Thursday, April 12, 2018

The City Council will convene at 10:00 AM on
Thursday, April 12, 2018 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 Jimmy Flannigan, District 6
Council Member Leslie Pool, District 7
Council Member Ellen Troxclair, District 8
Council Member Alison Alter, 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.

9:55 AM – Invocation

Rev. Brian Ferguson, Wildflower Church

10:00 AM – City Council Convenes

Consent Agenda

Approval of Minutes

1. Approve the minutes of the Austin City Council discussion of March 19, 2018, work session of March 20, 2018, regular meeting of March 22, 2018, and budget work session of April 4, 2018.

Austin Energy

2. Authorize negotiation and execution of all documents and instruments necessary or desirable to acquire a permanent electric transmission and distribution easement consisting of a tract of land, which is approximately 5,920 square feet out of the J.P. Wallace Survey, being a portion of Lot 1, Omega Subdivision, Recorded in Vol. 49, Pg. 72 of the Plat Records of Travis County, Texas, situated in the City of Austin, Travis County, Texas, for the Austin Energy Transmission Circuit 811 upgrade project, in an amount not to exceed $97,298 including closing costs.

   District(s): District 4

3. Authorize execution of an agreement with Austin Independent School District to provide performance-based incentives for the generation of solar energy at its facilities located at: Boone Elementary School, 8101 Croftwood Drive; Galindo Elementary School, 3800 South 2nd Street; Kocurek Elementary School, 9800 Curlew Drive; and Paredes Middle School, 10001 David Moore Drive, for an estimated $100,929 per year, for a total amount not to exceed $1,009,290 over a 10-year period.

   District(s): District 3; District 5; District 8

4. Approve issuance of incentives for installation of solar electric systems on affordable housing communities to Guadalupe Saldana Neighborhood Development Corporation for facilities located at 1200 Paul Teresa Saldana Street ($102,600) and 1813 East 8th Street ($200,000) and to Foundation Communities for a facility located at 11015 Four Points Drive ($200,000), for total incentive payments not to exceed $502,600 for the three facilities.

   District(s): District 1; District 3; District 6

5. Approve an ordinance amending Chapter 15-9 of the City Code, Utility Service Regulations, regarding utility service deposit requirements.
6. Authorize award and execution of a construction contract with ASD Consultants, Inc. (MBE), for Eilers Neighborhood Park-General Park Improvements-Rebid in the amount of $337,777.00 plus a $33,777.70 contingency, for a total contract amount not to exceed $371,554.70.

[Note: This contract will be awarded in compliance with City Code Chapter 2-9A (Minority Owned and Women Owned Business Enterprise Procurement Program) by meeting the goals with 14.80% MBE and 13.50% WBE participation.]

**District(s):** District 10

7. Authorize negotiation and execution of a professional services agreement with Trillium Transportation Fuels, LLC dba Trillium CNG, for design and construction of the Compressed Natural Gas Fueling System Upgrade and Expansion project in an amount not to exceed $1,300,000.

[Note: This contract will be awarded in compliance with City Code 2-9A (Minority Owned and Women Owned Business Enterprise Procurement Program) by meeting the goals with 5.73% MBE and 1.60% WBE participation.]

**District(s):** District 2

8. Authorize award and execution of a construction contract with Flintco LLC, for the Montopolis Recreation and Community Center CSP Reissue Project, in the amount of $10,440,000 plus a $1,560,000 contingency, for a total contract amount not to exceed $12,000,000.

[Note: This contract will be awarded in compliance with City Code Chapter 2-9A (Minority Owned and Women Owned Business Enterprise Procurement Program) through the achievements of Good Faith Efforts with 10.16% MBE and 9.53% WBE participation.]

**District(s):** District 3

**Emergency Medical Services**

9. Approve third reading of an ordinance granting a non-emergency medical transfer franchise to Allegiance Mobile Health under Chapter 10-2 of the City Code. (THE PUBLIC HEARING FOR THIS ITEM WAS HELD AND CLOSED ON March 1, 2018.)

10. Approve second reading of an ordinance renewing a non-emergency medical transfer franchise to American Medical Response of Texas, Inc. under City Code Chapter 10-2. (THE PUBLIC HEARING FOR THIS ITEM WAS HELD AND CLOSED ON March 22, 2017.)

**Planning and Zoning**

11. Authorize the execution of an agreement with Capital Studios Housing, L.P. for partial reimbursement of costs associated with constructing Great Streets streetscape improvements at 11th Street, between Trinity & San Jacinto, in an amount not to exceed $226,908.

**District(s):** District 1
Public Health

12. Approve an ordinance authorizing acceptance of $25,000 in grant funds from the National League of Cities and amending the Fiscal Year 2017-2018 Austin Public Health Department Operating Budget Special Revenue Fund (Ordinance No. 201709013-001) to appropriate $25,000 for the Cities Supporting a Strong Prenatal to Age 3 Agenda.

Purchasing Office

13. Authorize negotiation and execution of a contract with Stealth Power, LLC, to provide supplemental vehicle power supply systems, installations, repairs and related parts, for a term of five years in an amount not to exceed $4,412,500.

(Note: Sole source contracts are exempt from the City Code Chapter 2-9D Minority Owned and Women Owned Business Enterprise Procurement Program; therefore, no subcontracting goals were established).

14. Authorize award and execution of a multi-term contract with CLO2 Services, LLC, to provide chlorine dioxide onsite generation services, for up to five years for a total contract amount not to exceed $605,000.

(Note: This solicitation was reviewed for subcontracting opportunities in accordance with City Code Chapter 2-9C Minority Owned and Women Owned Business Enterprise Procurement Program. For the services required for this solicitation, there were no subcontracting opportunities; therefore, no subcontracting goals were established).

15. Authorize negotiation and execution of multi-term contracts with Sisk-Robb Inc., Building Abatement Demolition Company Inc., and AAR Inc., or one of the other qualified offerors to Request For Proposals 1100 CAK0020, to provide lead, mold, and asbestos abatement, for up to five years for total contract amounts not to exceed $4,100,000 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).

16. Authorize award and execution of a multi-term contract with H. Brown, Inc., to provide heavy hauling services, for up to five years for a total contract amount not to exceed $2,896,875.

(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 identified; therefore, no subcontracting goals were established).

17. Authorize award and execution of a multi-term contract with Priester-Mell & Nicholson, to provide station post insulators, for up to five years for a total contract amount not to exceed $440,000.

(Note: This solicitation was reviewed for subcontracting opportunities in accordance with City
Authorize negotiation and execution of a multi-term contract through the National Joint Powers Alliance cooperative purchasing program with Wright Express Financial D/B/A Wright Express, to provide fuel credit cards and credit card services, for up to 39 months for a total contract amount not to exceed $2,221,000.

(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).

Authorize negotiation and execution of a multi-term contract with Leidos Cyber, Inc., to provide maintenance, support and training for existing Industrial Defender automated systems manager software, for up to five years for a total contract amount not to exceed $528,000.

(Note: Sole source contracts are exempt from the City Code Chapter 2-9C Minority Owned and Women Owned Business Enterprise Procurement Program; therefore, no subcontracting goals were established).

Authorize negotiation and execution of a multi-term contract with Ascend Analytics, LLC, to provide hosted software for valuing, simulating and managing Austin Energy’s energy portfolio, for up to five years for a total amount not to exceed $965,000.

(Note: Sole Source contracts are exempt from the City Code Chapter 2-9C Minority Owned and Women Owned Business Enterprise Procurement Program; therefore, no subcontracting goals were established).

Authorize negotiation and execution of a multi-term contract with The University of Texas at Austin D/B/A Austin Technology Incubator, to provide small business consulting services, for a term of one year
for a total contract amount not to exceed $250,000.

(Note: Contracts with non-profit entities are exempt from City Code Chapter 2-9C Minority Owned and Women Owned Business Enterprise Procurement Program; therefore, no subcontracting goals were established).

Telecommunications and Regulatory Affairs

24. Approve an ordinance suspending a Gas Reliability Infrastructure Program interim customer surcharge proposed by Texas Gas Service Company.

Item(s) from Council

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.

26. Approve an ordinance waiving or reimbursing fees for the Saltillo Day in Austin event sponsored by the Austin Saltillo Sister Cities Association held on Saturday, April 7, 2018 at Plaza Saltillo.
   Sponsors: Council Member Sabino "Pio" Renteria, Council Member Delia Garza, Council Member Ora Houston, and Council Member Alison Alter

27. Approve a resolution directing the city manager to provide recommendations to Council on the best use of limited public safety dollars amongst potential public safety investments.
   Sponsors: Council Member Gregorio Casar, Council Member Jimmy Flannigan, Council Member Alison Alter, and Council Member Ann Kitchen

28. Approve an ordinance waiving city code section 2-5-102 (Membership of Council Committees) related to the number of members per committee.
   Sponsors: Mayor Steve Adler, Council Member Ellen Troxclair, Council Member Leslie Pool, and Mayor Pro Tem Kathie Tovo

29. Approve the waiver or reimbursement of certain fees under City Code Chapter 14-8 for the Texas Peace Officers’ Memorial event, sponsored by the Texas Peace Officers Memorial Foundation, held on Saturday April 7, 2018 at Plaza Saltillo.
   Sponsors: Mayor Pro Tem Kathie Tovo, Council Member Alison Alter, Council Member Delia Garza, Council Member Ann Kitchen, and Council Member Ora Houston

Item(s) to Set Public Hearing(s)

30. Set a public hearing to receive citizen input on the City's Fiscal Year 2018-2019 Action Plan, as required by the U.S. Department of Housing and Urban Development and Texas Local Government Code, Chapter 373. (Suggested date and time: April 26, 2018, 4:00 p.m., at Austin City Hall, 301 W. Second Street, Austin, TX).

Non-Consent

10:30 AM - Austin Housing and Finance Corporation Meeting

31. 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 http://austintexas.gov/department/city-council/2018/20180412-afc.htm)

12:00 PM - Citizen Communications: General

Pat Valls-Tresses – TBA
Nicole Nagel – Citizen Communication Platform
Sylvia Mendoza – TBA
Walter Long – Support of CM Houston Resolution regarding 1928 City Code
Akwasi Evans – Economic Disparity

Executive Session

32. Discuss legal issues related to open government matters (Private consultation with legal counsel - Section 551.071 of the Government Code).

2:00 PM - Zoning Ordinances / Restrictive Covenants (HEARINGS CLOSED)

33. NPA-2016-0016.01 - 3212 E. Cesar Chavez Street & 111 Tillery Street - District 3 - Approve second and third readings of an ordinance amending Ordinance No. 20030327-12, 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 3212 E. Cesar Chavez Street and 111 Tillery Street (Colorado River Watershed) from Commercial and Industry to Multifamily and Mixed Use land use. First reading approved on December 7, 2017. Vote: 11-0. Owners Owners/Applicants: Painter Enterprises Inc. (Donald E. Painter) and 3212 Cesar Chavez, LP (Timothy Clark). Agent: Husch Blackwell LLP (Nikelle Meade). City Staff: Maureen Meredith, (512) 974-2695.

District(s): District 3

34. C14-2016-0079 - 3212 E. Cesar Chavez Street - District 3 - Approve second and third readings of an ordinance amending City Code Title 25 by zoning property locally known as 3212 East Cesar Chavez Street and 111 Tillery 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. First reading approved on December 7, 2017. Vote: 11-0. Owners: Painter Enterprises Inc. (Donald E. Painter) and 3212 Cesar Chavez, LP (Timothy Clark). Applicant: Husch Blackwell LLP (Nikelle Meade). City Staff: Heather Chaffin, 512- 974-2122.

District(s): District 3
2:00 PM - Zoning and Neighborhood Plan Amendments (Public Hearings and Possible Action)


36. C14-2017-0141 - SOCO South - District 2 - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 8103 and 8121 South Congress Avenue (South Boggy Creek Watershed). Applicant’s Request: To rezone from limited industrial services-conditional overlay (LI-CO) combining district zoning to multi-family residence-moderate-high density (MF-4) district zoning. Staff Recommendation: To grant multi-family residence-moderate-high density (MF-4) district zoning, with conditions. Zoning and Platting Commission Recommendation: To grant multi-family residence-moderate-high density (MF-4) district zoning, with conditions. Owner/Applicant: Trustee for NFP Partnership (James C. Niemann). Agent: Land Use Solutions, LLC (Michele Haussmann). City Staff: Wendy Rhoades, 512-974-7719.

37. C14-2017-0051 - Waters Park Commercial - District 7 - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 12219, 12219 ½ and 12221 Waters Park Road (Walnut Creek Watershed). Applicant Request: To rezone from rural residence (RR) district zoning, limited office (LO) district zoning and general office (GO) district zoning to commercial-liquor sales-conditional overlay (CS-1-CO) combining district zoning for Tract 1 and community commercial-conditional overlay (GR-CO) combining district zoning for Tract 2. Staff Recommendation: To grant commercial-liquor sales-conditional overlay (CS-1-CO) combining district zoning for Tract 1 and community commercial-conditional overlay (GR-CO) combining district zoning for Tract 2, with conditions. Zoning and Platting Commission Recommendation: To deny the rezoning request. Owner/Applicant: Bar Czar, LLC (Matias Segura III). Agent: South Lano Strategies (Glen Coleman). City Staff: Sherri Sirwaitis, 512-974-3057.

38. C14-2016-0136 - Broadmoor - District 7 - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 11501 Burnet Road (Walnut Creek Watershed). Applicant Request: To rezone from north burnet/gateway-commercial mixed use-neighborhood plan (NBG-CMU-NP) combining district zoning to north burnet/gateway-transit oriented development- -neighborhood plan (NBG-TOD-NP) combining district zoning. Staff Recommendation: To grant north burnet/gateway-transit oriented development- -neighborhood plan (NBG-TOD-NP) combining district zoning, with conditions. Planning Commission Recommendation: To grant north burnet/gateway-transit oriented development- -neighborhood plan (NBG-TOD-NP) combining district zoning, with conditions. Owner/Applicant: Brandywine Austin, LLC (Leon Shadowen). Agent: Drenner Group, PC (Dave Anderson). City Staff: Sherri

District(s): District 5

40. C14-2018-0006 - Loyola Landing - District 1 - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 6651 Ed Bluestein Boulevard and 5601 Durango Pass (Walnut Creek Watershed) from community commercial (GR) district zoning, limited office (LO) district zoning, multifamily residence medium density (MF-3) district zoning and family residence (SF-3) district zoning to community commercial-mixed use (GR-MU) combining district zoning on Tract 1 and general commercial services-mixed use (CS-MU) combining district zoning on Tract 2. Staff Recommendation: To grant community commercial-mixed use (GR-MU) combining district zoning on Tract 1 and general commercial services-mixed use-conditional overlay (CS-MU-CO) combining district zoning on Tract 2. Zoning and Platting Commission Recommendation: Grant community commercial-mixed use (GR-MU) combining district zoning on Tract 1 and general commercial services-mixed use-conditional overlay (CS-MU-CO) combining district zoning on Tract 2. Owners/Applicants: 3 S & D Interests, Harold K. Kaermerle, Jr., Sharie Kaermele, and Patrick T. Kaermerle (David Kalisz). Agent: A. Glasco Consulting (Alice Glasco). City Staff: Heather Chaffin, 512-974-2122.

District(s): District 1


District(s): District 1

42. C14-75-042 - (RCT2) - Loyola Landing- District 1 - Conduct a public hearing and approve a restrictive covenant termination on property locally known as 6651 Ed Bluestein Boulevard (Walnut Creek Watershed). Staff Recommendation: To grant the restrictive covenant termination. Zoning and Platting Commission Recommendation: To grant the restrictive covenant termination. Owners/Applicants: 3 S & D Interests (David Kalisz). Agent: A. Glasco Consulting (Alice Glasco). City Staff: Heather Chaffin, 512-974-2122.

District(s): District 1

District(s): District 1


District(s): District 1


District(s): District 1

46. NPA-2016-0014.01 - 4500 Nuckols Crossing Road - District 2 - Conduct a public hearing to approve an ordinance amending Ordinance No. 021010-11, the Southeast Combined Neighborhood Plan, an element of the Imagine Austin Comprehensive Plan, to change the land use designation on the future land use map (FLUM) on property locally known as 4500 Nuckols Crossing Road (Williamson Creek Watershed) from Single Family to Multifamily land use. Staff Recommendation: To deny Multifamily land use. Planning Commission Recommendation: To be reviewed on April 10, 2018. Owner/Applicant: Angelos Angelou and John Sasaridis. Agent: Thrower Design (A. Ron Thrower). City Staff: Maureen Meredith, (512) 974-2695.

District(s): District 2

47. C14-2017-0010 - 4500 Nuckols Crossing Road Rezoning - District 2 - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 4500 Nuckols Crossing Road (Williamson Creek Watershed). Applicant’s Request: To rezone from single family residence-standard lot-neighborhood plan (SF-2-NP) combining district zoning to multi-family residence-medium density-neighborhood plan (MF-3-NP) combining district zoning. Staff Recommendation: To deny multi-family residence-medium density-neighborhood plan (MF-3-NP) combining district zoning. Planning Commission Recommendation: To be reviewed on April 10, 2018. Owner/Applicant: Angelou Angelou and John Sasaridis. Agent: Thrower Design (Ron Thrower). City Staff: Wendy Rhoades, 512-974-7719.

District(s): District 2

48. C14-2017-0130 - Genesis Autos - District 2 - Conduct a public hearing and approve an
ordinance amending City Code Title 25 by rezoning property locally known as 4410 East William Cannon Drive (Williamson Creek Watershed). Applicant’s Request: To rezone from community commercial-conditional overlay (GR-CO) combining district zoning to community commercial-conditional overlay (GR-CO) combining district zoning, to change a condition of zoning. Staff Recommendation: To grant general commercial services-conditional overlay (CS-CO) combining district zoning, to change a condition of zoning. Zoning and Platting Commission Recommendation: To grant community commercial-conditional overlay (GR-CO) combining district zoning, to change a condition of zoning. Owner/Applicant: Genesis Autos (Daniel Garcia). Agent: LOC Consultants (Sergio Lozano-Sanchez, P.E.). City Staff: Wendy Rhoades, 512-974-7719.

District(s): District 2


District(s): District 3

50. C14H-2018-0014 - West Sixth Street Bridge over Shoal Creek - District 9 - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as the West Sixth Street Bridge over Shoal Creek in the 800 block of W. 6th Street from public (P) district to public - historic landmark (P-H) combining district zoning. Staff Recommendation: To grant public - historic landmark (P-H) combining district zoning. Historic Landmark Commission Recommendation: To grant public - historic landmark (P-H) combining district zoning. Planning Commission Recommendation: To grant public - historic landmark (P-H) combining district zoning. Applicant: Historic Landmark Commission. City Staff: Steve Sadowsky, Historic Preservation Office, Planning and Zoning Department, 512-974-6454.

District(s): District 9

4:00 PM - Public Hearings and Possible Actions

51. Conduct a public hearing and consider an ordinance amending the Regulating Plan for the North Burnet Gateway Zoning District to create a new Commercial Mixed Use-Gateway Zone subdistrict.

District(s): District 7

5:30 PM - Live Music
Black Heart Saints

**5:30 PM – Proclamations**

Sexual Assault Awareness Month – To be presented by Council Member Greg Casar

Crime Victims’ Rights Week – To be presented by Council Member Leslie Pool

Austin Give 5% to Mother Earth Day – To be presented by Council Member Leslie Pool

Lemonade Day Austin – To be presented by Council Member Jimmy Flannigan

UT Austin Healthy Student Organization Program – To be presented by Mayor Pro Tem Kathie Tovo

**Adjourn**

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