

**AUSTIN CITY COUNCIL  
MINUTES****REGULAR MEETING  
THURSDAY, MARCH 28, 2019****Invocation: Reverend Tom Grevlos, Shepherd of the Hills Lutheran Church**

**The following represents the actions taken by the Austin City Council in the order they occurred during the meeting. While the minutes are not in sequential order, all agenda items were discussed. The City Council of Austin, Texas, convened in a regular meeting on Thursday, March 28, 2019 in the Council Chambers of City Hall, 301 West Second Street, Austin, Texas.**

**Mayor Adler called the Council Meeting to order at 10:16 a.m.**

**CONSENT AGENDA**

**The following items were acted on by one motion.**

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.  
**The motion approving 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 was approved on consent on Mayor Pro Tem Garza's motion, Council Member Kitchen's second on an 11-0 vote.**
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.  
**The motion authorizing negotiation and execution of a power purchase agreement for up to 20 years with Gulf Wind 2 LLC, a Pattern Development subsidiary, was approved on consent on Mayor Pro Tem Garza's motion, Council Member Kitchen's second on an 11-0 vote.**
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) Affected: District 3.  
**The motion approving issuance of a rebate to Arbor Properties was approved on consent on Mayor Pro Tem Garza's motion, Council Member Kitchen's second on an 11-0 vote.**
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) Affected: District 2.  
**The motion approving issuance of a rebate to Waters at Bluff Springs LLC was approved on consent on Mayor Pro Tem Garza's motion, Council Member Kitchen's second on an 11-0 vote.**

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) Affected: District 3, District 8, District 10.  
**The motion authorizing award and execution of a construction contract with Control Panels USA, Inc. was approved on consent on Mayor Pro Tem Garza's motion, Council Member Kitchen's second on an 11-0 vote.**
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.  
**This item was postponed to May 9, 2019 on consent on Mayor Pro Tem Garza's motion, Council Member Kitchen's second on an 11-0 vote.**
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.  
**Resolution No. 20190328-007 was approved on consent on Mayor Pro Tem Garza's motion, Council Member Kitchen's second on an 11-0 vote.**
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.  
**Ordinance No. 20190328-008 was approved on consent on Mayor Pro Tem Garza's motion, Council Member Kitchen's second on an 11-0 vote.**
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.  
**The motion authorizing negotiation and execution of an amendment to the legal services agreement with Robert Icenhauer Ramirez was approved on consent on Mayor Pro Tem Garza's motion, Council Member Kitchen's second on an 11-0 vote.**
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) Affected: District 1, District 3, District 9.  
**Ordinance No. 20190328-010 was approved on consent as amended below on Mayor Pro Tem Garza's motion, Council Member Kitchen's second on an 11-0 vote.**  
  
**An amendment was made by Council Member Renteria and accepted without objection.**  
  
**The amendment was to revise Part 2, to read:**  
**"(2) City Council appoints Mayor Adler to serve as chairman of the Board."**
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.

**This item was postponed to April 25, 2019 on consent on Mayor Pro Tem Garza's motion, Council Member Kitchen's second on an 11-0 vote.**

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) Affected: District 5.

**Ordinance No. 20190328-012 was approved on consent on Mayor Pro Tem Garza's motion, Council Member Kitchen's second on an 11-0 vote.**

**Direction was given to staff to encourage owners who choose not to participate in the buyout, to disclose, to any future renters, that the property is in the flood plain and has previously flooded.**

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) Affected: District 5.

**The motion authorizing negotiation and execution of an 84-month lease with Field Realty Partners, Ltd. was approved on consent on Mayor Pro Tem Garza's motion, Council Member Kitchen's second on an 11-0 vote.**

**Item 14 was pulled for discussion.**

15. Approve adoption of the Brush Square Master Plan. District(s) Affected: District 9.  
**The motion approving adoption of the Brush Square Master Plan was approved on consent as amended below and with the following direction on Mayor Pro Tem Garza's motion, Council Member Kitchen's second on an 11-0 vote.**

**An amendment was made by Council Member Casar and accepted without objection. The amendment was to revise page 58 as follows:**

**To revise the header to read "Art and Play"**

**To revise the first paragraph to read: "Public art, especially... exploration and play by children, be attractive for photograph opportunities, and serve as identifiable brands for Brush Square and the City of Austin."**

**To insert a new last sentence in the third paragraph to read: "The City of Austin should explore the potential for a more engaging play area to be located on the site."**

**The following direction was given: The City Manager should consider developing a plan, determining a location, and identifying funding to relocate Fire Station Number 1's operations as part of the Brush Square Master Plan.**

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.

**The motion authorizing negotiation and execution of an agreement with Payor Alliance for AT Home LLC was approved on consent on Mayor Pro Tem Garza's motion, Council Member Kitchen's second on an 11-0 vote.**

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.  
**Ordinance No. 20190328-017 was approved on consent on Mayor Pro Tem Garza's motion, Council Member Kitchen's second on an 11-0 vote.**
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.  
**The motion authorizing negotiation and execution of Amendment No. 6 with The SAFE Alliance was approved on consent on Mayor Pro Tem Garza's motion, Council Member Kitchen's second on an 11-0 vote.**
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.  
**Ordinance No. 20190328-019 was approved on consent on Mayor Pro Tem Garza's motion, Council Member Kitchen's second on an 11-0 vote.**
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).  
**The motion authorizing negotiation and execution of a multi-term contract with Richard James Hoffpauir doing business as Richard Hoffpauir Consulting was approved on consent on Mayor Pro Tem Garza's motion, Council Member Kitchen's second on an 11-0 vote.**
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).  
**The motion approving ratification of a contract amendment with Johnson Controls Inc. was approved on consent on Mayor Pro Tem Garza's motion, Council Member Kitchen's second on an 11-0 vote.**
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).  
**The motion approving ratification of a contract amendment with ABB Inc. was approved on consent on Mayor Pro Tem Garza's motion, Council Member Kitchen's second on an 11-0 vote.**

**Item 23 was pulled for discussion.**

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).  
**The motion authorizing award of a multi-term contract with Community Trucking, LLC was approved on consent on Mayor Pro Tem Garza's motion, Council Member Kitchen's second on an 11-0 vote.**
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).  
**The motion authorizing negotiation and execution of a multi-term contract with CLEAResult Consulting Inc. was approved on consent on Mayor Pro Tem Garza's motion, Council Member Kitchen's second on an 11-0 vote.**
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).  
**The motion authorizing negotiation and execution of two cooperative contracts with GovDeals, Inc. and Gaston & Sheehan Auctioneers, Inc. was approved on consent on Mayor Pro Tem Garza's motion, Council Member Kitchen's second on an 11-0 vote.**
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).  
**The motion authorizing negotiation and execution of a cooperative contract with HERC Rentals, Inc. was approved on consent on Mayor Pro Tem Garza's motion, Council Member Kitchen's second on an 11-0 vote.**
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).  
**The motion authorizing award of eight multi-term contracts 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 doing business as DME, LLC was approved on consent on Mayor Pro Tem Garza's motion, Council Member Kitchen's second on an 11-0 vote.**

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).  
**This item was withdrawn.**

**Item 30 was pulled for discussion.**

31. Approve an ordinance to suspend a Gas Reliability Infrastructure Program interim customer surcharge proposed by Texas Gas Service Company.  
**Ordinance No. 20190328-031 was approved on consent on Mayor Pro Tem Garza's motion, Council Member Kitchen's second on an 11-0 vote.**

**Item 32 was pulled for discussion.**

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.  
**The following appointments and certain related waivers were approved on consent on Mayor Pro Tem Garza's motion, Council Member Kitchen's second on an 11-0 vote.**

#### Nominations

##### Board/Nominee

##### Nominated by

##### Austin Travis County Food Policy Board

Joi Chevalier

Mayor Adler

##### Building and Standards Commission

Sade Ogunbode

Council Member Harper-Madison

##### Commission for Women

Neva Fernandez

Council Member Ellis

##### Commission on Veterans Affairs

Alfred Bingham

Council Member Harper-Madison

##### Commission on Veterans Affairs

Doris Williams

Mayor Adler

##### Construction Advisory Committee

Juan Pedro Muñoz

Mayor Pro Tem Garza

##### Downtown Austin Community Court Advisory Board

Kate Garza

Mayor Adler

##### Electric Board

Miguel Suazo

Council Member Harper-Madison

**Electric Board**

Michael King

Council Member Ellis

**Historic Landmark Commission**

Mathew Jacob

Council Member Flannigan

**Joint Sustainability Committee (Primary)**

Richard Schneider

Planning Commission

**Mexican American Cultural Center Advisory Board**

Tanya Karakashian

Council Member Harper-Madison

**MBE/WBE and Small Business Enterprise Procurement Program Advisory Committee**

Daniel Berner

Council Member Ellis

**Music Commission**

Jonathan 'Chaka' Mahone

Council Member Harper-Madison

**Music Commission**

Doug Leveton

Council Member Ellis

**Parks & Recreation Board**

Laura Cottam Sajbel

Council Member Tovo

**Parks & Recreation Board**

Anna L. Di Carlo

Mayor Pro Tem Garza

**Public Safety Commission**

Ed Scruggs

Council Member Ellis

**South Central Waterfront Advisory Board**

Linda Guerrero

Environmental Commission

**Small Area Planning Joint Committee**

Patrick Howard

Planning Commission

**Special Events Task Force**

Cindy Lo

Council Member Harper-Madison

**Special Events Task Force**

Dan Carroll

Council Member Ellis

**Special Events Task Force**

James Russell

Mayor Adler

**Special Events Task Force**

Heath Riddles

Council Member Flannigan

**Reappointments**

**African American Resource Advisory Commission**

Gregory Smith

Austin Revitalization Authority

**Board of Adjustment (Alternate)**

Kelly Blume

Mayor Adler

**Board of Adjustment (Alternate)**

Martha Gonzales

Mayor Adler

**Construction Advisory Committee**

Calvin Williams

Council Member Harper-Madison

**Hispanic/Latino Quality of Life Advisory Commission**

Isabel Lopez-Aguilar

Mayor Adler

**Mechanical and Plumbing Board**

Joseph Cooper

Council Member Harper-Madison

**Zoning and Platting**

Nadia Barrera-Ramirez

Mayor Adler

**Waivers**

Approve a waiver of the residency requirement in Section 2-1-21 of the City Code for the service of Dorris Williams on the Commission on Veterans Affairs.

**Item 34 was pulled for discussion.**

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. Council Sponsors: Council Member Kathie Tovo, Council Member Alison Alter, Council Member Paige Ellis, Council Member Ann Kitchen, Council Member Sabino 'Pio' Renteria.

**Ordinance No. 20190328-035 was approved on consent on Mayor Pro Tem Garza's motion, Council Member Kitchen's second on an 11-0 vote.**

**Direction was given to staff to include the following amounts towards the fee waiver:  
\$500 by Council Member Flannigan.**

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. Council Sponsors: Council Member Paige Ellis, Council Member Ann Kitchen, Council Member Natasha Harper-Madison, Council Member Sabino 'Pio' Renteria.

**Ordinance No. 20190328-036 was approved on consent on Mayor Pro Tem Garza's motion, Council Member Kitchen's second on an 11-0 vote.**

**Item 37 was pulled for discussion.**

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. Council Sponsors: Council Member Kathie Tovo, Council Member Paige Ellis, Council Member Alison Alter, Council Member Leslie Pool, Council Member Sabino 'Pio' Renteria.

**Ordinance No. 20190328-038 was approved on consent on Mayor Pro Tem Garza's motion, Council Member Kitchen's second on an 11-0 vote.**



39. Approve a resolution supporting legislation that would repeal Subchapter D, Chapter 212 of the Local Government Code. Council Sponsors: Council Member Jimmy Flannigan, Council Member Alison Alter, Council Member Ann Kitchen, Council Member Paige Ellis, Mayor Pro Tem Delia Garza.  
**Resolution No. 20190328-039 was approved on consent on Mayor Pro Tem Garza's motion, Council Member Kitchen's second on an 11-0 vote.**
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. Council Sponsors: Mayor Steve Adler, Council Member Natasha Harper-Madison, Council Member Ann Kitchen, Council Member Sabino 'Pio' Renteria, Council Member Jimmy Flannigan.  
**Resolution No. 20190328-040 was approved on consent as amended below on Mayor Pro Tem Garza's motion, Council Member Kitchen's second on an 11-0 vote.**
- The following amendments were made by Mayor Adler and accepted without objection.**
- To revise the second Be It Further Resolved clause to read: "...scooter, transit, sidewalks, and tier one urban trail infrastructure projects approved in the 2016 and 2018 City of Austin bond propositions and those funded by other means."**
41. Approve a resolution amending the City's legislative agenda to include support for legislation related to inclusionary zoning. Council Sponsors: Council Member Leslie Pool, Council Member Kathie Tovo, Council Member Alison Alter, Council Member Ann Kitchen, Council Member Gregorio Casar.  
**Resolution No. 20190328-041 was approved on consent on Mayor Pro Tem Garza's motion, Council Member Kitchen's second on an 11-0 vote.**
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. Council Sponsors: Council Member Sabino 'Pio' Renteria, Council Member Jimmy Flannigan, Mayor Steve Adler, Council Member Natasha Harper-Madison, Council Member Paige Ellis.  
**Resolution No. 20190328-042 was approved on consent on Mayor Pro Tem Garza's motion, Council Member Kitchen's second on an 11-0 vote.**
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. Council Sponsors: Council Member Alison Alter, Council Member Jimmy Flannigan, Council Member Leslie Pool, Council Member Natasha Harper-Madison, Council Member Paige Ellis.  
**Ordinance No. 20190328-043 was approved on consent on Mayor Pro Tem Garza's motion, Council Member Kitchen's second on an 11-0 vote.**
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. Council Sponsors: Mayor Pro Tem Delia Garza, Council Member Sabino 'Pio' Renteria, Council Member Gregorio Casar, Council Member Paige Ellis, Council Member Leslie Pool.  
**Ordinance No. 20190328-044 was approved on consent on Mayor Pro Tem Garza's motion, Council Member Kitchen's second on an 11-0 vote.**
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.

**Ordinance No. 20190328-083 was approved on consent on Mayor Pro Tem Garza's motion, Council Member Kitchen's second on an 11-0 vote.**

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

**Ordinance No. 20190328-084 was approved on consent on Mayor Pro Tem Garza's motion, Council Member Kitchen's second on an 11-0 vote.**

### **DISCUSSION ITEMS**

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).

**The motion to postpone to April 25, 2019 was approved on Council Member Tovo's motion, Mayor Pro Tem Garza's second on a 10-0 vote. Council Member Alter was off the dais.**

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.

**This item was postponed to no later than May 23, 2019 on Council Member Kitchen's motion, Council Member Renteria's second on a 10-1 vote. Council Member Flannigan voted nay.**

**Direction was given to staff to add the Urban Transportation Commission be added to the process.**

14. Amend Austin Strategic Direction 2023 to include the Mobility outcome strategies and metrics. **The motion to approve the Austin Strategic Direction 2023 to include the Mobility outcome strategies and metrics with the following amendments and direction was made by Council Member Alter motion and seconded by Council Member Pool.**

**The following amendments were accepted without objection.**

**Add Metric A9 to read: "Average time to clear crashes from major roadways"**

**Add Metric A10 to read: "Number of transportation projects, programs, and initiatives that are coordinated with partner agencies"**

**An amendment was made by Council Member Harper-Madison and seconded by Council Member Casar.**

**The amendment was to revise Metric C1 to read: "Percent of population (housing units) and employment (commercial square footage) within a quarter-mile of a high-frequency transit stop, within a half-mile of the All Ages and Abilities Bicycle Network"**

**A friendly amendment was made by Mayor Pro Tem Garza and accepted without objection.**

The amendment was to revise Metric C1 to read: "Percent of population (housing units) and employment (commercial square footage) within a quarter-mile and half-mile of a high-frequency transit stop, within a half-mile of the All Ages and Abilities Bicycle Network."

The amendment made by Council Member Harper-Madison was accepted as revised without objection.

The following amendments were made by Council Member Ellis and seconded by Council Member Kitchen.

Revise Strategy 3 to read: "Encourage use of sustainable modes of transportation and discourage driving alone and single-purpose trips citywide to maximize the use of our transportation network. Lead by example as an employer in incentivizing, offering, promoting, and implementing mobility options for all City employees, people doing business with the City, and people participating in public input opportunities."

Revise Strategy 5 to read: "Coordinate with Capital Metro, Central Texas Regional Mobility Authority, Texas Department of Transportation, Capital Area Metropolitan Planning Organization, Capital Area Council of Governments, school districts, and other agencies to maximize the person-carrying capacity of the transportation network."

Add Strategy 14 to read: "Identify and implement land use policies that support a shift towards a more-sustainable mode share."

Revise Metric C3 to read: "Number of mobility projects initiated and successfully completed in Innovation Zones"

Add Metric C7 to read: "Percent of people working in Austin that commute in for work (i.e. do not live in Austin)"

Revise Metric D3 to read: "Percentage of fatalities and serious injuries reduced following street design/infrastructure projects on the High-Injury Network"

Add Metric D5 to read: "Number and percent of customer service requests for the removal of highly hazardous blockages (e.g. debris, vegetation, construction-related, vehicular, or any other blockages) of bike facilities and sidewalks resolved within 72 hours."

Add Metric D6 to read: "Number and percent of Safe Routes to Schools infrastructure projects at each of the following stages: Recommended (High or Very High Benefit), Planned/Funded, Design, Construction, Completed."

A friendly amendment was made by Council Member Pool and accepted without objection.

The amendment was to revise Metric C-7 to read: "Percent of people working in Austin that come from outside Austin."

The amendments made by Council Member Ellis were accepted as revised without objection.

An amendment was made by Mayor Pro Tem Garza and accepted without objection.

The amendment was to revise Strategy 3 to read: "Provide equitable access to multimodal transportation choices to link people to opportunities such as education, health care,

healthy food including community amenities, such as grocery stores, open space, and jobs, especially in historically underserved and underrepresented communities."

An amendment was made by Council Member Harper-Madison and accepted without objection.

The amendment was to revise Metric B5 to read: "Percent of affordable housing available at 60% MFI and 80% MFI within quarter-mile and half-mile of transit and bicycle priority networks"

The motion amending Austin Strategic Direction 2023 to include the Mobility outcome strategies and metrics was approved as amended above on Council Member Alter's motion, Council Member Pool's second on an 11-0 vote.

Direction was given to staff to add the text from the Q&A about congestion and air quality to the System Efficiency and Congestion indicator category and listing of related metrics.

The language reads "Scientific research has found a direct link between traffic congestion, vehicle emissions, and air quality. The region's efforts to improve system efficiency and congestion therefore has the potential to positively impact air quality. While air quality metrics are not listed within the Mobility outcome, they can be found under the Health and Environment outcome's Environmental Quality Indicator. The City is committed to collaboration between the two outcomes to address these challenges."

Additional direction was given to staff to collect City and Regional data for metrics A1 and B1.

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. Council Sponsors: Audit and Finance Committee.  
**Resolution No. 20190328-045 was approved on Council Member Alter's motion, Council Member Pool's second on a 10-0 vote. Council Member Renteria was off the dais.**

#### **PUBLIC HEARINGS**

51. Conduct a public hearing and consider an ordinance regarding a Pipeline Integrity Testing surcharge by Texas Gas Service.  
**The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20190328-051 was approved on Council Member Flannigan's motion, Mayor Pro Tem Garza's second on an 11-0 vote.**
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) Affected: District 8.  
**The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20190328-052 was approved on Council Member Ellis's motion, Council Member Kitchen's second on an 11-0 vote.**
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.  
**The public hearing was conducted and a motion to close the public hearing was approved on Mayor Pro Tem Garza's motion, Council Member Pools second on an 11-0 vote.**

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.

**The public hearing was conducted and a motion to close the public hearing and approve on second reading only was approved on Council Member Casar's motion, Council Member Ellis's second on a 6-5 vote. Those voting aye were Mayor Adler, Council Members Casar, Ellis, Flannigan, Harper-Madison, and Renteria. Those voting nay were Mayor Pro Tem Garza, Council Members Alter, Kitchen, Pool and Tovo.**

**A motion to reconsider the item was made by Mayor Adler's and seconded by Council Member Casar. The motion was accepted without objection.**

**The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20190328-054 was approved on Council Member Casar's motion, Council Member Ellis's second on a 7-4 vote. Those voting aye were Mayor Adler, Mayor Pro Tem Garza, Council Members Casar, Ellis, Flannigan, Harper-Madison, and Renteria. Those voting nay were Council Members Alter, Kitchen, Pool and Tovo.**

#### **CITIZENS 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. **Not Present.**

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. **Not Present.**

Michael R. Levy – TBD

William Mayor – Scooters in Austin. **Not Present.**

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.

**Mayor Adler recessed the Council Meeting to go into Executive Session at 12:29 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.**

- 35. Discuss legal issues related to open government matters (Private consultation with legal counsel - Section 551.071 of the Government Code).  
**This item was withdrawn.**
- 47. Consider matters related to Austin Energy generation resources (Certain Public Power Utilities: Competitive Matters - Section 551.086 of the Government Code).  
**Conducted**
- 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).  
**This item was withdrawn.**
- 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).  
**Conducted**
- 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).  
**Conducted**

**Mayor Adler stated item 30 would be discussed in Executive Session.**

- 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).

**Executive Session ended and Mayor Adler called the Council Meeting back to order at 3:13 p.m.**

#### **ZONING AND NEIGHBORHOOD PLAN AMENDMENTS**

- 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) Affected: District 10.  
**The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20190328-069 for general commercial services - mixed use - conditional overlay (CS-MU-CO) combining district zoning was approved on Council Member Alter's**

**motion, Council Member Renteria's second on an 10-0 vote. Council Member Tovo abstained.**

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) Affected: District 3.  
**Ordinance No. 20190328-055 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 Flannigan's second on an 11-0 vote.**
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) Affected: District 3.  
**Ordinance No. 20190328-056 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 Flannigan's second on an 11-0 vote.**
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) Affected: District 3.  
**This item was withdrawn at the request of the applicant on Council Member Renteria's motion, Council Member Flannigan's second on an 11-0 vote.**
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) Affected: District 3.  
**This item was withdrawn at the request of the applicant on Council Member Renteria's motion, Council Member Flannigan's second on an 11-0 vote.**
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) Affected: District 5.

**Ordinance No. 20190328-059 for community commercial-mixed use-vertical mixed use building (GR-MU-V) combining district zoning was approved on Council Member Renteria's motion, Council Member Flannigan's second on an 11-0 vote.**

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) Affected: District 3.  
**This item was postponed to May 23, 2019 at the request of staff on Council Member Renteria's motion, Council Member Flannigan's second on an 11-0 vote.**
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) Affected: District 3.  
**This item was postponed to May 23, 2019 at the request of staff on Council Member Renteria's motion, Council Member Flannigan's second on an 11-0 vote.**
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) Affected: District 3.  
**The public hearing was conducted and a motion to keep the public hearing open and approve the ordinance on first reading only for transit oriented development-historic landmark- neighborhood plan (TOD-H-NP) combining district zoning was approved on Council Member Renteria's motion, Council Member Flannigan's second on an 11-0 vote.**
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) Affected: District 9.

**The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20190328-063 for general office - mixed use - historic landmark - conditional overlay (GO-MU-H-CO) combining district zoning was approved on Council Member Renteria's motion, Council Member Flannigan's second on an 11-0 vote.**

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) Affected: District 9.

**The public hearing was conducted and a motion to close the public hearing and approve the ordinance on first reading only for multifamily residence - moderate-high density - neighborhood plan (MF-4-NP) combining district zoning was approved on Council Member Renteria's motion, Council Member Flannigan's second on an 11-0 vote.**

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) Affected: District 7.

**This item was postponed to April 11, 2019 at the request of staff on Council Member Renteria's motion, Council Member Flannigan's second on an 11-0 vote.**

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) Affected: District 2.

**The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20190328-066 for community commercial-mixed use-conditional overlay (GR-MU-CO) combining district zoning, to change a condition of zoning was approved on Council Member Renteria's motion, Council Member Flannigan's second on an 11-0 vote.**

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) Affected: District 6.
- The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20190328-067 for general commercial services (CS) district zoning was approved on Council Member Renteria's motion, Council Member Flannigan's second on an 11-0 vote.**
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) Affected: District 10.
- The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20190328-068 for urban family residence (SF-5) district zoning was approved on Council Member Renteria's motion, Council Member Flannigan's second on an 11-0 vote.**
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) Affected: District 2.
- This item was postponed indefinitely at the request of the applicant on Council Member Renteria's motion, Council Member Flannigan's second on an 11-0 vote.**
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) Affected: District 1.
- The public hearing was conducted and a motion to close the public hearing and approve the ordinance on first reading only for single family residence small lot (SF-4A) district zoning, with conditions was approved on Council Member Renteria's motion, Council Member Flannigan's second on an 11-0 vote.**

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) Affected: District 5.  
**This item was postponed indefinitely at the request of the applicant on Council Member Renteria's motion, Council Member Flannigan's second on an 11-0 vote.**
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) Affected: District 9.  
**The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20190328-076 for general office - mixed use – conditional overlay-neighborhood plan (GO-MU-CO-NP) combining district zoning was approved on Council Member Renteria's motion, Council Member Flannigan's second on an 11-0 vote.**
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) Affected: District 3.  
**The public hearing was conducted and a motion to keep the public hearing open and approve on second reading only for corridor mixed use (CMU) was approved on Council Member Renteria's motion, Council Member Flannigan's second on a 10-1 vote. Council Member Casar voted nay.**
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) Affected: District 3.

**The public hearing was conducted and a motion to keep the public hearing open and approve on second reading only for corridor mixed use (CMU) was approved on Council Member Renteria's motion, Council Member Flannigan's second on a 10-1 vote. Council Member Casar voted nay.**

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) Affected: District 1.

**This item was postponed to April 11, 2019 at the request of the applicant on Council Member Renteria's motion, Council Member Flannigan's second on an 11-0 vote.**

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) Affected: District 1.

**This item was postponed to April 11, 2019 at the request of the applicant on Council Member Renteria's motion, Council Member Flannigan's second on an 11-0 vote.**

#### **DISCUSSION ITEMS CONTINUED**

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).

**The motion authorizing negotiation and execution of a multi-term contract with WorkQuest was made by Council Member Flannigan and seconded by Council Member Kitchen.**

**An amendment was made by Council Member Tovo and accepted without objection.**

**The amendment was to add the following to read: "The optional contract extensions may only be granted with Council approval."**

**The motion authorizing negotiation and execution of a multi-term contract with WorkQuest was approved as amended above on Council Member Flannigan's motion, Council Member Kitchen's second on a 9-0 vote. Council Members Alter and Renteria were off the dais.**

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

**Resolution No. 20190328-034 was approved on Council Member Pool's motion, Mayor Pro Tem Garza's second on an 11-0 vote.**

37. Approve an ordinance amending City Code Chapters 2-3 and 2-7 regarding complaints alleging a violation of the Code of Ethics. Council Sponsors: Mayor Steve Adler, Council Member Natasha Harper-Madison, Mayor Pro Tem Delia Garza, Council Member Ann Kitchen.  
**Ordinance No. 20190328-037 was approved on Mayor Adler's motion, Mayor Pro Tem Garza's second on a 10-0 vote. Council Member Casar was off the dais.**

### **PUBLIC HEARINGS CONTINUED**

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) Affected: District 7.  
**This item was postponed to April 25, 2019 on Council Member Pool's motion, Mayor Pro Tem Garza's second on an 11-0 vote.**
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) Affected: District 7.  
**This item was withdrawn.**

### **ZONING AND NEIGHBORHOOD PLAN AMENDMENTS CONTINUED**

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) Affected: District 3.  
**The public hearing was conducted and a motion to close the public hearing and approve the ordinance for general commercial services-mixed use-conditional overlay (CS-MU-CO) combining district zoning without the addition of the following prohibited land uses: adult oriented businesses, alternative financial services was made by Council Member Flannigan and seconded by Mayor Pro Tem Garza.**

**An amendment was approved on Council Member Tovo's motion, Council Member Kitchen's second on a 9-1 vote. Council Member Flannigan voted nay. Council Member Harper-Madison was off the dais.**

**The amendment was to revise PART 2, A to read:**

**"The following uses are prohibited uses on the Property:**

<b>Adult oriented businesses</b>	<b>Alternative financial services</b>
<b>Bail bond services</b>	<b>Campground</b>
<b>Drop-off recycling collection facility</b>	<b>Exterminating services</b>
<b>Funeral services</b>	<b>Kennels</b>
<b>Laundry services</b>	<b>Pawn shop services</b>
<b>Vehicle storage"</b>	

**The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20190328-070 for general commercial services-mixed use-conditional overlay (CS-MU-CO) combining district zoning as amended above was approved on Council**

**Member Flannigan's motion, Mayor Pro Tem Garza's second on a 9-1 vote. Council Member Flannigan voted nay. Council Member Harper-Madison was off the dais.**

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) Affected: District 3.

**The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20190328-073 to change the land use designation on the future land use map (FLUM) to Multifamily land use was approved on Council Member Renteria's motion, Council Member Casar's second on a 10-0 vote. Mayor Adler was off the dais.**

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) Affected: District 3.

**The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20190328-074 for multifamily residence-moderate-high density-neighborhood plan (MF-4-NP) combining district zoning was approved on Council Member Renteria's motion, Council Member Casar's second on a 10-0 vote. Mayor Adler was off the dais.**

#### **PUBLIC HEARINGS CONTINUED**

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.

**The public hearing was conducted and a motion to keep the public hearing open and approve the ordinance on first reading only was approved on Council Member Flannigan's motion, Council Member Pool's second on an 11-0 vote.**

**Mayor Pro Tem Garza adjourned the meeting at 5:44 p.m. without objection.**

#### **LIVE MUSIC**

Grupo Preztigio

#### **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 – Michael Shipley – To be presented by Mayor Steve Adler 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.

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

**The minutes were approved on this the 11<sup>th</sup> day of April 2019 on Mayor Pro Tem Garza's motion, Council Member Renteria's second on a 11-0 vote.**