council Member Flannigan were off the dais. Council Member Renteria was absent.

53. Approve a resolution authorizing the filing of eminent domain proceedings for the acquisition of easement rights consisting of approximately 0.077 acres (3,373 square feet) of land a part of Lot 1, Block A, Collins Subdivision, a subdivision in Travis County, Texas, according to the Plat Recorded in Document No. 201600066, the said Lot 1, being described to Rouche LLC, in that certain special warranty deed Document No. 2016058051, of which both documents are recorded in the official public records Travis County, Texas, in the amount of \$5,312. The owner of the needed property interest is Rouche LLC, a Texas limited liability company. The property is located entirely in District 7, at 1800 Scofield Ridge Parkway, Austin, Travis County, Texas 78728. The general route of the project is along the south side of Avenue N and West Howard Lane from the Howard Lane Substation on Gardenia Drive to the east side of Center Line Pass into the Techridge Substation, in Austin, Travis County, Texas. District(s) Affected: District 7.

Resolution No. 20181213-053 was approved on Council Member Garza's motion, Council Member Houston's second on an 8-0 vote. Mayor Adler and Council Member Flannigan were off the dais. Council Member Renteria was absent.

54. Approve a resolution authorizing the filing of eminent domain proceedings for the acquisition of easement rights consisting of approximately 0.084 acres (3,679 square feet) parcel of land situated in the J.P. Wallace Survey No. 57, in Travis County, Texas, and being a portion of a called 3.444 acre tract of land described in a warranty deed to Ryder Truck Rental, Inc., recorded in Vol. 7292, pg. 594 of the deed records of Travis County, Texas, in the amount of \$63,357. The owner of the needed property interest is Ryder Truck Rental, Inc. The property is located entirely in District 4, at 8305 N. Lamar Blvd., Austin, Texas 78753. The general route of the project is along the east side of N. Lamar Blvd. from the Justin Lane Substation on North Lamar Blvd. crossing Lamar Blvd. at Wagon Trail Road from there the circuit traverses the North Park Estates and Gracywoods neighborhoods until it reaches the McNeil Substation on Knollpark Drive, in Austin, Travis County, Texas. District(s) Affected: District 4.

Resolution No. 20181213-054 was approved on Council Member Garza's motion, Council Member Houston's second on an 8-0 vote. Mayor Adler and Council Member Flannigan were off the dais. Council Member Renteria was absent.

55. Approve a resolution authorizing the filing of eminent domain proceedings for the acquisition of easement rights consisting of approximately 0.092 acres (4,027 square feet) of land a part of Lot 4, Block A, Scofield Ranch Retail Subdivision, a subdivision in Travis County, Texas, according to the Plat Document No. 200100026 official public records Travis County, Texas, the said Lot 4 being described to Sanchez Family Properties LP, in that certain special warranty deed with vendor's lien as recorded in Document No. 2001080163, of which, both documents are recorded in the official public records of Travis County, Texas, in the amount of \$31,209. The owner of the needed property interest is Sanchez Family Properties LP, a Texas Limited Partnership. The property is located entirely in District 7, at 13613 N. IH 35, Austin Texas 78753. The general route of the project is along the south side of Avenue N and West Howard Lane from the Howard Lane Substation on Gardenia Drive to the east side of Center Line Pass into the Techridge Substation, in Austin, Travis County, Texas. District(s) Affected: District 7.

Resolution No. 20181213-055 was approved on Council Member Garza's motion, Council Member Houston's second on an 8-0 vote. Mayor Adler and Council Member Flannigan were off the dais. Council Member Renteria was absent.

10. Approve an ordinance amending City Code Chapter 2-1 (City Boards) relating to board member conduct.

Ordinance No. 20181213-010 was approved on Council Member Pool's motion, Council Member's Alter second on a 7-0 vote. Mayor Adler and Council Members Casar and Flannigan were off the dais. Council Member Renteria was absent.

43. Approve a resolution affirming and concurring with the City Manager's intent of incorporating the police chief's staffing plan in fiscal year 2020 and subsequent budget proposals. Council Sponsors: Council Member Ellen Troxclair, Council Member Alison Alter, Council Member Jimmy Flannigan, Council Member Ora Houston, Council Member Leslie Pool, Council Member Ann Kitchen.

Resolution No. 20181213-043 was approved on Council Member Troxclair's motion, Council Member Alter's second on a 7-0 vote. Mayor Adler and Council Members Casar and Flannigan were off the dais. Council Member Renteria was absent.

44. Approve a resolution directing the City Manager to develop recommendations regarding the creation of a pilot program that would address shifting modes of transportation by incentivizing transit use. Council Sponsors: Council Member Delia Garza, Council Member Jimmy Flannigan, Council Member Ann Kitchen, Council Member Sabino 'Pio' Renteria, Council Member Leslie Pool.

The motion to approve the resolution was made by Council Member Garza and seconded by Council Member Alter.

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

The amendment was to add a new Whereas clause to read:

"Whereas, Clean Air Force works with local employers in the 5-county Austin-Round Rock Metropolitan Area (Bastrop, Caldwell, Hays, Travis and Williamson Counties) to design company-specific emission reduction strategies that reduce single occupancy vehicle trips."

To revise the Be It Resolved clause to add a third bullet to read:

"Discounted or free public transit passes such as those available in ongoing incentives programs such as the City's Smart Trips program or CapMetro's MetroWorks Program."

To add a new Be It Further Resolved clause to read:

"Be It Further Resolved: The City Manager should incorporate metrics of return on investment for the pilot in his report back the Mobility Committee that clearly indicate whether the continuation of the program is feasible and beneficial and sustainable with information on costs to relevant departments involved in administering the program or providing incentives for the program."

Resolution No. 20181213-044 was approved as amended above on Council Member Garza's motion, Council Member Alter's second on a 6-2 vote. Those voting aye were Mayor Pro Tem Tovo, Council Members Alter, Casar, Garza, Kitchen, and Pool. Those voting nay were Council Member Houston and Troxclair. Mayor Adler and Council Member Flannigan were off the dais. Council Member Renteria was absent.

14. Approve an ordinance amending City Code Chapter 2-7 relating to standards of conduct for City officials and employees.

Ordinance No. 20181213-014 was approved on Council Member Pool's motion, Council Member Houston's second on an 8-0 vote. Mayor Adler and Council Member Flannigan were off the dais. Council Member Renteria was absent.

36. Authorize negotiation and execution of a multi-term contract with Downtown Austin Transportation Management Association D/B/A Movability, to provide management services for the Mobility Challenge Program, for up to three years in an amount not to exceed \$450,000. (Note: 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 procurement there were no subcontracting opportunities; therefore, no subcontracting goals were established).

The motion authorizing negotiation and execution negotiation and execution of a multi-term contract with Downtown Austin Transportation Management Association doing business as Movability was approved on Council Member Houston's motion, Council Member Garza's second on a 7-1 vote. Council Member Troxclair voted nay. Mayor Adler and Council Member Flannigan were off the dais. Council Member Renteria was absent.

103. Authorize negotiation and execution of an encroachment agreement with Capital Metropolitan Transportation Authority for the surface and subsurface encroachments of approximately 48,949 square feet of right-of-way by proposed railroad tracks, station platforms, canopies, signal house and subsurface encroachments of approximately 1,050 square feet for electrical and IT conduit, 192 square feet landscape waterline, 108 square feet private waterline, 985 square feet irrigation waterline and 2,245 square feet IT conduit within East 4th Street generally between Trinity Street and IH 35. (Related to Item #106). District(s) Affected: District 9.

The motion authorizing negotiation and execution of an encroachment agreement with Capital Metropolitan Transportation Authority was approved on Mayor Pro Tem Tovo's motion on a 10-0 vote. Council Member Renteria was absent.

106. Approve an ordinance waiving or reimbursing fees for right-of-way, encroachments, easements, or licenses, and permit deposits in an amount not to exceed \$14,021,548.45 related to the Capital Metropolitan Transit Authority Downtown Station, generally located on 4th Street from Trinity Street to IH-35. (Related to item #103). District(s) Affected: District 9.

Ordinance No. 20181213-106 was approved on Mayor Pro Tem Tovo's motion on a 10-0 vote. Council Member Renteria was absent.

21. Approve an ordinance authorizing the negotiation and execution of an interlocal agreement regarding the release of approximately 33 acres of extraterritorial jurisdiction to the City of Dripping Springs. This action concerns land located within the Barton Springs Zone.

Ordinance No. 20181213-021 was approved on consent on Council Member Garza's motion, Council Member Alter's second on a 6-2 vote. Those voting aye were Council Members Alter, Casar, Garza, Houston, Kitchen, and Troxclair. Those voting nay were Mayor Pro Tem Tovo and Council Member Pool. Mayor Adler and Council Member Flannigan were off the dais. Council Member Renteria was absent.

The motion to reconsider Item 21 was approved on Council Member Kitchen's motion, Council Member Troxclair's second on a 10-0 vote. Council Member Renteria was absent.

Ordinance No. 20181213-021 was approved on Council Member Garza's motion, Council Member Alter's second on an 8-2 vote. Those voting aye were Mayor Adler, Council Members Alter, Casar, Flannigan, Garza, Houston, Kitchen, and Troxclair. Those voting nay were Mayor Pro Tem Tovo and Council Member Pool. Council Member Renteria was absent.

Mayor Adler recessed the Council Meeting at 11:59 a.m.

56. 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 12:00 p.m.

CITIZENS COMMUNICATIONS: GENERAL

Silver White Mountain – TBA

Charles Lindig – Homelessness

Bruce Joseph - Need More Help for Homeless People - **Not Present.**

Lyndon Henry - Austin's Public Transportation Planning Issues

David Dobbs - 'Transportation that pays for itself and makes a profit for taxpayers'

Andrew Clements – TBA

Roger L. Cauvin - Project Connect and ASMP – **Not Present.**

Gabe Rojas - Light Rail Now

Surinder Marwaha - Project Connect 2 and/or Light Rail Transit Priority Corridor

Susan Reda - Staffing at Austin Animal Shelter

Mayor Adler recessed the Council Meeting to go into Executive Session at 12:33 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.

57. Discuss legal issues related to open government matters (Private consultation with legal counsel - Section 551.071 of the Government Code).
This item was withdrawn.
58. Consider compensation and benefits for the City Manager (Personnel matters - Section 551.074 of the Government Code).
Conducted.

Mayor Adler stated item 13 would be discussed in Executive Session.

13. Authorize entry of an Agreed Final Judgment and Order in Austin Country Club v. City of Austin, cause No. D-1-GN-17-006525, relating to land use and environmental regulations applicable to Austin Country Club's 179-acre tract located in Northwest Austin, at 4408 Long Champ Drive. Related to Item 100. District(s) Affected: District 10.

Executive Session ended and Mayor Adler called the Council Meeting back to order at 3:17 p.m.

DISCUSSION ITEMS CONTINUED

46. Approve an ordinance setting salary and compensation for the City Manager. Council Sponsors: Mayor Steve Adler, Mayor Pro Tem Kathie Tovo, Council Member Alison Alter, Council Member Delia Garza.

Ordinance No. 20181213-046 was approved as amended on Council Member Flannigan's motion, Council Member Houston's second on a 10-0 vote. Council Member Renteria was absent. The amendment was to set the base salary at \$350,001.60.

47. Approve a resolution amending Resolution No. 20160225-016 establishing a process for performance reviews of the City Manager. Council Sponsors: Mayor Steve Adler, Mayor Pro Tem Kathie Tovo, Council Member Alison Alter, Council Member Delia Garza.

Resolution No. 20181213-047 was approved on Council Member Flannigan's motion, Council Member Houston's second on a 10-0 vote. Council Member Renteria was absent.

39. Authorize negotiation and execution of a multi-term contract with Colette Holt & Associates, to conduct an availability and disparity study of minority owned and women owned business enterprises and disadvantaged business enterprises, for up to two years in an amount not to exceed \$1,000,000. (Note: 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 to postpone to February 21, 2019 was approved on Council Member Flannigan's motion, Council Member Kitchen's second on a 10-0 vote. Council Member Renteria was absent.

Direction was given to staff that prior to returning to City Council with this item or a similar item the City Manager through the Small and Minority Business Resource Department (SMBR) will:

- 1. Host three stakeholders meetings in January to receive input on the proposed Disparity Study contract and will invite the minority trade associations, minority chambers of commerce and all certified MBEs/WBEs.**
- 2. Post information on the contract on SMBR's website for public comment during the month of January. The proposed scope of the contract will be posted online and at the meetings.**
- 3. Present the Disparity Study contract along with the findings from the stakeholder process to the MBE/WBE Advisory Committee at their February meeting for their consideration and recommendation.**

Direction was given to staff to come back with a plan with an eye for transparency as it relates to the contract that comes to committees of council and appropriate commissions regarding SMBR measures.

45. Approve an ordinance requiring four-person staffing for all Austin Fire Department emergency response apparatus. Council Sponsors: Council Member Ann Kitchen, Council Member Delia Garza, Council Member Leslie Pool, Council Member Sabino 'Pio' Renteria, Mayor Pro Tem Kathie Tovo.

The motion to approve the ordinance was made by Council Member Kitchen and seconded by Council Member Pool.

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

The amendment was to insert the following to Part 2 to read: “tactical-level fire-fighting activities”.

A friendly amendment was made by Mayor Adler and accepted without objection.

The amendment was to revise Part 2, B to read: “This requirement does not apply in the presence of any of the conditions defined in Part C of resource condition Level III Emergency, or higher, in the Austin Fire Department emergency operation plan, General Order Number G301.1, effective date 10/1/2018; and”

Add a new Part 2, C to read and renumber remaining sections: “If rare, catastrophic emergency response conditions exist, the city manager may alter staffing levels to best adapt to the conditions present, in which case, this requirement does not apply and the city manager shall notify the council;”

An amendment failed on Council Member Alter’s motion, Council Member Houston’s second on a 2-8 vote. Those voting aye were Council Members Alter and Houston. Those voting nay were Mayor Adler, May Pro Tem Tovo and Council Members Casar, Flannigan, Garza, Kitchen, Pool, and Troxclair. Council Member Renteria was absent.

The amendment was to add a new Part 3 to read: “The requirements of this ordinance may be modified or suspended in the event of a change in state law that affects the budgetary and revenue authority such that the city’s anticipated revenues are impaired.”

Ordinance No. 20181213-045 was approved as amended above on Council Member Kitchen’s motion, Council Member Pool’s second on a 9-1 vote. Council Member Houston voted nay. Council Member Renteria was absent.

ZONING AND NEIGHBORHOOD PLAN AMENDMENTS

60. C14-2018-0043 Belmont Apartments - Approve second and third readings of an ordinance amending City Code Title 25 by zoning property locally known as 9100 Brown Lane (Little Walnut Creek Watershed). Applicant Request: To rezone from limited industrial services (LI) district zoning to general commercial services-mixed use (CS-MU) combining district zoning. First reading approved on November 1, 2018. Vote: 10-0. Owner/Applicant: LDG Development (Justin Hartz). Agent: Costello, Inc. (Steven Buffum). City Staff: Heather Chaffin, 512-974-2122. District(s) Affected: District 1.
Ordinance No. 20181213-060 for general commercial services-mixed use (CS-MU) combining district zoning was approved on Council Member Alter’s motion, Council Member Casar’s second on a 9-0 vote. Mayor Adler was off the dais. Council Member Renteria was absent.
63. NPA-2016-0014.01 - Nuckols Crossing-Conduct a public hearing and approve an ordinance amending Ordinance No. 021010-11, the Southeast 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 4500 Nuckols Crossing Road (Williamson Creek Watershed) from Single Family to Multifamily land use. Staff Recommendation: To deny the applicant’s request for Multifamily land use. Planning Commission Recommendation: To be reviewed on December 11, 2018. Owner/Applicant: Angelos Angelou and John Sasaridis. Agent: Thrower Design (A. Ron Thrower). City Staff: Maureen Meredith, (512) 974-2695. District(s) Affected: District 2.

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

64. C14-2017-0010 - 4500 Nuckols Crossing Road Rezoning - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 4500 Nuckols Crossing Road (Williamson Creek Watershed). Applicant's Request: To rezone from single family residence-standard lot-neighborhood plan (SF-2-NP) combining district zoning to multi-family residence-medium density-neighborhood plan (MF-3-NP) combining district zoning. Staff Recommendation: To deny multi-family residence-medium density-neighborhood plan (MF-3-NP) combining district zoning. Planning Commission Recommendation: To be reviewed on December 11, 2018. Owner/Applicant: Angelos Angelou and John Sasaridis. Agent: Thrower Design (Ron Thrower). City Staff: Wendy Rhoades, 512-974-7719. District(s) Affected: District 2.

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

65. C14-2015-0062.01 - Met Center PDA Amendment - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 2900-3024 U.S. Highway 183 South (Carson Creek Watershed; Onion Creek Watershed) from limited industrial services-planned development area-neighborhood plan (LI-PDA-NP) combining district zoning to limited industrial services-planned development area-neighborhood plan (LI-PDA-NP) combining district zoning, to change a condition of zoning. Staff Recommendation: Pending. Planning Commission Recommendation: Pending; Applicant requests an Indefinite Postponement. Owner/Applicant: Met Center NYCTEX, Phase II, Ltd. (Howard Yancy). Agent: Thrower Design (Ron Thrower). City Staff: Wendy Rhoades, 512-974-7719. District(s) Affected: District 2.

This item was postponed indefinitely at the request of the applicant on Council Member Alter's motion, Council Member Casar's second on a 9-0 vote. Mayor Adler was off the dais. Council Member Renteria was absent.

66. NPA-2017-0016.03 - 3232 & 3306 E. Cesar Chavez Street-Conduct a public hearing and approve an ordinance amending Ordinance No. 030327-12, the Govalle/Johnston Terrace Combined Neighborhood Plan, an element of the Imagine Austin Comprehensive Plan, to change the land use designation on the future land use map (FLUM) on property locally known as 3232 and 3306 East Cesar Chavez Street (Colorado River Watershed) from Commercial to Mixed Use land use. Staff Recommendation: Pending. Planning Commission Recommendation: To be reviewed December 11, 2018. Owner/Applicant: The Betty Sue Kurtz Trust and The Thelma Ann Zirkelbach Trust. Agent: Husch Blackwell, LLP (Stacey L. Milazzo). City Staff: Maureen Meredith, (512) 974-2695. District(s) Affected: District 3.

This item was postponed to January 31, 2019 at the request of staff on Council Member Alter's motion, Council Member Casar's second on a 9-0 vote. Mayor Adler was off the dais. Council Member Renteria was absent.

67. C14-2017-0138 -3232 and 3306 East Cesar Chavez Rezoning- Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 3232 and 3306 East Cesar Chavez Street (Colorado River Watershed). Applicant Request: To rezone from limited industrial-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: Pending. Planning Commission Recommendation: To be reviewed

December 11, 2018. Owner/Applicant: The Betty Sue Kurtz Trust and The Thelma Ann Zirkelbach Trust. Agent: Husch Blackwell, LLP (Stacey L. Milazzo). City Staff: Heather Chaffin, 512 974-2122. District(s) Affected: District 3.

This item was postponed to January 31, 2019 at the request of staff on Council Member Alter's motion, Council Member Casar's second on a 9-0 vote. Mayor Adler was off the dais. Council Member Renteria was absent.

70. C14-2017-0066 Braker Lane Rezoning Part A- Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 914 East Braker Lane (Walnut Creek Watershed) from single family residence standard lot (SF-2) district zoning to single family residence small lot (SF-4A) district zoning and community commercial (GR) district zoning. Staff Recommendation: To grant single family residence small lot (SF-4A) district zoning and community commercial (GR) district zoning. Zoning and Platting Commission Recommendation: To be reviewed December 4, 2018. Owner/Applicant: Richard Raymond Peterson and Carol Ann Peterson Starr. Agent: Carlson, Brigance & Doering, Inc. (Charles Brigance). City Staff: Heather Chaffin, 512-974-2122. District(s) Affected: District 1.
This item was postponed to January 31, 2019 at the request of staff on Council Member Alter's motion, Council Member Casar's second on a 9-0 vote. Mayor Adler was off the dais. Council Member Renteria was absent.
71. C14-2017-0100 Braker Lane Rezoning Part B- Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 914 East Braker Lane (Walnut Creek Watershed) from single family residence standard lot (SF-2) district zoning and development reserve (DR) district zoning to single family residence small lot (SF-4A) district zoning. Staff Recommendation: To grant single family residence small lot (SF-4A) district zoning and community commercial (GR) district zoning. Zoning and Platting Commission Recommendation: To be reviewed December 4, 2018. Owner/Applicant: Richard Raymond Peterson and Carol Ann Peterson Starr. Agent: Carlson, Brigance & Doering, Inc. (Charles Brigance). City Staff: Heather Chaffin, 512-974-2122. District(s) Affected: District 1.
This item was postponed to January 31, 2019 at the request of staff on Council Member Alter's motion, Council Member Casar's second on a 9-0 vote. Mayor Adler was off the dais. Council Member Renteria was absent.
72. C14-2018-0004 Braker Office/Condo Park -Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 1308 East Braker Lane (Walnut Creek Watershed) from multifamily residence low density-conditional overlay (MF-2-CO) combining district zoning to general office-mixed use (GO-MU) combining district zoning. Staff Recommendation: To grant general office-mixed use (GO-MU) combining district zoning. Zoning and Platting Commission Recommendation: To be reviewed December 4, 2018. Owner/Applicant: Realty One Texas (Vu Chung and Sinh Le). Agent: Impact Design & Architecture Group, Inc. (James Fisher). City Staff: Heather Chaffin, 512-974-2122. District(s) Affected: District 1.
This item was postponed to January 31, 2019 at the request of staff on Council Member Alter's motion, Council Member Casar's second on a 9-0 vote. Mayor Adler was off the dais. Council Member Renteria was absent.
74. NPA-2017-0021.01 - 4530 E. Ben White Blvd. - Conduct a public hearing and approve an ordinance amending Ordinance No. 20061116-055 of the East Riverside/Oltorf Combined Neighborhood Plan, an element of the Imagine Austin Comprehensive Plan, to change the future land use designation on the future land use map (FLUM) on property locally known as 4530 E. Ben White Blvd. (Country Club Creek Watershed) from Commercial to Mixed Use land use. Staff Recommendation: Pending. Planning Commission Recommendation: To be reviewed January 22, 2019. Owner/Applicant: Belco Equities, Inc. Agent: Coats Rose (John M. Joseph). City Staff: Maureen Meredith, (512) 974-2695. District(s) Affected: District 3.

This item was postponed to February 7, 2019 at the request of staff on Council Member Alter's motion, Council Member Casar's second on a 9-0 vote. Mayor Adler was off the dais. Council Member Renteria was absent.

75. C14-2018-0092 - 11900 Buckner Road - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 11900 Buckner Road (Lake Creek Watershed). Applicant Request: To rezone from community commercial-mixed use-conditional overlay combining (GR-MU-CO) district zoning and townhouse and condominium residence-conditional overlay combining (SF-6-CO) district zoning to community commercial-mixed use-conditional overlay combining (GR-MU-CO) district zoning for Tract 1 and limited office-mixed use-conditional overlay combining (LO-MU-CO) district zoning for Tract 2. Staff Recommendation: To grant community commercial-mixed use-conditional overlay combining (GR-MU-CO) district zoning for Tract 1 and limited office-mixed use-conditional overlay combining (LO-MU-CO) district zoning for Tract 2, with conditions. Zoning and Platting Commission Recommendation: To grant community commercial-mixed use-conditional overlay combining (GR-MU-CO) district zoning for Tract 1 and limited office-mixed use-conditional overlay combining (LO-MU-CO) district zoning for Tract 2, with conditions. Owner/Applicant: Budget Leasing, Inc. (David Stein). Agent: McLean & Howard, LLP (Jeffrey Howard). City Staff: Sherri Sirwaitis, 512-974-3057. District(s) Affected: District 6.

The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20181213-075 for community commercial-mixed use-conditional overlay combining (GR-MU-CO) district zoning for Tract 1 and limited office-mixed use-conditional overlay combining (LO-MU-CO) district zoning for Tract 2, with conditions was approved on Council Member Alter's motion, Council Member Casar's second on a 9-0 vote. Mayor Adler was off the dais. Council Member Renteria was absent.

76. NPA-2018-0025.01 - Southwest Parkway and Vega Avenue - Conduct a public hearing and approve an ordinance amending Ordinance No. 20081211-096, the Oak Hill 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 6113 Southwest Parkway (Barton Creek Watershed) from Neighborhood Mixed Use to Mixed Use land use. Staff recommendation: To grant Mixed Use land use. Planning Commission Recommendation: To grant Mixed Use land use. Owner/Applicant: St. Andrews Episcopal School. Agent: McLean & Howard, L.L.P. (Jeff Howard). City Staff: Sabina Mora, (512) 974-1485. District(s) Affected: District 8.

The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20181213-076 to change the land use designation on the future land use map (FLUM) to Mixed Use land use was approved on Council Member Alter's motion, Council Member Casar's second on a 9-0 vote. Mayor Adler was off the dais. Council Member Renteria was absent.

77. C14-2018-0085 - Southwest Parkway and Vega Avenue -Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 6113 Southwest Parkway (Barton Creek Watershed). Applicant Request: To rezone from neighborhood commercial - mixed use - neighborhood plan (LR-MU-NP) combining district zoning to community commercial - mixed use - conditional overlay - neighborhood plan (GR-MU-CO-NP) combining district zoning. Staff Recommendation: To grant community commercial - mixed use - conditional overlay - neighborhood plan (GR-MU-CO-NP) combining district zoning. Planning Commission Recommendation: To grant community commercial - mixed use - conditional overlay - neighborhood plan (GR-MU-CO-NP) combining district zoning. Owner/Applicant: St. Andrews Episcopal School. Agent: McLean & Howard, L.L.P. (Jeff Howard). City Staff: Scott Grantham, 512-974-3574. District(s) Affected: District 8.

The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20181213-077 for community commercial - mixed use - conditional overlay -

neighborhood plan (GR-MU-CO-NP) combining district zoning was approved on Council Member Alter's motion, Council Member Casar's second on a 9-0 vote. Mayor Adler was off the dais. Council Member Renteria was absent.

78. C14-01-0046.03 - Helping Hand Home for Children - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 310 - 312 W. 38th Street and 3803, 3805, 3807 Avenue B (Waller Creek Watershed). Applicant Request: To rezone from family residence - neighborhood conservation - neighborhood plan (SF-3-NCCD-NP) combining district and multi-family - moderate density - neighborhood conservation - neighborhood plan (MF-4-NCCD-NP) combining district zoning to multi-family - moderate density - neighborhood conservation - neighborhood plan (MF-4-NCCD-NP) combining district zoning. Staff Recommendation: To grant multi-family - moderate density - neighborhood conservation - neighborhood plan (MF-4-NCCD-NP) combining district zoning. Planning Commission Recommendation: To grant multi-family - moderate density - neighborhood conservation - neighborhood plan (MF-4-NCCD-NP) combining district zoning. Owner/Applicant: Helping Hand Home for Children, Inc. Agent: Armbrust and Brown, PLLC (Jewels Cain). City Staff: Scott Grantham, 512-974-3574. District(s) Affected: District 9.

The public hearing was conducted and a motion to close the public hearing and approve the ordinance on first reading only for multi-family - moderate density - neighborhood conservation - neighborhood plan (MF-4-NCCD-NP) combining district zoning was approved as amended below on Council Member Alter's motion, Council Member Casar's second on a 9-0 vote. Mayor Adler was off the dais. Council Member Renteria was absent.

The amendment was to remove the condition restricting each structure to no more than ten people.

79. C14-2018-0122 - 8600 Cameron Loop - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 8600 Cameron Loop (South Boggy Creek Watershed; Williamson Creek Watershed-Barton Springs Zone). Applicant's Request: To rezone from rural residence (RR) district zoning and single family residence-large lot (SF-1) district zoning to family residence (SF-3) district zoning. Staff Recommendation: To grant family residence (SF-3) district zoning. Zoning and Platting Commission Recommendation: To be reviewed December 4, 2018. Owner/Applicant: Rita and Billy Davis. City Staff: Wendy Rhoades, 512-974-7719. District(s) Affected: District 5.

The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20181213-079 for family residence (SF-3) district zoning was approved on Council Member Alter's motion, Council Member Casar's second on a 9-0 vote. Mayor Adler was off the dais. Council Member Renteria was absent.

80. C14-2018-0065 - Town Lake Circle I - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 2215 and 2315 Town Lake Circle (Lady Bird Lake Watershed). Applicant Request: To rezone from neighborhood mixed use (NMU) district zoning to corridor mixed use (CMU) district zoning. Staff Recommendation: Pending. Planning Commission Recommendation: To be reviewed January 22, 2019. Owner/Applicant: FBZ Town Lake Circle II LP. Agent: Drenner Group (Leah Bojo). City Staff: Scott Grantham, 512-974-3574. District(s) Affected: District 3.

This item was postponed to February 21, 2019 at the request of staff on Council Member Alter's motion, Council Member Casar's second on a 9-0 vote. Mayor Adler was off the dais. Council Member Renteria was absent.

81. C14-2018-0064 - Town Lake Circle II - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 2423 and 2439 Town Lake Circle, and 2425 Elmont Drive (Lady Bird Lake and Country Club West Watershed). Applicant Request: To rezone from neighborhood mixed use (NMU) district zoning to corridor mixed use

(CMU) district zoning. Staff Recommendation: Pending. Planning Commission Recommendation: To be reviewed January 22, 2019. Owner/Applicant: FBZ Town Lake Circle II LP. Agent: Drenner Group (Leah Bojo). City Staff: Scott Grantham, 512-974-3574. District(s) Affected: District 3.

This item was postponed to February 21, 2019 at the request of staff on Council Member Alter's motion, Council Member Casar's second on a 9-0 vote. Mayor Adler was off the dais. Council Member Renteria was absent.

82. C14-2018-0116 - 13609 IH 35 - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 13609 North Interstate Highway-35 (Walnut Creek Watershed). Applicant Request: To rezone from general commercial services-conditional overlay (CS-CO) combining district zoning to general commercial services-conditional overlay (CS-CO) combining district zoning, to change a condition of zoning. Staff Recommendation: To grant general commercial services-conditional overlay (CS-CO) combining district zoning. Zoning and Platting Commission Recommendation: To be reviewed December 4, 2018. Owner/Applicant: CSW 13609 I35, LLC. Agent: The Drenner Group, PC (Amanda Swor). City Staff: Sherri Sirwaitis, 512-974-3057. District(s) Affected: District 7.

This item was postponed to January 31, 2019 at the request of staff on Council Member Alter's motion, Council Member Casar's second on a 9-0 vote. Mayor Adler was off the dais. Council Member Renteria was absent.

83. C14-2018-0113 - Vista Parke -Conduct a public hearing and approve an ordinance amending City Code Title 25 by zoning property locally known as 12001 Vista Parke Drive (Lake Travis Watershed). Applicant Request: To zone from interim-rural residence (I-RR) district zoning to townhouse & condominium residence (SF-6) district zoning. Staff Recommendation: To grant townhouse & condominium residence (SF-6) district zoning. Zoning and Platting Commission Recommendation: To be reviewed December 4, 2018. Owner/Applicant: Parke Properties I, L.P. (Shay Rathbun), GDF Realty Investments, Ltd. (James George, Jr.). Agent: Stantec Consulting Services (Stephen Rye). City Staff: Sherri Sirwaitis, 512-974-3057. District(s) Affected: District 6.

The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20181213-083 for townhouse & condominium residence (SF-6) district zoning was approved on Council Member Alter's motion, Council Member Casar's second on a 9-0 vote. Mayor Adler was off the dais. Council Member Renteria was absent.

84. C14-2018-0110 - Middleton-Raley Residence - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 3707 McNeil Drive (Walnut Creek Watershed). Applicant Request: To rezone from rural residence (RR) district zoning to single family residence-large lot (SF-1) district zoning. Staff Recommendation: To grant single family residence-large lot (SF-1) district zoning district zoning. Zoning and Platting Commission Recommendation: To be reviewed December 4, 2018. Owner/Applicant: Jefferson Raley. Agent: Steinbomer, Bramwell & Vrazel Architects (Jennifer Vrazel). City Staff: Sherri Sirwaitis, 512-974-3057. District(s) Affected: District 7.

The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20181213-084 for single family residence-large lot (SF-1) district zoning was approved on Council Member Alter's motion, Council Member Casar's second on a 9-0 vote. Mayor Adler was off the dais. Council Member Renteria was absent.

86. C14-2018-0138 - Champion-Camelback Agreement Rezoning - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 6409 City Park Road (West Bull Creek Watershed). Applicant's Request: To rezone from multifamily residence-moderate-high density-conditional overlay (MF-4-CO) combining district zoning to general office-conditional overlay (GO-CO) combining district zoning. Staff Recommendation: To grant general office-conditional overlay (GO-CO) combining district zoning. Zoning and

Platting Commission Recommendation: To be reviewed December 4, 2018. Owner/Applicant: Loop 360 Land, LP (Jonathan Coon). Agents: McClean & Howard, L.L.P. (Jeffrey S. Howard); Thrower Design (Ron Thrower). City Staff: Wendy Rhoades, 512-974-7719. District(s) Affected: District 10.

The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20181213-086 as amended below for general office-conditional overlay (GO-CO) combining district zoning was approved on Council Member Alter's motion, Council Member Casar's second on a 9-0 vote. Mayor Adler was off the dais. Council Member Renteria was absent.

An amendment was made by Council Member Alter and accepted without objection. The amendment was to revise Part 2 (D) to include: "sidewalks, driveway access, signage that complies with current City of Austin Code requirements applicable to RM 2222 Road."

88. NPA-2018-0012.01 - 3200 Merrie Lynn Ave.-Conduct a public hearing and approve an ordinance amending Ordinance No. 020801-91, the Upper Boggy Creek 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 3200 Merrie Lynn Avenue (Boggy Creek Watershed) from Multifamily to Mixed-Use/Office land use. Staff recommendation: To grant Mixed-Use/Office land use. Planning Commission recommendation: To grant Mixed-Use/Office land use. Owner/Applicant: 3200 Merrie Lynn LLC (David Kanne). Agent: Drenner Group (Amanda Swor). City Staff: Jeff Engstrom, (512) 974-1621. District(s) Affected: District 9.

Ordinance No. 20181213-088 to change the land use designation on the future land use map (FLUM) to Mixed-Use/Office land use was approved on Council Member Alter's motion, Council Member Casar's second on a 9-0 vote. Mayor Adler was off the dais. Council Member Renteria was absent.

89. C14-2018-0087 -3200 Merrie Lynn -Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 3200 Merrie Lynn Avenue (Boggy Creek Watershed) from multifamily residence moderate high density-neighborhood plan (MF-4-NP) combining district zoning to limited office-mixed use-neighborhood plan (LO-MU-NP) combining district zoning. Staff Recommendation: To grant limited office-mixed use-neighborhood plan (LO-MU-NP) combining district zoning. Planning Commission Recommendation: To grant limited office-mixed use-neighborhood plan (LO-MU-NP) combining district zoning. Owner/Applicant: 3200 Merrie Lynn. Agent: Drenner Group PC (Amanda Swor). City Staff: Heather Chaffin, 512-974-2122. District(s) Affected: District 9.

The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20181213-089 for limited office-mixed use-neighborhood plan (LO-MU-NP) combining district zoning was approved on Council Member Alter's motion, Council Member Casar's second on a 9-0 vote. Mayor Adler was off the dais. Council Member Renteria was absent.

90. C14H-2018-0103 - Philip D. Creer House- Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning the property locally known as 1605 Gaston Avenue from family residence-neighborhood plan (SF-3-NP) combining district to family residence - historic landmark - neighborhood plan (SF-3-H-NP) combining district zoning. Staff Recommendation: To grant family residence - historic landmark - neighborhood plan (SF-3-H-NP) combining district zoning. Historic Landmark Commission Recommendation: To grant family residence - historic landmark - neighborhood plan (SF-3-H-NP) combining district zoning. Planning Commission Recommendation: To grant family residence - historic landmark - neighborhood plan (SF-3-H-NP) combining district zoning. Applicant: Nicole Kessler, owner. City Staff: Steve Sadowsky, Historic Preservation Office, Planning and Zoning Department, 512-974-6454. District(s) Affected: District 9.

This item was postponed to January 31, 2019 at the request of staff on Council Member Alter's motion, Council Member Casar's second on a 9-0 vote. Mayor Adler was off the dais. Council Member Renteria was absent.

91. C14-85-288.43(RCA) 6901 Old Bee Caves Road - Conduct a public hearing and approve a restrictive covenant amendment on property locally known as 6901 Old Bee Caves Road (Williamson Creek Watershed- Barton Springs Zone). Staff Recommendation: To grant the restrictive covenant amendment. Planning Commission Recommendation: To grant the restrictive covenant amendment. Owner/Applicant: SRE/MRE Oak Hill Ltd. (J. Mark Stevenson). Agent: Drenner Group PC (Amanda Swor). City Staff: Heather Chaffin, 512 974-2122. District(s) Affected: District 8.

The public hearing was conducted and a motion to close the public hearing and approve a restrictive covenant amendment was approved on Council Member Alter's motion, Council Member Casar's second on a 9-0 vote. Mayor Adler was off the dais. Council Member Renteria was absent.

92. C14-2018-0056 - 6901 Old Bee Caves Road -Conduct a public hearing and approve second and third readings of an ordinance amending City Code Title 25 by rezoning property locally known as locally known as 6901 Old Bee Caves Road (Williamson Creek Watershed- Barton Springs Zone). Applicant Request: To rezone from general commercial services- neighborhood plan (CS-NP) combining district zoning to general commercial services-mixed use-neighborhood plan (CS-MU-NP) combining district zoning. First reading approved November 29, 2018. Vote: 9-0. Owner/Applicant: SRE/MRE Oak Hill Ltd. (J. Mark Stevenson). Agent: Drenner Group PC (Amanda Swor). City Staff: Heather Chaffin, 512 974-2122. District(s) Affected: District 8.

The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20181213-092 for general commercial services-mixed use-neighborhood plan (CS-MU-NP) combining district zoning was approved on Council Member Alter's motion, Council Member Casar's second on a 9-0 vote. Mayor Adler was off the dais. Council Member Renteria was absent.

108. C14-2018-0079 - 11713 Jollyville Road - Approve second and third readings of an ordinance amending City Code Title 25 by rezoning property locally known as 11713 Jollyville Road (Walnut Creek Watershed). Applicant Request: To rezone from limited office (LO) district zoning to community commercial-mixed use (GR-MU) combining district zoning. First reading approved community commercial-mixed use-conditional overlay (GR-MU-CO) combining district zoning on November 29, 2018. Vote: 10-0, E. Troxclair off the dais. Owner/Applicant: Asian American Cultural Center, LLC (Amy Wong Mok). Agent: Armbrust and Brown, PLLC (Michael Whellan). City Staff: Sherri Sirwaitis, 512-974-3057. District(s) Affected: District 10.

Ordinance No. 20181213-108 for community commercial-mixed use (GR-MU) combining district zoning was approved as amended below on Council Member Alter's motion, Council Member Casar's second on a 9-0 vote. Mayor Adler was off the dais. Council Member Renteria was absent.

An amendment was made by Council Member Alter and accepted without objection. The amendment was to strike from Part 2 (A): "community recreation (public) and community recreation (private)."

DISCUSSION ITEMS

87. C14-2018-0090 -Denizen Two - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 1001 Cumberland Road (West Bouldin Creek Watershed) from townhouse and condominium residence-conditional overlay (SF-6-CO) combining district zoning to townhouse and condominium residence-conditional overlay (SF-6-CO) combining district zoning, to change a condition of zoning. Staff Recommendation: To grant

townhouse and condominium residence-conditional overlay (SF-6-CO) combining district zoning. Planning Commission Recommendation: To grant townhouse and condominium residence-conditional overlay (SF-6-CO) combining district zoning. Owner: Salvation Army (Andrew Kelley). Applicant: MOMARK Development (Terry Mitchell) Agent: Alice Glasco Consulting (Alice Glasco). City Staff: Heather Chaffin, 512-974-2122. District(s) Affected: District 3.

This item was postponed to January 31, 2019 on Council Member Garza's motion, Council Member Alter's second on an 8-1 vote. Council Member Flannigan voted nay. Mayor Adler was off the dais. Council Member Renteria was absent.

61. NPA-2018-0023.01 -Berkman Terraces - Approve second and third readings of an ordinance amending Ordinance No. 20070809-055, the University Hills/Windsor Park 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 6203, 6205, 6207 Berkman Drive & 6210 Hickman Avenue (Fort Branch Watershed) from Higher Density Single Family to Mixed Use land use. First reading approved on November 15, 2018. Vote: 11-0. Owner/Applicant: Berkman Terraces, LLC (Pierre Fay). Agents: McLean & Howard, LLP (Jeffrey S. Howard) and Keepers Consulting (Ricca Keepers). City Staff: Maureen Meredith, (512) 974-2695. District(s) Affected: District 1.

Ordinance No. 20181213-061 to change the land use designation on the future land use map (FLUM) to Mixed Use land use was approved on Council Member Casar's motion on a 7-1 vote. Council Member Houston voted nay. Mayor Adler and Council Member Alter were off the dais. Council Member Renteria was absent.

62. C14-2018-0037 Berkman Terraces - Approve second and third readings of an ordinance amending City Code Title 25 by rezoning property locally known as 6203, 6205, and 6207 Berkman Drive and 6210 Hickman Avenue (Boggy Creek Watershed). Applicant Request: To rezone from neighborhood commercial -mixed use-neighborhood plan (LR-MU-NP) combining district zoning and townhouse and condominium residence-neighborhood plan (SF-6-NP) combining district to community commercial -mixed use-conditional overlay-neighborhood plan (GR-MU-CO-NP) combining district zoning. First reading approved on November 15, 2018. Vote: 11-0. Owner/Applicant: Berkman Terraces, LLC (Pierre Fay). Agent: McLean & Howard, LLP (Jeffrey S. Howard) and Keepers Consulting (Ricca Keepers). City Staff: Heather Chaffin, 512 974-2122. District(s) Affected: District 1.

The motion to approve the resolution was made by Council Member Casar.

An amendment was approved on Council Member Flannigan's motion, Council Member Garza's second on a 6-2 vote. Those voting aye were Council Members Casar, Flannigan, Garza, Kitchen, Pool and Troxclair. Those voting nay were Mayor Pro Tem Tovo and Council Member Houston. Mayor Adler and Council Member Alter were off the dais. Council Member Renteria was absent.

The amendment was to strike Part 2, B that reads: "B. Vehicular access from the Property to Hickman Avenue is prohibited, except for emergency ingress and egress. All non-emergency vehicular access to the Property shall be from other adjacent public streets or through other adjacent property."

Ordinance No. 20181213-062 for community commercial-mixed use-neighborhood plan (GR-MU-NP) combining district zoning was approved as amended above on Council Member Casar's motion on a 7-1 vote. Council Member Houston voted nay. Mayor Adler and Council Member Alter were off the dais. Council Member Renteria was absent.

PUBLIC HEARINGS

95. Conduct a public hearing and consider an ordinance approving the 2018 amended and restated service and assessment plan for the Estancia Hill Country Public Improvement District, updating the Improvement Area #1 assessment roll, adopting the Improvement Area #2 assessment roll, and levying Improvement Area #2 assessments. Related to Items 93 and 94.

The public hearing was conducted and a motion to close the public hearing was approved on Council Member Houston's motion, Council Member Flannigan's second on an 8-0 vote. Mayor Adler and Council Member Alter were off the dais. Council Member Renteria was absent.

Ordinance No. 20181213-095 was approved on Council Member Kitchen's motion, Council Member Flannigan's second on a 7-1 vote. Council Member Troxclair voted nay. Mayor Adler and Council Member Alter were off the dais. Council Member Renteria was absent.

BOND SALES

93. Approve an ordinance authorizing the issuance of City of Austin, Texas Special Assessment Revenue Bonds, Series 2018 (Estancia Hill Country Public Improvement District Improvement Area #1), in an amount not to exceed \$4,265,000 and authorizing all related documents and fees. Related to item 95.

Ordinance No. 20181213-093 was approved on Council Member Pool's motion, Council Member Garza's second on an 8-0 vote. Mayor Adler and Council Member Alter were off the dais. Council Member Renteria was absent.

94. Approve an ordinance authorizing the issuance of City of Austin, Texas Special Assessment Revenue Bonds, Series 2018 (Estancia Hill Country Public Improvement District Improvement Area #2), in an amount not to exceed \$8,305,000 and authorizing all related documents and fees. Related to Item 95.

Ordinance No. 20181213-094 was approved on Council Member Garza's motion, Council Member Pool's second on a 7-1 vote. Council Member Troxclair voted nay. Mayor Adler and Council Member Alter were off the dais. Council Member Renteria was absent.

PUBLIC HEARINGS CONTINUED

96. Conduct a public hearing and consider a resolution to expand the Austin Downtown Public Improvement District by adding one parcel of land at 208 Nueces Street, as requested by the property owner. District(s) Affected: District 9.

The public hearing was conducted and a motion to close the public hearing and approve Resolution No. 20181213-096 was approved on Council Member Houston's motion, Mayor Pro Tem Tovo's second on an 8-0 vote. Mayor Adler and Council Member Alter were off the dais. Council Member Renteria was absent.

97. Conduct a public hearing and consider a resolution for use of dedicated parkland, known as Quail Creek Neighborhood Park, for approximately 69,970 square feet of permanent storm water detention pond and 20,083 square feet for a temporary staging area, to construct, use, maintain, repair, and expand the existing drainage pond for the Little Walnut Creek Flood Risk Reduction Project, in accordance with Section 26.001 et seq. of the Texas Parks and Wildlife Code. District(s) Affected: District 4.

The public hearing was conducted and a motion to close the public hearing and approve Resolution No. 20181213-097 was approved on Council Member Casar's motion, Council Member Garza's second on an 8-0 vote. Mayor Adler and Council Member Alter were off the dais. Council Member Renteria was absent.

98. Conduct a public hearing and consider a request by Hotel Magdalena, located at 110 Academy Drive, to waive the distance requirement of City Code Section 4-9-4(A), which requires a

minimum of 300 feet between a business that sells alcoholic beverages and a public school.
District(s) Affected: District 9.

The public hearing was conducted and a motion to close the public hearing and approve a request by Hotel Magdalena was approved on Council Member Flannigan's motion, Council Member Troxclair's second on a 7-2 vote. Those voting aye were Mayor Pro Tem Tovo and Council Members Alter, Casar, Flannigan, Kitchen, Pool and Troxclair. Those voting nay were Council Members Garza and Houston. Mayor Adler was off the dais. Council Member Renteria was absent.

99. Conduct a public hearing and consider a request by Soho House, located at 1011 South Congress Avenue, to waive the distance requirement of City Code Section 4-9-4(A), which requires a minimum of 300 feet between a business that sells alcoholic beverages and a public school.
District(s) Affected: District 9.

The public hearing was conducted and a motion to close the public hearing and approve a request by Soho House was approved on Council Member Pool's motion, Council Member Flannigan's second on a 7-2 vote. Those voting aye were Mayor Pro Tem Tovo and Council Members Alter, Casar, Flannigan, Kitchen, Pool and Troxclair. Those voting nay were Council Members Garza and Houston. Mayor Adler was off the dais. Council Member Renteria was absent.

101. Conduct a public hearing and consider an ordinance that extends the expiration date for the East 11th and 12th Streets Urban Renewal Plan and Redevelopment Project Controls.

The motion to approve the ordinance was made by Council Member Houston and seconded by Council Member Alter.

A motion was made by Council Member Houston and seconded by Council Member Alter and accepted without objection.

The amendment was to add the following:

Amend Part 1 to add a Subsection (F) to read:

“(F) To reduce the number of households and businesses displaced from Austin due to affordability, the Economic Opportunity and Affordability section of the City's strategic plan identifies strategies to develop and act on. These strategies will assist the City and the Urban Renewal Agency in their efforts to achieve higher-intensity, mixed use development on East 11th Street and the neighborhood-based retail, small-scale offices, and housing on East 12th Street.”

Add a new Part 4 and Part 5; and to renumber the remaining sections accordingly and to read:

“Part 4. During this ten year extension, the City Council directs the City Manager to work with the Urban Renewal Agency and other key community partners to carry out the strategies described in the Economic Opportunity and Affordability section of the City's strategic plan. The City Council encourages the City Manager to include the Office of Performance Management, Neighborhood Housing and Community Development, Planning and Zoning Department, Economic Development Department and the Office of Real Estate Services in carrying out these strategies.

Part 5. During the City's consolidated planning process for fiscal years 2024-2029, the City Council will evaluate whether there is a continued need for the Plan and the Urban Renewal Agency. The status of the work described in Part 4 of this ordinance will be used to assist the City Council with evaluating whether the Plan and the Urban Renewal Agency should remain effective.”

Amend Exhibit A to set the Plan's expiration date to read:
"September 30, 2028."

A friendly amendment was made by Mayor Adler and accepted without objection.

The amendment was to revise Part 5 to read:

"Part 5. In five years, in 2024, the City Manager is directed to, evaluate whether there is a continued need for the Plan and the Urban Renewal Agency. The City Manager is directed to provide the evaluation and any recommendations to the Urban Renewal Agency and to Council. The Urban Renewal Board is directed to provide Council with a recommendation. The status of the work described in Part 4 of this ordinance will be used to assist the City Council with evaluating whether the Plan and the Urban Renewal Agency should remain effective."

The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20181213-101 was approved as amended above on Council Member Houston's motion, Council Member Alter's second on a 10-0 vote. Council Member Renteria was absent.

Direction was given to staff to explore the possibility of assigning some of the staffing duties for the Urban Renewal Board to the Economic Development Department, along with the Neighborhood Housing and Community Development Department.

Mayor Adler recessed the meeting at 5:31 p.m. for Live Music and Proclamations.

LIVE MUSIC

Rick Broussard

PROCLAMATIONS

Distinguished Service Awards – District 8 Office Staff – To be presented by Council Member Ellen Troxclair and to be accepted by the honorees.

Mayor Adler called the Council Meeting back to order at 6:44 p.m.

PUBLIC HEARINGS CONTINUED

100. Conduct a public hearing to consider Development Terms & Conditions associated with a proposed Agreed Final Judgment and Order in pending litigation affecting land use and environmental regulations applicable to Austin Country Club's 179-acre tract located in Northwest Austin, at 4408 Long Champ Drive Related to item #13. District(s) Affected: District 10.

The motion to postpone to February 7, 2019 was approved on Council Member Kitchen's motion, Council Member Pool's second on a 10-0 vote. Council Member Renteria was absent.

Direction was given to staff to work with the applicant to address the concerns raised by Council including preservation of trees and the use of 99 years as a trigger for project completion.

DISCUSSION ITEMS CONTINUED

13. Authorize entry of an Agreed Final Judgment and Order in Austin Country Club v. City of Austin, cause No. D-1-GN-17-006525, relating to land use and environmental regulations applicable to Austin Country Club's 179-acre tract located in Northwest Austin, at 4408 Long Champ Drive. Related to Item 100. District(s) Affected: District 10.

The motion to postpone to February 7, 2019 was approved on Council Member Kitchen's motion, Council Member Pool's second on a 10-0 vote. Council Member Renteria was absent.

Direction was given to staff to work with the applicant to address the concerns raised by Council including preservation of trees and the use of 99 years as a trigger for project completion.

ZONING AND NEIGHBORHOOD PLAN AMENDMENTS CONTINUED

68. NPA-2018-0016.01 - Sekrit Theater- Conduct a public hearing and approve an ordinance amending Ordinance No. 030327-12, the Govalle/Johnston Terrace Combined Neighborhood Plan, an element of the Imagine Austin Comprehensive Plan, to change the land use designation on the future land use map (FLUM) on property locally known as 1145 and 1147 Perry Road (Boggy Creek Watershed) from Single Family to Higher Density Single Family land use. Staff Recommendation: To grant Higher Density Single Family land use. Planning Commission Recommendation: To grant Higher Density Single Family land use. Owner/Applicant: Beau Reichert. Agent: Matthew Lewis. City Staff: Maureen Meredith, (512) 974-2695. District(s) Affected: District 3.

The public hearing was conducted and a motion to close the public hearing and approve the ordinance on first reading only for Higher Density Single Family land use was approved on Council Member Flannigan's motion, Council Member Kitchen's second on a 10-0 vote. Council Member Renteria was absent.

69. C14-2018-0074- Sekrit Theater- Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 1145 and 1147 Perry Road (Boggy Creek Watershed) from family residence-neighborhood plan(SF-3-NP) combining district zoning to townhouse and condominium residence-neighborhood plan (SF-6-NP) combining district zoning. Staff Recommendation: To grant townhouse and condominium residence-neighborhood plan (SF-6-NP) combining district zoning. Planning Commission Recommendation: To grant townhouse and condominium residence-conditional overlay-neighborhood plan (SF-6-CO-NP) combining district zoning. Owner/Applicant: Beau Reichert. Agent: Simple City Design (Matthew Lewis). City Staff: Heather Chaffin, 512-974-2122. District(s) Affected: District 3.

The public hearing was conducted and a motion to close the public hearing and approve the ordinance on first reading only for townhouse and condominium residence-neighborhood plan (SF-6-NP) combining district zoning was approved on Council Member Flannigan's motion, Council Member Kitchen's second on a 10-0 vote. Council Member Renteria was absent.

73. C14-2018-0062 - University of Texas Law School Foundation - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 2902 Medical Arts Street and 2901 Hampton Road (Waller Creek Watershed). Applicant Request: To rezone from neighborhood commercial - mixed use - conditional overlay - neighborhood plan (LR-MU-CO-NP) combining district zoning to community commercial - mixed use - conditional overlay - neighborhood plan (GR-MU-CO-NP) combining district zoning. Staff Recommendation: To grant community commercial - mixed use - conditional overlay - neighborhood plan (GR-MU-CO-NP) combining district zoning. Planning Commission Recommendation: To grant community commercial - mixed use - conditional overlay - neighborhood plan (GR-MU-CO-NP) combining district zoning. Owner/Applicant University of

Texas Law School Foundation (Susan Hartenstein). Agent: Jackson Walker L.L.P. (Katherine Loayza). City Staff: Scott Grantham, 512-974-3574. District(s) Affected: District 9.

The motion to approve the ordinance was made by Council Member Flannigan and seconded by Council Member Casar.

A motion to amend failed on Mayor Pro Tem Tovo's motion, Council Member Pool's second on a 4-6 vote. Those voting aye were Mayor Pro Tem Tovo and Council Members Alter, Houston and Pool. Those voting nay were Mayor Adler and Council Members Casar, Flannigan, Garza, Kitchen and Troxclair. Council Member Renteria was absent.

The amendment was to limit the approval to LR site development regulations.

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

85. C14-2018-0107 - 8200 South Congress - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 8200 South Congress Avenue (South Boggy Creek Watershed). Applicant's Request: To rezone from general commercial services-conditional overlay (CS-CO) combining district zoning and limited industrial services (LI-CO) combining district zoning to multifamily residence-moderate-high density (MF-4) district zoning. Staff Recommendation: To grant multifamily residence-moderate-high density (MF-4) district zoning. Zoning and Platting Commission Recommendation: To grant multifamily residence-moderate-high density-conditional overlay (MF-4-CO) combining district zoning. Owner/Applicant: Southside Storage, Inc. (Bobby New). Agent: Drenner Group, PC (Leah M. Bojo). City Staff: Wendy Rhoades, 512-974-7719. District(s) Affected: District 2.
- The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20181213-085 for multifamily residence-moderate-high density-conditional overlay (MF-4-CO) combining district zoning was approved on Council Member Garza's motion, Council Member Casar's second on a 9-1 vote. Council Member Flannigan voted nay. Council Member Renteria was absent.**

PLANNED UNIT DEVELOPMENT ASSESSMENTS

59. Briefing on the Project Assessment Report for the Austin Green Planned Unit Development, located at 11600-12337 Harold Green Road, within the Colorado River Watershed and the Elm Creek Watershed (CD-2018-0008).
- Presentation was made by Jerry Rusthoven, Assistant Director, Planning and Zoning Department.**

Mayor Adler adjourned the meeting at 8:11 p.m. without objection.

The minutes were approved on this the 31st day of January 2019 on Council Member Kitchen's motion, Council Member Pool's second on a 10-0 vote. Council Member Flannigan was absent.