



## **AUSTIN CITY COUNCIL WORK SESSION**

**Tuesday, September 20, 2016**

The Austin City Council will convene at 9:00 AM on  
Tuesday, September 20, 2016 at Austin City Hall  
301 W. Second Street, Austin, TX



**Mayor Steve Adler**  
**Mayor Pro Tem Kathie Tovo, District 9**  
**Council Member Ora Houston, District 1**  
**Council Member Delia Garza, District 2**  
**Council Member Sabino “Pio” Renteria, District 3**  
**Council Member Gregorio Casar, District 4**  
**Council Member Ann Kitchen, District 5**  
**Council Member Don Zimmerman, District 6**  
**Council Member Leslie Pool, District 7**  
**Council Member Ellen Troxclair, District 8**  
**Council Member Sheri Gallo, District 10**

For meeting information, contact the City Clerk, (512) 974-2210

*The City Council may go into a closed session as permitted by the Texas Open Meetings Act, (Chapter 551 of the Texas Government Code) regarding any item on this agenda.*

**All of the following items may be acted upon by one motion. No separate discussion or action on any of the items is necessary unless desired by a Council Member.**

**9:00 AM – City Council Convenes**

- A. Pre-Selected Agenda Items
- B. Briefings
  - B.1 Citizen Communication via Videoconferencing Update.
- C. Council Items of Interest
- D. Council Discussion
- E. Executive Session
  - E.1 Discuss legal issues related to open government matters (Private consultation with legal counsel - Section 551.071 of the Government Code).
  - E.2 Discuss legal issues related to Utility Associates, Inc. v. City of Austin et al, Texas, Cause No. D-1-GN-16-002931 in the 126th Judicial District for Travis County, Texas (lawsuit related to the City's purchase of body-worn cameras for the Austin Police Department) (Private consultation with legal counsel - Section 551.071).
  - E.3 Discuss the compensation and benefits for the Interim City Manager and the City Manager (Personnel matters - Section 551.074 of the Government Code).

**Consent**

**Approval of Minutes**

1. Approve the minutes of the Austin City Council special called budget work session of August 22, 2016, special called work sessions of August 23, 2016, August 25, 2016 and August 29, 2016, work session of August 30, 2016, budget work session of August 31, 2016; regular council meeting of September 1, 2016 and special called budget work sessions of September 8, 2016 and September 9, 2016.

**Budget**

2. Approve an ordinance amending the Fiscal Year 2015-2016 Council Operating Budget (Ordinance No. 20150908-001) as requested to direct funds from council offices to other city departments for municipal purposes.

### **Capital Contracting Office**

3. Authorize negotiation and execution of a competitive sealed proposal agreement with IE2 CONSTRUCTION, LTD, for the expansion and renovation of the Austin Shelter for Women and Children project in an amount not to exceed \$5,376,528. (District 1)  
( Notes: This contract will be awarded in compliance with City Code Chapter 2-9A (Minority Owned and Women Owned Business Enterprise Procurement Program) through through the achievement of good faith efforts with 1.36% MBE and .65% WBE participation. )
4. Authorize negotiation and execution of an amendment to the professional services agreement with OPTICOS DESIGN, INC., for additional architectural, urban design, planning, and engineering services for Phase III of the CodeNEXT, the Land Development Code revision project, in the amount of \$1,296,858 for a total contract amount not to exceed \$4,621,858.  
( Notes: This contract was 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. )

### **City Clerk**

5. Approve second and third readings of an ordinance repealing and replacing City Code Chapter 4-8 relating to the regulation of lobbyists, setting fees related to the regulation of lobbyists, amending City Code Chapter 2-7 relating to the Ethics Review Commission, and amending City Code Section 2-2-62 relating to funding for the Austin Fair Campaign Finance Fund.

### **Convention Center**

6. Approve a resolution adopting the Austin Convention and Visitors Bureau 2016-2017 marketing plan and proposed budget of \$19,282,933, setting the contract payment in an amount not to exceed \$16,467,574; and authorizing the City Manager to file the approved documents with the City Clerk's Office as required by the Texas Tax Code.

### **Economic Development Department**

7. Authorize negotiation and execution of a design and commission agreement with New American Public Art for artwork at the Green Water Treatment Plant Redevelopment Project for a total contract amount not to exceed \$327,000. (District 9)
8. Authorize negotiation and execution of a design and commission agreement with Josef Kristofletti for artwork at the Austin Convention Center 2nd Street Garage Project at 2nd Street and Brazos Street for a total contract amount not to exceed \$74,000. (District 9)
9. Approve a resolution authorizing the City Manager to award, negotiate and execute cultural arts services contracts for Fiscal Year 2016-2017 in an amount not to exceed \$7,906,244, and authorizing payment in the amount of \$60,000 for Zachary Scott Theatre Center maintenance required under a separate operations agreement.

10. Authorize negotiation and execution of a Family Business Loan Program loan in an amount not to exceed \$477,760, funded with proceeds of a U.S. Department of Housing and Urban Development Section 108 loan to the City, to JOSE LUIS SALON DOMAIN LLC to finance machinery, working capital, and soft costs associated with the lease space located at 3100 Esperanza Crossing, Suite 124, Austin, Texas.

#### **Health and Human Services**

11. Approve an amendment to an interlocal agreement with the TEXAS DEPARTMENT OF STATE HEALTH SERVICES to purchase human immunodeficiency virus medication as part of the Ryan White Part A HIV Emergency Relief Project grant, for a six-month term from January 1, 2017 through June 30, 2017, in an amount not to exceed \$400,000, for a total contract amount not to exceed \$800,000.
12. Approve the negotiation and execution of Amendment No. 14 to a contract with AIDS SERVICES OF AUSTIN, INC. to increase funding for HIV services under the Ryan White Part A HIV Emergency Relief Program in an amount not to exceed \$85,340.
13. Approve negotiation and execution of Amendment No. 4 to a contract with FOUNDATION COMMUNITIES to provide permanent supportive housing services and add one twelve-month extension option beginning September 30, 2016, in an amount not to exceed \$106,000.
14. Approve negotiation and execution of Amendment No. 5 to the contract with FRONT STEPS, INC to add one twelve-month extension option to provide permanent supportive housing services beginning September 30, 2016, in an amount not to exceed \$106,000.
15. Authorize negotiation and execution of a 24-month interlocal agreement with the Health And Human Services Commission for the Community Partner Program, to assist citizens apply for benefits electronically at six neighborhood centers and one outreach location.
16. Authorize negotiation and execution of an amendment to an interlocal agreement with Travis County to exercise the third of four renewal options and to update the cost model and work statements for the City's provision of public health services in exchange for Travis County's payment of \$4,034,822, for a 12-month period beginning October 1, 2016.
17. Approve negotiation and execution of an interlocal agreement with the University of Texas at Austin to evaluate the youth and young adult programming under the Peer-to-Peer Project in high schools, community centers and organizations, for a total contract amount not to exceed \$60,000.

#### **Law**

18. Approve an ordinance amending Ordinance No. 960613-J and authorizing execution of the first amendment to a settlement agreement relating to the development of

property located at 6409 City Park Road (Champion Tract).  
(Related to Item # 61)

### **Library**

19. Approve an ordinance authorizing acceptance of \$9,500 in grant funds from the Texas State Library and Archives Commission; and amending the Fiscal Year 2015-2016 Austin Public Library Department Operating Budget Special Revenue Fund (Ordinance No. 20150908-001) to appropriate these funds for the Interlibrary Loan Lending Reimbursement Program.

### **Management Services**

20. Approve a resolution creating the Austin/Travis County Sobriety Center Local Government Corporation under Subchapter D, Chapter 431, Texas Transportation Code; approving and adopting the corporation's Articles of Incorporation and Bylaws; and appointing initial directors.

### **Neighborhood Housing and Community Development**

21. Authorize negotiation and execution of a one-year service agreement with the AUSTIN HOUSING FINANCE CORPORATION to manage and operate various housing programs on the City's behalf during Fiscal Year 2016 -2017 using funds received by the City from the U.S. Department of Housing and Urban Development, in addition to local City funds, in an amount not to exceed \$23,554,297.
22. Authorize execution of a 12-month interlocal agreement with AUSTIN INDEPENDENT SCHOOL DISTRICT to fund and administer the CDBG Teen Parent Services Program in an amount not to exceed \$179,644, with three 12-month extension options in amounts not to exceed \$179,644 per extension option, for a total amount not to exceed \$718,576.
23. Authorize negotiation and execution of a 12-month interlocal agreement with AUSTIN TRAVIS COUNTY INTEGRAL CARE to fund and administer the CDBG Youth Services Program in an amount not to exceed \$203,700, with three 12-month extension options in amounts not to exceed \$203,700 per extension option, for a total contract amount not to exceed \$814,800.
24. Authorize negotiation and execution of a 12-month social services contract with CHILD, INC. to fund and administer the Early Head Start Child Care Program in an amount not to exceed \$84,928, with three 12-month extension options in amounts not to exceed \$84,928 per extension option, for a total contract amount not to exceed \$339,712.
25. Authorize negotiation and execution of a 12-month social services contract with GENERATIONS CHILD DEVELOPMENT to fund and administer the Teen Parent Child Care Program in an amount not to exceed \$102,156, with three 12-month extension options in amounts not to exceed \$102,156 per extension option, for a total contract amount not to exceed \$408,624.

26. Authorize negotiation and execution of a 12-month social services contract with YOUNG WOMEN'S CHRISTIAN ASSOCIATION GREATER AUSTIN to fund and administer the Child Care Voucher Services Program in an amount not to exceed \$283,272, with three 12-month extension options in amounts not to exceed \$283,272 per extension option, for a total contract amount not to exceed \$1,133,088.
27. Authorize negotiation and execution of a one-year contract with AUSTIN TENANTS' COUNCIL to fund and administer the Tenants' Rights Assistance Program for community education and information about tenant protection laws in an amount not to exceed \$288,729.
28. Authorize the negotiation and execution of a one-year contract with FAMILY ELDERCARE, INC. to fund and administer the Senior Services Program in an amount not to exceed \$134,000.
29. Authorize negotiation and execution of a 12-month contract with PEOPLEFUND to fund and administer the Community Development Bank program, to support job creation and expansion of small businesses by providing loan services, in an amount not to exceed \$150,000.

#### **Office of Real Estate Services**

30. Authorize negotiation and execution of an encroachment agreement with John Coleman Horton, III, for the encroachment of right-of-way by a portion of an existing structure located at 500 Congress Avenue (District 9).
31. Authorize negotiation and execution of a 3-year interlocal agreement with Austin Community College for equipment maintenance, and buildout of up to 7,500 square feet of facility space and small business services for a fashion incubator, located at 6101 Airport Boulevard, Austin, Travis County, Texas, in an amount not to exceed \$355,000. (District 4)

#### **Parks and Recreation**

32. Authorize the amendment of Resolution No. 20151015-035 to repeal portions related to the Trail of Lights event entrance fees and to authorize the City Manager to negotiate and execute an amendment to the agreement with the Trail of Lights Foundation related to fees and maintenance of funding.
33. Approve a resolution authorizing the application for up to \$500,000 in grant funding from the Texas Parks and Wildlife Department's Local Park Urban Indoor Grant Program for the Dove Springs Recreation Center Expansion.
34. Approve a resolution authorizing the application for up to \$1,000,000 in grant funding from the Texas Parks and Wildlife Department's Local Park Urban Outdoor Grant Program for the Emma Long Metropolitan Park Redevelopment.

#### **Planning and Zoning**

35. Approve the execution of an amendment to an interlocal agreement regarding the release of extraterritorial jurisdiction to the City of Bee Cave.

## **Police**

36. Approve a resolution authorizing the acceptance of \$521,145.35 in grant funds from the State of Texas, Governor's Office, Criminal Justice Division to implement the Austin Police Department Victim Crisis Intervention Project.

## **Item(s) from Council**

37. 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.
38. Approve a resolution initiating an amendment to City Code Title 25 regarding out-of-cycle neighborhood plan amendments.  
( Notes: SPONSOR: Council Member Sabino "Pio" Renteria CO 1: Council Member Delia Garza CO 2: Council Member Sheri Gallo CO 3: Council Member Ann Kitchen )
39. Approve a resolution extending the due date in Resolution No. 20160609-047 for the City Manager to present options for the preservation of the historical significance of Rosewood Courts.  
( Notes: SPONSOR: Council Member Ora Houston CO 1: Council Member Ann Kitchen CO 2: Mayor Pro Tem Kathie Tovo CO 3: Council Member Leslie Pool )
40. Approve an ordinance amending Ordinance No. 20160623-072, amended by Ordinance No. 20160811-029, to waive or reimburse additional fees for the Annual Garden Party sponsored by the Umlauf Sculpture Garden and Museum which took place Thursday, April 28, 2016 at the Umlauf Sculpture Garden and Museum.  
( Notes: SPONSOR: Council Member Ann Kitchen CO 1: Council Member Leslie Pool CO 2: Council Member Sabino "Pio" Renteria CO 3: Council Member Delia Garza )
41. Approve the waiver or reimbursement of certain fees under City Code Chapter 14-8 for the Onion Creek Homeowner's Association July 4th Independence Day Parade sponsored by Onion Creek Homeowner's Association which was held on Monday, July 4, 2016 on the streets of the Onion Creek neighborhood.  
( Notes: SPONSOR: Council Member Ann Kitchen CO 1: Council Member Leslie Pool CO 2: Council Member Sabino "Pio" Renteria CO 3: Council Member Delia Garza )
42. Approve an ordinance proclaiming Wednesday, September 28, 2016 as Barton Springs University Day and waiving admission fees to Barton Springs on that date.  
( Notes: SPONSOR: Mayor Pro Tem Kathie Tovo CO 1: Council Member Leslie Pool CO 2: Council Member Ann Kitchen CO 3: Mayor Steve Adler CO 4: Council Member Gregorio Casar )
43. Approve an ordinance amending Ordinance No. 20160901-027 to authorize waiving or reimbursing additional fees for the Cristo Rey Jamaica 2016 event sponsored by Cristo Rey Parish which was held Sunday, June 12 at the Cristo Rey Church.

( Notes: SPONSOR: Council Member Sabino "Pio" Renteria CO 1: Council Member Ann Kitchen CO 2: Council Member Delia Garza CO 3: Council Member Sheri Gallo )

44. Approve an ordinance waiving or reimbursing fees for the AIA-LIA Roundtable Discussion which will take place at the Blackbox Theater at the Emma S. Barrientos – Mexican American Cultural Center on September 29, 2016.  
( Notes: SPONSOR: Council Member Sabino "Pio" Renteria CO 1: Council Member Delia Garza CO 2: Council Member Ora Houston CO 3: Mayor Pro Tem Kathie Tovo )
45. Discussion and action on the compensation, benefits and transition plan for the interim City Manager and City Manager. (Notes: SPONSOR: Mayor Steve Adler CO 1: Mayor Pro Tem Kathie Tovo CO 2: Council Member Gregorio Casar CO 3: Council Member Ora Houston)

#### **Item(s) to Set Public Hearing(s)**

46. Set a public hearing to consider a resolution regarding a request by Kyle Hill (Martin, Frost & Hill) for Snarf's Sandwiches, located at 1404 S. 1st St., for a waiver from 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 school. (Suggested date and time: October 20, 2016, 4:00 p.m. at Austin City Hall, 301 W. Second Street, Austin, TX).
47. Set public hearings for the full purpose annexation of the Wildhorse/Webb Tract annexation area (approximately 103 acres in eastern Travis County at the northeastern corner of the intersection of Decker Lane and Lindell Lane; contiguous to District 1) (Suggested dates and times: November 3, 2016, 4:00 p.m. and November 10, 2016 4:00 p.m. at Austin City Hall, 301 West Second Street, Austin, TX).

#### **Non-Consent**

##### **Action on Item(s) with Closed Public Hearings - per City Code Section 2-5-27, additional speakers will not be registered**

48. Approve second and third readings of an ordinance amending City Code Chapters 25-2, 25-8, and 30-5 relating to development regulations for boat docks and lake front development. (THE PUBLIC HEARING FOR THIS ITEM WAS HELD AND CLOSED ON JUNE 23, 2016.)

##### **Zoning Ordinances / Restrictive Covenants (HEARINGS CLOSED)**

49. C14-2016-0032 – Smithers RV Storage – District 4 – Approve second and third readings of an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 10400 North Lamar Boulevard (Little Walnut Creek Watershed) from community commercial-conditional overlay-neighborhood plan (GR-CO-NP) combining district zoning to general commercial services-conditional overlay-neighborhood plan (CS-CO-NP) combining district zoning. First Reading approved on August 11 2016. Vote: 11-0. Owner/Applicant: Ben F. Smithers. City Staff: Sherri Sirwaitis, 512-974-3057.

50. C14-2016-0046 – 7720 & 7800 South 1st St – District 2 – Approve second and third readings of an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 7720 and 7800 South 1st Street (South Boggy Creek Watershed) from general commercial services-conditional overlay (CS-CO) combining district zoning for Tract 1 and community commercial-mixed use-conditional overlay (GR-MU-CO) combining district zoning for Tract 2, to change conditions of zoning. First Reading approved on August 11, 2016. Vote: 11-0. Owner/Applicant: Adam Diaz. City Staff: Wendy Rhoades, 512-974-7719.
51. C14-2016-0058 – KKG2 Rezoning – District 9 – Approve second and third readings of an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 1911 ½ University Avenue (Waller Creek Watershed) from multifamily residence-moderate-high density-neighborhood plan (MF-4-NP) combining district zoning to general office-conditional overlay-neighborhood plan (GO-CO-NP) combining district zoning. First reading approved on August 11 2016. Vote: 11-0. Owner/Applicant: House Association of Beta XI Chapter of Kappa Kappa Gamma (Ellen Morrison). Agent: Thrower Design (Ron Thrower). City Staff: Sherri Sirwaitis, 512-974-3057.
52. C14-2016-0059 – KKG1 Rezoning – District 9 – Approve second and third readings of an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 2001 University Avenue (Waller Creek Watershed) from multifamily residence-moderate-high density-historic landmark-neighborhood plan (MF-4-H-NP) combining district zoning to general office-historic landmark-conditional overlay-neighborhood plan (GO-H-CO-NP) combining district zoning. First reading approved on August 11 2016. Vote: 11-0. Owner/Applicant: House Association of Beta XI Chapter of Kappa Kappa Gamma (Ellen Morrison). Agent: Thrower Design (Ron Thrower). City Staff: Sherri Sirwaitis, 512-974-3057.

**Zoning and Neighborhood Plan Amendments (Public Hearings and Possible Action)**

53. NPA-2015-0005.04 - Lenox Oaks - District 3 - Conduct a public hearing and approve an ordinance amending Ordinance No. 20010927-05, the Montopolis Neighborhood Plan, an element of the Imagine Austin Comprehensive Plan, to change the land use designation on the future land use map (FLUM) on property locally known as 6705, 6707, 6709 Ponca Street; 434 Bastrop Highway Southbound; 444, 446, 448, 450, 452, 454, 456 Bastrop Highway Southbound; and 500 Bastrop Highway Southbound (Carson Creek Watershed) from Single Family, Office and Commercial land uses to Mixed Use land use. Staff Recommendation: To grant Mixed Use, Commercial, Mixed Use/Office and Multifamily land uses. Planning Commission Recommendation: To forward to Council without a recommendation. Owner/Applicant: 422 Bastrop Hwy., Ltd; 500 Bastrop Hwy., Ltd., and Chase Equities, Inc. (Jimmy Nassour). Agent: Smith, Robertson, Elliott & Douglas, L.L.P. (David Hartman). City Staff: Maureen Meredith, 512-974-2695.
54. C14-2015-0104 - Lenox Oaks - District 3 - Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 434-500 Bastrop Highway Southbound and 6705-6709 Ponca Street (Carson Creek Watershed; Colorado River Watershed) from general commercial services-neighborhood plan (CS-NP) combining district zoning, family residence-

neighborhood plan (SF-3-NP) combining district zoning and single family residence-standard lot-neighborhood plan (SF-2-NP) combining district zoning to general commercial services-mixed use-neighborhood plan (CS-MU-NP) combining district zoning for Tract 1 and Tract 2; 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 for Tract 3; from general commercial services-neighborhood plan (CS-NP) combining district zoning, general office-neighborhood plan (GO-NP) combining district zoning, family residence-neighborhood plan (SF-3-NP) combining district zoning and single family residence-standard lot-neighborhood plan (SF-2-NP) combining district zoning to general commercial services-mixed use-neighborhood plan (CS-MU-NP) combining district zoning for Tract 4; and from family residence-neighborhood plan (SF-3-NP) combining district zoning to general commercial services-mixed use-neighborhood plan (CS-MU-NP) combining district zoning for Tract 5. Staff Recommendation: To grant general commercial services-conditional overlay-neighborhood plan (CS-CO-NP) combining district zoning, general commercial services-mixed use-conditional overlay-neighborhood plan (CS-MU-CO-NP) combining district zoning and neighborhood commercial-mixed use-conditional overlay-neighborhood plan (LR-MU-CO-NP) combining district zoning for Tract 1 and Tract 2; general commercial services-conditional overlay-neighborhood plan (CS-CO-NP) combining district zoning and general commercial services-mixed use-conditional overlay-neighborhood plan (CS-MU-CO-NP) combining district zoning for Tract 3; general commercial services-conditional overlay-neighborhood plan (CS-CO-NP) combining district zoning, general commercial services-mixed use-conditional overlay-neighborhood plan (CS-MU-CO-NP) combining district zoning, general office-mixed use-conditional overlay-neighborhood plan (GO-MU-CO-NP) combining district zoning and multifamily residence-low density-conditional overlay-neighborhood plan (MF-2-CO-NP) combining district zoning for Tract 4; and multifamily residence-low density-conditional overlay-neighborhood plan (MF-2-CO-NP) combining district zoning for Tract 5. Planning Commission Recommendation: To forward to Council without a recommendation. Owner/Applicant: UT Land Company, Ltd./Jimmy Nassour. Agent: Smith, Robertson, Elliot & Douglas, LLP (David Hartman). City Staff: Andrew Moore, 512-974-7604.

55. NPA-2016-0010.02 - East Sixth Street Village - District 3 - Conduct a public hearing and approve an ordinance amending Ordinance No. 011213-43, the Holly 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 622 Pedernales Street (Lady Bird Lake Watershed) from Industry to Mixed Use land use. Staff Recommendation: To grant Mixed Use land use. Planning Commission Recommendation: To grant Mixed Use land use. Owner/Applicant: 2422 Hidalgo Street, LP (M. Timothy Clark). Agent: 2422 Hidalgo Street, LP (David Cox). City Staff: Maureen Meredith, (512) 974-2695.
56. C14-2016-0041 - East Sixth Street Village South - District 3 - Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 2416 East Sixth Street (Lady Bird Lake Watershed) from limited industrial services-conditional overlay-neighborhood plan (LI-CO-NP) combining district zoning to general commercial services-vertical mixed use building-conditional overlay-neighborhood plan (CS-V-CO-NP) combining district zoning. Staff Recommendation: To grant general commercial services-vertical mixed

use building-conditional overlay-neighborhood plan (CS-V-CO-NP) combining district zoning. Planning Commission Recommendation: To grant general commercial services-vertical mixed use building-conditional overlay-neighborhood plan (CS-V-CO-NP) combining district zoning. Owner/Applicant: 2416 East Sixth Street, L.P. (David Cox). City Staff: Heather Chaffin, 512- 974-2122.

57. C14-2016-0043 - East Sixth Street Village North - District 3 - Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 622 Pedernales Street (Lady Bird Lake Watershed) from limited industrial-conditional overlay-neighborhood plan (LI-CO-NP) combining district zoning to general commercial services-mixed use-conditional overlay-neighborhood plan (CS-MU-CO-NP) combining district zoning. Staff Recommendation: To grant general commercial services-mixed use-conditional overlay-neighborhood plan (CS-MU-CO-NP) combining district zoning. Planning Commission Recommendation: To grant general commercial services-mixed use-conditional overlay-neighborhood plan (CS-MU-CO-NP) combining district zoning. Owner/Applicant: 2416 East Sixth Street, L.P. (David Cox). City Staff: Heather Chaffin, 512- 974-2122.
58. NPA-2016-0025.01 – Lantana Tract 33 – District 8 – Conduct a public hearing and consider approval of 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 6701, 6825-½, and 7045-½ Rialto Boulevard (Barton Creek Watershed; Williamson Creek Watershed-Barton Springs Zone) from Office land use to Multifamily land use. Staff Recommendation: To grant Multifamily land use. Planning Commission Recommendation: To grant Multifamily land use. Owner/Applicant: Lantana Tract 33, L.P. (Barry P. Marcus). Agent: Smith, Robertson, Elliott & Douglas, LLP (Mary Stratmann). City Staff: Maureen Meredith, 512-974-2695.
59. C14-85-288.8 (RCA3) – Lantana Tract 33 – District 8 – Conduct a public hearing to amend a restrictive covenant on property locally known as 6701, 6825-½, and 7045-½ Rialto Boulevard (Barton Creek Watershed; Williamson Creek Watershed-Barton Springs Zone). Staff Recommendation: To grant the amendment to remove net leasable square footage and floor-to-area ratio restriction, reduce the allowable impervious cover and require on-site water quality controls. Planning Commission Recommendation: To grant the amendment to remove net leasable square footage and floor-to-area ratio restriction, reduce the allowable impervious cover and require on-site water quality controls. Owner/Applicant: Lantana Tract 33, LP (Barry P. Marcus). Agent: Smith, Robertson, Elliott & Douglas, LLP (David Hartman). City Staff: Andrew Moore, 512-974-7604.
60. C14-2016-0011 – Lantana Tract 33 – District 8 – Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 6701, 6825-½, and 7045-½ Rialto Boulevard (Barton Creek Watershed; Williamson Creek Watershed-Barton Springs Zone) from general office-neighborhood plan (GO-NP) combining district zoning to multifamily residence-moderate-high density-conditional overlay-neighborhood plan (MF-4-CO-NP) combining district zoning. Staff Recommendation: To grant multifamily residence-moderate-high density-conditional overlay-neighborhood plan (MF-4-CO-NP) combining district zoning. Planning Commission Recommendation: To grant

multifamily residence-moderate-high density-conditional overlay-neighborhood plan (MF-4-CO-NP) district zoning. Owner/Applicant: Lantana Tract 33, LP (Barry P. Marcus). Agent: Smith, Robertson, Elliott & Douglas, LLP (David Hartman). City Staff: Andrew Moore, 512-974-7604.

61. C14-2015-0160 - Champions Tract #3 - District 10 - Conduct a public hearing and approve second and third readings of an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 6409 City Park Road (West Bull Creek Watershed) from general office-conditional overlay (GO-CO) combining district zoning to general office-mixed use-conditional overlay (GO-MU-CO) combining district zoning. First reading approved for multifamily residence-moderate-high density-conditional overlay (MF-4-CO) combining district zoning on June 23, 2016. Vote: 11-0. Owner/Applicant: Champion Assets LTD & Champion Legacy Partners LP (Josie Ellen Champion, Alma Juanita Champion Meier, Margaret Jo Roberson Duff). Agent: Armbrust & Brown, PLLC (Richard Suttle). City Staff: Jerry Rusthoven, 512-974-3207.  
(Related to Item #18)
62. C14-2016-0013 – Foremost Zoning – District 2 – Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 135 Foremost Drive (South Boggy Creek Watershed) from community commercial (GR) district zoning to multifamily residence-moderate-high density (MF-4) district zoning. Staff Recommendation: To grant multifamily residence-moderate-high density-conditional overlay (MF-4-CO) combining district zoning. Zoning and Platting Commission Recommendation: To grant multifamily residence-moderate-high density-conditional overlay (MF-4-CO) combining district zoning. Owner/Applicant: Foremost Partners, Ltd. (John McCormack). Agent: Coats Rose (John M. Joseph). City Staff: Wendy Rhoades, 512-974-7719.
63. C14-2016-0017 – Driveway Austin – District 1 – Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 8400 and 8401 Delwau Lane (Colorado River Watershed) from general office (GO) district zoning to community commercial (GR) district zoning. Staff Recommendation: To grant community commercial (GR) district zoning. Planning Commission Recommendation: To grant community commercial (GR) district zoning. Owner: Interest Partners, LLC (William Dollahite). Applicant: Coats Rose (John Joseph). City Staff: Heather Chaffin, 512- 974-2122.
64. C14-2016-0020 – Lantana IV – District 8 – Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 7717 Southwest Parkway (Williamson Creek Watershed-Barton Springs Zone) from neighborhood commercial-neighborhood plan (LR-NP) combining district zoning to community commercial-mixed use-neighborhood plan (GR-MU-NP) combining district zoning. Staff Recommendation: Pending. Planning Commission Recommendation: To be reviewed on October 11, 2016. Owner/Applicant: JDI Holding LLC (Douglas Ivey). Agent: Permit Partners LLC (David Cancialosi). City Staff: Andrew Moore, 512-974-7604.
65. C14-2016-0025 - St. James Missionary Baptist Church - District 1 - Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 3417 East Martin Luther King, Jr. Boulevard (Tannehill Branch 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: St. James Missionary Baptist Church (Thomas J. Owens). Applicant: Urban Design Group (Laura Toups). City Staff: Heather Chaffin, 512- 974-2122. A valid petition has been filed in opposition to this rezoning request.

66. C14-2016-0037 – Scofield Apartments – District 7 – Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 13121, 13125, 13133, 13139, 13145, 13147 FM 1325 and 3001 Scofield Farms Drive (Walnut Creek Watershed) from community commercial (GR) district zoning to community commercial-mixed use (GR-MU) combining district zoning. Staff Recommendation: To grant community commercial-mixed use (GR-MU) combining district zoning. Zoning and Platting Commission Recommendation: To be reviewed on September 20, 2016. Owner/Applicant: Ringgold Partners II, L.P. (John Bultman, III). Agent: Drenner Group (Amanda Swor). City Staff: Sherri Sirwaitis, 512-974-3057.
67. C14-2016-0038 – ATCIC Braker – District 1 – Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 1120 E. Braker Lane (Walnut Creek Watershed) from townhouse and condominium residence (SF-6) district zoning to limited office (LO) district zoning. Staff Recommendation: Not applicable; Case withdrawn by the Applicant. Zoning and Platting Commission Recommendation: Not applicable; Case withdrawn by the Applicant. Owner: Tran Group, LLC. (David Tran). Applicant: Southwest Strategies Group (Lawson Pedder). City Staff: Heather Chaffin, 512- 974-2122.
68. C14-2016-0057 – Ross Road Homes – District 2 – Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by rezoning property locally known as the 6101 Ross Road (Dry Creek East Watershed) from development reserve (DR) district zoning to mobile home residence (MH) district zoning. Staff Recommendation: To grant mobile home residence (MH) district zoning. Zoning and Platting Commission Recommendation: To grant single family residence-small lot (SF-4A) district zoning. Owner/Applicant: Najib F. Wehbe. Agent: Alice Glasco Consulting (Alice Glasco). City Staff: Wendy Rhoades, 512-974-7719.
69. C14-2016-0063.SH – Villas at Vinson Oak Rezone – District 3 – Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 4507 and 4511 Vinson Drive (Williamson 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 be reviewed October 25, 2016. Owner/Applicant: Notigius LLC – Series Vinson (Antonio Giustino). Agent: Perales Engineering, LLC (Jerry Perales, P.E.). City Staff: Wendy Rhoades, 512-974-7719. A valid petition has been filed in opposition to this rezoning request.

70. C14-2016-0065 – Pioneer Bank on W. 38th St. – District 9 – Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 623 West 38th Street (Waller Creek Watershed) from community commercial-conditional overlay-neighborhood plan (GR-CO-NP) combining district zoning to community commercial-conditional overlay-neighborhood plan (GR-CO-NP) combining district zoning, to change a condition of zoning. Staff Recommendation: To grant community commercial-conditional overlay-neighborhood plan (GR-CO-NP) combining district zoning, to change a condition of zoning. Planning Commission Recommendation: To be reviewed October 11, 2016. Owner: Pioneer Bank, SSB (Brian May). Applicant: Doucet & Associates (Ted McConaghy). City Staff: Heather Chaffin, 512- 974-2122.
71. C14-2016-0074 - Element Hotel - District 7 - Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 10728 Burnet Road (Walnut Creek Watershed) from major industry-planned development area (MI-PDA) combining district zoning to major industry-planned development area (MI-PDA) combining district zoning, to change a condition of zoning. Staff Recommendation: To grant major industry-planned development area (MI-PDA) combining district zoning, to change a condition of zoning. Planning Commission Recommendation: To grant major industry-planned development area (MI-PDA) combining district zoning, to change a condition of zoning. Owner/Applicant: DBG Austin Domain, LLC. Agent: Bennett Consulting (Rodney Bennett). City Staff: Sherri Sirwaitis, 512-974-3057.
72. C14-79-065(RCT) - Earl M. McClure - District 9 - Conduct a public hearing to amend a restrictive covenant on property locally known as 80 Red River Street (Waller Creek Watershed). Staff Recommendation: To grant termination of the restrictive covenant. Planning Commission Recommendation: To grant termination of the restrictive covenant. Owner/Applicant: Villas of Town Lake HOA (Gary L. Johnson). Agent: Consort, Inc. (Ben Turner). City Staff: Wendy Rhoades, 512-974-7719.
73. C814-2015-0074 - The Grove at Shoal Creek PUD - District 10 - Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by zoning property locally known as 4205 Bull Creek Road (Shoal Creek Watershed) from unzoned (UNZ) district zoning to planned unit development (PUD) district zoning. Staff Recommendation: To grant planned unit development (PUD) district zoning. Zoning and Platting Commission Recommendation: To grant planned unit development (PUD) district zoning. Owner/Applicant: ARG Bull Creek, Ltd. (Garrett Martin). Agent: Thrower Design (A. Ron Thrower). City Staff: Sherri Sirwaitis, 512-974-3057.

### **Executive Session**

74. Discuss legal issues related to open government matters (Private consultation with legal counsel - Section 551.071 of the Government Code).
75. Discuss legal issues related to Utility Associates, Inc. v. City of Austin et al, Texas, Cause No. D-1-GN-16-002931 in the 126th Judicial District for Travis County, Texas (lawsuit related to the City's purchase of body-worn cameras for the Austin Police Department) (Private consultation with legal counsel - Section 551.071).

76. Discuss the compensation and benefits for the Interim City Manager and the City Manager (Personnel matters - Section 551.074 of the Government Code).

### **Austin Housing and Finance Corporation Meeting**

77. 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. (The AHFC agenda is temporarily located at <https://austin.siretechnologies.com/sirepub/mtgviewer.aspx?meetid=1279&doctype=Agenda>)

### **Public Hearings and Possible Actions**

78. Conduct a public hearing and consider an appeal of an Outdoor Music Venue permit, approved by the Development Services Department, for the Scoot Inn at 1308 E. 4th Street.
79. Conduct a public hearing and consider an ordinance amending City Code Title 25 to require Historic Landmark Commission review of demolition applications for structures that are fifty years or older and dedicated to certain civic uses.
80. Conduct a public hearing and consider an ordinance amending City Code Chapter 25-2 to require properties zoned historic landmark (H) combining district or historic area (HD) combining district to comply with the City's compatibility standards.
81. Conduct a public hearing and consider an ordinance approving a Project Consent Agreement waiving provisions of City Code Title 25 to incentivize preservation of a 41.04 acre tract of land at 2636 Bliss Spillar Road located within the Barton Springs Zone and allowing construction of commercial development of a 12.08 acre tract of land located at 12501 Hewitt Lane in the City's Desired Development Zone.

### **Adjourn**

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A person may request a Spanish language interpreter be made available by contacting the Office of the City Clerk not later than twenty-four hours before the scheduled time of the item on which the person wishes to speak. Please call (512) 974-2210 in advance or inform the City Clerk's staff present at the council meeting.

Cualquier persona puede solicitar servicios de intérprete en español comunicándose con la oficina del Secretario/a Municipal a no más tardar de veinte y cuatro horas antes de la hora determinada para el asunto sobre el cual la persona desea comentar. Por favor llame al (512) 974-2210 con anticipo o informe al personal del Secretario/a Municipal presente en la sesión del Consejo.