

AUSTIN CITY COUNCIL MINUTE **REGULAR MEETING THURSDAY, FEBRUARY 21, 2019** 

Invocation: Aliyah Steiner, Baha'is of Austin

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, February 21, 2019 in the Council Chambers of City Hall, 301 West Second Street, Austin, Texas.

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

#### **CONSENT AGENDA**

The following items were acted on by one motion.

- Approve the minutes of the Austin City Council work session of February 5, 2019, discussion of February 5, 2019, and regular meeting of February 7, 2019.
   The motion approving the minutes of the Austin City Council work session of February 5, 2019, discussion of February 5, 2019, and regular meeting of February 7, 2019 was approved on consent on Mayor Pro Tem Garza's motion, Council Member Tovo's second on an 11-0 vote.
- Approve a resolution authorizing the City Manager to apply for low interest loans from the Texas Water Development Board for up to \$53,000,000 in Clean Water State Revolving Fund loans and up to \$67,830,000 in Drinking Water State Revolving Fund loans.
   Resolution No. 20190221-002 was approved on consent on Mayor Pro Tem Garza's motion, Council Member Tovo's second on an 11-0 vote.
- 3. Authorize negotiation and execution of a professional services agreement with Limbacher & Godfrey, Inc. (WBE), (staff recommendation) or one of the other qualified responders for Request for Qualifications Solicitation No. CLMP256 to provide the Architectural and Historic Preservation Services for the Zilker Park Metro Clubhouse Rehabilitation project in an amount not to exceed \$375,000. [Note: This contract will be awarded in compliance with City Code Chapter 2-9B (Minority Owned and Women Owned Business Enterprise Procurement Program) by meeting the goals with 15.80% MBE and 15.80% WBE participation.] District(s) Affected: District 8.

The motion authorizing negotiation and execution of a professional services agreement with Limbacher & Godfrey, Inc. was approved on consent on Mayor Pro Tem Garza's motion, Council Member Tovo's second on an 11-0 vote.

4. Authorize additional funding in the amount of \$2,000,000 for the Town Lake Metro Park Alliance Children's Garden Reissue Construction Manager-at-Risk contract with SpawGlass Contractors, Inc., for a revised contractual Construction Cost Limitation for a total amount not to exceed \$6,059,000. Related to Item #10. [Note: This request is for additional funding authority only. A budget amendment request is being submitted by the sponsor department to increase the project budget by \$2,000,000]. District(s) Affected: District 9.

The motion authorizing additional funding in the amount of \$2,000,000 for a construction manager-at-risk contract with SpawGlass Contractors, Inc. was approved on consent on Mayor Pro Tem Garza's motion, Council Member Tovo's second on an 11-0 vote.

- Authorize execution of an interlocal agreement with the Texas Parks and Wildlife Department (TPWD) for prescribed fire training of Austin Fire Department personnel by TPWD personnel through TPWD's prescribed fire operations, for a five year term. This item was withdrawn.
- 6. Approve an ordinance amending the Fiscal Year 2018-2019 Communications and Technology Management Department Operating Budget Special Revenue Fund (Ordinance No. 20180911-001) to accept and appropriate \$4,860,509 in disaster recovery grant funds from the Texas General Land Office; and authorizing negotiation and execution of an agreement with the Texas General Land Office to install additional radio communications sites in southeast Austin and Travis County.

Ordinance No. 20190221-006 was approved on consent on Mayor Pro Tem Garza's motion, Council Member Tovo's second on an 11-0 vote.

7. Authorize negotiation and execution of all documents and instruments necessary to acquire in fee simple Lot 68, Block 'A', The Bluffs of University Hills Section 3, a subdivision in Travis County, Texas, located at 6313 Waynesburg Cove, Austin, Texas from RSI Communities - Texas LLC, a Delaware limited liability company, for a total amount not to exceed \$185,000. District(s) Affected: District 1.

The motion authorizing negotiation and execution of all documents and instruments necessary to acquire in fee simple Lot 68, Block 'A', The Bluffs of University Hills Section 3 was approved on consent on Mayor Pro Tem Garza's motion, Council Member Tovo's second on an 11-0 vote.

- 8. Authorize negotiation and execution of an encroachment agreement with Plaza Saltillo TOD, L.P. for the aerial and surface encroachment of approximately 444 square feet (aerial) and 79 square feet (surface) of right-of-way of existing slab and eave, concrete steps, and handrails within East 4th Street and Attayac Street, located at 1300 East 4th Street. District(s) Affected: District 3. The motion authorizing negotiation and execution of an encroachment agreement with Plaza Saltillo TOD, L.P. was approved on consent on Mayor Pro Tem Garza's motion, Council Member Tovo's second on an 11-0 vote.
- 9. Authorize negotiation and execution of all documents and instruments necessary to acquire in fee simple approximately 7.13 acres out of the Santiago Del Valle Survey, Abs. No. 24 in Travis County, Texas, located along East Stassney Lane, Austin, Texas from Texas Parks and Wildlife Department, for a total amount not to exceed \$100,000. District(s) Affected: District 2. The motion authorizing negotiation and execution of all documents and instruments necessary to acquire in fee simple approximately 7.13 acres was approved on consent on Mayor Pro Tem Garza's motion, Council Member Tovo's second on an 11-0 vote.
- Approve an ordinance amending the Fiscal Year 2018-2019 Parks and Recreation Department Capital Budget (Ordinance No. 20180911-001) to increase appropriations by \$2,000,000 for the Alliance Children's Garden project. Related to Item #4. District(s) Affected: District 9.
   Ordinance No. 20190221-010 was approved on consent on Mayor Pro Tem Garza's motion, Council Member Tovo's second on an 11-0 vote.
- 11. Approve an ordinance adopting the Third Amendment to the First Amended and Restated Agreement Concerning the Creation and Operation of Senna Hills Municipal Utility District

revising the Land Plan to: 1) change school and irrigation to office use and 2) update the land use allocation table to reflect the actual built-out conditions. This action concerns land located within the Barton Springs Zone.

This item was postponed indefinitely on consent on Mayor Pro Tem Garza's motion, Council Member Tovo's second on an 11-0 vote.

- Approve a resolution authorizing the acceptance of grant funding in the amount of \$122,112 from the State of Texas, Office of the Governor, Criminal Justice Division to implement the Austin Police Department project entitled Critical Incident Stress Debriefing Program.
   Resolution No. 20190221-012 was approved on consent on Mayor Pro Tem Garza's motion, Council Member Toyo's second on an 11-0 vote.
- Approve a resolution authorizing the acceptance of grant funding in the amount of \$575,063 from the State of Texas, Office of the Governor, Criminal Justice Division to implement the Austin Police Department project entitled First Responder Mental Health Resiliency Program.
   Resolution No. 20190221-013 was approved on consent on Mayor Pro Tem Garza's motion, Council Member Tovo's second on an 11-0 vote.
- 14. Authorize negotiation and execution of amendment no. 1 to an agreement with American Gateways for immigration legal services and deportation defense to increase funding in an amount not to exceed \$150,000 for each remaining 12-month extension option, for a total amount not to exceed \$975,000.

The motion authorizing negotiation and execution of amendment no. 1 to an agreement with American Gateways was approved on consent on Mayor Pro Tem Garza's motion, Council Member Tovo's second on an 11-0 vote.

15. Authorize negotiation and execution of Amendment 1 to the agreement with Family Eldercare, Inc. for the provision of temporary employment opportunities for homeless individuals in an amount not to exceed \$150,000 for a seven-month period beginning March 1, 2019, for a total amount not to exceed \$208,000.

The motion authorizing negotiation and execution of Amendment 1 to the agreement with Family Eldercare, Inc. was approved on consent on Mayor Pro Tem Garza's motion, Council Member Tovo's second on an 11-0 vote.

16. Authorize negotiation and execution of an interlocal agreement with Austin Independent School District for the provision of startup costs for up to five new Pre-Kindergarten classrooms to expand affordable childcare options for Austin residents, with a seven-month term in an amount not to exceed \$80,000.

The motion authorizing negotiation and execution of an interlocal agreement with Austin Independent School District was approved on consent on Mayor Pro Tem Garza's motion, Council Member Tovo's second on an 11-0 vote.

17. Authorize negotiation and execution of an interlocal agreement with Manor Independent School District for the provision of startup costs for four new Pre-Kindergarten classrooms to expand affordable childcare options for Austin/Travis County residents, with a seven-month term, in an amount not to exceed \$64,000.

The motion authorizing negotiation and execution of an interlocal agreement with Manor Independent School District was approved on consent on Mayor Pro Tem Garza's motion, Council Member Tovo's second on an 11-0 vote.

18. Authorize negotiation and execution of an agreement with Front Steps, Inc. for the operation and management of emergency shelter services at the Austin Resource Center for the Homeless for a 12-month period with four 12-month extension options, each in an amount not to exceed \$313,922, for a total amount not to exceed \$1,750,000.

# The motion authorizing negotiation and execution of an agreement with Front Steps, Inc. was approved on consent on Mayor Pro Tem Garza's motion, Council Member Tovo's second on an 11-0 vote.

- 19. 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). **This item was withdrawn.**
- 20. Authorize negotiation and execution of four multi-term contracts with ecobee, EnergyHub, Inc., Virtual Peaker, Inc. and Whisker Labs, Inc., to provide demand response management portals and application programming interfaces for smart thermostats and other distributed energy resources, each for up to five years for total contract amounts not to exceed \$6,250,000 divided among the contractors. (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 four multi-term contracts with ecobee,

The motion authorizing negotiation and execution of four multi-term contracts with ecobee, EnergyHub, Inc., Virtual Peaker, Inc. and Whisker Labs, Inc. was approved on consent on Mayor Pro Tem Garza's motion, Council Member Tovo's second on an 11-0 vote.

21. Authorize negotiation and execution of a cooperative contract with Kudelski Security, Inc., to provide A10 Networks products and services, including maintenance, training and support services, for a term of three years in an amount not to exceed \$450,000. (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 goods and services required for this procurement, there were no subcontracting opportunities; therefore, no subcontracting goals were established).

The motion authorizing negotiation and execution of a cooperative contract with Kudelski Security, Inc. was approved on consent on Mayor Pro Tem Garza's motion, Council Member Tovo's second on an 11-0 vote.

22. Authorize negotiation and execution of a cooperative contract with GTS Technology Solutions, Inc., to provide Splunk software products and services, including maintenance, training and support services, for a term of three years in an amount not to exceed \$2,134,000. (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 goods and services required for this procurement, there were no subcontracting opportunities; therefore, no subcontracting goals were established).

The motion authorizing negotiation and execution of a cooperative contract with GTS Technology Solutions, Inc. was approved on consent on Mayor Pro Tem Garza's motion, Council Member Tovo's second on an 11-0 vote.

23. Authorize negotiation and execution of a multi-term contract with The People's Institute for Survival and Beyond, to provide Undoing Racism® training for up to five years for a total contract amount not to exceed \$880,000. (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 multi-term contract with The People's Institute for Survival and Beyond was approved on consent on Mayor Pro Tem Garza's motion, Council Member Tovo's second on an 11-0 vote.

24. Authorize negotiation and execution of a contract with Gustafson Guthrie Nichol LTD, or one of the other qualified offerors to Request for Proposals 8600 GLB3000, to provide consulting services for a master plan for the John Trevino Jr. Metropolitan Park, in an amount not to exceed \$430,150. (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 and subcontractor goals were applied to the solicitation. The subcontracting goals were exceeded, and the resulting contract will include 6.93% MBE and 7.54% WBE).

The motion authorizing negotiation and execution of a contract with Gustafson Guthrie Nichol LTD was approved on consent on Mayor Pro Tem Garza's motion, Council Member Tovo's second on an 11-0 vote.

25. Authorize award of a multi-term contract with Texas Corrugators, to provide guard railing and supplies, for up to five years for a total contract amount not to exceed \$480,000. (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 of a multi-term contract with Texas Corrugators was approved on consent on Mayor Pro Tem Garza's motion, Council Member Tovo's second on an 11-0 vote.

#### Items 26 and 27 were pulled for discussion.

- 28. Approve a resolution relating to the geographic areas for the Community Development Commission and designating the organizations making nominations to the Commission. Council Sponsors: Council Member Gregorio Casar, Mayor Steve Adler, Mayor Pro Tem Delia Garza, Council Member Sabino 'Pio' Renteria, Council Member Natasha Harper-Madison. Resolution No. 20190221-028 was approved on consent on Mayor Pro Tem Garza's motion, Council Member Tovo's second on an 11-0 vote.
- 29. Set a public hearing to consider an ordinance adopting Local Standards of Care for the City of Austin Parks and Recreation Department's Youth Programs. (Suggested date: March 7, 2019, at Austin City Hall, 301 W. Second Street).
   The public hearing was set on consent for March 7, 2019, at 301 W. Second Street, Austin, TX on Mayor Pro Tem Garza's motion, Council Member Tovo's second on an 11-0 vote.

30. Set a public hearing to consider a request by the agent for the owner of Charles Schwab Austin, located at 2309 Gracy Farms Lane, 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. (Suggested date and time: March 28, 2019, 4:00 p.m., at Austin City Hall, 301 W. Second Street, Austin, TX.) District(s) Affected: District 7.
The public hearing was set on consent for March 28, 2019, 4:00 p.m. at 301 W. Second

The public hearing was set on consent for March 28, 2019, 4:00 p.m. at 301 W. Second Street, Austin, TX on Mayor Pro Tem Garza's motion, Council Member Tovo's second on an 11-0 vote.

31. Set a public hearing to consider an ordinance that will increase the tax increment rate in Homestead Preservation Reinvestment Zone Number One from 10 to 20 percent. (Suggested date: March 7, 2019, Austin City Hall, 301 W. Second Street, Austin, TX.). District(s) Affected: District 3.

# The public hearing was set on consent for March 7, 2019, at 301 W. Second Street, Austin, TX on Mayor Pro Tem Garza's motion, Council Member Tovo's second on an 11-0 vote.

- 32. Set a public hearing to consider an ordinance regarding floodplain variances for the construction of a new single-family residence at 4515 Avenue D within the 25-year and 100-year floodplains of Waller Creek. (Suggested date: March 7th, 2019 at Austin City Hall, 301 W. Second Street) District(s) Affected: District 9.
  The public hearing was set on consent for March 7, 2019, at 301 W. Second Street, Austin, TX on Mayor Pro Tem Garza's motion, Council Member Tovo's second on an 11-0 vote.
- 33. Set a public hearing to consider an ordinance authorizing execution of an agreement with Austin Independent School District establishing site development standards for Bowie High School, located at 4103 Slaughter Lane, and allowing transfers of impervious cover for redevelopment of school campuses within the Barton Springs Zone (This action concerns land located with the Barton Springs Zone). (Suggested date: March 28, 2019, at Austin City Hall, 301 W. Second Street, Austin, TX) District(s) Affected: District 8.

The public hearing was set on consent for March 28, 2019, at 301 W. Second Street, Austin, TX on Mayor Pro Tem Garza's motion, Council Member Tovo's second on an 11-0 vote.

#### Items 48 and 49 were pulled for discussion.

#### **CITIZENS COMMUNICATIONS: GENERAL**

Jessica Eley – The Pecan Grove at 1131 Tillery

Ruben Rivera-Clemente – Police Brutality

Chioma Okon -1. The truth that black community has not been given sufficient acceptance as part of City of Austin genuinely. 2. To change the university at 900 Chicon HT to the original intended use.

Trevor Batton - TBD

#### **DISCUSSION ITEMS**

27. Approve a resolution to create a new bonus program for affordable housing developments by initiating amendments to City Code Title 25. Council Sponsors: Council Member Gregorio Casar, Mayor Pro Tem Delia Garza, Council Member Natasha Harper-Madison, Council Member Sabino 'Pio' Renteria, Council Member Flannigan, Council Member Kitchen, Council Member Pool, Mayor Adler.

The motion approving the Resolution was made by Council Member Casar and seconded by Council Member Renteria with the following amendments.

To add a new Whereas clause to read: "Whereas, the City Council has passed numerous resolutions aiming to strategically improve affordable housing programs to meet the Blueprint's goals, such as exploring ways to provide residents the right to return, connect those with the highest needs with affordable housing, and better monitor the affordable units being created through various program; and"

To revise the first paragraph of the Be It Resolved clause to read: "In order to increase the ..., Council directs the City Manager to provide an annual report on the impact and outcomes of the program to City Council and for the Planning Commission to review the results of the program after three years."

To revise the third paragraph of the Be It Resolved clause to read: "This program would ... the Council. It is the intent of the Council for this program to be accessed without requesting a further discretionary action by the Council. A property owner would be allowed to use this program in addition to any other existing affordable housing bonus programs, and apply in all overlays and regulating plans."

To revise the fourth paragraph of the Be It Resolved clause to read: "In order to avoid unnecessary disruption and displacement of low-income renters, this program..."

To revise number two in the fourth paragraph of the Be It Resolved clause to read: "the property owner agrees to replace the affordable units (market-rate and/or incomerestricted units that have been affordable to households earning 80% MFI or below in the previous year) one for one, without reducing the number of affordable bedrooms, grant current tenants a right to return to the development to a comparable unit after..."

To revise the Be It Further Resolved clause to read: "The Council intends for a residential development that participates in this program to be allowed in any residential and commercial... zoning districts. Any development that accesses this program shall not be comprised of more than 25% of gross floor area as non-residential use."

To revise number one of the Be It Further Resolved clause to read: "waive compatibility standards for height and setbacks, but maintain the side setbacks as required by the base zoning district, and maintain requirements for any health and safety related setbacks;".

To revise number three of the Be It Further Resolved clause to read: "waive parking requirements without waiving state or federal ADA parking requirements;"

To revise number seven of the Be It Further Resolved clause to read: "waive the Residential Design and Compatibility Standards, as codified in Chapter 25.2, Subchapter F, but maintain the side setbacks as required by the base zoning district, and maintain requirements for any health and safety related setbacks;"

To revise number eight of the Be It Further Resolved clause to read: "require a modified site plan process that more closely resembles residential site plan while still addressing health and safety and addressing and reviewing drainage in the same way that drainage is addressed and reviewed for non-multifamily structures with the same impervious cover, including any adjustments to fee schedule as necessary, for developments with 12 or fewer units; and"

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

- "If the development meets the aforementioned requirements, but in addition has:
  - 1. Between 75% and 100% of its units at rates affordable as defined above;
  - 2. At least 10% of the affordable units serve households with incomes 30% MFI or below; or
  - 3. Is located within <sup>1</sup>/<sub>4</sub> mile of an Imagine Austin Corridor that is served by a bus or transit line,

Then, in addition to the bonuses described above, the development may also:

- 1. Allow building height to be 1.5 times the base zoning district's height entitlements;
- 2. Allow density (i.e., site area requirements and units per acre) to be 2 times the base zoning district's density limits or allow eight units, whichever is greater; and
- **3.** Require a modified site plan process that more closely resembles residential site plan while still addressing health and safety and addressing drainage in the same way that drainage is addressed for non-multifamily structures with the same

impervious cover, including any adjustments to fee schedule as necessary, for developments with 16 or fewer units."

To revise the sixth Be It Further Resolved clause to read: "The Council acknowledges that Planning Commission may recommend modification to the amendments described in this resolution to best achieve the goals in Imagine Austin. Planning Commission should consider how to ensure the program maximizes affordable housing, meets our transportation goals, and meets the housing and transportation needs of people with disabilities, and may review setback/buffers, with the intent of not reducing the positive impacts of this program."

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

"The City Council directs the City Manager to:

- 1. Work with affordable housing providers to provide examples of how the program would produce more affordable units in more geographic areas, and the Manager should work with such providers to bring information forward to Council about potential projects including their size, location, unit mix, affordability with and without this new affordable housing program;
- 2. Bring back an outline of the proposed modified site plan review process; and
- 3. Bring back an ordinance for Council consideration no later than May 9, 2019."

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

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

**\*\*1.** Waive compatibility standards for height and setbacks, but maintain the side setbacks as required by the base zoning district, and maintain requirements for any health and safety-related setbacks, or setbacks required for environmental protection."

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

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

**"7.** Waive the Residential Design and Compatibility Standards, as codified in Chapter 25-2, Subchapter F, but maintain the side setbacks as required by the base zoning district, and maintain requirements for any health and safety-related setbacks, or setbacks required for environmental protection."

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

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

"The Council acknowledges that Planning Commission may recommend modifications to the amendments described in this resolution to best achieve the goals in Imagine Austin. Planning Commission should consider how to ensure the program maximizes affordable housing, meets our transportation goals and considers use of Transportation Demand Management (TDM) as a tool to provide for transportation needs, as appropriate...."

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

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

"....and may review setbacks/buffers and other options to address transitions between adjacent properties, with the intent of not reducing the positive impacts of this program."

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

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

"1. .....Manager should work with such providers to bring information forward to Council about potential projects-including their size, location, unit mix, affordability and provide visual representations with and without this new affordable housing programs;"

A friendly amendment was made by Council Member Tovo and was not accepted.

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

"4. At least 50% of affordable units must have two or more bedrooms, unless the affordable units are permanent supportive housing or senior housing, rounded up to the nearest unit; and"

An alternate friendly amendment was made by Council Member Casar and accepted without objection.

The amendment was to add the following in the third Be It Resolved clause to read:

"4. At least 50% of affordable units must have two or more bedrooms, unless the affordable units are permanent supportive housing or senior housing, rounded up to the nearest unit; and"

A friendly amendment was made by Council Member Tovo and was not accepted.

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

"1. The reason for the redevelopment or rebuilding is to replace residential facilities deteriorated beyond repair, and current tenants are provided notice of the redevelopment proposal;"

An alternate friendly amendment was made by Council Member Casar and was not accepted.

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

"1. The reason for the redevelopment or rebuilding is to replace residential facilities in serious need of repair or rehabilitation, and current tenants are provided notice of the redevelopment proposal;"

An alternate friendly amendment was made by Council Member Casar and was accepted without objection.

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

"1. The reason for the redevelopment or rebuilding is to replace residential facilities in serious need of repair and for which rehabilitation is not practicable and current tenants are provided notice of the redevelopment proposal;"

# Resolution No. 20190221-027 was approved as amended above on Council Member Casar's motion, Council Member Renteria's second on an 11-0 vote.

50. Approve a resolution appointing Council Member Harper-Madison and Mayor Pro Tem Delia Garza as the public sector representatives and Karen Paup as the private sector representative to the Community Development Commission. Council Sponsors: Health and Human Services Committee.

Resolution No. 20190221-050 was approved on Council Member Harper-Madison's motion, Council Member Pool's second on an 11-0 vote.

 Approve a resolution nominating Council Member Sabino 'Pio' Renteria, Council Member Gregorio Casar, Mayor Steve Adler, and Shavone Otero, to the Community Development Commission. Council Sponsors: Housing and Planning Committee.
 Resolution No. 20190221-051 was approved on Council Member Harper-Madison's motion, Council Member Pool's second on an 11-0 vote. Mayor Adler recessed the Council Meeting to go into Executive Session at 12:28 p.m.

#### **EXECUTIVE SESSION**

The City Council went into Executive Session, pursuant to Chapter 551 of the Texas Government Code, to receive advice from Legal Counsel, to discuss matters of land acquisition, litigation, and personnel matters as specifically listed on this agenda and to receive advice from Legal Counsel regarding any other item on this agenda.

- 34. Discuss legal issues related to open government matters (Private consultation with legal counsel -Section 551.071 of the Government Code).
   Conducted.
- 52. Discuss issues related to Austin Energy generation resource planning (Certain Public Power Utilities: Competitive Matters Section 551.086 of the Government Code).
   This item was withdrawn.
- 53. Discuss legal issues related to the citizen-initiated petition regarding the conveyance of cityowned property for sports or entertainment facilities (Private consultation with legal counsel -Section 551.071 of the Government Code). This item was withdrawn.
- 54. Discuss legal issues related to housing distribution policies for low- and moderate-income housing (Private consultation with legal counsel Section 551.071 of the Government Code). This item was withdrawn.

#### Mayor Adler stated item 26 would be discussed in Executive Session.

26. 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.

#### Executive Session ended and Mayor Adler called the Council Meeting back to order at 2:11 p.m.

#### **DISCUSSION ITEMS CONTINUED**

Approve appointments and certain related waivers to citizen boards and commissions, to Council committees and other intergovernmental bodies and removal and replacement of members; and amendments to board and commission bylaws.
 The following appointments and certain related waivers were approved as amended below

The following appointments and certain related waivers were approved as amended below on Council Member Flannigan's motion, Council Member Kitchen's second on an 11-0 vote.

#### Late Additions

Building and Standard Commission Jessica Mangrum Council Member Alter Board of Adjustment Veronica Rivera Council Member Flannigan Urban Transportation Commission Kelly Blume Council Member Ellis

### Nominations

Board/Nominee	Nominated by
College Student Commission Joseph Garibay	St. Edward's University
College Student Commission Christian Goana	St. Edward's University
College Student Commission Brandon Barrows	Concordia University
Community Development Commission (Representative) Robert Young	Mayor Pro Tem Garza
Joint Inclusion Committee Karen Crawford	Commission on Immigrant Affairs
Public Safety Commission Selena Alvarenga	Mayor Pro Tem Garza
Planning Commission Patrick Howard	Council Member Harper-Madison
Commission For Women Nancy Cardenas	Council Member Renteria
Downtown Austin Community Court Advisory Board Susan Requejo	Council Member Renteria
	Council Member Renteria Mayor Adler
Susan Requejo Resource Management Commission	
Susan Requejo Resource Management Commission Lisa Chavarria Public Safety Commission	Mayor Adler
Susan Requejo Resource Management Commission Lisa Chavarria Public Safety Commission Kathleen Hausenfluck Community Development Commission (Representative)	Mayor Adler Mayor Adler
Susan Requejo Resource Management Commission Lisa Chavarria Public Safety Commission Kathleen Hausenfluck Community Development Commission (Representative) Fisayo Fadelu Airport Advisory Commission	Mayor Adler Mayor Adler Mayor Adler
Susan Requejo Resource Management Commission Lisa Chavarria Public Safety Commission Kathleen Hausenfluck Community Development Commission (Representative) Fisayo Fadelu Airport Advisory Commission Scott Madole Asian American Quality of Life Advisory Commission	Mayor Adler Mayor Adler Mayor Adler Council Member Ellis
Susan Requejo Resource Management Commission Lisa Chavarria Public Safety Commission Kathleen Hausenfluck Community Development Commission (Representative) Fisayo Fadelu Airport Advisory Commission Scott Madole Asian American Quality of Life Advisory Commission Ketan Patel Building and Standards Commission	Mayor Adler Mayor Adler Mayor Adler Council Member Ellis Council Member Ellis

### **REGULAR COUNCIL MINUTES**

## THURSDAY, FEBRUARY 21, 2019

Benjamin Maniere	Council Member Ellis
Ethics Review Commission Raafi Lari	Council Member Ellis
Library Commission JC Dwyer	Council Member Ellis
Board of Adjustment Darryl Pruett	Council Member Ellis
Hispanic/Latino Quality of Life Advisory Commission Diana Salas	ı Council Member Ellis
Reappointment	s
Board/Nominee	Nominated by
Building and Standards Commission Timothy Stostad	Council Member Pool
Board of Adjustment Don Leighton-Burwell	Council Member Pool
Board of Adjustment Michael Von Ohlen	Council Member Alter
Building and Fire Code of Appeals Ben Abzug	Council Member Renteria
Commission on Seniors Natalie Cagle	Council Member Renteria
Music Commission Al Duarte	Council Member Renteria
Public Safety Commission Rebecca Gonzales	Council Member Renteria
African American Resource Advisory Chiquita Eugene	Council Member Kitchen
Animal Advisory Commission Palmer Neuhaus	Council Member Kitchen
Airport Advisory Commission Luis Rodriguez	Council Member Kitchen
Arts Commission Megan Moten	Council Member Kitchen
Asian American Quality of Life Vincent Cobalis	Council Member Kitchen

Board of Adjustment Melissa Hawthorne	Council Member Kitchen
Building and Fire Code Frank Haught	Council Member Kitchen
Commission on Immigrant Affairs Glenn Rosales	Council Member Kitchen
Commission on Seniors Janee Briesemeister	Council Member Kitchen
Commission on Veterans Affairs Jason Denny	Council Member Kitchen
Commission for Women Dyana Limon-Mercado	Council Member Kitchen
Community Technology & Telecommunications William Floyd	Council Member Kitchen
Construction Advisory Commission Martin Prisant	Council Member Kitchen
Design Commission Melissa Henao-Robledo	Council Member Kitchen
Downtown Austin Community Court Advisory Board Darilynn Cardona-Beiler	Council Member Kitchen
Downtown Commission Christopher Lehman	Council Member Kitchen
Early Childhood Council Aletha Huston	Council Member Kitchen
Economic Prosperity Commission Preston Tom	Council Member Kitchen
Electric Utility Commission Karen Hadden	Council Member Kitchen
Electric Board Nicole Stasek	Council Member Kitchen
Environmental Commission Mary Ann Neely	Council Member Kitchen
Hispanic -Latino Quality of Life Commission Maria Solis	Council Member Kitchen
Historic Landmark Commission Kelly Little	Council Member Kitchen

Human Rights Commission Nathan White	Council Member Kitchen
Library Commission Steven Self	Council Member Kitchen
Lesbian, Gay, Bisexual, Transgender, and Queer Quality of Live A Ruben Baeza	Advisory Commission Council Member Kitchen
Mayor's Committee for People with Disabilities Danny Saenz	Council Member Kitchen
Mechanical & Plumbing Board Robert Thornton	Council Member Kitchen
Mexican American Cultural Center Advisory Board David Goujon	Council Member Kitchen
Music Commission Stuart Sullivan	Council Member Kitchen
Parks & Recreation Board Tom Donovan	Council Member Kitchen
Public Safety Commission Preston Tyree	Council Member Kitchen
Resource Management Commission Thomas Smith	Council Member Kitchen
Robert Mueller Municipal Airport Plan Implementation Advisory David Neider	Commission Council Member Kitchen
Tourism Commission William Bunch	Council Member Kitchen
Urban Transportation Commission Mario Champion	Council Member Kitchen
Water & Wastewater Commission Christianne Castleberry	Council Member Kitchen
Zero Waste Advisory Commission Cathy Gattuso	Council Member Kitchen
Zoning and Platting Commission David King	Council Member Kitchen
Airport Advisory Commission Vicky Sepulveda	Mayor Adler
Arts Commission Michelle Polgar	Mayor Adler

Building and Fire Code Board of Appeals Alan Schuman	Mayor Adler	
Building and Standards Commission Natalya Sheddan	Mayor Adler	
Downtown Commission Joel Sher	Mayor Adler	
Electric Utility Commission Cary Ferchill	Mayor Adler	
Library Commission Patricia Dabbert	Mayor Adler	
Mexican American Cultural Center Advisory I Art Navarro	Board Mayor Adler	
Music Commission Graham Reynolds	Mayor Adler	
Robert Mueller Airport Plan Implementation A Rick Krivoniak	Advisory Commission Mayor Adler	
Tourism Commission Caitlin Wittington	Mayor Adler	
Urban Transportation Commission Cindee Weatherby	Mayor Adler	
Water &Wastewater Commission Bill Moriarty	Mayor Adler	
Zero Waste Advisory Commission Amanda Masino	Mayor Adler	
Commission on Seniors Peter Varteressian	Council Member Ellis	
Design Commission Aan Coleman	Council Member Ellis	
Electric Utility Commission Susanne Vaughn	Council Member Ellis	
South Central Waterfront Advisory Board Wendy Price Todd	South River City Neighborhood Association	
Appointments above in bold are effective March 1st		

Reappointments

Planning Commission\* Jeffrey L Thompson

Planning Commission\* Robert Schneider

Planning Commission\* Todd W Shaw **Council Member Renteria** 

**Council Member Kitchen** 

**Council Member Pool** 

\*Appointments above effective July 1st

#### Waivers

Approve a waiver of the attendance requirement in Section 2-1-26 of the City Code for the service of Claudia Yanez on the Communication Technology and Telecommunications Commission. The waiver includes absences through today's date.

Approve a waiver of the residency requirement in Section 2-1-21 of the City Code for the service of Bill Moriarty on the Water and Wastewater Commission.

Approve a waiver of the residency requirement in Section 2-1-21 of the City Code for the service of Aan Coleman on the Design Commission.

Approve a waiver of the residency requirement in Section 2-1-21 of the City Code for the service of Peter Varteressian on the Commission on Seniors.

Approve a waiver of the requirement in Section 2-1-21(H) of the City Code for the appointment of Kelly Blume. The waiver allows simultaneous service on the Board of Adjustment and Urban Transportation Commission.

- 48. Adopt a citizen-initiated ordinance, supported by a petition certified sufficient on February 11, 2019, to amend the City Code, regarding the conveyance of city-owned property for sports or entertainment facilities.
   This item was withdrawn.
- 49. Approve an ordinance ordering a special municipal election to be held on November 5, 2019, for the purpose of submitting to the voters a proposed citizen-initiated ordinance, certified sufficient on February 11, 2019, regarding the conveyance of city-owned property for sports or entertainment facilities; and providing for the conduct of the special election, including authorizing the City Clerk to enter into joint election agreements with other local political subdivisions as may be necessary for the orderly conduct of the elections. **This item was withdrawn.**

#### ZONING AND NEIGHBORHOOD PLAN AMENDMENTS

35. NPA-2018-0016.01 - Sekrit Theater - Approve second and third readings of 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. First reading approved December 13, 2018 for Higher Density Single Family land use. Vote: 10-0 with Council Member Renteria absent. Owner/Applicant: Beau Reichert. Agent: Matthew Lewis. City Staff: Maureen Meredith, (512) 974-2695. District(s) Affected: District 3.

Ordinance No. 20190221-035 to change the land use designation on the future land use map (FLUM) to Higher Density Single Family land use was approved on Council Member Pool's motion, Council Member Renteria's second on an 11-0 vote.

36. C14-2018-0074 - Sekrit Theater - Approve second and third readings of an ordinance amending City Code Title 25 by rezoning property locally known as 1145 and 1147 Perry Road (Boggy Creek Watershed). Applicant request: to rezone from family residence-neighborhood plan (SF-3-NP) combining district zoning to townhouse and condominium residence-conditional overlay-neighborhood plan (SF-6-CO-NP) combining district zoning. First reading approved on December 13, 2018. Vote: 10-0 with Council Member Renteria absent. Owner/Applicant: Beau Reichert. Agent: Simple City Design (Matthew Lewis). City Staff: Heather Chaffin, 512-974-2122. District(s) Affected: District 3.

Ordinance No. 20190221-036 for townhouse and condominium residence-conditional overlay-neighborhood plan (SF-6-CO-NP) combining district zoning was approved on Council Member Pool's motion, Council Member Renteria's second on an 11-0 vote.

- 39. C14-2018-0141 1907 Inverness Zoning Change Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 1907 Inverness Boulevard (Williamson Creek Watershed). Applicant's Request: To rezone from family residence-neighborhood plan (SF-3-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 be reviewed on February 12, 2019. Owner/Applicant: Marquee Investments, LLC (Alex Bahrami). Agent: Austex Building Consultants (Jonathan Perlstein). City Staff: Wendy Rhoades, 512-974-7719. District(s) Affected: District 5. This item was postponed to March 7, 2019 at the request of staff on Council Member Pool's motion, Council Member Renteria's second on an 11-0 vote.
- 40. C14-2018-0120 Herblin-Shoe Mixed Use Rezoning -Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 712 W. 16th Street (Shoal Creek Watershed). Applicant Request: To rezone from family residence historic landmark (SF-3-H) combining district zoning to general office mixed use historic landmark conditional overlay (GO-MU-H-CO) combining district zoning. Staff Recommendation and Historic Landmark Commission Recommendation: To grant general office mixed use historic landmark conditional overlay (GO-MU-H-CO) combining district zoning. Staff Recommendation and Historic Landmark Commission Recommendation: To grant general office mixed use historic landmark conditional overlay (GO-MU-H-CO) combining district zoning. Planning Commission Recommendation: To be reviewed on February 12, 2019. Owner/Applicant: Rothcom, LP (Megan Fults). Agent: Thrower Design (Victoria Haase). City Staff: Scott Grantham, 512-974-3574. District(s) Affected: District 9.

This item was postponed to March 28, 2019 at the request of staff on Council Member Pool's motion, Council Member Renteria's second on an 11-0 vote.

41. C14-2018-0123 - 4004 Clawson Road- Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 4004 Clawson Road (West Bouldin Creek Watershed). Applicant Request: To rezone from family residence (SF-3) district zoning to townhouse and condominium residence (SF-6) district zoning. Staff Recommendation and Planning Commission Recommendation: To grant townhouse and condominium residence (SF-6) district zoning. City Staff: Scott Grantham, 512-974-3574. District(s) Affected: District 5.

The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20190221-041 for townhouse and condominium residence (SF-6) district zoning was approved on Council Member Pool's motion, Council Member Renteria's second on an 11-0 vote.

#### **REGULAR COUNCIL MINUTES**

42. NPA-2018-0021.03 - Colop 2 - 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 5107 East Riverside Drive (Country Club Creek Watershed) from Single Family to Mixed Use/Office land use. Staff Recommendation and Planning Commission Recommendation: To grant Mixed Use/Office land use. Owner/Applicant: Francisco Colop. Agent: Bennett Consulting (Rodney Bennett). 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 Mixed Use/Office land use was approved on Council Member Pool's motion, Council Member Renteria's second on an 11-0 vote.

43. C14-2018-0088 - Colop 2 -Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 5107 East Riverside Drive (Country Club West Watershed). Applicant Request: To rezone from single family residence - standard lot - neighborhood plan (SF-2-NP) combining district zoning to limited office - mixed use - conditional overlay - neighborhood plan (LO-MU-CO-NP) combining district zoning. Staff Recommendation and Planning Commission Recommendation: To grant limited office - mixed use - conditional overlay - neighborhood plan (LO-MU-CO-NP) combining district zoning. Owner/Applicant: Francisco and Elizabeth Colop. Agent: Bennett Consulting (Rodney K. Bennett). City Staff: Scott Grantham, 512-974-3574. 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 limited office - mixed use - conditional overlay -

ordinance on first reading only for limited office - mixed use - conditional overlay neighborhood plan (LO-MU-CO-NP) combining district zoning was approved on Council Member Pool's motion, Council Member Renteria's second on an 11-0 vote.

- 44. NPA-2017-0016.03 3232 & 3306 East 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 & 3306 East Cesar Chavez Street (Colorado River Watershed) from Commercial to Mixed Use land use. Staff Recommendation: Pending. Planning Commission Recommendation: To be reviewed on February 21, 2019. Owner/Applicant: The Betty Sue Kurtz Trust and The Thelma Ann Zirkelbach Trust. Agent: Metcalfe Wolff Stuart & Williams, LLP (Michele Rogerson Lynch). City Staff: Maureen Meredith, (512) 974-2695. District(s) Affected: District 3.
  This item was postponed to May 9, 2019 at the request of staff on Council Member Pool's motion, Council Member Renteria's second on an 11-0 vote.
- 45. 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 on February 21, 2019. Owner/Applicant: The Betty Sue Kurtz Trust and The Thelma Ann Zirkelbach Trust. Agent: Metcalfe Wolff Stuart & Williams, LLP (Michele Rogerson Lynch). City Staff: Heather Chaffin, 512 974-2122. District(s) Affected: District 3.

This item was postponed to May 9, 2019 at the request of staff on Council Member Pool's motion, Council Member Renteria's second on an 11-0 vote.

#### **REGULAR COUNCIL MINUTES**

46. C14-2018-0115 - Sigma Chi Fraternity - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 2701 Nueces Street (Waller Creek Watershed). Applicant Request: To rezone from multifamily residence - moderate-high density - conditional overlay - neighborhood plan (MF-4-CO-NP) combining district zoning to multifamily residence - highest density - conditional overlay - neighborhood plan (MF-6-CO-NP) combining district zoning. Staff Recommendation: To grant multifamily residence - moderatehigh density - neighborhood plan (MF-4-NP) combining district zoning. Planning Commission Recommendation: To be reviewed on February 12, 2019. Owner/Applicant: Alpha Nu Chapter of Sigma Chi (Linden Welsch), Thrower Design (Victoria Haase), City Staff: Scott Grantham, 512-974-3574. District(s) Affected: District 9.40. 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 March 12, 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 March 28, 2019 at the request of staff on Council Member Pool's motion, Council Member Renteria's second on an 11-0 vote.

37. 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 East Riverside Corridor (ERC) district zoning to East Riverside Corridor (ERC) district zoning, to change the subdistrict from neighborhood mixed use (NMU) to corridor mixed use (CMU). Staff Recommendation and Planning Commission Recommendation: To grant East Riverside Corridor (ERC) district zoning, to change the subdistrict to corridor mixed use (CMU) subdistrict zoning. 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.

The motion to leave the public hearing open and approve the ordinance on first reading only was made by Council Member Renteria and seconded by Council Member Harper-Madison.

The motion to postpone failed on Council Member Casar's motion, Mayor Pro Tem Garza's second on a 2-9 vote. Those voting aye were: Council Members Casar and Kitchen. Those voting nay were: Mayor Adler, Mayor Pro Tem Garza, Council Members Alter, Ellis, Flannigan, Harper-Madison, Pool, Renteria and Tovo.

The public hearing was conducted and a motion to keep the public hearing open and approve the ordinance on first reading only for corridor mixed use (CMU) subdistrict zoning was approved on Council Member Renteria's motion, Council Member Harper-Madison's second on a 10-1 vote. Council Member Casar voted nay.

38. 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 Watersheds). Applicant Request: To rezone from East Riverside Corridor (ERC) district zoning to East Riverside Corridor (ERC) district zoning, to change the subdistrict from neighborhood mixed use (NMU) to corridor mixed use (CMU). Staff Recommendation and Planning Commission Recommendation: To grant East Riverside Corridor (ERC) district zoning, to change the subdistrict to corridor mixed use (CMU) subdistrict zoning. Owner/Applicant: FBZ Town Lake Circle LP. Agent: Drenner Group (Leah Bojo). City Staff: Scott Grantham, 512-974-3574. District(s) Affected: District 3.

The motion to leave the public hearing open and approve the ordinance on first reading only was made by Council Member Renteria and seconded by Council Member Harper-Madison.

The motion to postpone failed on Council Member Casar's motion, Mayor Pro Tem Garza's second on a 2-9 vote. Those voting aye were: Council Members Casar and Kitchen. Those voting nay were: Mayor Adler, Mayor Pro Tem Garza, Council Members Alter, Ellis, Flannigan, Harper-Madison, Pool, Renteria and Tovo.

The public hearing was conducted and a motion to keep the public hearing open and approve the ordinance on first reading for corridor mixed use (CMU) subdistrict zoning was approved on Council Member Renteria's motion, Council Member Harper-Madison's second on a 10-1 vote. Council Member Casar voted nay.

Mayor Adler recessed the meeting at 2:45 p.m.

Mayor Pro Tem Garza called the Council Meeting back to order at 4:04 p.m.

#### PUBLIC HEARINGS

47. Conduct a public hearing and consider an appeal by interested parties regarding the decision by the Development Services Department to issue an Outdoor Music Venue permit to Yard Bar, located at 6700 Burnet Rd. District(s) Affected: District 7.
This item was postponed to March 28, 2019 at the request of staff on Council Member Pool's motion, Council Member Casar's second on a 6-0 vote. Mayor Adler, Council Members Alter, Flannigan, Kitchen, and Tovo were off the dais.

Mayor Pro Tem Garza adjourned the meeting at 4:05 p.m. without objection.

#### LIVE MUSIC

Hey Jellie

#### PROCLAMATIONS

Proclamation and Certificates of Congratulations – Business Skills graduates – To be presented by Mayor Steve Adler and to be accepted by the honorees.

Proclamation – LULAC Week and Certificate of Recognition – To be presented by Council Member Natasha Harper-Madison and to be accepted by Gavino Fernandez and Leon Hernandez.

Proclamation – Austin Fire Department Personnel – To be presented by Council Member Alison Alter and to be accepted by the honorees.

Distinguished Service Award – Alba Sereno – To be presented by Council Member Alison Alter and to be accepted by the honoree.

Proclamation – OUTsider Fest – To be presented by Council Member Jimmy Flannigan.

The minutes were approved on this the 7<sup>th</sup> day of March 2019 on Council Member Tovo's motion, Council Member Renteria's second on a 11-0 vote.