

**AUSTIN CITY COUNCIL
MINUTES****REGULAR MEETING
THURSDAY, MARCH 22, 2018****Invocation:** Pastor Tory Mayo, The Well

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, March 22, 2018 in the Council Chambers of City Hall, 301 West Second Street, Austin, Texas.

Mayor Adler called the Council Meeting to order at 10:28 a.m. Council Member Pool was absent.

CONSENT AGENDA

The following items were acted on by one motion.

1. Approve the minutes of the Austin City Council work session of February 27, 2018, regular meeting of March 1, 2018, work session of March 6, 2018, budget work session of March 7, 2018, and regular meeting of March 8, 2018.
The motion approving the minutes of the City Council work session of March 6, 2018, budget work session of March 7, 2018 and regular meeting of March 8, 2018 were approved on consent on Council Member Casar's motion, Council Member Houston's second on a 10-0 vote. Council Member Pool was absent.
2. Authorize the negotiation and execution of a contract amendment to the wholesale water and wastewater agreements with Mid-Tex Utilities, Inc. for utility service in Southwest Travis County; removing references to the number of lots that will be developed in the wholesale service area and Capital Recovery Fee payments. District(s) Affected: District 8.
The motion authorizing the negotiation and execution of a contract amendment to the wholesale water and wastewater agreements with Mid-Tex Utilities, Inc. was approved on consent on Council Member Casar's motion, Council Member Houston's second on a 10-0 vote. Council Member Pool was absent.
3. Authorize the negotiation and execution of an amendment to the development agreement with PK-RE Development Company, Inc. to eliminate the construction of a new wastewater treatment plant in the Woods of Greenshores subdivision and divert the wastewater flows to an existing wastewater treatment plant in the subdivision. District(s) Affected: District 10.
The motion authorizing the negotiation and execution of an amendment to the development agreement with PK-RE Development Company, Inc. was approved on consent on Council Member Casar's motion, Council Member Houston's second on a 10-0 vote. Council Member Pool was absent.

4. Authorize the negotiation and execution of an agreement with the River Place Golf Group, LP, regarding the provision of service to the River Place Golf Course, and the conveyance of a raw water system and treated wastewater effluent pond to the River Place Golf Group, LP. District(s) Affected: District 6.
This item was postponed to April 26, 2018 on consent on Council Member Casar's motion, Council Member Houston's second on a 10-0 vote. Council Member Pool was absent.
 5. Authorize the negotiation and execution of an agreement with Travis County Municipal Utility District No. 4 (TCMUD #4') for the City's provision of emergency back-up water service to a portion of TCMUD #4's service area.
The motion authorizing the negotiation and execution of an agreement with Travis County Municipal Utility District number four was approved on consent on Council Member Casar's motion, Council Member Houston's second on a 10-0 vote. Council Member Pool was absent.
 6. Authorize the negotiation and execution of a wholesale water contract with Marsha Water Supply Corporation located in north Travis County. District(s) Affected: District 7.
The motion authorizing the negotiation and execution of a wholesale water contract with Marsha Water Supply Corporation was approved on consent on Council Member Casar's motion, Council Member Houston's second on a 10-0 vote. Council Member Pool was absent.
 7. Approve the appointment of Interim Assistant City Manager Joe Pantalione to the Board of Directors of Austin-Bergstrom Landhost Enterprises, Inc.
The motion approving the appointment of Interim Assistant City Manager Joe Pantalione to the Board of Directors of Austin-Bergstrom Landhost Enterprises, Inc. was approved on consent on Council Member Casar's motion, Council Member Houston's second on a 10-0 vote. Council Member Pool was absent.
- Item 8 was pulled for discussion.**
9. Authorize award and execution of a construction contract with Alpha Paving Industries, LLC (MBE), for the Annual Asphalt Repair Contract 2018 IDIQ (north) contract in the amount of \$750,000 for an initial 1-year term, with two 1-year extension options of \$750,000 each, for a total contract amount not to exceed \$2,250,000. (Note: This contract will be awarded in compliance with City Code Chapter 2-9A (Minority Owned and Women Owned Business Enterprise Procurement Program) by meeting the goals 6.88% MBE and 1.06% WBE participation). District(s) Affected: District 1, District 2, District 3, District 4, District 5, District 6, District 7, District 8, District 9, District 10.
The motion authorizing award and execution of a construction contract with Alpha Paving Industries, LLC was approved on consent on Council Member Casar's motion, Council Member Houston's second on a 10-0 vote. Council Member Pool was absent.
 10. Authorize award and execution of a construction contract with Alpha Paving Industries, LLC (MBE), for the Annual Asphalt Repair Contract 2018 IDIQ (south) contract in the amount of \$750,000 for an initial 1-year term, with two 1-year extension options of \$750,000 each, for a total contract amount not to exceed \$2,250,000. (Note: This contract will be awarded in compliance with City Code Chapter 2-9A (Minority Owned and Women Owned Business Enterprise Procurement Program) by meeting the goals with 6.90% MBE and 1.06% WBE

participation). District(s) Affected: District 1, District 2, District 3, District 4, District 5, District 6, District 7, District 8, District 9, District 10.

The motion authorizing award and execution of a construction contract with Alpha Paving Industries, LLC was approved on consent on Council Member Casar's motion, Council Member Houston's second on a 10-0 vote. Council Member Pool was absent.

11. Authorize award and execution of a construction contract with Smith Contracting Co., Inc., for the Concrete and Asphalt Repair North IDIQ contract in the amount of \$1,500,000 for an initial 1-year term, with two 1-year extension options of \$1,500,000 each, for a total contract amount not to exceed \$4,500,000. (Note: This contract will be awarded in compliance with City Code Chapter 2-9A (Minority Owned and Women Owned Business Enterprise Procurement Program) by meeting the goals with 7.33% MBE and 1.12% WBE participation). District(s) Affected: District 1, District 2, District 3, District 4, District 5, District 6, District 7, District 8, District 9, District 10.

The motion authorizing award and execution of a construction contract with Smith Contracting Co., Inc. was approved on consent on Council Member Casar's motion, Council Member Houston's second on a 10-0 vote. Council Member Pool was absent.

12. Authorize award and execution of a construction contract with Smith Contracting Co., Inc., for the Concrete and Asphalt Repair South IDIQ contract in the amount of \$1,500,000 for an initial 1-year term, with two 1-year extension options of \$1,500,000 each, for a total contract amount not to exceed \$4,500,000. (Note: This contract will be awarded in compliance with City Code Chapter 2-9A (Minority Owned and Women Owned Business Enterprise Procurement Program) by meeting the goals with 7.33% MBE and 1.12% WBE participation). District(s) Affected: District 1, District 2, District 3, District 4, District 5, District 6, District 7, District 8, District 9, District 10.

The motion authorizing award and execution of a construction contract with Smith Contracting Co., Inc. was approved on consent on Council Member Casar's motion, Council Member Houston's second on a 10-0 vote. Council Member Pool was absent.

13. Approve a resolution accepting a recommendation from the Austin Fire Chief under City Code Section 25-2-516(B) concerning a proposed land use at the intersection of Brodie Lane and Deer Lane, and making a determination whether the proposed use meets the requirements of that Code section. District(s) Affected: District 5, District 8.

Resolution No. 20180322-013 was approved on consent on Council Member Casar's motion, Council Member Houston's second on a 10-0 vote. Council Member Pool was absent.

14. Authorize negotiation and execution of a legal services agreement with Richards Rodriguez and Skeith related to S.J. Louis Construction of Texas, LTD v. City of Austin, Cause No. D-1-18-001121 in the 459th District Court of Travis County, Texas for a total contract not to exceed \$605,000.

The motion authorizing negotiation and execution of a legal services agreement with Richards Rodriguez and Skeith was approved on consent on Council Member Casar's motion, Council Member Houston's second on a 10-0 vote. Council Member Pool was absent.

15. Approve an ordinance authorizing the acceptance of \$20,000 in grant funds from the Center for Social Inclusion; and amending the Fiscal Year 2017-2018 Management Services Department's Equity Office Operating Budget Special Revenue Fund (Ordinance Number 20170913-001) to appropriate \$20,000 to provide Undoing Racism training for City staff and an evaluation of the equity assessment of CodeNext.

Ordinance No. 20180322-015 was approved on consent on Council Member Casar's motion, Council Member Houston's second on a 10-0 vote. Council Member Pool was absent.

Item 16 was pulled for discussion.

17. Approve an ordinance authorizing the negotiation and execution of all documents and instruments necessary or desirable to purchase six properties located at 5902 and 5903 Parkwood Drive and 6110, 5908, 5905, and 6109 Oakclaire Drive, in a total amount not to exceed \$2,660,000, establishing acquisition and relocation guidelines, and waiving the requirements of City Code Chapter 14-3. District(s) Affected: District 8.

Ordinance No. 20180322-017 was approved on consent on Council Member Casar's motion, Council Member Houston's second on a 9-0 vote. Council Member Alter abstained. Council Member Pool was absent.

Direction was given to staff to provide information on options for holding the construction vendor liable.

18. Approve an ordinance authorizing the negotiation and execution of all documents and instruments necessary or desirable to purchase in fee simple approximately 50 properties at high risk of flooding within the Onion Creek Watershed in a total amount not to exceed \$25,000,000, establishing acquisition and relocation guidelines, and waiving requirements of City Code Chapter 14-3. District(s) Affected: District 5.

Ordinance No. 20180322-018 was approved on Council Member Casar's motion, Council Member Houston's second on a 9-1 vote. Council Member Troxclair voted nay. Council Member Pool was absent.

19. Approve an ordinance vacating approximately 5,519 square feet of right of way, being that entire east-west alley from Neches Street to Trinity Street, between East 7th Street and East 8th Street, to The Domestic and Foreign Missionary Society of the Protestant Episcopal Church in the United States of America. District(s) Affected: District 9.

Ordinance No. 20180322-019 was approved on consent on Council Member Casar's motion, Council Member Houston's second on a 10-0 vote. Council Member Pool was absent.

20. Approve an ordinance amending the Fiscal Year 2017-2018 Parks and Recreation Department Operating Budget Special Revenue Fund (Ordinance No. 20170913-001) to accept and appropriate \$38,000 in grant funds from 3M to provide funding for the Environmental and Conservation Education in 3M communities-Eco Grant to be used for environmental or conservation education for youth in locations within Austin near 3M's facility locations. District(s) Affected: District 4.

Ordinance No. 20180322-020 was approved on consent on Council Member Casar's motion, Council Member Houston's second on a 10-0 vote. Council Member Pool was absent.

21. Authorize negotiation and execution of an agreement with American Gateways for immigration legal services in an amount not to exceed \$135,000 for the 12-month period beginning April 1, 2018, with up to four 12-month extension options not to exceed \$60,000 per extension option, for a total agreement amount not to exceed \$375,000.

The motion authorizing negotiation and execution of an agreement with American Gateways was approved on consent on Council Member Casar's motion, Council Member Houston's second on a 9-1 vote. Council Member Troxclair voted nay. Council Member Pool was absent.

22. Approve an ordinance authorizing acceptance of grant funds in the amount of \$664,000 from United Way for Greater Austin; and amending the Fiscal Year 2017-2018 Austin Public Health Department's Operating Budget Special Revenue Fund (Ordinance No. 20170913-001) to appropriate \$664,000 for implementation of the Texas Family Connects Program.
Ordinance No. 20180322-022 was approved on consent on Council Member Casar's motion, Council Member Houston's second on a 10-0 vote. Council Member Pool was absent.
23. Authorize negotiation and execution of an amendment to the interlocal agreement with Austin Travis County Sobriety Center Local Government Corporation for continued actions necessary to establish a sobriety center for a 12-month term that began on October 1, 2017 and ends September 30, 2018, to add funding in the amount of \$1,123,359, for a total agreement amount not to exceed \$1,503,359.
The motion authorizing negotiation and execution of an amendment to the interlocal agreement with Austin Travis County Sobriety Center Local Government Corporation was approved on consent on Council Member Casar's motion, Council Member Houston's second on a 10-0 vote. Council Member Pool was absent.
24. Authorize an amendment to an existing contract with Copper River Information Technology LLC, to provide continued upgrade of the City's fiber optic networking system including software and hardware, for an increase in the amount of \$1,000,000, for a revised contract amount not to exceed \$5,386,342. (Note: This contract was awarded in compliance with City Code Chapter 2-9C Minority Owned and Women Owned Business Enterprise Procurement Program. No subcontracting opportunities were identified; therefore, no goals were established for this solicitation).
The motion authorizing an amendment to an existing contract with Copper River Information Technology LLC, was approved on consent on Council Member Casar's motion, Council Member Houston's second on a 10-0 vote. Council Member Pool was absent.
25. Authorize an amendment to an existing contract with GE Intelligent Platforms, Inc., to provide continued software licensing and technical support, extending the term by two years, and increasing the amount by \$176,811, for a revised contract amount not to exceed \$510,328. (Note: Sole source contracts are exempt from City Code Chapter 2-9C of the Minority Owned and Women Owned Business Enterprise Procurement Program; therefore, no subcontracting goals were established).
The motion authorizing an amendment to an existing contract with GE Intelligent Platforms, Inc. was approved on consent on Council Member Casar's motion, Council Member Houston's second on a 10-0 vote. Council Member Pool was absent.

Item 26 was pulled for discussion.

27. Authorize award and execution of a multi-term contract with Ace Fire Equipment Company, to provide fire alarm and fire suppression systems maintenance, inspection, testing, and repair services for the Austin Convention Center Department, for up to five years for a total contract amount not to exceed \$1,250,000. (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 identified; therefore, no subcontracting goals were established).

The motion authorizing award and execution of a multi-term contract with Ace Fire Equipment Company was approved on consent on Council Member Casar's motion, Council Member Houston's second on a 10-0 vote. Council Member Pool was absent.

28. Authorize award and execution of a multi-term contract with Tyr Tactical, LLC, to provide tactical carrier vests, for up to five years for a total contract amount not to exceed \$500,000. (Note: This solicitation was reviewed for subcontracting opportunities in accordance with City Code Chapter 2-9D Minority Owned and Women Owned Business Enterprise Procurement Program. For the goods required for this solicitation, there were no subcontracting opportunities; therefore, no subcontracting goals were established).
- The motion authorizing award and execution of a multi-term contract with Tyr Tactical, LLC was approved on consent on Council Member Casar's motion, Council Member Houston's second on a 10-0 vote. Council Member Pool was absent.**
29. Authorize negotiation and execution of a multi-term contract with Dulles Technology Partners Inc., or one of the other qualified offerors to Request For Proposals 9100 ELF0302, to provide a contract management and development system, for up to five years for a total contract amount not to exceed \$163,400. (Note: This solicitation was reviewed for subcontracting opportunities in accordance with City Code Chapter 2-9C Minority Owned and Women Owned Business Enterprise Procurement Program. For the services required for this solicitation, there were no subcontracting opportunities; therefore, no subcontracting goals were established).
- The motion authorizing negotiation and execution of a multi-term contract with Dulles Technology Partners Inc. was approved on consent on Council Member Casar's motion, Council Member Houston's second on a 10-0 vote. Council Member Pool was absent.**
30. Authorize award and execution of a multi-term contract with DFW Communications Inc., to provide radio and equipment installation and repair support services, for a term up to five years in an amount not to exceed \$2,750,000. (Note: This solicitation was reviewed for subcontracting opportunities in accordance with City Code Chapter 2-9C Minority Owned and Women Owned Business Enterprise Procurement Program. For the services required for this solicitation, there were no subcontracting opportunities; therefore, no subcontracting goals were established).
- The motion authoring award and execution of a multi-term contract with DFW Communications Inc. was approved on consent on Council Member Casar's motion, Council Member Houston's second on a 10-0 vote. Council Member Pool was absent.**
31. Authorize award and execution of multi-term contracts with Leif Johnson Ford and Covert Ford Lincoln, to provide parts and repair services for Ford vehicles, for up to five years for total contract amounts not to exceed \$6,500,000, divided between the contractors. (Note: This solicitation was reviewed for subcontracting opportunities in accordance with City Code Chapter 2-9D Minority Owned and Women Owned Business Enterprise Procurement Program. For the goods and services required for this solicitation, there were insufficient subcontracting opportunities; therefore, no subcontracting goals were established).
- The motion authorizing award and execution of multi-term contracts with Leif Johnson Ford and Covert Ford Lincoln was approved on consent on Council Member Casar's motion, Council Member Houston's second on a 10-0 vote. Council Member Pool was absent.**
32. Approve an ordinance authorizing negotiation and execution of an interlocal agreement with the Capital Metropolitan Transportation Authority to develop and construct transportation system improvements; amending the Fiscal Year 2017-2018 Austin Transportation Department Operating Budget Special Revenue Fund (Ordinance No. 20170913-001) to accept up to

\$1,000,000 from the Capital Metropolitan Transportation Authority; and amending the Fiscal Year 2017-2018 Austin Transportation Department Capital Budget (Ordinance No. 20170913-001) to transfer in and appropriate up to \$1,000,000 from the Austin Transportation Department Operating Budget Special Revenue Fund in support of the development and construction of the transportation system improvements.

Ordinance No. 20180322-032 was approved on consent on Council Member Casar's motion, Council Member Houston's second on a 10-0 vote. Council Member Pool was absent.

Items 33 through 44 were pulled for discussion.

45. 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 were approved on consent on Council Member Casar's motion, Council Member Houston's second on a 10-0 vote. Council Member Pool was absent.

Nominations

Board/Nominee

Nominated by

**Mechanical and Plumbing Board
Joseph Hernandez**

Council Member Garza

**Public Safety Commission
Michelle McCurdy**

Council Member Garza

Waivers

There are no waivers at this time.

46. Approve a resolution relating to parking at the Central Library. Council Sponsors: Mayor Pro Tem Kathie Tovo, Council Member Delia Garza, Council Member Alison Alter, Council Member Leslie Pool.

Resolution No. 20180322-046 was approved on consent on Council Member Casar's motion, Council Member Houston's second on a 10-0 vote. Council Member Pool was absent.

Item 47 was pulled for discussion.

48. Approve a resolution directing the City Manager to conduct further analysis of 10414 McKalla Lane as a major league soccer stadium site and to provide a detailed assessment of potential community benefits that could be generated by such a use. Council Sponsors: Mayor Pro Tem Kathie Tovo, Mayor Steve Adler, Council Member Leslie Pool, Council Member Sabino 'Pio' Renteria, Council Member Ann Kitchen. District(s) Affected: District 7.

This item was withdrawn on consent on Council Member Casar's motion, Council Member Houston's second on a 10-0 vote. Council Member Pool was absent.

49. Approve an ordinance waiving or reimbursing fees for the Mother Earth Day at the Springs event which was held on Friday, September 15, 2017, at Zilker Park, and the Lady Bird Lake Fest which was held at Fiesta Gardens, both sponsored by Bill Oliver. Council Sponsors: Council

Member Leslie Pool, Mayor Steve Adler, Mayor Pro Tem Kathie Tovo, Council Member Alison Alter, Council Member Ann Kitchen.

Ordinance No. 20180322-049 was approved on consent on Council Member Casar's motion, Council Member Houston's second on a 9-0 vote. Council Member Troxclair abstained. Council Member Pool was absent.

50. Approve an ordinance waiving or reimbursing fees for Chingona Fest sponsored by Hustle for the Cause to be held on Saturday, April 7, 2018 at Hops and Grain Brewing. Council Sponsors: Council Member Sabino 'Pio' Renteria, Council Member Delia Garza, Council Member Gregorio Casar, Council Member Ann Kitchen.

Ordinance No. 20180322-050 was approved on consent on Council Member Casar's motion, Council Member Houston's second on a 9-0 vote. Council Member Troxclair abstained. Council Member Pool was absent.

51. Approve an ordinance waiving or reimbursing fees for the Pista Sa Nayon Event, sponsored by the Austin Filipino-American Association, to be held on June 9, 2018, at the Asian American Resource Center. Council Sponsors: Mayor Pro Tem Kathie Tovo, Council Member Jimmy Flannigan, Mayor Steve Adler, Council Member Alison Alter, Council Member Leslie Pool.

Ordinance No. 20180322-051 was approved on consent on Council Member Casar's motion, Council Member Houston's second on a 9-0 vote. Council Member Troxclair abstained. Council Member Pool was absent.

52. Approve an ordinance waiving or reimbursing certain fees for the Unity Iftar 2018 event sponsored by the American-Arab Anti-Discrimination Committee which will be held on May 19, 2018 at the Asian American Resource Center. Council Sponsors: Council Member Jimmy Flannigan, Mayor Steve Adler, Council Member Ora Houston, Council Member Gregorio Casar, Council Member Alison Alter.

Ordinance No. 20180322-052 was approved on consent on Council Member Casar's motion, Council Member Houston's second on a 9-0 vote. Council Member Troxclair abstained. Council Member Pool was absent.

53. Approve an ordinance waiving or reimbursing fees for the South Asian New Year event sponsored by the Texas Bengali Cultural Alliance which will be held April 4-6, 2018, at the Zilker Hillside Theater. Council Sponsors: Council Member Jimmy Flannigan, Mayor Steve Adler, Mayor Pro Tem Kathie Tovo, Council Member Leslie Pool, Council Member Ann Kitchen.

Ordinance No. 20180322-053 was approved on consent on Council Member Casar's motion, Council Member Houston's second on a 10-0 vote. Council Member Pool was absent.

54. Approve an ordinance waiving or reimbursing certain fees for the Austin Taiwanese Association Lunar New Year Celebration event sponsored by the Austin Taiwanese Association which was held on February 24, 2018, at the Asian American Resource Center. Council Sponsors: Council Member Jimmy Flannigan, Mayor Steve Adler, Mayor Pro Tem Kathie Tovo, Council Member Ora Houston, Council Member Sabino 'Pio' Renteria.

Ordinance No. 20180322-054 was approved on consent on Council Member Casar's motion, Council Member Houston's second on a 10-0 vote. Council Member Pool was absent.

55. Set a public hearing to consider a resolution for permanent use of approximately 273 square feet of dedicated parkland, known as Little Stacy Neighborhood Park, for dedication of public right of way at the intersection of Sunset Lane and Eastside Drive, in accordance with Chapter 26.001 et seq. of the Texas Parks and Wildlife Code. (Suggested date and time: April 26th, 2018 at 4:00

p.m., Austin City Hall, Council Chambers, 301 West Second Street, Austin, TX.) District(s) Affected: District 9.

The public hearing was set on consent for April 26, 2018, 4:00 p.m. at 301 West Second Street, Austin, TX on Council Member Casar's motion, Council Member Houston's second on a 10-0 vote. Council Member Pool was absent.

56. Set a public hearing to consider a resolution for the permanent use of approximately 514 square feet of dedicated parkland, known as Little Walnut Creek Greenbelt, to construct, use, maintain, repair, and replace wastewater lines for a portion of the 183 South Utility Relocations - Package 6, Loyola Lane to 51st Street project, in accordance with Chapter 26.001 et seq. of the Texas Parks and Wildlife Code. (Suggested date and time: April 26th, 2018 beginning at 4:00 p.m. at Austin City Hall, 301 W. Second Street, Austin, TX.) District(s) Affected: District 1.
The public hearing was set on consent for April 26, 2018, 4:00 p.m. at 301 West Second Street, Austin, TX on Council Member Casar's motion, Council Member Houston's second on a 10-0 vote. Council Member Pool was absent.
57. Set a public hearing to consider an ordinance renaming 'Robert E. Lee Road' to 'Azie Taylor Morton Road' or other name. (Suggested date and time: April 26, 2018 at 4:00 p.m., Austin City Hall, Council Chambers, 301 W. Second Street, Austin, Texas) District(s) Affected: District 5.
The public hearing was set on consent for April 26, 2018, 4:00 p.m. at 301 West Second Street, Austin, TX on Council Member Casar's motion, Council Member Houston's second on a 9-1 vote. Council Member Troxclair voted nay. Council Member Pool was absent.
58. Set a public hearing to consider an ordinance renaming 'Jeff Davis Avenue' to 'Will Holland Avenue' or other name. (Suggested date and time: April 26, 2018 at 4:00 p.m., Austin City Hall, Council Chambers, 301 W. Second Street, Austin, Texas) District(s) Affected: District 7.
The public hearing was set on consent for April 26, 2018, 4:00 p.m. at 301 West Second Street, Austin, TX on Council Member Casar's motion, Council Member Houston's second on a 9-1 vote. Council Member Troxclair voted nay. Council Member Pool was absent.
59. Set a public hearing regarding CenterPoint's proposal to increase customer gas rates. (Suggested date and time April 26, 2018 at 4:00 p.m. at City Hall; 301 W. Second Street, Austin, TX).
The public hearing was set on consent for April 26, 2018, 4:00 p.m. at 301 West Second Street, Austin, TX on Council Member Casar's motion, Council Member Houston's second on a 10-0 vote. Council Member Pool was absent.
60. Set a public hearing to consider an ordinance: (1) adopting a new Land Development Code, commonly referred to as 'CodeNEXT,' codified in Title 23 of the City Code and including the following basic elements: (a) development review procedures relating to permit applications, public notice, variances, appeals and enforcement, nonconforming uses, code amendments, development agreements, and other procedural requirements; (b) watershed and tree regulations, requirements for drainage and utilities, density bonuses for affordable housing, parkland dedication requirements, and other general planning standards; (c) zoning regulations adopting a new zoning map and comprehensively revising the City's zoning ordinances, including new land use and site development regulations; (d) subdivision regulations relating to the platting of land, including requirements for dedication of infrastructure and standards for infill development; (e) transportation regulations relating to the design and layout of streets and requirements for new development to mitigate impacts on the City's transportation system; (f) sign regulations, including requirements affecting on-premise signs and nonconforming billboards; and (g) technical codes regulating construction and other requirements impacting development; and (2)

amending other relevant chapters of the City Code. (Suggested date and time, May 30 and 31, 2018, 10:00 a.m. at Austin City Hall, 301 W. Second Street, Austin TX).

The public hearing was set as amended on consent for May 29, 2018 and June 2, 2018, 10:00 a.m. at 301 West Second Street, Austin, TX on Council Member Casar's motion, Council Member Houston's second on a 10-0 vote. Council Member Pool was absent.

97. Approve an ordinance accepting \$160,500 in grant funds from the State of Texas, Office of the Governor, Criminal Justice Division, Edward Byrne Memorial Justice Assistance Grant Program; and amending the Fiscal Year 2017-2018 Austin Police Department Operating Budget Special Revenue Fund (Ordinance No. 20170913-001) to appropriate \$160,500 for the Regional Special Operations Project.
Ordinance No. 20180322-097 was approved on consent on Council Member Casar's motion, Council Member Houston's second on a 10-0 vote. Council Member Pool was absent.
98. Approve a resolution authorizing the acceptance of grant funding in the amount of \$160,500 from the State of Texas, Office of the Governor, Criminal Justice Division to implement the Austin Police Department project entitled the Regional Special Operations Project.
Resolution No. 20180322-098 was approved on consent on Council Member Casar's motion, Council Member Houston's second on a 10-0 vote. Council Member Pool was absent.

Item 99 was pulled for discussion.

DISCUSSION ITEMS

47. Approve a resolution providing direction to the City Manager regarding Austin Police Department staffing recommendations. Council Sponsors: Council Member Ora Houston, Council Member Alison Alter, Council Member Ann Kitchen, Council Member Jimmy Flannigan, Council Member Ellen Troxclair.
The motion to approve the resolution was made by Council Member Houston and seconded by Council Member Kitchen.

An amendment was made by Mayor Pro Tem Tovo and accepted without objection to add a new sixth Whereas clause to read:

"Whereas, if budget savings exist, at any time APD could fill the remaining approved sworn positions without Council approval; and"

An amendment was made by Mayor Adler and accepted without objection to revise the sixth Whereas clause to read:

"Whereas, if recurring budget savings or change priorities exist, at any time APD could fill the remaining approved sworn positions without council approval; and"

An amendment was made by Mayor Pro Tem Tovo and accepted without objection to add a new eighth whereas clause to read:

"Whereas, APD is in the process of filling its current sworn vacancies through ongoing police academies; and"

An amendment was made by Mayor Tovo to revise the first Be It Further Resolved clause to read:

"The City Manager is directed to updated and/or reconcile any differing recommendations that have previously been presented and to construct a revised five-year staffing plan for officers and civilian staff for presentation to Council by April 4, 2018. The City Manager is

directed to give strong consideration for how to align staffing to better address the public safety challenges occurring in Downtown.” The amendment failed on a 4-6 vote. Those voting aye were: Mayor Pro Tem Tovo, Council Members Casar, Garza, and Renteria. Those voting nay were: Mayor Adler, Council Members Alter, Flannigan, Kitchen, Houston, and Troxclair. Council Member Pool was absent.

An amendment was made by Mayor Pro Tem Tovo to revise the last Be It Further Resolved Clause to read:

“The City Manager is directed to continue filling all current sworn vacancies. If budget savings exist, the City Manager is further directed to use budget savings to fund the previously approved officer positions”. The amendment failed on a 4-6 vote. Those voting aye were: Mayor Pro Tem Tovo, Council Members Casar, Garza, and Renteria. Those voting nay were: Mayor Adler, Council Members Alter, Flannigan, Kitchen, Houston, and Troxclair. Council Member Pool was absent.

An amendment was made by Council Member Casar to add a new second Be It Further Resolved Clause to read:

“As part of a staffing plan and police department staffing recommendations, the City Manager is directed to work across departments to provide recommendations to Council on the best use of limited public safety dollars amongst potential public safety investments, including, but not limited to, public safety personnel, targeted law enforcement programs, social service programs, and more, with the goal of improving public safety over the next five years, using research and evidence to determine which investments have the most significant impacts on improving public safety for Austin residents. The City Manager is directed to present a preliminary report back to Council by May 10, 2018 and a report for the first year by August 1, 2018.

The proposed amendment failed on Council Member Casar’s motion, Council Member Renteria’s second on a 5-5 vote. Those voting aye were: Mayor Adler, Mayor Pro Tem Tovo, Council Members Casar, Garza, and Renteria. Those voting nay were: Council Members Alter, Flannigan, Houston, Kitchen, and Troxclair.

An amendment was made by Mayor Adler to revise the following:

To revise the seventh Whereas clause to read:

“Whereas, APD has already submitted its preliminary budget forecast for FY2018-19, and APD keeps ongoing performance measures that can guide the development of a staffing plan; and”

To add a new eighth Whereas clause to read:

Whereas, The Austin City Council desires the Austin Police Department to be respected and trusted by all segments of Austin’s diverse community and to pursue all efforts to maintain and increase that trust; and”

To add a new ninth Whereas clause to read:

Whereas, community policing and police oversight are effective methods of achieving community trust; and”

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

“The City Manager is directed to consider community policing needs in developing an evidence-based staffing plan. As a part of the development process, the Manager should consider consulting with:

- Police staff,
- The Office of the Police Monitor,
- Other law enforcement agencies,
- The Public Safety Commission,
- The Human Rights Commission, and
- Interested community organizations.

This review of performance measures should consider things like:

- Percent reduction in overall Use of Force and Deadly Force;
- Percent and number of interactions leading to critical incidents;
- Percent of Officer suspensions for misconduct where suspension is not overturned or reduced upon appeal;
- Percent of Officers with history of misconduct – or conversely percentage with no history of misconduct;
- Percent Case clearance rates by type of offense;
- Number of Citizen complaints;
- Number of Police misconduct complaints, regardless of source (includes complaints based on statement by other officers or initiated by OPM);
- Resident satisfaction through consistent annual survey protocol (disaggregated by neighborhood and demographic characteristics);
- Police officer and staff job satisfaction through survey protocol (disaggregated).

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

The City Manager is directed to develop evidence-based best practices regarding police oversight and to report back within 90 days to City Council with any recommendations to improve the effectiveness, transparency, and efficiency of our current system. The best practices should also include evidence-based evaluation tools to assess the effectiveness of any adopted accountability strategy. As a part of the development process the City Manager should consult with:

- Police Department staff,
- The Office of the Police Monitor,
- Other law enforcement agencies,
- Other law enforcement accountability offices,
- The Austin Public Safety Commission,
- The Austin Human Rights Commission, and
- Interested community organizations”

The amendment was approved on Mayor Adler’s motion, Council Member Renteria’s second on a 10-0 vote. Council Member Pool was absent.

Resolution No. 20180322-047 was approved as amended above on Council Member Houston’s motion, Council Member Kitchen’s second on a 10-0 vote. Council Member Pool was absent.

CITIZENS COMMUNICATIONS: GENERAL

Barbara Szalay – Next CODE: Heavy Load.

Daniel Corral-Dawson – Funding to secure property.

Celine Rendon – 17th Annual Cesar E. Chavez March.

Owen Shroyer – TBA.

Carlos León – 1. God, Jesus Christ, and the Holy Spirit cannot be beat; 2. Chemtrail poisoning of Austin airspace must be permanently stopped; 3. Losing your marbles Vol. II, Part 2.

Tracey Calloway – TBA.

Elyssa Parven – Verizon Cell Tower project in District 6. – **Not present**

Tim Arndt – TBA.

Mayor Adler recessed the Council Meeting to go into Executive Session at 1:20 p.m.

EXECUTIVE SESSION

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

63. 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.
64. Discuss legal issues related to the citizen initiated petition regarding CodeNext and the November 2018 general election (Private consultation with legal counsel - Section 551.071 of the Government Code).
65. Discuss legal issues related to S.J. Louis Construction of Texas, LTD v. City of Austin, Cause No. D-1-18-001121 in the 459th District Court of Travis County, Texas (Private consultation with legal counsel - Section 551.071 of the Government Code).
This item was withdrawn without objection.
66. Discuss legal issues related to the 2018 Interim Meet and Confer Agreement between the City of Austin and Austin Travis County Emergency Medical Services Employees Association (Private consultation with legal counsel - Section 551.071 of the Government Code).
This item was withdrawn without objection.
67. Discuss legal issues related to City of Austin 2018 labor negotiations with the Austin Police Association concerning employees in the Austin Police Department (Private consultation with legal counsel - Section 551.071 of the Government Code).
68. Discuss legal issues related to the Planning Commission (Private consultation with legal counsel - Section 551.071 of the Government Code).
This item was withdrawn without objection.

The Mayor announced that Council would discuss item 8 on the regular agenda during Executive Session.

8. Approve an ordinance amending the Fiscal Year 2017-2018 Historic Preservation Fund Operating Budget (Ordinance No. 20170913-001) to appropriate up to \$5,293,991; and amending the Fiscal Year 2017-2018 Capital Budgets of City Departments including the Parks and Recreation Department, the Austin Transportation Department, and the Austin Public Library Department (Ordinance No. 20170913-001) to transfer in and appropriate these funds for allowable historic restoration and preservation projects or activities as reflected in the Texas Tax Code Section 351.101(a)(5) which authorizes hotel occupancy tax to be used for historic restoration projects and activities that promote tourism and the convention industry and that are in specific locations in the City.

Executive Session ended and Mayor Adler reconvened the meeting at 4:44 p.m.

ZONING AND NEIGHBORHOOD PLAN AMENDMENTS

69. C14-2017-0156 - 1105 Alta Trailhead - District 3 - Approve second and third readings of an ordinance amending City Code Title 25 by zoning property locally known as 1105 Airport Boulevard (Boggy Creek Watershed) from community commercial-mixed use-conditional overlay-neighborhood plan (GR-MU-CO-NP) combining district zoning to community commercial-mixed use-conditional overlay-neighborhood plan (GR-MU-CO-NP) combining district zoning, to change a condition of zoning. First Reading approved on February 1, 2018 Vote: 10-0. Owner/Applicant: SL Shady Lane, LP (John Kiltz). Agent: McLean & Howard, LLP (Jeffrey S. Howard). City Staff: Heather Chaffin, 512-974-2122. District(s) Affected: District 3.
Ordinance No. 20180322-069 for community commercial-mixed use-conditional overlay-neighborhood plan (GR-MU-CO-NP) combining district zoning, to change a condition of zoning was approved on Council Member Garza's motion, Council Member Renteria's second on an 8-0 vote. Council Members Casar and Troxclair were off the dais. Council Member Pool was absent.
70. NPA-2017-0021.01 -4530 E. Ben White Blvd. - District 3 - Conduct a public hearing and approve an ordinance amending Ordinance No. 20061116-055 of the East Riverside/Oltorf Combined Neighborhood Plan, an element of the Imagine Austin Comprehensive Plan, to change the future land use designation on the future land use map (FLUM) on property locally known as 4530 E. Ben White Blvd. (Country Club Creek Watershed) from Commercial to Mixed Use land use. Staff Recommendation: Pending. Planning Commission Recommendation: To be reviewed on March 13, 2018. Owner/Applicant: Belco Equities, Inc. Agent: Coats Rose (John M. Joseph). City Staff: Maureen Meredith, (512) 974-2695. District(s) Affected: District 3.
This item was postponed to April 26, 2018 at the request of staff on Council Member Garza's motion, Council Member Renteria's second on an 8-0 vote. Council Members Casar and Troxclair were off the dais. Council Member Pool was absent.
71. NPA-2017-0016.03 - 3232 & 3306 E. Cesar Chavez Street - District 3 - Conduct a public hearing and approve an ordinance amending Ordinance No. 030327-12, the Govalle/Johnston Terrace Combined Neighborhood Plan, an element of the Imagine Austin Comprehensive Plan, to change the land use designation on the future land use map (FLUM) on property locally known as 3232 & 3306 E. Cesar Chavez Street (Colorado River Watershed) from Commercial to Mixed Use land use. Staff Recommendation: Pending. Planning Commission Recommendation: To be reviewed on March 27, 2018. Owner/Applicant: The Betty Sue Kurtz Trust and The Thelma Ann Zirkelbach Trust. Agent: Husch Blackwell, LLP (Stacey L. Milazzo). City Staff: Maureen Meredith, (512) 974-2695. District(s) Affected: District 3.

This item was postponed to April 26, 2018 at the request of staff on Council Member Garza's motion, Council Member Renteria's second on an 8-0 vote. Council Members Casar and Troxclair were off the dais. Council Member Pool was absent.

72. NPA-2017-0017.05 - Tillery MF -District 3 -Conduct a public hearing and approve an ordinance amending Ordinance No. 030327-12, the Govalle/Johnston Terrace Combined Neighborhood Plan, an element of the Imagine Austin Comprehensive Plan, to change the land use designation on the future land use map (FLUM) on property locally known as 507 Tillery Street (Boggy Creek Watershed) from Single Family to Multifamily. Staff Recommendation: To grant Multifamily land use. Planning Commission Recommendation: To be reviewed on March 27, 2018. Owner/Applicant: 507 Tillery House, LLC. Agent: Rize Planning Development & Construction (Ross Frie). City Staff: Maureen Meredith, 512 -974-2695. District(s) Affected: District 3.

This item was postponed to April 26, 2018 at the request of staff on Council Member Garza's motion, Council Member Renteria's second on an 8-0 vote. Council Members Casar and Troxclair were off the dais. Council Member Pool was absent.

73. C14-2017-0074 - Gilfillan Place - District 9 - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 603 W. 8th Street (Shoal Creek Watershed). Applicant Request: To rezone from general office-historic landmark (GO-H) combining district zoning, general office- mixed use (GO-MU) combining district zoning, and GO (general office) district zoning to downtown mixed use- historic landmark (DMU-H) combining district zoning. Staff Recommendation: To grant downtown mixed use- historic landmark- conditional overlay (DMU-H-CO) combining district zoning. Historic Landmark Commission Recommendation: To be reviewed on March 26, 2018. Planning Commission Recommendation: To be reviewed on April 10, 2018. Owner/Applicant: 2015 Austin Gilfillan LP (Rene O. Campos). Agent: Drenner Group (Dave Anderson). City Staff: Scott Grantham, 512-974-3574. A valid petition has been filed in opposition to this rezoning case. District(s) Affected: District 9.

This item was postponed to May 10, 2018 at the request of staff on Council Member Garza's motion, Council Member Renteria's second on an 8-0 vote. Council Members Casar and Troxclair were off the dais. Council Member Pool was absent.

74. C14-2017-0106 - Tillery MF - District 3 - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 507 Tillery Street (Colorado River and Boggy Creek Watersheds). Applicant Request: To rezone from family residence-neighborhood plan (SF-3-NP) combining district to multifamily residence low density-conditional overlay-neighborhood plan (MF-2- CO-NP). Staff Recommendation: Pending. Planning Commission Recommendation: To be reviewed March 27, 2018. Owner/Applicant: 507 Tillery House LLC (Caren W. Wendt and Kathryn L. Ingerly). Agent: Rize Planning, Development and Construction (Ross Frie). City Staff: Heather Chaffin, 512-974-2122. District(s) Affected: District 3.

This item was postponed to April 26, 2018 at the request of staff on Council Member Garza's motion, Council Member Renteria's second on an 8-0 vote. Council Members Casar and Troxclair were off the dais. Council Member Pool was absent.

75. NPA-2017-0016.02 - Flats on Shady - District 3 - Conduct a public hearing and approve an ordinance amending Ordinance No. 030327-12, the Govalle/Johnston Terrace Combined Neighborhood Plan, an element of the Imagine Austin Comprehensive Plan, to change the land use designation on the future land use map (FLUM) on property locally known as 1125 Shady Lane (Boggy Creek Watershed) from Single Family to Multifamily land use. Staff

Recommendation: To grant Multifamily land use. Planning Commission Recommendation: To be reviewed on April 10, 2018. Owner/Applicant: Otto Friedrich Jr. Estate. Agent: Drenner Group (Amanda Swor). City Staff: Maureen Meredith, (512) 974-2695. District(s) Affected: District 3.

This item was postponed to April 26, 2018 at the request of staff on Council Member Garza's motion, Council Member Renteria's second on an 8-0 vote. Council Members Casar and Troxclair were off the dais. Council Member Pool was absent.

76. C14-2017-0094 - Flats on Shady - District 3 - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 1125 Shady Lane (Boggy Creek Watershed). Applicant Request: To rezone from family residence-neighborhood plan (SF-3-NP) combining district zoning to multifamily residence moderate-high density-neighborhood plan (MF-4-NP) combining district zoning. Staff Recommendation: To grant multifamily residence moderate-high density-neighborhood plan (MF-4-NP) combining district zoning. Planning Commission Recommendation: To be reviewed April 10, 2018. Owner/Applicant: Otto Friedrich Jr. Estate (Johnette Champion). Agent: Drenner Group (Dave Anderson). City Staff: Heather Chaffin, 512-974-2122. District(s) Affected: District 3.

This item was postponed to April 26, 2018 at the request of staff on Council Member Garza's motion, Council Member Renteria's second on an 8-0 vote. Council Members Casar and Troxclair were off the dais. Council Member Pool was absent.

79. NPA-2017-0016.04 - 4813 Gonzales St. & 4820 E. 7th Street - District 3 -Conduct a public hearing to approve an ordinance amending Ordinance No. 030327-12, the Govalle/Johnston Terrace Combined Neighborhood Plan, an element of the Imagine Austin Comprehensive Plan, to change the land use designation on the future land use map (FLUM) on property locally known 4813 Gonzales Street and 4820 E. 7th Street (Boggy Creek Watershed) from Commercial to Mixed Use land use. Staff Recommendation: To grant Mixed Use land use. Planning Commission Recommendation: To be reviewed on March 13, 2018. Owner/Applicant: Laura Hensley Agent: McLean and Howard (Jeff Howard). City Staff: Maureen Meredith, 512 -974-2695. District(s) Affected: District 3.

The public hearing was conducted and a motion to close the public hearing and approve the ordinance on first reading only to change the land use designation on the future land use map (FLUM) to Mixed Use land use was approved on Council Member Garza's motion, Council Member Renteria's second on an 8-0 vote. Council Members Casar and Troxclair were off the dais. Council Member Pool was absent.

80. C14-2017-0140 – Rezoning of 4813 Gonzalez and 4820 E. 7th Street - District 3 - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 4813 Gonzales Street (Boggy Creek Watershed) from general commercial services-conditional overlay-neighborhood plan (CS-CO-NP) combining district zoning to general commercial services-mixed use-vertical mixed use-conditional overlay-neighborhood plan (CS-MU-V-CO-NP) combining district zoning. Staff Recommendation: Pending. Planning Commission Recommendation: To be reviewed March 13, 2018. Owner/Applicant: Laura Hensley. Agent: McLean and Howard (Jeff Howard). Address 4813 Gonzalez and 4820 E. 7th Street. City Staff: Heather Chaffin, 512-974-2122. District(s) Affected: District 3.

The public hearing was conducted and a motion to close the public hearing and approve the ordinance for first reading only for general commercial services-mixed use-vertical mixed use-conditional overlay-neighborhood plan (CS-MU-V-CO-NP) combining district zoning was approved on Council Member Garza's motion, Council Member Renteria's second on an 8-0 vote. Council Members Casar and Troxclair were off the dais. Council Member Pool was absent.

81. NPA-2016-0005.04 - 500 Montopolis Drive - 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 500 Montopolis Drive (Country Club East) from Single Family to Mixed Use land use. Staff Recommendation: Neighborhood Mixed Use. Planning Commission Recommendation: To deny Applicant's request for Mixed Use land use. Owner/Applicant: Keep Investment Group. Agent: Drenner Group (Amanda Swor). City Staff: Maureen Meredith, (512) 974-2695. District(s) Affected: District 3.
This item was postponed to May 10, 2018 at the request of staff on Council Member Garza's motion, Council Member Renteria's second on an 8-0 vote. Council Members Casar and Troxclair were off the dais. Council Member Pool was absent.
82. C14H-2017-0055 - 500 Montopolis - District 3 - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 500 Montopolis Drive (Country Club East Creek Watershed). Applicant Request: To rezone from family residence-neighborhood plan (SF-3-NP) combining district zoning to community commercial-mixed use-historic landmark-neighborhood plan (GR-MU-H-NP) combining district zoning and community commercial-mixed use-neighborhood plan (GR-MU-NP) combining district zoning. Staff Recommendation: To grant community commercial-mixed use-historic landmark-conditional overlay-neighborhood plan (GR-MU-H-CO-NP) combining district zoning and community commercial-mixed use-conditional overlay-neighborhood plan (GR-MU-CO-NP) combining district zoning. Historic Landmark Commission: To grant community commercial-mixed use-historic landmark-conditional overlay-neighborhood plan (GR-MU-H-CO-NP) combining district zoning and community commercial-mixed use-conditional overlay-neighborhood plan (GR-MU-CO-NP) combining district zoning. Planning Commission Recommendation: To grant family residence-historic landmark-neighborhood plan (SF-3-H-NP). Owner: KEEP Investment Group, LLC (Austin Stowell). Applicant: City of Austin Planning and Zoning Department (Jerry Rusthoven). City Staff: Heather Chaffin, 512- 974-2122. District(s) Affected: District 3.
This item was postponed to May 10, 2018 at the request of staff on Council Member Garza's motion, Council Member Renteria's second on an 8-0 vote. Council Members Casar and Troxclair were off the dais. Council Member Pool was absent.
83. C14-2017-0084 - 6507 E. Riverside - District 3 - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 6505, 6507. 6509 E. Riverside Drive and 2108 Thrasher Lane (Carson Creek Watershed). Applicant Request: To rezone from East Riverside Corridor - neighborhood residential (ERC-NR) district zoning to East Riverside Corridor - corridor mixed use (ERC-CMU) district zoning. Staff Recommendation: To grant East Riverside Corridor - corridor mixed use (ERC-CMU) district zoning. Planning Commission Recommendation: To grant East Riverside Corridor - corridor mixed use (ERC-CMU) district zoning for a portion of the requested area. Owner/Applicant: TLH Riverside 6507 MF-1, LP (David Cox). Agent: Armbrust & Brown, PLLC (Michael Whellan). City Staff: Andrew Moore, 512-974-7604. District(s) Affected: District 3.
This item was postponed to May 10, 2018 at the request of the applicant on Council Member Garza's motion, Council Member Renteria's second on an 8-0 vote. Council Members Casar and Troxclair were off the dais. Council Member Pool was absent.
85. C14-2016-0021 - Double Creek Residences - District 5 - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 420 East FM 1626 Road (Onion Creek Watershed). Applicant Request: To rezone from general commercial services-conditional overlay (CS-CO) combining district zoning; general commercial services-

mixed use-conditional overlay (CS-MU-CO) combining district zoning and community commercial-conditional overlay (GR-CO) combining district zoning to general commercial services-mixed use-conditional overlay (CS-MU-CO) combining district zoning, with conditions. Staff Recommendation: To grant general commercial services-mixed use-conditional overlay (CS-MU-CO) combining district zoning, with conditions. Zoning and Platting Commission Recommendation: To grant general commercial services-mixed use-conditional overlay (CS-MU-CO) combining district zoning, with conditions. Owner/Applicant: Riddell Family Limited Partnership (Jim Henry). Agent: Drenner Group, PC (Amanda Swor). City Staff: Wendy Rhoades, 512-974-7719. District(s) Affected: District 5.

The public hearing was conducted and a motion to close the public hearing and approve the ordinance on first reading only for general commercial services-mixed use-conditional overlay (CS-MU-CO) combining district zoning, with conditions was approved on Council Member Garza's motion, Council Member Renteria's second on an 8-0 vote. Council Members Casar and Troxclair were off the dais. Council Member Pool was absent.

86. C14-2017-0113.SH - Chalmers Court - District 3 - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 1640 East 2nd Street (Lady Bird Lake Watershed) from general commercial services-neighborhood plan (CS-NP) combining district and multifamily residence moderate-high density-neighborhood plan (MF-4-NP) combining district zoning to multifamily residence high density-neighborhood plan (MF-5-NP) combining district zoning. Staff Recommendation: To grant to multifamily residence high density-neighborhood plan (MF-5-NP) combining district zoning. Planning Commission Recommendation: To grant to multifamily residence high density-neighborhood plan (MF-5-NP). Owner/Applicant: Austin Housing Authority. (Michael Gerber). Agent: Urban Design Group PC (Vanessa Mendez). City Staff: Heather Chaffin, 512-974-2122. District(s) Affected: District 3.

The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20180322-086 for multifamily residence high density-neighborhood plan (MF-5-NP) was approved on Council Member Garza's motion, Council Member Renteria's second on an 8-0 vote. Council Members Casar and Troxclair were off the dais. Council Member Pool was absent.

87. C14-2017-0139 - Ferguson Crossing- District 1 - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 3207 Ferguson Lane (Walnut Creek Watershed) from warehouse limited office-conditional overlay (W/LO-CO) combining district zoning, rural residence (RR) district zoning, neighborhood office-conditional overlay (NO-CO) combining district zoning, and single family residence large lot-conditional overlay (SF-1-CO) combining district zoning to warehouse limited office-conditional overlay (W/LO-CO) combining district zoning. Staff recommendation: To grant warehouse limited office-conditional overlay (W/LO-CO) combining district zoning. Zoning and Platting Commission Recommendation: To be reviewed April 3, 2018. Owner/Applicant: Fergi AV Land, LLC. (Colin Armstrong). Agent: Armbrust & Brown, PLLC (Amanda Morrow). City Staff: Heather Chaffin, 512-974-2122. District(s) Affected: District 1.

This item was postponed to May 10, 2018 at the request of staff on Council Member Garza's motion, Council Member Renteria's second on an 8-0 vote. Council Members Casar and Troxclair were off the dais. Council Member Pool was absent.

88. C14-2017-0149 - Rezoning of 5521 Springdale Road- District 1 - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 5521 Springdale Road (Little Walnut Creek Watershed) from community commercial-neighborhood plan (GR-NP) combining district zoning to community commercial-mixed use-neighborhood plan (GR-MU-NP) combining district zoning. Staff Recommendation: To grant community

commercial-mixed use-neighborhood plan (GR-MU-NP) combining district zoning. Planning Commission Recommendation: To grant community commercial-mixed use-neighborhood plan (GR-MU-NP) combining district zoning. Owner/Applicant: Kingdom of God Christian Center, Inc. (Fredrick Moore). Agent: Armbrust & Brown, PLLC (Amanda Morrow). City Staff: Heather Chaffin, 512-974-2122. District(s) Affected: District 1.

This item was postponed to April 26, 2018 at the request of Council on Council Member Garza's motion, Council Member Renteria's second on an 8-0 vote. Council Members Casar and Troxclair were off the dais. Council Member Pool was absent.

90. C14-2017-0152 - 3904 Medical Parkway - District 10 - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 3904 Medical Parkway (Shoal Creek Watershed). Applicant Request: To rezone from family residential (SF-3) district zoning to limited office (LO) district zoning. Staff Recommendation: To grant limited office - mixed use (LO-MU) combining district zoning. Zoning and Platting Commission Recommendation: To grant limited office - mixed use (LO-MU) combining district zoning. Owner: Bennie Lee Engelke, Bobby Dale Engelke, and Dorothy Ann Crawford. Applicant: Thrower Design (Ron Thrower). City Staff: Scott Grantham, 512-974-3574. District(s) Affected: District 10.

The motion to approve the ordinance for limited office – mixed use (LO-MU) combining district zoning was made by Council Member Garza and seconded by Council Member Renteria.

The following agreed upon language was read into the record:

“It is understood by area residents and area property owners on 39th ½ Street that are currently living in the neighborhood and are the closest to the proposed development, as well as the owner and purchaser of the property located at 3904 Medical Parkway (the “Property”), that if a Compatibility Waiver or Variance is obtained and used for the development of the property covered under Zoning Case #C14-2017-0152 located at 3904 Medical Parkway, then the subsequent development of the property would limit any structures to 32 feet in height. The proposed Compatibility Waiver or Variance is only proposed to be a decrease in the side yard setback from 23.5 feet to 19.5 feet from the north property line. The owner and purchaser have agreed to restrict the future Compatibility Waiver or Variance in this manner, and put a note on the site plan that clarifies the conditions of the Compatibility Waiver or Variance.”

The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20180322-090 for limited office - mixed use (LO-MU) combining district zoning was approved on Council Member Garza's motion, Council Member Renteria's second on an 8-0 vote. Council Members Casar and Troxclair were off the dais. Council Member Pool was absent.

DISCUSSION ITEMS CONTINUED

16. Discuss and take appropriate action regarding the proposed Interim Meet and Confer Agreement between the City of Austin and the Austin Travis County Emergency Medical Services Employees Association relating to wages, hours, and terms and conditions of employment for medics employed by the Austin -Travis County Emergency Medical Service Department.
Resolution No. 20180322-016 was approved on Council Member Flannigan's motion, Council Member Houston's second on a 9-0 vote. Council Member Troxclair was off the dais. Council Member Pool was absent.

26. Authorize an amendment to an existing contract with Republic Services Inc. D/B/A BFI Waste Services of Texas, LP, to provide continued refuse and recycling collection services for City departments, for an increase in the amount of \$1,511,385 and to increase the term by 19 months, for a revised contract amount not to exceed \$7,556,925. (Note: This contract was awarded in accordance with City Code Chapter 2-9C Minority Owned and Women Owned Business Enterprise Procurement Program. No subcontracting opportunities were identified; therefore no subcontracting goals were established).

The motion to authorize an amendment to an existing contract with Republic Services Inc. doing business as BFI Waste Services of Texas, L.P. was made by Council Member Flannigan and seconded by Council Member Alter.

A motion to amend the term of the existing contract to a term of 9 months failed on Council Member Houston's motion, Council Member Kitchen's second on a 4-5 vote. Those voting aye were: Council Members Casar, Houston, Kitchen, and Renteria. Those voting nay were: Mayor Adler, Mayor Pro Tem Tovo, Council Members Alter, Flannigan, and Garza. Council Member Troxclair was off the dais. Council Member Pool was absent.

The motion authorizing an amendment to an existing contract with Republic Services Inc. doing business as BFI Waste Services of Texas, L.P. was approved on Council Member Flannigan's motion, Council Member Alter's second on a 9-0 vote. Council Member Troxclair was off the dais. Council Member Pool was absent.

37. Approve a resolution consistent with the contract with the voters established by Resolution No. 20160818-074 relating to the 2016 Transportation and Mobility General Obligation bonds, to implement transportation and mobility improvements on nine corridors as part of the 2016 Mobility Bond Corridor Construction Program.

This item was postponed to April 26, 2018 on Council Member Kitchen's motion, Council Member Garza's second on a 9-0 vote. Council Member Troxclair was off the dais. Council Member Pool was absent.

33. Approve a resolution authorizing negotiation and execution of an Advanced Funding Agreement with the Texas Department of Transportation for the City to design and construct corridor mobility improvements on Burnet Road from US183 to MoPac/Loop 1 in an amount not to exceed \$26,600,000. District(s) Affected: District 7.

Resolution No. 20180322-033 was approved on Council Member Renteria's motion, Council Member Flannigan's second on a 9-0 vote. Council Member Troxclair was off the dais. Council Member Pool was absent.

Direction was given to staff that the execution of items impacted by the postponement of item 37 should not move forward until a decision is made on item 37, which was postponed to the April 26, 2018 meeting.

34. Authorize negotiation and execution of an amendment to the professional services agreement with Halff Associates, Inc., for design phase services for the YBC Urban Trail Route Segment 1 project in the amount of \$1,038,788.58, using existing funds and authorizing an additional \$750,018.17, for a total contract amount not to exceed \$1,550,018.17. (Note: This amendment will be awarded in compliance with City Code 2-9B (Minority Owned and Women Owned Business Enterprise Procurement Program). Current participation to date is 11.88% MBE and 11.40% WBE.) District(s) Affected: District 8.

The motion authorizing negotiation and execution of an amendment to the professional services agreement with Halff Associates, Inc. was approved on Council Member Renteria's

motion, Council Member Flannigan's second on a 9-0 vote. Council Member Troxclair was off the dais. Council Member Pool was absent.

35. Authorize negotiation and execution of an amendment to the professional services agreement with HDR Engineering, Inc., for engineering services for the Corridor Improvements Project in the amount of \$12,000,000 for a total contract amount not to exceed \$20,000,000. (Note: This amendment will be awarded in compliance with City Code 2-9B (Minority Owned and Women Owned Business Enterprise Procurement Program). Current participation to date is 13.02% MBE and 15.10% WBE.)

The motion authorizing negotiation and execution of an amendment to the professional services agreement with HDR Engineering, Inc. was approved on Council Member Renteria's motion, Council Member Flannigan's second on a 9-0 vote. Council Member Troxclair was off the dais. Council Member Pool was absent.

Direction was given to staff that the execution of items impacted by the postponement of item 37 should not move forward until a decision is made on item 37, which was postponed to the April 26, 2018 meeting; and to meet with minority chambers and trade groups to explain the changes made to the pilot program.

36. Authorize negotiation and execution of a professional services agreement with the following eleven firms recommended by staff (or other qualified responders) for Request for Qualifications Solicitation No. CLMP240: Kimley-Horn and Associates, Inc.; Halff Associates, Inc.; Freese and Nichols, Inc.; AECOM Technical Services, Inc.; CDM Smith, Inc.; CP&Y, Inc.; Binkley & Barfield, Inc.; Lockwood, Andrews & Newnam, Inc.; Alliance - Texas Engineering Company DBA Alliance Transportation Group, Inc.; Brown & Gay Engineers, Inc.; and Dannenbaum Engineering Company - Austin LLC for engineering services for the 2018 Corridor Program Engineering Services Rotation List for an estimated period of seven years or until financial authorization is expended, with the total amount not to exceed \$75,000,000 divided among the eleven firms. (Note: This contract will be awarded in compliance with City Code Chapter 2-9B (Minority Owned and Women Owned Business Enterprise Procurement Program) by meeting the goals with 15.80% MBE and 15.80% WBE participation.) District(s) Affected: District 1, District 2, District 3, District 4, District 5, District 7, District 8, District 9.

The motion authorizing negotiation and execution of a professional services agreement with Kimley-Horn and Associates, Inc.; Halff Associates, Inc.; Freese and Nichols, Inc.; AECOM Technical Services, Inc.; CDM Smith, Inc.; CP&Y, Inc.; Binkley & Barfield, Inc.; Lockwood, Andrews & Newnam, Inc.; Alliance - Texas Engineering Company doing business as Alliance Transportation Group, Inc.; Brown & Gay Engineers, Inc.; and Dannenbaum Engineering Company - Austin LLC was approved on Council Member Renteria's motion, Council Member Flannigan's second on a 9-0 vote. Council Member Troxclair was off the dais. Council Member Pool was absent.

Direction was given to staff that the execution of items impacted by the postponement of item 37 should not move forward until a decision is made on item 37, which was postponed to the April 26, 2018 meeting.

38. Approve a resolution authorizing negotiation and execution of an Advanced Funding Agreement with the Texas Department of Transportation for the City to design and construct corridor mobility improvements on Airport Boulevard from US183 to East Martin Luther King Jr. Boulevard in an amount not to exceed \$26,600,000. District(s) Affected: District 1, District 3.

Resolution No. 20180322-038 was approved on Council Member Renteria's motion, Council Member Flannigan's second on a 9-0 vote. Council Member Troxclair was off the dais. Council Member Pool was absent.

Direction was given to staff that the execution of items impacted by the postponement of item 37 should not move forward until a decision is made on item 37, which was postponed to the April 26, 2018 meeting.

39. Approve a resolution authorizing negotiation and execution of an Advanced Funding Agreement with the Texas Department of Transportation for the City to design and construct corridor mobility improvements on East Martin Luther King Jr. Boulevard from US183 to Decker Lane in an amount not to exceed \$7,900,000. District(s) Affected: District 1.
Resolution No. 20180322-039 was approved on Council Member Renteria's motion, Council Member Flannigan's second on a 9-0 vote. Council Member Troxclair was off the dais. Council Member Pool was absent.

Direction was given to staff that the execution of items impacted by the postponement of item 37 should not move forward until a decision is made on item 37, which was postponed to the April 26, 2018 meeting.

40. Approve a resolution authorizing negotiation and execution of Advanced Funding Agreement with the Texas Department of Transportation for the City to design and construct corridor mobility improvements on North Lamar Boulevard from US183 to Howard Lane in an amount not to exceed \$66,800,000. District(s) Affected: District 4, District 7.
Resolution No. 20180322-040 was approved on Council Member Renteria's motion, Council Member Flannigan's second on a 9-0 vote. Council Member Troxclair was off the dais. Council Member Pool was absent.

Direction was given to staff that the execution of items impacted by the postponement of item 37 should not move forward until a decision is made on item 37, which was postponed to the April 26, 2018 meeting.

41. Approve a resolution authorizing negotiation and execution of an Advanced Funding Agreement with the Texas Department of Transportation for the City to design and construct corridor mobility improvements on South Lamar Boulevard/Loop 343 from West Riverside Drive to US290 in an amount not to exceed \$36,200,000. District(s) Affected: District 5.
Resolution No. 20180322-041 was approved on Council Member Renteria's motion, Council Member Flannigan's second on a 9-0 vote. Council Member Troxclair was off the dais. Council Member Pool was absent.

Direction was given to staff that the execution of items impacted by the postponement of item 37 should not move forward until a decision is made on item 37, which was postponed to the April 26, 2018 meeting.

42. Approve an ordinance amending the Fiscal Year 2017-2018 Austin Transportation Department Capital Budget (Ordinance No. 20170913-001) to increase appropriations by \$60,000,000 for corridor mobility projects to be funded from 2016 Transportation and Mobility General Obligation bonds.
Ordinance No. 20180322-042 was approved on Council Member Renteria's motion, Council Member Flannigan's second on a 9-0 vote. Council Member Troxclair was off the dais. Council Member Pool was absent.

Direction was given to staff that the execution of items impacted by the postponement of item 37 should not move forward until a decision is made on item 37, which was postponed to the April 26, 2018 meeting.

43. Approve an ordinance amending the Fiscal Year 2017-2018 Austin Transportation Department Operating Budget (Ordinance No. 20170913-001) to increase appropriations by \$61,032 and to increase the number of authorized staff positions by five full-time equivalent staff positions to implement the 2016 Mobility Bond program.
Ordinance No. 20180322-043 was approved on Council Member Renteria's motion, Council Member Flannigan's second on a 9-0 vote. Council Member Troxclair was off the dais. Council Member Pool was absent.

Direction was given to staff that the execution of items impacted by the postponement of item 37 should not move forward until a decision is made on item 37, which was postponed to the April 26, 2018 meeting.

44. Approve a resolution declaring the City of Austin's official intent to reimburse itself from proceeds of general obligation bonds to be issued for transportation and mobility-related expenditures in the total amount of \$60,000,000. Related to Item #37.
Resolution No. 20180322-044 was approved on Council Member Renteria's motion, Council Member Flannigan's second on a 9-0 vote. Council Member Troxclair was off the dais. Council Member Pool was absent.

Direction was given to staff that the execution of items impacted by the postponement of item 37 should not move forward until a decision is made on item 37, which was postponed to the April 26, 2018 meeting.

PUBLIC HEARINGS

94. Conduct a public hearing and consider an ordinance on first reading regarding the application submitted by American Medical Response of Texas, Inc. to renew a non-emergency medical transfer franchise under Chapter 10-2 of the City Code.
The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20180322-094 was approved on Council Member Houston's motion, Council Member Renteria's second on an 8-0 vote. Council Members Casar and Troxclair were off the dais. Council Member Pool was absent.

ZONING AND NEIGHBORHOOD PLAN AMENDMENTS

89. C14H-2015-0008 - Rosewood Courts - District 1 - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as Rosewood Courts, 2001 Rosewood Avenue from multi-family residence - neighborhood plan (MF-4-NP) combining district zoning to multifamily residence-moderate-high density-historic landmark-neighborhood plan (MF-4-H-NP) combining district zoning for a portion of the property. Staff Recommendation: To grant multifamily residence-moderate-high density-historic landmark-neighborhood plan (MF-4-H-NP) combining district zoning for a portion of the property. Historic Landmark Commission Recommendation: To grant multifamily residence-moderate-high density-historic landmark-neighborhood plan (MF-4-H-NP) combining district zoning for a portion of the property. Planning Commission Recommendation: To be reviewed March 13, 2018. Applicant: Housing Authority of the City of Austin. City Staff: Steve Sadowsky, Historic

Preservation Office, Planning and Zoning Department, 512-974-6454. District(s) Affected: District 1.

The public hearing was conducted and a motion to close the public hearing and approve the Ordinance No. 20180322-089 for multifamily residence-moderate-high density-historic landmark-neighborhood plan (MF-4-H-NP) combining district zoning for a portion of the property was approved on Council Member Houston's motion, Council Member Renteria's second on a 9-0 vote. Council Member Troxclair was off the dais. Council Member Pool was absent.

Mayor Adler recessed the meeting at 6:14 p.m.

LIVE MUSIC

Austin Ukulele Society

PROCLAMATIONS

Proclamation – Fair Housing Month – To be presented by Mayor Steve Adler

Proclamation – 90th Anniversary of the 1928 City of Austin Master Plan – To be presented by Council Member Ora Houston

Proclamation – Public Health Week – To be presented by Council Member Ora Houston

Distinguished Service Award – Bob Guz, Office of the City Clerk –To be presented by Mayor Steve Adler and to be accepted by the honoree.

Proclamation – Austin-Koblenz Student Exchange – To be presented by Mayor Steve Adler

Mayor Adler reconvened the meeting at 7:36 p.m.

PUBLIC HEARINGS

93. Conduct a public hearing and consider a resolution for use of dedicated parkland, known as Bauerle Ranch at Slaughter Creek Greenbelt, for an approximately 49,184 sq. ft. permanent wastewater line and a 22,024 sq. ft. for a temporary staging area; to construct, use, maintain, repair, and replace a wastewater line as part of the Southland Oaks Waste Water Improvements Project, in accordance with Section 26.001 et seq. of the Texas Parks and Wildlife Code. (District 5). District(s) Affected: District 5.

The public hearing was conducted and a motion to close the public hearing and approve Resolution No. 20180322-093 was approved on Council Member Kitchen's motion, Council Member Renteria's second on a 9-0 vote. Council Member Troxclair was off the dais. Council Member Pool was absent.

DISCUSSION ITEMS CONTINUED

61. Approve a resolution directing the City Manager to provide City Council with different scenarios showing what percentage of tax increment in the Homestead Preservation Reinvestment Zone No. 1 should be set aside to result in the creation of different numbers of affordable units and varying levels of affordability that could be achieved by 2030. Council Sponsors: Housing and Planning Committee.

Resolution No. 20180322-061 was approved as amended below on Council Member Renteria's motion, Council Member Garza's second on a 9-0 vote. Council Member Troxclair was off the dais. Council Member Pool was absent.

The amendment was to report back to Council within 60 days.

62. Discussion and possible action regarding potential cancellation of the April 12, 2018 City Council meeting, including possible rescheduling of the meeting to a future date.
No action was taken.

ZONING AND NEIGHBORHOOD PLAN AMENDMENTS

Items 77 and 78 were acted on in one combined motion.

77. NPA-2017-0016.06 - Leija Villas - District 3 - Conduct a public hearing and approve an ordinance amending Ordinance No. 030327-12, the Govalle/Johnston Terrace Combined Neighborhood Plan, an element of the Imagine Austin Comprehensive Plan, to change the land use designation on the future land use map (FLUM) on property locally known as 3305 and 3309 Hidalgo Street (Boggy Creek Watershed) from Single Family to Mixed Use/Office land use. Staff Recommendation: To grant Mixed Use/Office land use. Planning Commission Recommendation: To grant Mixed Use/Office land use. Owner/Applicant: Dr. Graciela Leija, M.D. Agent: Michael Moran. City Staff: Maureen Meredith, 512-974-2695. District(s) Affected: District 3.
The public hearing was conducted and a motion to close the public hearing and approve the ordinance on first reading only to change the land use designation on the future land use map (FLUM) to Mixed Use/Office land use was approved on Council Member Renteria's motion, Council Member Casar's second on an 8-1 vote. Council Member Flannigan voted nay. Council Member Troxclair was off the dais. Council Member Pool was absent.
78. C14-2017-0150 - Leija Villa - District 3 - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 3305 and 3309 Hidalgo Street (Boggy Creek Watershed) from family residence-neighborhood plan (SF-3-NP) combining district zoning and family residence-conditional overlay-neighborhood plan (SF-3-CO-NP) combining district zoning to limited office-mixed use-conditional overlay-neighborhood plan (LO-MU-CO-NP) combining district zoning. Staff Recommendation: To grant limited office-mixed use-conditional overlay-neighborhood plan (LO-MU-CO-NP) combining district zoning. Planning Commission Recommendation: To grant limited office-mixed use-conditional overlay-neighborhood plan (LO-MU-CO-NP) combining district zoning. Owner/Applicant: Lunaire Group LP (Graciela Leija). Agent: Michael Moran. City Staff: Heather Chaffin, 512-974-2122. District(s) Affected: District 3.
The public hearing was conducted and a motion to close the public hearing and approve the ordinance on first reading only for limited office-mixed use-conditional overlay-neighborhood plan (LO-MU-CO-NP) combining district zoning was approved on Council Member Renteria's motion, Council Member Casar's second on an 8-1 vote. Council Member Flannigan voted nay. Council Member Troxclair was off the dais. Council Member Pool was absent.
84. C14-01-0046.02 - The Baker School - District 9 - Conduct a public hearing and approve an ordinance amending City Code Title 25 by zoning property locally known as 3908 Avenue B (Waller Creek Watershed). Applicant Request: To zone from Unzoned (UNZ) district to general commercial services - historic area - neighborhood conservation - neighborhood plan (CS-HD-NCCD-NP) combining district zoning. Staff Recommendation: To grant community commercial

- historic area - neighborhood conservation - neighborhood plan (GR-HD-NCCD-NP) combining district zoning. Historic Landmark Commission Recommendation: To grant community commercial - historic area - neighborhood conservation - neighborhood plan (GR-HD-NCCD-NP) combining district zoning. Planning Commission Recommendation: To be reviewed on March 13, 2018. Owner: Austin Public Schools. Applicant: Weiss Architecture Inc. (Richard Weiss). City Staff: Scott Grantham, 512-974-3574. District(s) Affected: District 9.

The public hearing was conducted and a motion to keep the public hearing open and approve the ordinance on first reading only for community commercial - historic area - neighborhood conservation - neighborhood plan (GR-HD-NCCD-NP) combining district zoning with the following conditions was approved on Mayor Pro Tem Tovo's motion, Council Member Renteria's second on an 8-1 vote. Council Member Flannigan voted nay. Council Member Troxclair was off the dais. Council Member Pool was absent.

The additional conditions were to: allow only residential above the first floor of a new building; have a 70-foot set back in front of the existing Baker School building; add an art gallery as a permitted use.

Direction was given to staff to work with Austin Independent School District and community members to explore the possibility of an affordability agreement or an affordability multiplier where the Council could rebate some of the tax revenue generated from this property to bring down the MFI; possible options available in zoning that would assist with increasing or keeping the revenue at the same level while providing lower levels of MFI; and what levels would the school district and Alamo consider participating in to lower the MFI.

PUBLIC HEARINGS CONTINUED

91. C14-2017-0067 - Champion Tract 1C - District 10 - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 6500 FM 2222 Road (West Bull Creek Watershed). Applicant Request: To rezone from neighborhood commercial- conditional overlay (LR-CO) combining district zoning to general commercial services- conditional overlay (CS-CO) combining district zoning. Staff Recommendation: To grant general commercial services- conditional overlay (CS-CO) combining district zoning. Zoning and Platting Commission Recommendation: To deny general commercial services-conditional overlay (CS-CO) combining district zoning. Owner/Applicant: Champion, Meier Assets, Ltd. (Terry Bray). Agent: Ambrust & Brown, L.L.P (Richard T. Suttle, Jr.). City Staff: Scott Grantham, 512-974-3574. District(s) Affected: District 10.

The motion to approve the ordinance on first reading only for general commercial services-conditional overlay (CS-CO) combining district zoning was made by Council Member Flannigan and seconded by Council Member Renteria.

A substitute motion to approve the ordinance on first reading only for warehouse limited office (W/LO) combining district zoning failed on Council Member Alter's motion, Council Member Houston's second on a 4-5 vote. Those voting aye were: Mayor Pro Tem Tovo, Council Members Alter, Houston, and Kitchen. Those voting nay were: Mayor Adler, Council Members Casar, Flannigan, Garza, and Renteria. Council Member Troxclair was off the dais. Council Member Pool was absent.

The public hearing was conducted and a motion to close the public hearing and approve the ordinance on first reading only for general commercial services- conditional overlay (CS-

CO) combining district zoning was approved on Council Member Flannigan's motion, Council Member Renteria's second on an 8-1 vote. Council Member Alter voted nay. Council Member Troxclair was off the dais. Council Member Pool was absent.

DISCUSSION ITEMS CONTINUED

8. Approve an ordinance amending the Fiscal Year 2017-2018 Historic Preservation Fund Operating Budget (Ordinance No. 20170913-001) to appropriate up to \$5,293,991; and amending the Fiscal Year 2017-2018 Capital Budgets of City Departments including the Parks and Recreation Department, the Austin Transportation Department, and the Austin Public Library Department (Ordinance No. 20170913-001) to transfer in and appropriate these funds for allowable historic restoration and preservation projects or activities as reflected in the Texas Tax Code Section 351.101(a)(5) which authorizes hotel occupancy tax to be used for historic restoration projects and activities that promote tourism and the convention industry and that are in specific locations in the City.

The motion to approve the ordinance was made by Mayor Pro Tem Tovo and seconded by Council Member Renteria.

A motion to divide the question was made by Mayor Adler and accepted without objection.

A motion to approve the ordinance with the exception of the citywide historic building scan and the downtown wayfinding project was approved on Mayor Adler's motion on a 9-0 vote. Council Member Troxclair was off the dais. Council Member Pool was absent.

A motion to strike the six state properties included in the historic preservation funding with the Downtown Wayfinding Project was made by Council Member Houston. The motion failed for lack of a second.

A motion to approve the Downtown Wayfinding Project was approved on Mayor Adler's motion on an 8-1 vote. Council Member Houston voted nay. Council Member Troxclair was off the dais. Council Member Pool was absent.

Ordinance No. 20180322-008 was approved on Mayor Pro Tem Tovo's motion, Council Member Renteria's second on an 8-0 vote. Council Members Alter and Troxclair were off the dais. Council Member Pool was absent.

Direction was given to staff to: report back to council by September 1, 2018 with detailed information on how community-initiated projects, not just those that are Parks and Recreation Department's responsibility, but including Parks and Recreation Department's responsibility are evaluated and how residents should submit them for evaluation to the city and provide information on how staff is going to include those in the various funding lists; report back to council by August 1, 2018 with information about any previously or currently uncollected hotel occupancy taxes from short term rentals and whether and how we can collect hot revenues directly from large company platforms like Homeaway and Airbnb, rather than the owner or occupant; provide a list of projects that are contemplated for next year's fiscal year so that we can consider those at the same time the budget is approved; and consider developing a multi-year prospective of expected revenues; and to provide the report from the taskforce working on the heritage grant process by June 1 if possible otherwise by August 1, 2018.

AFTER 10:00 P.M.

The motion to waive the rules and allow Council to meet after 10:00 p.m. was approved on Council Member Renteria's motion, Council Member Flannigan's second on an 8-0 vote. Council Members Alter and Troxclair were off the dais. Council Member Pool was absent.

92. C814-2017-0001 - 425 W. Riverside PUD - District 9 - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 425 W. Riverside Drive (Lady Bird Lake Watershed). Applicant Request: To rezone from Commercial-Liquor Sales - Vertical Mixed Use - Neighborhood Plan (CS-1-V-NP) combining district zoning to Planned Unit Development - Neighborhood Plan (PUD-NP) combining district zoning. Staff Recommendation: To grant Planned Unit Development - Neighborhood Plan with conditions (PUD-NP). Planning Commission Recommendation: To grant Planned Unit Development - Neighborhood Plan with conditions (PUD-NP). Owner/Applicant: Ronald A. Nelson, Trustee and Molley Belle Properties LP (Ronald A. Nelson). Agent: Armbrust & Brown (Richard T. Suttle, Jr.). City Staff: Andrew Moore, 512-974-7604. District(s) Affected: District 9.

The public hearing was conducted and a motion to close the public hearing and approve staff recommendation was made by Council Member Flannigan's motion and seconded by Council Member Renteria.

An amendment to keep the public hearing open and approve the Planning Commission recommendation with the additional recommendations from the Planning Commission was approved on Mayor Pro Tem Tovo's motion, Council Member Alter's second on a 9-0 vote. Council Member Troxclair was off the dais. Council Member Pool was absent.

The public hearing was conducted and a motion to keep the public hearing open and approve the ordinance on first reading for Planned Unit Development – Neighborhood Plan with conditions (PUD-NP) with the additional recommendations was approved on Council Member Flannigan's motion, Council Member Renteria's second on a 9-0 vote. Council Member Troxclair was off the dais. Council Member Pool was absent.

Direction was given to staff to provide Council with information on limitations that would provide for the creation of the TIF prior finalizing the regulating plan; information on why the Waterfront Overlay requires a variance for mirrored glass and what the criteria is for the variance; how the affordable housing calculation could be adjusted; clarity on how a community development corporation would work with the PID; how the PID would operate and how the PID creation could be expedited.

95. Conduct a public hearing and consider an ordinance regarding floodplain variances for the remodel of a commercial building at 1200 Barton Springs Road within the 25-year and 100-year floodplains of West Bouldin Creek.

The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20180322-095 was approved on Council Member Kitchen's motion, Council Member Renteria's second on a 7-1 vote. Those voting aye were: Mayor Adler, Mayor Pro Tem Tovo, Council Members Casar, Flannigan, Garza, Kitchen and Renteria. Council Member Houston voted nay. Council Member Alter abstained. Council Member Troxclair was off the dais. Council Member Pool was absent.

96. Conduct a public hearing and consider an ordinance amending Title 25 to remove the applicability of the Central Urban Redevelopment (CURE) combining district boundaries east of

IH-35. March 13, 2018 – Approved by the Planning Commission on an 8-0 vote with Commissioners Nuckols, De Hoyos Hart, Shieh, Thompson and Shaw absent.

The public hearing was conducted and a motion to close the public hearing and approve the ordinance was made by Council Member Houston and seconded by Council Member Renteria. Direction was given to staff to correct the word “applied” to “applies” found on the revised Affordability Impact Statement.

A motion to add a new Part 4 and renumber the remaining parts as necessary was approved on an 8-1 vote. Those voting aye were: Mayor Adler, Mayor Pro Tem Tovo, Council Members Alter, Casar, Flannigan, Garza, Houston and Kitchen. Council Member Renteria voted nay. Council Member Troxclair was off the dais. Council Member Pool was absent. The new Part 4 should read as follows:

Part 4. An application for which first reading has been granted on or before March 22, 2018 is governed by the law as it existed immediately before the effective date of this ordinance and that law is continued in effect for that purpose.

Ordinance No. 20180322-096 was approved as amended above on Council Member Houston’s motion, Council Member Renteria’s second on a 9-0 vote. Council Member Troxclair was off the dais. Council Member Pool was absent.

DISCUSSION ITEMS CONTINUED

99. Approve a resolution directing the City Manager to conduct further analysis of 10414 McKalla Place as a major league soccer stadium site and to provide a detailed assessment of potential community benefits that could be generated by such a use. Council Sponsors: Mayor Pro Tem Kathie Tovo, Mayor Steve Adler, Council Member Leslie Pool, Council Member Sabino 'Pio' Renteria, Council Member Ann Kitchen.

The motion to approve the resolution as amended below was made by Mayor Pro Tem Tovo and seconded by Council Member Renteria.

The amendments including proposed amendments submitted in advance by Council Member Pool were:

To add a new first whereas clause to read:

“Whereas, soccer is a beloved sport in the Central Texas region and throughout the State; and”

To add a new second whereas clause to read:

“Whereas, due to the sport’s broad appeal, a professional team in Austin could bring together Austinites of all backgrounds in a new and celebratory way; and”

To add a new seventh whereas clause (CM Pool proposed amendment) to read:

“Whereas, community members have expressed significant concerns about considering Roy G. Guerrero Colorado River Park or Butler Shores for a private soccer stadium; and”

To add a new eighth whereas clause to read:

“Whereas, the City Council affirms that it does not want to consider public parkland for this potential use; and”

To revise the first Be It Resolved clause to read:

“The City Manager is directed to initiate and complete a community engagement process and return to Council with a detailed report of the input received”. The City Manager is directed to provide a detailed analysis of 10414 McKalla Place as a potential site for a major league soccer stadium. This analysis should include:

- **An economic analysis of direct and indirect benefits, opportunity costs (such as the possible opportunity for an affordable housing development), potential liabilities, and substitution effects;**
- **If feasible, an estimation of how many Austinites leave Austin to visit neighboring cities to watch professional soccer;**
- **Financial opportunities and challenges, including, but not limited to the following (CM Pool proposed amendment):**
 - **Improvements to the surrounding transportation network;**
 - **Improvements to the surrounding utility infrastructure**
 - **Necessary public safety services to the facility;**
- **An examination of traffic considerations and transit options, with input from Capital Metro on the feasibility of a stadium train station (CM Pool proposed amendment); and**

To amend the Be It Further Resolved clause to read:

“The City Manager is directed to explore how this private use on publicly owned land could generate funds for the Housing Trust Fund.”

A motion to revise the Be It Further Resolved clause to delete “private use” and replace it with “proposal” was made by Council Member Alter and accepted without objection.

A motion to revise the Be It Resolved clause to add a new bullet point was made by Council Member Garza and accepted without objection. The new bullet point is to read: “The requirement of the design and construction of the stadium employ competitive solicitation, worker protections, and compliance with the City’s minority-owned and female-owned business enterprise procurement program for construction located in City Code Chapter 2-9A.”

Resolution No. 20180322-099 was approved as amended above on Mayor Pro Tem Tovo’s motion, Council Member Renteria’s second on a 9-0 vote. Council Member Troxclair was off the dais. Council Member Pool was absent.

Direction was given to staff to analyze Bolm Road as a possible location for affordable housing development.

Mayor Adler adjourned the meeting at 12:18 a.m. without objection.

The minutes were approved on this the 12th day of April 2018 on Council Member Flannigan’s motion, Council Member Houston’s second on an 7-0 vote. Mayor Adler, Mayor Pro Tem Tovo, Council Member Garza, and Council Member Troxclair were absent.