



**Thursday, March 28, 2019**

The City Council will convene at 10:00 AM on  
Thursday, March 28, 2019 at Austin City Hall  
301 W. Second Street, Austin, TX



Mayor Steve Adler  
Mayor Pro Tem Delia Garza, District 2  
Council Member Natasha Harper-Madison, District 1  
Council Member Sabino “Pio” Renteria, District 3  
Council Member Gregorio Casar, District 4  
Council Member Ann Kitchen, District 5  
Council Member Jimmy Flannigan, District 6  
Council Member Leslie Pool, District 7  
Council Member Paige Ellis, District 8  
Council Member Kathie Tovo, District 9  
Council Member Alison Alter, District 10

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

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

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

**9:55 AM – Invocation**

Reverend Tom Grevlos, Shepherd of the Hills Lutheran Church

**10:00 AM – City Council Convenes**

**Consent Agenda**

**Approval of Minutes**

1. Approve the minutes of the Austin City Council special called meeting of March 4, 2019, work session of March 5, 2019, and regular meeting of March 7, 2019.

**Austin Energy**

2. Authorize negotiation and execution of a power purchase agreement for up to 20 years with Gulf Wind 2 LLC, a Pattern Development subsidiary, for up to 170 megawatts of electricity from a utility-scale wind-generation facility, in an estimated amount of \$12,000,000 per year, for a total estimated amount of \$240,000,000.
3. Approve issuance of a rebate to Arbor Properties, for performing energy efficiency improvements at the Metropolis Apartments located at 2200 S. Pleasant Valley Rd., in an amount not to exceed \$152,409.

District(s): District 3

4. Approve issuance of a rebate to Waters at Bluff Springs LLC, for performing energy efficiency improvements at the Waters at Bluff Springs Apartments, located at 7707 South IH-35, in an amount not to exceed \$187,829.

District(s): District 2

**Capital Contracting Office**

5. Authorize award and execution of a construction contract with Control Panels USA, Inc., for the Water Distribution and Lift Station SCADA Improvements, Phase I project in the amount of \$198,800 plus a \$19,880 contingency, for a total contract amount not to exceed \$218,680.

[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 a combined MBE/WBE goal of 17.70% participation.]

District(s): District 3; District 8; District 10

## **Economic Development Department**

6. Authorize execution of an interlocal agreement with Travis County in support of commissioning a study addressing food accessibility to include a retail recruitment/expansion strategy to address food accessibility, in an amount not to exceed \$100,000.
7. Approve a resolution amending the Austin Convention and Visitors Bureau (doing business as Visit Austin) 2018-2019 Marketing Plan and Proposed Budget by an increased amount of \$250,000, for a revised total contract amount not to exceed \$15,964,496, to provide payment of the Fall 2018 Heritage Grants; and authorizing the City Manager to file the approved documents with the City Clerk's Office as required by Chapter 351 of the Texas Tax Code.

## **Financial Services**

8. Approve an ordinance authorizing the issuance of City of Austin, Texas Special Assessment Revenue Bonds, Series 2019 (Whisper Valley Public Improvement District Improvement Area #1), in an estimated amount not to exceed \$4,500,000 and authorizing all related documents and fees.

## **Law**

9. Authorize negotiation and execution of an amendment to the legal services agreement with Robert Icenhauer Ramirez for legal representation related to Perkins v. City of Austin et al., Cause No. 1:18-cv-00651-LY in the United States District Court for the Western District of Texas, in the amount of \$192,000 for a total contract amount not to exceed \$212,000.

## **Neighborhood Housing and Community Development**

10. Approve an ordinance creating the Board of Directors for Homestead Preservation Reinvestment Zone Number 1 and designating Austin City Council as the Board of Directors for the zone.

District(s): District 1; District 3; District 9

## **Office of Real Estate Services**

11. Authorize dedication of approximately 56.932 acres of City-owned land as parkland, located along Harold Court, North of Boggy Creek, East of Lott Avenue and West of US 183, and the execution and recording of an instrument evidencing the dedication.
12. Approve an ordinance authorizing negotiation and execution of all documents and instruments necessary or desirable to purchase in fee simple approximately 87 properties at high risk of flooding within the Onion Creek Watershed in a total amount not to exceed \$45,000,000, establishing acquisition and relocation guidelines, and waiving requirements of City Code Chapter 14-3.

District(s): District 5

13. Authorize negotiation and execution of an 84-month lease with Field Realty Partners, Ltd., a Texas limited partnership, for approximately 6,240 square feet for a City of Austin Utilities regional customer service center at the Towne Square Shopping Center, Suite 100, located at 1901 West

William Cannon Dr., with one seven-year extension option in an amount not to exceed \$1,367,497.

District(s): District 5

### **Office of Performance Management**

14. Amend Austin Strategic Direction 2023 to include the Mobility outcome strategies and metrics.

### **Parks and Recreation**

15. Approve adoption of the Brush Square Master Plan.

District(s): District 9

### **Public Health**

16. Authorize negotiation and execution of an agreement with Payor Alliance for AT Home LLC, for a Pay for Success project delivering permanent supportive housing services for a 60-month period, for a total agreement amount not to exceed \$6,000,000. Related to item 19-1193.
17. Approve an ordinance amending the fiscal year 2018-2019 Pay for Success Reserve Fund Operating Budget (Ordinance No. 20180911-001) to appropriate \$1,200,000 for a project delivering permanent supportive housing services. Related to item 19-1172.
18. Authorize negotiation and execution of Amendment No. 6 with The SAFE Alliance, to expand early intervention services to address violence and abuse in an amount not to exceed \$130,000 for a total agreement amount not to exceed \$4,888,222.
19. Approve an ordinance amending the Fiscal Year 2018-2019 Austin Public Health Department Operating Budget Special Revenue Fund (Ordinance No. 20180911-001) to accept and appropriate \$115,000 in additional grant funds from United Way for Greater Austin (UWATX) for the implementation of the Texas Family Connects Program; and authorizing negotiation and execution of an amendment to a contract with UWATX extending the term from September 1, 2018 through August 31, 2019 for a total contract amount not to exceed \$785,000.

### **Purchasing Office**

20. Authorize negotiation and execution of a multi-term contract with Richard James Hoffpauir D/B/A Richard Hoffpauir Consulting, to provide hydrologic consulting services, for up to five years for a total contract amount not to exceed \$734,000.

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

21. Approve ratification of a contract amendment with Johnson Controls Inc., for chiller maintenance, in the amount of \$32,457, for a revised total contract amount not to exceed \$2,736,952.

(Note: This contract was awarded in compliance with City Code Chapter 2-9C of the Minority Owned and Women Owned Business Enterprise Procurement Program. No subcontracting opportunities were identified; therefore no goals were established for this contract).

22. Approve ratification of a contract amendment with ABB Inc., to replace obsolete equipment at Fiesta Substation, for an increase in the amount of \$26,120, for a revised total contract amount not to exceed \$792,240.

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

23. Authorize an amendment to an existing contract with GCA Services Group Mountain States LP, to provide continued janitorial services, for an increase in the amount of \$818,000, for a revised total contract amount not to exceed \$2,453,932.

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

24. Authorize award of a multi-term contract with Community Trucking, LLC, to provide flexible base, for up to five years for a total contract amount not to exceed \$2,230,000.

(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).

25. Authorize negotiation and execution of a multi-term contract with CLEAResult Consulting Inc., to provide commercial and industrial demand response services, for up to five years for a total contract amount not to exceed \$1,750,000.

(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).

26. Authorize negotiation and execution of two cooperative contracts with GovDeals, Inc. and Gaston & Sheehan Auctioneers, Inc., for auction services, for up to 15 months for an estimated revenue amount of \$1,000,000 between the contractors.

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

27. Authorize negotiation and execution of a cooperative contract with HERC Rentals, Inc., for the rental of heavy-duty, commercial, industrial and construction equipment, vehicles, and related products, for up to 56 months for a total contract amount not to exceed \$1,000,000.

(Note: This procurement was reviewed for subcontracting opportunities in accordance with City

Code Chapter 2-9C Minority Owned and Women Owned Business Enterprise Procurement Program. For the services required for this procurement, there were no subcontracting opportunities; therefore, no subcontracting goals were established).

28. Authorize award of eight multi-term contracts for medical supplies, with Henry Schein Inc., Life-Assist Inc., Nashville Medical & EMS Products Inc., QuadMed Inc., Bound Tree Medical LLC, Concordance Healthcare Solutions, LLC, Southern Safety Sales Inc., and Derrah Morrison Enterprises, LLC D/B/A DME, LLC (WBE), each for up to five years for total contract amounts not to exceed \$18,315,300 divided among 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 required for this solicitation, there were no subcontracting opportunities; therefore, no subcontracting goals were established).

29. Authorize negotiation and execution of a multi-term contract with Avolve Software Corporation, to provide software licenses, maintenance, and support for the electronic plan review solution, for up to five years for a total contract amount not to exceed \$3,000,000.

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

30. Authorize negotiation and execution of a multi-term contract with WorkQuest, to provide cleanup services for overpasses and under bridges, for up to four years for a total contract amount not to exceed \$1,560,000.

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

### **Telecommunications and Regulatory Affairs**

31. Approve an ordinance to suspend a Gas Reliability Infrastructure Program interim customer surcharge proposed by Texas Gas Service Company.

### **Transportation**

32. Approve an ordinance amending City Code Section 12-1 (Traffic Regulation and Administration) and 12-2 (Bicycles) relating to the safe operation of micro-mobility devices.

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

33. 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.
34. Approve a resolution reaffirming the City Council's commitment to Austin's No Kill

animal-sheltering policy and supporting Austin Animal Center's goal of a 95% or greater live-release rate.

**Sponsors:** Council Member Leslie Pool, Mayor Pro Tem Delia Garza, Council Member Ann Kitchen, and Council Member Alison Alter

35. Approve an ordinance waiving or reimbursing certain fees for the 2019 Bengali New Year Festival, sponsored by Bangladesh Association of Greater Austin, to be held on Saturday, April 20, 2019 at Fiesta Gardens.

**Sponsors:** Council Member Kathie Tovo, Council Member Alison Alter, Council Member Paige Ellis, Council Member Ann Kitchen, and Council Member Sabino "Pio" Renteria

36. Approve an ordinance waiving or reimbursing certain fees for Family Days at the Springs, sponsored by Barton Springs Conservancy and Housing Authority of the City of Austin, to be held once a month between April and August 2019 at the Barton Springs Pool.

**Sponsors:** Council Member Paige Ellis, Council Member Ann Kitchen, Council Member Natasha Harper-Madison, and Council Member Sabino "Pio" Renteria

37. Approve an ordinance amending City Code Chapters 2-3 and 2-7 regarding complaints alleging a violation of the Code of Ethics.

**Sponsors:** Mayor Steve Adler, Council Member Natasha Harper-Madison, Mayor Pro Tem Delia Garza, and Council Member Ann Kitchen

38. Approve an ordinance amending the City Code to add the Human Rights Commission to the list of entities that selects one of its members to serve on the Joint Inclusion Committee.

**Sponsors:** Council Member Kathie Tovo, Council Member Paige Ellis, Council Member Alison Alter, Council Member Leslie Pool, and Council Member Sabino "Pio" Renteria

39. Approve a resolution supporting legislation that would repeal Subchapter D, Chapter 212 of the Local Government Code.

**Sponsors:** Council Member Jimmy Flannigan, Council Member Alison Alter, Council Member Ann Kitchen, and Council Member Paige Ellis

40. Approve a resolution supporting the City Manager's efforts to accelerate timetables for planned bicycle, scooter, transit, and tier one urban trail infrastructure projects approved in the 2016 and 2018 City of Austin bond propositions.

**Sponsors:** Mayor Steve Adler, Council Member Natasha Harper-Madison, Council Member Ann Kitchen, Council Member Sabino "Pio" Renteria, and Council Member Jimmy Flannigan

41. Approve a resolution amending the City's legislative agenda to include support for legislation related to inclusionary zoning.

**Sponsors:** Council Member Leslie Pool, Council Member Kathie Tovo, Council Member Alison Alter, Council Member Ann Kitchen, and Council Member Gregorio Casar

42. Approve a resolution amending the City's legislative agenda to include support for legislation that would allow to-go retail sales at Texas breweries.

**Sponsors:** Council Member Sabino "Pio" Renteria, Council Member Jimmy Flannigan, Mayor Steve Adler, and Council Member Natasha Harper-Madison

43. Approve an ordinance waiving or reimbursing certain fees for the Fallen Tribute Concert, sponsored by South Asians' International Volunteer Association, to be held on Sunday, March 31, 2019 at the Asian American Resource Center.

**Sponsors:** Council Member Alison Alter, Council Member Jimmy Flannigan, Council Member Leslie Pool, Council Member Natasha Harper-Madison, and Council Member Paige Ellis

44. Approve an ordinance waiving or reimbursing certain fees for the Texas State Employees Union Lobby Day, sponsored by Texas State Employees Union, to be held on Wednesday, April 10, 2019 on Congress Avenue, south of the Texas State Capitol.

**Sponsors:** Mayor Pro Tem Delia Garza, Council Member Sabino "Pio" Renteria, Council Member Gregorio Casar, Council Member Paige Ellis, and Council Member Leslie Pool

## **Non-Consent**

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

45. Approve a resolution appointing two individuals to the Municipal Civil Service Commission, each for a term of three years, and designating a chair for the Municipal Civil Service Commission.

**Sponsors:** Audit and Finance Committee

## **12:00 PM - Citizen Communications: General**

Dr. Koo-Hyun Kim – Austin City Council made City of Austin better than heaven greater than the Kingdom of God. That explains and proves I enjoy living in Austin for 13 years 2006-2019. But Texas Governor Greg Abbott is American enemy, justice killer Democracy killer. He did not protect Texas – Mexico Border Lane for multi – years.

Susana Almanza – You're invited to Annual Cesar E. Chavez March on Saturday, March 30th at 10am. March starts at Terrazas Library.

Matthew Rodriguez – Employment concerns re: Mexican-American Cultural Center.

Quintiel Fliland – Law, Criminal Law, Civil, Criminal Intent, Ban, Outlaw, County Law, Federal Law, Sectorial Law, Hospital Law, Program, Degree, Office of Police Monitor , council, Federal , Sectoral, Sectorial Bonds.

Michael R. Levy – TBD

William Mayor – Scooters in Austin.

Matthew Kim – Students for Climate Action Austin Chapter. (introduction) – Improved lighting in Austin, replace current lighting with all LEDs.

Maeve Verroye-Cannon – Students for Climate Action – Austin Chapter: Initiatives on pushing legislation towards 100% reusable energy by 2030-2050 in the City of Austin.

Silver White Mountain – TBD

Ted Gault – Graffiti Assessment.

## **Executive Session**



46. Discuss legal issues related to open government matters (Private consultation with legal counsel - Section 551.071 of the Government Code).
47. Consider matters related to Austin Energy generation resources (Certain Public Power Utilities: Competitive Matters - Section 551.086 of the Government Code).
48. Discuss legal issues related to Perkins v. City of Austin et al., Cause No. 1:18-cv-00651-LY in the United States District Court for the Western District of Texas (Private consultation with legal counsel - Section 551.071 of the Government Code).
49. Discuss legal issues related to Texas Association of Business et al. v. City of Austin et al., Cause No. D-1-GN-18-001968 in the 459th Judicial District, Travis County, Texas (Private consultation with legal counsel-Section 551.071 of the Government Code).

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

50. Conduct a public hearing and consider an ordinance amending the Imagine Austin Comprehensive Plan (Ordinance No. 20120614-058) by adopting the Austin Strategic Mobility Plan.
  51. Conduct a public hearing and consider an ordinance regarding a Pipeline Integrity Testing surcharge by Texas Gas Service.
  52. Conduct a public hearing and consider an ordinance authorizing an amendment to the agreement with Austin Independent School District establishing site development standards for Bowie High School to allow transfers of impervious cover to Bowie High School from certain campuses in the Barton Springs Zone. (This action concerns land located with the Barton Springs Zone).
- District(s):** District 8
53. Conduct a public hearing for the full purpose annexation of approximately 42.064 acres in Travis County, located approximately four-tenths of a mile east of the intersection of River Place Blvd and Milky Way Drive.
  54. Conduct a public hearing and consider an ordinance on second and third readings regarding floodplain variances for the construction of a new single-family residence at 4515 Avenue D within the 25-year and 100-year floodplains of Waller Creek.

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

55. NPA-2018-0021.03 - Colop 2 - Approve second and third reading of an ordinance amending Ordinance No. 20061116-055 of the East Riverside/Oltorf Combined Neighborhood Plan, an element of the Imagine Austin Comprehensive Plan, to change the future land use designation on the future land use map (FLUM) on property locally known as 5107 East Riverside Drive (Country Club Creek Watershed) from Single Family to Mixed Use/Office land use. First reading approved February 21, 2019. Vote: 11-0. Owner/Applicant: Francisco Colop. Agent: Bennett Consulting (Rodney Bennett). City Staff: Maureen Meredith, (512) 974-2695.  
Lead Department  
Planning and Zoning

**District(s):** District 3

56. C14-2018-0088 - Colop 2 - District 3 - Approve second and third readings of an ordinance amending City Code Title 25 by rezoning property locally known as 5107 East Riverside Drive (Country Club West Watershed). Applicant Request: To rezone from single family residence -standard lot - neighborhood plan (SF-2-NP) combining district zoning to limited office - mixed use - conditional overlay - neighborhood plan (LO-MU-CO-NP) combining district zoning. First reading approved on February 21, 2019. Vote 11-0. Owner/Applicant: Francisco and Elizabeth Colop. Agent: Bennett Consulting (Rodney K. Bennett). City Staff: Scott Grantham, 512-974-3574.

District(s): District 3

## **2:00 PM - Zoning and Neighborhood Plan Amendments (Public Hearings and Possible Action)**

57. NPA-2018-0016.03 -1103 Cherico Street -Conduct a public hearing and approve an ordinance amending Ordinance No. 030327-12, the Govalle/Johnston Terrace Combined Neighborhood Plan, an element of the Imagine Austin Comprehensive Plan, to change the land use designation on the future land use map (FLUM) on property locally known as 1103 Cherico Street (Boggy Creek Watershed) from Single Family to Higher Density Single Family land use. Staff recommendation: To Higher Density Single Family land use. Planning Commission recommendation: Withdrawn by applicant. Owner/Applicant: Austin Land Development, LLC. Agent: Permit Partners, LLC (David Cancialosi). City Staff: Maureen Meredith (512) 974-2695.

District(s): District 3

58. C14-2018-0093 -1103 Cherico Street- Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 1103 Cherico Street (Boggy Creek Watershed) from family residence-neighborhood plat (SF-3-NP) combining district zoning to urban family residence-neighborhood plan (SF-5-NP) combining district zoning. Staff Recommendation: To grant urban family residence-neighborhood plan (SF-5-NP) combining district zoning. Planning Commission Recommendation: Withdrawn by applicant. Owner/Applicant: Austin Land Development, LLC. Agent: Permit Partners, LLC (David Cancialosi). City Staff: Heather Chaffin, 512-974-2122. A valid petition has been filed in opposition to this rezoning request.

District(s): District 3

59. C14-2018-0130 - The Meadows on West Slaughter - Approve an ordinance amending City Code Title 25 by rezoning property locally known as 707 West Slaughter Lane (Slaughter Creek Watershed). Applicant's Request: To rezone from general office-mixed use-conditional overlay (GO-MU-CO) combining district zoning to community commercial-mixed use-vertical mixed use building (GR-MU-V) combining district zoning. Staff Recommendation and Zoning and Platting Commission Recommendation: To grant community commercial-mixed use-vertical mixed use building (GR-MU-V) combining district zoning. Owner/Applicant: SFC Software Factory LLC (Leonardo Madrigal). Agent: Morales Development LLC (Amy Morales). City Staff: Wendy Rhoades, 512-974-7719.

District(s): District 5

60. NPA-2018-0021.01 - 5101 East Oltorf - 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 5101 East Oltorf Street. (Country Club Creek Watershed) from Commercial to Mixed Use land use. Staff Recommendation: Pending. Planning Commission Recommendation: To be reviewed on April 23, 2019. Owner/Applicant: Charitable Holdings, II. Agent: Armbrust & Brown (Richard Suttle and Ferris Clements). City Staff: Kathleen Fox, (512) 974-7877.

District(s): District 3

61. C14-2018-0080 - 5101 East Oltorf - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 5101 East Oltorf Street (Country Club West Watershed). Applicant's Request: To rezone from community commercial-conditional overlay-neighborhood plan (GR-CO-NP) combining district zoning to general commercial services-mixed use-conditional overlay-neighborhood plan (CS-MU-CO-NP) combining district zoning. Staff Recommendation: Pending. Planning Commission Recommendation: To be reviewed on April 23, 2019. Owner/Applicant: Charitable Holdings, II (Michael Nellis). Agent: Armbrust & Brown, PLLC (Richard T. Suttle, Jr.). City Staff: Wendy Rhoades, 512-974-7719.

District(s): District 3

62. C14H-2018-0151 - Cisco's Bakery and Restaurant- Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 1511 E. 6th Street. Applicant's Request: To rezone from transit oriented development-neighborhood plan (TOD-NP) combining district zoning to transit oriented development-historic landmark- neighborhood plan (TOD-H-NP) combining district zoning. Staff Recommendations, Historic Landmark Commission Recommendation and Planning Commission Recommendation: To grant transit oriented development-historic landmark- neighborhood plan (TOD-H-NP) combining district zoning. Applicant: Ogee Preservation, LLC. City Staff: Steve Sadowsky, Historic Preservation Office, Planning and Zoning Department, 512-974-6454.  
Lead Department  
Planning and Zoning

District(s): District 3

63. C14-2018-0120 - Herblin-Shoe Mixed Use Rezoning -Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 712 W. 16th Street (Shoal Creek Watershed). Applicant Request: To rezone from family residence - historic landmark (SF-3-H) combining district zoning to general office - mixed use - historic landmark - conditional overlay (GO-MU-H-CO) combining district zoning. Staff Recommendation, Historic Landmark Commission Recommendation and Planning Commission Recommendation Recommendation: To grant general office - mixed use - historic landmark - conditional overlay (GO-MU-H-CO) combining district zoning. Owner/Applicant: Rothcom, LP (Megan Fults). Agent: Thrower Design (Victoria Haase). City Staff: Scott Grantham, 512-974-3574.

District(s): District 9

64. C14-2018-0115 - Sigma Chi Fraternity - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 2701 Nueces Street (Waller Creek Watershed). Applicant Request: To rezone from multifamily residence - moderate-high density - conditional overlay - neighborhood plan (MF-4-CO-NP) combining district zoning to multifamily residence - moderate-high density - neighborhood plan (MF-4-NP) combining district

zoning as amended. Staff Recommendation and Planning Commission Recommendation: To grant multifamily residence - moderate-high density - neighborhood plan (MF-4-NP) combining district zoning. Owner/Applicant: Alpha Nu Chapter of Sigma Chi (Linden Welsch). Thrower Design (Victoria Haase). City Staff: Scott Grantham, 512-974-3574.

District(s): District 9

65. C814-01-0038.03 - Parmer-Walnut Creek PUD Amendment #3 - APC Towers TX - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 1210 West Parmer Lane (Walnut Creek Watershed). Applicant Request: To rezone from Planned Unit Development (PUD) district zoning to Planned Unit Development (PUD) district zoning, to change a condition of zoning. The ordinance may include waiver of fees, alternative funding methods, modifications of City regulations, and acquisition of property. Staff Recommendation: To grant Planned Unit Development (PUD) district zoning. Zoning and Platting Commission Recommendation: To be reviewed on April 4, 2019. Owner/Applicant: 1212 Parmer LLC (Luis Montes, Manager). Agent: Vincent Gerard & Associates, Inc. (Vincent G. Huebinger). City Staff: Sherri Sirwaitis, 512-974-3057.

Lead Department  
Planning and Zoning

District(s): District 7

66. C14-2019-0005 - APC Towers - TX 1395 Kuckols Crossing - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 4400-1/2 East William Cannon Drive (Williamson Creek Watershed). Applicant's Request: To rezone from community commercial-mixed use-conditional overlay (GR-MU-CO) combining district zoning to community commercial-mixed use-conditional overlay (GR-MU-CO) combining district zoning, to change a condition of zoning. Staff Recommendation and Zoning and Platting Commission Recommendation: To grant community commercial-mixed use-conditional overlay (GR-MU-CO) combining district zoning, to change a condition of zoning. Owner/Applicant: LDG Development LLC (Jacob P. Brown). Agent: Vincent Gerard & Associates, Inc. (Vincent G. Huebinger). City Staff: Wendy Rhoades, 512-974-7719.

Lead Department  
Planning and Zoning

District(s): District 2

67. C14-2018-0148 - 12201 Pecan Street Rezoning - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 12202 Pecan Street (Rattan Creek Watershed). Applicant Request: To rezone from Family Residence (SF-3) district zoning to general commercial services (CS) district zoning. Staff Recommendation and Zoning and Platting Commission Recommendation: To grant general commercial services (CS) district zoning. Owner/Applicant: Perry Barth. Agent: Thrower Design (A. Ron Thrower). City Staff: Sherri Sirwaitis, 512-974-3057.

Lead Department  
Planning and Zoning

District(s): District 6

68. C14-2018-0135 - West Harbor Marina LLC - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 2503 Westlake Drive (Lake Austin Watershed). Applicant Request: To rezone from Lake Austin (LA) district zoning and family residence (SF-3) district zoning to urban family residence (SF-5) district zoning. Staff Recommendation: To grant urban family residence (SF-5) district zoning. Zoning and Platting Commission Recommendation: To grant urban family residence conditional overlay (SF-5-CO) combining district zoning. Owner/Applicant: West Harbour LLC. Agent: Permit Partners (Jennifer Hanlen). City Staff: Scott Grantham, 512-974-3574.

Lead Department  
Planning and Zoning

District(s): District 10

69. C14-2018-0111 - Westminster - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 4100 Jackson Avenue (Shoal Creek and Johnson Creek Watersheds). Applicant Request: To rezone from general office (GO) district zoning and general office - mixed use - conditional overlay (GO-MU-CO) combining district zoning to general commercial services - mixed use - conditional overlay (CS-MU-CO) combining district zoning. Staff and Zoning and Platting Commission Recommendation: To grant general commercial services - mixed use - conditional overlay (CS-MU-CO) combining district zoning. Owner/Applicant: Westminster Manor Health Facilities Corporation (Charles Borst). Agent: Land Use Solutions, LLC (Michele Haussmann). City Staff: Scott Grantham, 512-974-3574.

Lead Department  
Planning and Zoning

District(s): District 10

70. C14-2018-0136 1901 Ed Bluestein - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 1901 Ed Bluestein Boulevard (Boggy Creek Watershed) from general commercial services-conditional overlay (CS-CO) combining district zoning to general commercial services-mixed use-conditional overlay (CS-MU-CO) combining district zoning. Staff Recommendation and Zoning and Platting Commission Recommendation: To grant general commercial services-mixed use-conditional overlay (CS-MU-CO) combining district zoning. Owner/Applicant: Sunbelt Cleveland Properties (Dayne Yeager). Agent: Metcalfe, Wolff, Stuart & Williams LLP (Michele Rogerson Lynch). City Staff: Heather Chaffin, 512-974-2122.

Lead Department  
Planning and Zoning

District(s): District 3

71. C14-2017-0022 - Bluff Springs Commercial - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 6901 and 7001 Bluff Springs Road (Williamson Creek Watershed; South Boggy Creek Watershed). Applicant's Request: To rezone from general commercial services-conditional overlay (CS-CO) combining district zoning to general commercial services-conditional overlay (CS-CO) combining district zoning, to change a condition of zoning. Staff Recommendation and Zoning and Platting

Commission Recommendation: To grant general commercial services-conditional overlay (CS-CO) combining district zoning, to change a condition of zoning. Owner/Applicant: Buda Bluff, LLC (Salim Haddad). Agent: South Llano Strategies (Glen Coleman). City Staff: Wendy Rhoades, 512-974-7719.

District(s): District 2

72. C14-2018-0102 -Pioneer Hill MF-1 Rezoning - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 2100, 2102, 2104, 2106, 2108, 2110, 2200, 2202, 2204, 2206, 2208 and 2210 Arborside Drive, and 10611 Tildon Avenue (Walnut Creek Watershed) from multifamily residence-limited density (MF-1) district zoning to single family residence small lot (SF-4A) district zoning, as amended. Staff Recommendation: To grant single family residence small lot (SF-4A) district zoning, with conditions. Zoning and Platting Commission Recommendation: To be reviewed March 19, 2019. Owner/Applicant: Continental Homes of Texas LP. Agent: Pape-Dawson Engineers (Terry S. Reynolds). City Staff: Heather Chaffin, 512-974-2122.

District(s): District 1

73. NPA-2017-0016.02 - Flats on Shady - Conduct a public hearing and approve second and third readings of an ordinance amending Ordinance No. 030327-12, the Govalle/Johnston Terrace Combined Neighborhood Plan, an element of the Imagine Austin Comprehensive Plan, to change the land use designation on the future land use map (FLUM) on property locally known as 1125 Shady Lane (Boggy Creek Watershed) from Single Family to Multifamily land use. First reading approved August 23, 2018. Vote: 10-1. Council Member Renteria voting nay. Owner/Applicant: BCC Shady Lane LLC (Justin Metcalf). Agent: Drenner Group (Dave Anderson). City Staff: Maureen Meredith, (512) 974-2695.

District(s): District 3

74. C14-2017-0094 Flats on Shady - Conduct a public meeting and approve second and third readings of 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. First reading approved multifamily residence moderate-high density-neighborhood plan (MF-4-NP) combining district zoning on August 23, 2018. Vote: 10-1. Council Member Renteria voted nay. Owner/Applicant: BCC Shady Lane LLC (Justin Metcalf). Agent: Drenner Group (Dave Anderson). City Staff: Heather Chaffin, 512-974-2122.

District(s): District 3

75. C14-2018-0128 - 2323 South Lamar - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 2323 South Lamar Boulevard, 2421 Bluebonnet Lane, and 2315 South Lamar Boulevard (West Bouldin Creek Watershed) from limited office-conditional overlay (LO-CO) combining district zoning and community commercial-conditional overlay (GR-CO) combining district zoning to limited office-vertical mixed use building-conditional overlay (LO-V-CO) combining district zoning and community commercial-vertical mixed use building-conditional overlay (GR-V-CO) combining district zoning. Staff Recommendation: To grant limited office-vertical mixed use building-conditional overlay (LO-V-CO) combining district zoning and community commercial-vertical mixed use

building-conditional overlay (GR-V-CO) combining district zoning. Planning Commission Recommendation: To grant Applicant's request for indefinite postponement. Owner/Applicant: 2323 South Lamar, LTD (Kirk Rudy). Agent: Armbrust and Brown (Richard Suttle). City Staff: Heather Chaffin, 512-974-2122.

**District(s):** District 5

76. C14-2018-0112 - 2408 Leon - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 2408 Leon Street (Shoal Creek Watershed). Applicant Request: To rezone from multifamily residence moderate-high density - conditional overlay - neighborhood plan (MF-4-CO-NP) combining district zoning to general office - mixed use - neighborhood plan (GO-MU-NP) combining district zoning. Staff Recommendation: To grant general office - mixed use - neighborhood plan (GO-MU-NP) combining district zoning. Planning Commission Recommendation: To grant general office - mixed use - conditional overlay-neighborhood plan (GO-MU-CO-NP) combining district zoning. Owner/Applicant: Arlington Capital Austin (Jacob Frumkin). Agent: Drenner Group (Leah Bojo). City Staff: Scott Grantham, 512-974-3574.

**District(s):** District 9

77. C14-2018-0065 - Town Lake Circle I - Conduct a public hearing and approve second and third readings of an ordinance amending City Code Title 25 by rezoning property locally known as 2215 and 2315 Town Lake Circle (Lady Bird Lake Watershed). Applicant Request: To rezone from East Riverside Corridor (ERC) district zoning to East Riverside Corridor (ERC) district zoning, to change the subdistrict from neighborhood mixed use (NMU) to corridor mixed use (CMU). First Reading approved on February 21, 2019. Vote: 10-1; Council Member Casar voted nay. Owner/Applicant: FBZ Town Lake Circle II LP. Agent: Drenner Group (Leah Bojo). City Staff: Scott Grantham, 512-974-3574.

**District(s):** District 3

78. C14-2018-0064 - Town Lake Circle II - Conduct a public hearing and approve second and third readings of an ordinance amending City Code Title 25 by rezoning property locally known as 2423 and 2439 Town Lake Circle, and 2425 Elmont Drive (Lady Bird Lake and Country Club West Watersheds). Applicant Request: To rezone from East Riverside Corridor (ERC) district zoning to East Riverside Corridor (ERC) district zoning, to change the subdistrict from neighborhood mixed use (NMU) to corridor mixed use (CMU). First Reading approved on February 21, 2019. Vote: 10-1; Council Member Casar voted nay. Owner/Applicant: FBZ Town Lake Circle II LP. Agent: Drenner Group (Leah Bojo). City Staff: Scott Grantham, 512-974-3574.

**District(s):** District 3

79. NPA-2018-0012.02.SH - 2107 Alamo Street - Conduct a public hearing and approve second and third readings of an ordinance amending Ordinance No. 020801-91, the Upper Boggy Creek 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 2107 Alamo Street (Boggy Creek Watershed) from Single Family to Multifamily land use. First Reading approved on March 7, 2019. Vote: 10-1. Council Member Tovo voted nay. Owner/Applicant: Anmol Mehra. Agent: Glen Coleman. City Staff: Jeff Engstrom, (512) 974-1621.

**District(s):** District 1

80. C14-2018-0100.SH 2107- Alamo Street - Conduct a public hearing and approve second and third readings of an ordinance amending City Code Title 25 by rezoning property locally known as 2107 Alamo Street (Boggy Creek Watershed). Applicant Request: To rezone from single family residence-neighborhood plan (SF-3-NP) combining district zoning to multifamily residence moderate high density-conditional overlay-neighborhood plan (MF-4-CO-NP) combining district zoning. First Reading approved on March 7, 2019. Vote: 10-1. Council Member Tovo voted nay. Owner/Applicant: Anmol Mehra. Agent: South Llano Strategies (Glen Coleman). City Staff: Heather Chaffin, 512 974-2122.

District(s): District 1

#### **4:00 PM - Public Hearings and Possible Action**

81. Conduct a public hearing and consider an appeal by interested parties regarding the decision by the Development Services Department to issue an Outdoor Music Venue permit to Yard Bar, located at 6700 Burnet Rd.

District(s): District 7

82. Conduct a public hearing and consider a request by the agent for the owner of Charles Schwab Austin, located at 2309 Gracy Farms Lane, to waive the distance requirement of City Code Section 4-9-4(A), which requires a minimum of 300 feet between a business that sells alcoholic beverages and a public school.

District(s): District 7

#### **5:30 PM - Live Music**

Grupo Prestigio

#### **5:30 PM – Proclamations**

Proclamation – Public Health Week – To be presented by Mayor Steve Adler and to be accepted by Stephanie Hayden, Director, Austin Public Health.

Distinguished Service Award – Rodney Gonzales – To be presented by Council Member Jimmy Flannigan and to be accepted by the honoree.

Certificates of Appreciation – Departing Board and Commission members – To be presented by Council Member Sabino “Pio” Renteria and to be accepted by the honorees.

#### **Adjourn**

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

Cualquier persona puede solicitar servicios de intérprete en español comunicándose con la oficina del Secretario/a Municipal



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



# City of Austin

301 W. Second Street  
Austin, TX

## Agenda

### City Council Addendum Agenda

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Thursday, March 28, 2019

10:00 AM

Austin City Hall

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

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

#### Consent Agenda

##### Fire

83. Approve an ordinance authorizing acceptance of \$25,000 in grants funds from the Urban Sustainability Directors Network - a project of Global Philanthropy Partnership; and amending the Fiscal Year 2018-2019 Austin Fire Department Operating Budget Special Revenue Fund (Ordinance No. 20180911-001) to appropriate these grant funds for a web-based, real-time smoke map.

##### Item(s) from Council

84. Approve an ordinance waiving or reimbursing certain fees for the Resilience Vision for a New America Screening, sponsored by the Undoing White Supremacy Austin group, which was held on Tuesday, March 26, 2019 at the George Washington Carver Museum Cultural Center Theater.

Sponsors: Council Member Natasha Harper-Madison, Council Member Gregorio Casar, Council Member Ann Kitchen, and Council Member Leslie Pool

#### Non-Consent

##### Executive Session

85. Discuss legal issues related to Garcia v. City of Austin, Cause No. 1: 17-cv-01052 in the United States District Court for the Western District of Texas, Austin Division (Private consultation with legal counsel - Section 551.071 of the Government Code).

#### Adjourn

Note: The above item(s) will be considered under its respective category, but follow the last number on the Austin, Texas, City Council Agenda for Thursday, March 28, 2019

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