

**AUSTIN CITY COUNCIL
MINUTES****REGULAR MEETING
THURSDAY, OCTOBER 20, 2016**

Invocation: Reverend Karen Thompson, Metropolitan Community Church

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, October 20, 2016 in the Council Chambers of City Hall, 301 West Second Street, Austin, Texas.

Mayor Adler called the Council Meeting to order at 10:24 a.m. Council Member Troxclair was absent.

CONSENT AGENDA

The following items were acted on by one motion.

1. Approve the minutes of the Austin City Council budget work session of August 15, 2016, regular meeting of September 22, 2016, work session of October 11, 2016 and regular meeting of October 13, 2016.
The minutes from the Austin City Council budget work session of August 15, 2016, regular meeting of September 22, 2016, work session of October 11, 2016 and regular meeting of October 13, 2016 were approved on consent on Council Member Zimmerman's motion, Council Member Gallo's second on a 10-0 vote. Council Member Troxclair was absent.
2. Approve an ordinance authorizing the issuance of City of Austin, Water and Wastewater System Revenue Bonds, Series 2016A, in a par amount not to exceed \$20,430,000, and approve related documents.
Ordinance No. 20161020-002 was approved on consent on Council Member Zimmerman's motion, Council Member Gallo's second on a 9-1 vote. Council Member Zimmerman voted nay. Council Member Troxclair was absent.
3. Authorize award and execution of a construction contract with PEABODY GENERAL CONTRACTORS, for the Onion Creek Wastewater Treatment Plant Demolition project in the amount of \$744,415 plus a \$74,441 contingency, for a total contract amount not to exceed \$818,856. (District 5) (Notes: This contract will be awarded in compliance with City Code Chapter 2-9A of the City Code (Minority Owned and Women Owned Business Enterprise Procurement Program) by meeting the goals with 10.26% MBE and 10.75% WBE participation.)
The motion authorizing award and execution of a construction contract with Peabody General Contractors was approved on consent on Council Member Zimmerman's motion, Council Member Gallo's second on a 9-0 vote. Council Member Zimmerman abstained. Council Member Troxclair was absent.

4. Authorize negotiation and execution of a professional services agreement with the following fourteen staff recommended firms (or other qualified responders): ARIAS & ASSOCIATES, INC.; CONSTRUCTION TECHNOLOGY LABORATORIES dba CTL GROUP; ECS TEXAS, LLP; FUGRO CONSULTANTS, INC.; HOLT ENGINEERING, INC.; HVJ ASSOCIATES, INC.; KLEINFELDER, INC; PAVETEX ENGINEERING & TESTING, INC.; PROFESSIONAL SERVICE INDUSTRIES, INC.; RABA-KISTNER, INC.; RODRIGUEZ ENGINEERING LABORATORIES, LLC; RONE ENGINEERING SERVICES, LTD.; TERRACON CONSULTANTS, INC.; and WISS, JANNEY, ELSTNER ASSOCIATES, INC., for the 2017 Construction Materials, Geotechnical, and Forensic Engineering Services Rotation List for an estimated period of two years or until financial authorization is expended, with the total amount not to exceed \$10,000,000 to be divided among the 14 firms. (Notes: This contract will be awarded in compliance with City Code Chapter 2-9B (Minority Owned and Women Owned Business Enterprise Procurement Program). No goals were established for this solicitation.)

The motion authorizing negotiation and execution of a professional services agreement with the following firms: Arias & Associates, Inc., Construction Technology Laboratories doing business as CTL Group, ECS Texas LLP, Fugro Consultants, Inc., Holt Engineering, Inc., HVJ Associates, Inc., Kleinfelder, Inc, Pavetex Engineering & Testing, Inc., Professional Services Industries, Inc., Raba-Kistner, Inc., Rodriguez Engineering Laboratories, LLC, Rone Engineering Services, Ltd., Terracon Consultants, Inc., and Wiss, Janney, Elstner Associates, Inc. was approved on consent on Council Member Zimmerman's motion, Council Member Gallo's second on a 9-0 vote. Council Member Zimmerman abstained. Council Member Troxclair was absent.

5. Authorize execution of an amendment to the construction contract with MUNIZ CONCRETE & CONTRACTING, INC., for Americans with Disability Act Sidewalk and Ramp Improvements 2016 Group #18 City Wide Indefinite Delivery/Indefinite Quantity changing the term of the contract to 18 months with no extension options, for a total contract amount not to exceed 4,000,000. (Notes: This contract was awarded in compliance with City Code Chapter 2-9A (Minority Owned and Women Owned Business Enterprise Procurement Program) with 88.97% MBE and 1.63% WBE participation.)

The motion authorizing execution of an amendment to the construction contact with Muniz Concrete & Contracting, Inc. was approved on consent on Council Member Zimmerman's motion, Council Member Gallo's second on a 9-0 vote. Council Member Zimmerman abstained. Council Member Troxclair was absent.

6. Approve a resolution authorizing the issuance by Pilot Knob Municipal Utility District No. 3 of Unlimited Tax Bonds, Series 2016, in an amount not to exceed \$3,250,000.

Resolution No. 20161020-006 was approved on consent on Council Member Zimmerman's motion, Council Member Gallo's second on a 10-0 vote. Council Member Troxclair was absent.

7. Approve a resolution authorizing the issuance by Senna Hills Municipal Utility District of Unlimited Tax and Waterworks and Sewer System Revenue Bonds, Series 2016, in an amount not to exceed \$1,105,000.

Resolution No. 20161020-007 was approved on consent on Council Member Zimmerman's motion, Council Member Gallo's second on a 10-0 vote. Council Member Troxclair was absent.

8. Approve an ordinance amending the Fiscal Year 2016-2017 Austin Fire Department Operating Budget Special Revenue Fund (Ordinance No. 20160914-001) to accept and appropriate \$30,000

in grant funds from the Fire Adapted Communities Learning Network program for wildfire prevention and education.

Ordinance No. 20161020-008 was approved on consent on Council Member Zimmerman's motion, Council Member Gallo's second on a 10-0 vote. Council Member Troxclair was absent.

9. Approve a resolution authorizing negotiation and execution of contracts for federal agency and legislative representation services for a total combined amount not to exceed \$174,000.
Resolution No. 20161020-009 was approved on consent on Council Member Zimmerman's motion, Council Member Gallo's second on a 9-0 vote. Council Member Zimmerman abstained. Council Member Troxclair was absent.
10. Approve a resolution authorizing negotiation and execution of contracts for state agency and legislative representation services for a total combined amount not to exceed \$708,000.
Resolution No. 20161020-010 was approved on consent on Council Member Zimmerman's motion, Council Member Gallo's second on a 9-0 vote. Council Member Zimmerman abstained. Council Member Troxclair was absent.

Item 11 was pulled for discussion.

12. Approve an ordinance amending City Code Section 2-1-127 relating to the Community Development Commission.
Ordinance No. 20161020-012 was approved on consent on Council Member Zimmerman's motion, Council Member Gallo's second on a 9-0 vote. Council Member Zimmerman abstained. Council Member Troxclair was absent.

Item 13 was pulled for discussion.

14. Authorize negotiation and execution of an amendment to the interlocal agreement with the Texas Department of Transportation for the US 290 Intersection Improvements at FM 1826 and Convict Hill Road project in the amount of \$123,652.41 for a total interlocal agreement amount not to exceed \$1,022,528.91. (District 8)
The motion authorizing negotiation and execution of an amendment to the interlocal agreement with the Texas Department of Transportation was approved on consent on Council Member Zimmerman's motion, Council Member Gallo's second on a 10-0 vote. Council Member Troxclair was absent.
15. Authorize negotiation and execution of two 12-month contracts with CONCEPT DEVELOPMENT and PLANNING, LLC and ZERO WASTE STRATEGIES, LLC, to provide outreach services for the zero waste and recycling programs, in an amount not to exceed \$320,000 each and combined, with five 12-month extension options in an amount not to exceed \$320,000 per extension option each and combined, for total contract amounts not to exceed \$1,920,000 each and combined. (Notes: This solicitation was reviewed for subcontracting opportunities in accordance with City Code Chapter 2-9C (Minority Owned and Women Owned Business Enterprise Procurement Program) and subcontractor goals were applied to the solicitation. The subcontracting goals were met and the resulting contract with Concept Development and Planning, LLC will include 6.02% MBE and 93.98% WBE participation; the contract with Zero Waste Strategies, LLC will include 24.54% MBE and 19.14% WBE participation.)
The motion authorizing negotiation and execution of two contracts with Concept Development and Planning, LLC and Zero Waste Strategies, LLC was approved on consent

on Council Member Zimmerman's motion, Council Member Gallo's second on a 9-1 vote. Council Member Zimmerman voted nay. Council Member Troxclair was absent.

16. Authorize negotiation and execution of a contract with INVENSYS SYSTEMS INC., to provide distributed control system workstation upgrades, in an amount not to exceed \$779,000. (Notes: This contract is exempt from the City Code Chapter 2-9C Minority Owned and Women Owned Business Enterprise Procurement Program; therefore, no subcontracting goals were established.) October 17, 2016 – Recommended unanimously by the Electric Utility Commission on a 7-0 vote with Commissioners Ferchill, Mahmood and Roa absent and one vacancy.
The motion authorizing negotiation and execution of a contract with Invensys Systems Inc. was approved on consent on Council Member Zimmerman's motion, Council Member Gallo's second on a 9-0 vote. Council Member Zimmerman abstained. Council Member Troxclair was absent.
17. Authorize award and execution of a 36-month contract with GMSL CONSULTING, LLC DBA CENTEXSHRED, to provide citywide shredding services, in an amount not to exceed \$229,875, with three 12-month extension options in an amount not to exceed \$76,625 per extension option, for a total contract amount not to exceed \$459,750. (Notes: This solicitation was reviewed for subcontracting opportunities in accordance with City Code Chapter 2-9C (Minority Owned and Women Owned Business Enterprise Procurement Program). For the services required for this solicitation, there were insufficient subcontracting opportunities; therefore, no subcontracting goals were established.)
The motion authorizing award and execution of a contact with GMSL Consulting, LLC doing business as Centexshred was approved on consent on Council Member Zimmerman's motion, Council Member Gallo's second on a 9-0 vote. Council Member Zimmerman abstained. Council Member Troxclair was absent.
18. Authorize award and execution of a 36-month contract with MELENDREZ TRUCKING, LLC, to provide aggregate materials, in an amount not to exceed \$631,239, with three 12-month extension options in an amount not to exceed \$210,413 per extension option, for a total contract amount not to exceed \$1,262,478. (Notes: This solicitation was reviewed for subcontracting opportunities in accordance with City Code Chapter 2-9D Minority Owned and Women Owned Business Enterprise Procurement Program and subcontractor goals were applied to the solicitation. The subcontracting goals were met and the resulting contract will include 46.40% WBE participation.)
The motion authorizing award and execution of a contact with Melendrez Trucking, LLC was approved on consent on Council Member Zimmerman's motion, Council Member Gallo's second on a 9-0 vote. Council Member Zimmerman abstained. Council Member Troxclair was absent.
19. Authorize award and execution of a contract with DMSI HOLDINGS LP DBA DETECTION AND MEASUREMENT SYSTEMS, to provide gas detection equipment and support, in an amount not to exceed \$75,681.42. (Notes: This solicitation was reviewed for subcontracting opportunities in accordance with City Code Chapter 2-9D (Minority Owned and Women Owned Business Enterprise Procurement Program). For the goods required for this solicitation, there were insufficient subcontracting opportunities; therefore, no subcontracting goals were established.)
The motion authorizing award and execution of a contract with DMSI Holdings LP doing business as Detection and Measurement Systems was approved on consent on Council Member Zimmerman's motion, Council Member Gallo's second on a 10-0 vote. Council Member Troxclair was absent.

Item 20 was pulled for discussion.

21. Authorize negotiation and execution of an interlocal agreement with CITY OF PASADENA, TEXAS to allow for cooperative procurement of goods and services. (Notes: This contract is exempt from City Code Chapter 2-9C (Minority Owned and Women Owned Business Enterprise Procurement Program); therefore, no subcontracting goals were established.)
The motion authorizing negotiation and execution of an interlocal agreement with City of Pasadena, Texas was approved on consent on Council Member Zimmerman's motion, Council Member Gallo's second on a 10-0 vote. Council Member Troxclair was absent.
22. Authorize negotiation and execution of a 60-month contract with SYNAGRO OF TEXAS-CDR, INC., or one of the other qualified offerors to Request For Proposals CDL2003, for the management of biosolids reuse in an amount not to exceed \$9,424,778, with five 12-month extension options in an amount not to exceed \$2,185,180 per extension option, for a total contract amount not to exceed \$20,350,678. (Notes: This solicitation was reviewed for subcontracting opportunities in accordance with City Code Chapter 2-9C (Minority Owned and Women Owned Business Enterprise Procurement Program). For the services required for this solicitation, there were insufficient subcontracting opportunities and an insufficient number of certified M/WBEs; therefore, no subcontracting goals were established.)
This item was postponed indefinitely on consent on Council Member Zimmerman's motion, Council Member Gallo's second on a 10-0 vote. Council Member Troxclair was absent.
23. Authorize negotiation and execution of a 12-month revenue contract with ALLEN CLICK, or one of the other qualified offerors to Request For Proposals JXP0501, for the sale and removal of compost material for an estimated revenue amount of \$64,500, with five 12-month extension options with an estimated revenue of \$64,500 per extension option, for a total estimated revenue amount of \$387,000. (Notes: This revenue generating contract is exempt from City Code Chapter 2-9C (Minority Owned and Women Owned Business Enterprise Procurement Program); therefore, no subcontracting goals were established.)
This item was postponed indefinitely on consent on Council Member Zimmerman's motion, Council Member Gallo's second on a 10-0 vote. Council Member Troxclair was absent.
24. Approve an ordinance amending Exhibit A to the Fiscal Year 2016-2017 City of Austin Fee Schedule Ordinance No. 20160914-003 to set administrative fees and rental fees for considering, approving, monitoring, and licensing the use of right of way and transportation infrastructure by wireless service providers for small cell networks.
This item was postponed to November 3, 2016 on consent on Council Member Zimmerman's motion, Council Member Gallo's second on a 10-0 vote. Council Member Troxclair was absent.
25. Approve appointments and certain related waivers to citizen boards and commissions, to Council committees and other intergovernmental bodies and removal and replacement of members; and amendments to board and commission bylaws.
The following appointments and certain related waivers were approved on consent on Council Member Zimmerman's motion, Council Member Gallo's second on a 10-0 vote. Council Member Troxclair was absent.

Nominations**Board/Nominee****Nominated by**

**Bond Election Advisory Task Force
Richard Fonte**

Council Member Gallo

**Bond Election Advisory Task Force
Rachel Stone**

Council Member Casar

**Visitor Impact Task Force
Julie Niehoff**

Economic Opportunity Committee

**Visitor Impact Task Force
Ashwin Ghatalia**

Economic Opportunity Committee

**Visitor Impact Task Force
Stephen Sternschein**

Economic Opportunity Committee

**Visitor Impact Task Force
Skeeter Miller**

Economic Opportunity Committee

**Visitor Impact Task Force
Shelly Schadegg**

Economic Opportunity Committee

Item 26 was pulled for discussion.

27. Approve a resolution relating to funding repairs for manufactured homes. (Notes: SPONSOR: Council Member Sabino "Pio" Renteria CO 1: Council Member Delia Garza CO 2: Council Member Gregorio Casar CO 3: Council Member Ann Kitchen CO 4: Council Member Ora Houston)

Resolution 20161020-027 was approved on consent on Council Member Zimmerman's motion, Council Member Gallo's second on a 9-0 vote. Council Member Zimmerman abstained. Council Member Troxclair was absent.

28. Approve an ordinance waiving or reimbursing certain fees for the Durga Puja event sponsored by the Central Texas Bengali Association which was held on Saturday and Sunday, October 8-9, 2016 at the Asian American Resource Center. (Notes: SPONSOR: Council Member Sheri Gallo CO 1: Mayor Pro Tem Kathie Tovo CO 2: Council Member Ora Houston CO 3: Council Member Sabino "Pio" Renteria)

Ordinance 20161020-028 was approved on consent on Council Member Zimmerman's motion, Council Member Gallo's second on a 10-0 vote. Council Member Troxclair was absent.

Item 29 was pulled for discussion.

30. Approve a resolution relating to amenities in mobile home parks. (Notes: SPONSOR: Council Member Sabino "Pio" Renteria CO 1: Council Member Delia Garza CO 2: Council Member Leslie Pool CO 3: Council Member Gregorio Casar CO 4: Council Member Ora Houston)

Resolution 20161020-030 was approved on consent on Council Member Zimmerman's motion, Council Member Gallo's second on a 9-1 vote. Council Member Zimmerman voted nay. Council Member Troxclair was absent.

Items 31 and 32 were Zoning Ordinances/Restrictive Covenants (HEARINGS CLOSED)

Items 33 through 35 were Zoning and Neighborhood Plan Amendments (Public Hearing and Possible Action).

Item 36 was an Executive Session Item.

Items 37 and 38 were public hearing items set for 4:00 p.m.

ZONING AND NEIGHBORHOOD PLAN AMENDMENTS

31. NPA-2016-0025.01 - Lantana Tract 33 - District 8 - Approve second and third readings 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. First Reading approved on September 22, 2016. Vote: 10-0, Council Member Troxclair was off the dais. 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.

This item was postponed to November 10, 2016 on Council Member Gallo's motion, Council Member Zimmerman's second on a 10-0 vote. Council Member Troxclair was absent.

32. C14-2016-0011 - Lantana Tract 33 - District 8 - Approve second and third readings of 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. First Reading approved on September 22, 2016. Vote: 10-0, Council Member Troxclair was off the dais. Owner/Applicant: Lantana Tract 33, LP (Barry P. Marcus). Agent: Smith, Robertson, Elliott & Douglas, LLP (David Hartman). City Staff: Andrew Moore, 512-974-7604.

This item was postponed to November 10, 2016 on Council Member Gallo's motion, Council Member Zimmerman's second on a 10-0 vote. Council Member Troxclair was absent.

33. 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.

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

34. 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.

This item was postponed to November 10, 2016 on Council Member Gallo's motion, Council Member Zimmerman's second on a 10-0 vote. Council Member Troxclair was absent.

35. C14-79-065(RCT) - Earl M. McClure - District 9 - Conduct a public hearing to terminate 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.

The public hearing was conducted and a motion to terminate the restrictive covenant was approved on Council Member Gallo's motion, Council Member Zimmerman's second on a 10-0 vote. Council Member Troxclair was absent.

DISCUSSION ITEMS

11. Approve a resolution adopting the City's State Legislative Program for the 85th Texas Legislature.

A motion was made to add an amendment to the Statements of Support & Opposition section of the City of Austin 2017 State Legislative Agenda and was approved on Mayor Adler's motion, Council Member Pool's second on a 10-0 vote. Council Member Troxclair was absent.

The amendment was to add the following statement:

"Protect Austin's civil rights ordinances and oppose legislation that attempts to diminish the City's ability to protect Austinites' employment, housing, public accommodation, and other civil rights, that would threaten Austin's welcoming environment to businesses, conventions and events, and that would tarnish Austin's status as an inclusive community for all."

Resolution No. 20161020-011 was approved as amended on Council Member Houston's motion, Council Member Pool's second on a 9-1 vote. Council Member Zimmerman voted nay. Council Member Troxclair was absent.

13. Approve a resolution authorizing the City's continued membership in the Capital Area Council of Governments and payment of the related membership fee, in an amount not to exceed \$90,577.70. **Resolution No. 20161020-013 was approved on consent on Council Member Houston's motion, Council Member Renteria's second on a 10-0 vote. Council Member Troxclair was absent.**

20. Authorize award and execution of a 12-month contract with VWR INTERNATIONAL LLC, to provide laboratory chemicals and supplies in an amount not to exceed \$435,923, with five 12-month extension options in an amount not to exceed \$505,837 per extension option, for a total contract amount not to exceed \$2,965,108. (Notes: This solicitation was reviewed for subcontracting opportunities in accordance with City Code Chapter 2-9D (Minority Owned and

Women Owned Business Enterprise Procurement Program). For the goods required for this solicitation, there were insufficient subcontracting opportunities and an insufficient number of certified M/WBEs; therefore, no subcontracting goals were established.)

The motion authorizing award and execution of a contract with VWR International LLC was approved on Mayor Pro Tem Tovo's motion, Council Member Renteria's second on an 8-1 vote. Council Member Zimmerman voted nay. Council Member Kitchen was off the dais. Council Member Troxclair was absent.

26. Approve a resolution directing the City Manager to explore the creation of a Bull Creek Road Area Local Traffic Improvement Fund. (Notes: SPONSOR: Council Member Sheri Gallo CO 1: Council Member Sabino "Pio" Renteria CO 2: Council Member Ann Kitchen CO 3: Council Member Don Zimmerman)

Resolution 20161020-026 failed on Council Member Gallo's motion, Council Member Zimmerman's second on a 3-7 vote. Those voting aye were: Council Members Gallo, Kitchen and Zimmerman. Those voting nay were: Mayor Adler, Mayor Pro Tem Tovo, Council Members Casar, Garza, Houston, Pool and Renteria. Council Member Troxclair was absent.

The following amendments were made by the maker of the motion:

- **The last WHEREAS clause: "WHEREAS, as the City realizes challenges and the benefits from infill developments, the City may consider funding to implement solutions to address the concerns that neighborhoods adjacent to these infill developments have regarding the impact of increased traffic."**
- **The first BE IT FURTHER RESOLVED clause: "In evaluating the creation of the Fund, the City Manager should define a geographical area in which the Fund could be used to finance additional off-site traffic and multi-modal improvements. In developing the geographical area the City Manager should consider the area bounded by:"**
- **The second BE IT RESOLVED clause: "In exploring the creation of the Fund, the City Manager should determine what types of immediate and mid-term improvements should be eligible to receive financing from the Fund. In this determination the City Manager should consider improvements such as:"**
- **The third BE IT FURTHER RESOLVED clause: "In analyzing the creation of the Fund, the City Manager should outline a process for how the improvement projects will be prioritized and implemented. In this process the City Manager should consider having improvement projects prioritized jointly by the City of Austin Transportation and Public Works Department with input from the surrounding neighborhoods and stakeholders."**

29. Approve a resolution regarding the hiring and public input process for the selection of a new City Manager. (Notes: SPONSOR: Mayor Steve Adler CO 1: Mayor Pro Tem Kathie Tovo CO 2: Council Member Sabino "Pio" Renteria CO 3: Council Member Sheri Gallo)

This item was postponed indefinitely on Council Member Zimmerman's motion, Mayor Pro Tem Tovo's second on a 9-0 vote. Council Member Renteria was off the dais. Council Member Troxclair was absent.

CITIZENS COMMUNICATIONS: GENERAL

John Goldstone - Mobility bond deception.

William Burke - The Board of Directors of Anderson Mill Limited District and the Anderson Mill Neighborhood Association request the continuation of the Anderson Mill Limited District for the purpose of serving the 12,000 residents. – **Not Present.**

Joe Quintero - Not in my neighborhood, Code Enforcement. – **Not Present.**

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.

36. Discuss legal issues related to open government matters (Private consultation with legal counsel - Section 551.071 of the Government Code).
This item was withdrawn without objection.

Mayor Adler recessed the Council Meeting at 12:09 p.m.

Mayor Adler called the meeting back to order at 2:19 p.m.

DISCUSSION ITEMS CONTINUED

39. 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. The ordinance may include waiver of fees and modification of city regulations. 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.
The public hearing was conducted and a motion to approve the ordinance on first reading only was approved as amended on Mayor Adler's motion, Council Member Gallo's second on an 8-2 vote. Those voting aye were: Mayor Adler, Council Members Casar, Gallo, Garza, Kitchen, Pool, Renteria and Zimmerman. Those voting nay were: Mayor Pro Tem Tovo and Council Member Houston. Council Member Troxclair was absent.

The amendments include capping the Office Use at 115,000 square feet rather than 210,000 square feet and capping the Retail Use at 100,000 square feet rather than 150,000 square feet.

Direction was given to staff to bring the item back to Council November 10, 2016.

Mayor Adler recessed the Council Meeting at 3:12 p.m.

Mayor Adler called the meeting back to order at 4:04 p.m.

PUBLIC HEARINGS

37. 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.
This item was postponed to November 10, 2016 at the request of staff on Council Member Zimmerman's motion, Council Member Houston's second on a 10-0 vote. Council Member Troxclair was absent.
38. Conduct a public hearing and 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.
This item was postponed to November 3, 2016 at the request of staff on Council Member Zimmerman's motion, Council Member Houston's second on a 10-0 vote. Council Member Troxclair was absent.

Mayor Adler adjourned the meeting at 4:07 p.m. without objection.

LIVE MUSIC

Carry Illinois

PROCLAMATIONS

Proclamation – National Reuse Day – To be presented by Mayor Steve Adler and to be accepted by Rebecca Stuch, Chair of the Reuse Alliance – Texas Chapter

Proclamation – National Retirement Security Week – To be presented by Council Member Delia Garza and to be accepted by Lei Ye

Proclamation – Cities Connecting Children to Nature – To be presented by Council Member Leslie Pool

Proclamation – Austin Dance India – To be presented by Mayor Steve Adler and to be accepted by Anuradha Naimpally

The minutes were approved on this the 3rd day of November 2016 on Council Member Zimmerman's motion, Council Member Kitchen's second on a 10-0 vote. Council Member Troxclair was absent.