

**AUSTIN CITY COUNCIL
MINUTES****SPECIAL CALLED MEETING
WEDNESDAY, FEBRUARY 12, 2020**

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 special called meeting on Wednesday, February 12, 2020 in the Council Chambers of City Hall, 301 West Second Street, Austin, Texas.

Mayor Adler called the Council Meeting to order at 3:09 p.m.

A motion to allow speakers to have 2 minutes failed on a 4-7 vote. Those voting aye were: Council Members Alter, Kitchen, Pool and Tovo. Those voting nay were: Mayor Adler, Mayor Pro Tem Garza, Council Members Casar, Ellis, Flannigan, Harper-Madison and Renteria.

Discussion continued on item 2 from the meeting conducted on February 11, 2020.

DISCUSSION ITEM

2. Approve second and third readings of an ordinance adopting a comprehensive revision to the Land Development Code, relating to the regulation of land use and development in the City of Austin and its extraterritorial jurisdiction, and providing for implementation.
A motion to approve the staff recommendations on second reading only was made by Council Member Casar and seconded by Council Member Flannigan.

The following additional proposed amendments were acted upon:

I. RESIDENTIAL [R1-R3]

An amendment was proposed by Council Member Tovo as follows: Amend 23-3C-3060 House-Scale Preservation Incentive (D)(2) to read:

- (b) Wall Demolition and Removal.
 - (i) Except as provided in Paragraph (iii), no more than 25 percent of the façade and supporting structural elements, including load bearing masonry walls, and in wood construction, studs, sole plate, and top plate, of an existing structure may be demolished or removed. For purposes of this requirement, exterior walls and supporting structural elements are measured in linear feet and do not include interior or exterior finishes.

- (ii) The exterior wall of the preserved structure must be retained, except that a porch, per Section 23-3D-5 (Private Frontages), may be added to a preserved structure that does not have a private frontage.

The item was tabled without objection.

An amendment was proposed by Mayor Adler for consideration on 3rd Reading, propose appropriate text revisions to achieve the following objectives:

For parcels mapped Residential 2A (R2A) that are not wholly or partially located in the Urban Core, within Activity Centers, along Activity Corridors, or within Transition Areas (as defined in the amended IACP Growth Concept Map), the Base Standard for FAR and Size Maximum should be .75, and the maximum allowable impervious cover 45% for one unit.

The item was tabled without objection.

II. TRANSITION AREAS [R4, RM1]

An amendment was proposed by Council Member-Harper Madison to reduce townhouse lot size in all zones to 1400 square feet and adjust site development regulations to allow three story units on smaller lots.

The amendment was approved on a 9-2 vote. Those voting aye were: Mayor Adler, Mayor Pro Tem Garza, Council Members Alter, Casar, Ellis, Flannigan, Harper-Madison, Kitchen, and Renteria. Those voting nay were: Council Member Pool and Tovo.

Direction was given to staff to provide a model before third reading including where the changes would occur, and which council districts are impacted.

An Amendment was proposed by Council Member Harper-Madison to amend subsection A(2) of section 23-3D-4020 to read as follows: A multifamily use with 12 or more dwelling units in a building; and to strike subsection B of section 23-3D-4020.

The amendment was approved 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.

An amendment was proposed by Council Member Casar relating to PROPORTIONATE FEE-IN-LIEU: Subject to appropriate criteria, authorize NHCD to determine the proportion of the required fee-in-lieu amount in R4 and RM1 based on the number of units over the base as part of a program to buy down affordable units in R4 and RM1 zones throughout the city.

The amendment as amended above was approved on an 11-0 vote.

With direction to staff to staff to include an analysis of what this amendment does for getting the on-site housing; and to bring back the fee ordinance.

An amendment was proposed by Council Member Kitchen relating to context-sensitive criteria for Transitions Areas to read:

Staff is directed to proposed potential code and map amendments for consideration at third reading to address need for contextual setbacks where more intensive zones with 0' setbacks (such as MS3) share side and/or rear property lines with R4 house-scale transition zones: (sometimes created when neighborhood streets intersect corridors at an angle and deviate from a perpendicular street grid) in ways that do not materially reduce housing capacity nor significantly change compatibility standards. To achieve this intent, staff should consider, without limitation, amendments that:

- Establish a setback / step back and vegetative buffer requirement for commercially zoned tracts that share side and/or rear property lines with an R4 zoned property to provide remedy toward a more gradual transition between the zoning intensity levels; or
- Reassign the zoning of the R4 tracts to R3 to trigger draft code compatibility requirements to address this condition; or
- Create a new R3a zoning category which triggers compatibility on the side, but not the rear and allows live/work uses.

A motion to amend was made by Council Member Ellis to strike the last sentence of the paragraph and the three bullet points, seconded by Mayor Pro Tem Garza.

The motion failed on a 4-7 vote. Those voting aye were: Mayor Pro Tem Garza, Council Members Ellis, Harper-Madison and Renteria. Those voting nay were: Mayor Adler, Council Members Alter, Casar, Flannigan, Kitchen, Pool, and Tovo.

A friendly amendment was made by Council Member Tovo and accepted without objection to revise the last sentence read as follows: "staff should consider the following amendments along with any others they believe to be appropriate."

A friendly amendment was made by Mayor Adler and accepted without objection to revise the last sentence read as follows: "To achieve this intent, staff should consider the following amendments along with any others they believe to be appropriate."

The amendment was approved as amended above on an 11-0 vote.

An amendment was proposed by Council Member Kitchen to address visual screening and dumpster requirements consistent with the existing East Riverside Corridor Regulating Plan

- (B) Items to be Screened.
 - (1) Screening shall be accomplished with vegetation or a combination of vegetative and non-vegetative elements, as prescribed in the ECM:
 - (a) An area used for loading and service;

- (b) An outdoor storage area including inoperable vehicle(s), appliances(s), tire(s), building material(s), equipment, raw material(s), or aboveground storage tank(s);
 - (c) An exterior shopping cart or other commercial storage area that is located adjacent to a single-family development;
 - (d) Ground-level mechanical equipment, except for utility meters;
 - (e) A water quality and detention pond, except for a rain garden, biofiltration pond, or wet pond; and
 - (f) Telecommunication equipment and facilities up to 8 feet.
- (2) **Dumpster Requirements.**
Dumpsters, including large landfill trash containers, organics diversion containers, recycle containers, and similar large resource recovery containers, along with associated collection areas, shall:
- a. Be screened with materials that are the same as, or of equal quality to, the materials used in the principal building and shall be incorporated into the overall design of the building and landscape so that the visual impacts of these functions are fully contained and out of view from adjacent properties and streets; and
 - b. Be located at least 50 feet from a property zoned R3 or more restrictive. The location of and access to any permanently placed refuse receptacle, including a dumpster, must comply with guidelines published by the City. The Planning and Development Review Department shall review and must approve the location of and access to each refuse receptacle on a property.
 - c. The noise level of mechanical equipment may not exceed 70 db at the property line of a triggering property.
 - d. Collection or dumping of any permanently placed refuse receptacle 100 feet or less from adjoining triggering property is prohibited between 10:00 pm and 7:00 am.

The amendment failed on a 4-7 vote. Those voting aye were: Council Members Alter, Kitchen, Pool and Tovo. Those voting nay were: Mayor Adler, Mayor Pro Tem Garza, Council Member Casar, Ellis, Flannigan, Harper-Madison, and Renteria.

Mayor Adler recessed the meeting at 5:09 p.m.

Mayor Adler reconvened the meeting at 7:38 p.m.

An amendment was proposed by Council Member Kitchen to Local Bus Routes and Transition Zones. To remove R4 zoning that has been mapped along Local bus routes that are not on the Transit Priority Network (TPN) and have no plans for transit investment or expansion, including parcels along Westgate Blvd between W William Cannon Dr. and Cameron Loop. Any further upzoning along transit routes must be coordinated with Capital Metro and use current and future mobility plans to inform a planning process that is data-based and context-sensitive.

The amendment failed on a 4-7 vote. Those voting aye were: Council Members Alter, Kitchen, Pool, and Tovo. Those voting nay were: Mayor Adler, Mayor Pro Tem Garza, Council Members Casar, Ellis, Flannigan, Harper-Madison, and Renteria.

Direction was given to staff provide a map that shows mapping on the ground for all of the Imagine Austin activity centers off to the west part of the city of Austin; to drill down and apply this particular rubric in a very comprehensive manner so that it applies everywhere; provide the criteria used in which case in order to achieve the zoning decision that was made; provide the patterns that are there and what the consistency is.

An amendment was proposed by Council Member Kitchen to ensure the success of transition zones, provide for public safety, walkability, and access to multimodal transportation, reduce parking requirements and map missing middle zoning behind corridors, only after the following:

- Sidewalks for these transition areas are prioritized in Sidewalk Master Plan Scoring Matrix.
- Funding for sidewalk infrastructure is included in the City's 5-year CIP plan

The amendment failed on a 4-7 vote. Those voting aye were: Council Members Alter, Kitchen, Pool, and Tovo. Those voting nay were: Mayor Adler, Mayor Pro Tem Garza, Council Members Casar, Ellis, Flannigan, Harper-Madison, and Renteria.

An amendment was proposed by Council Member Flannigan to reduce front yard setbacks in Residential 3 (R3) Zone from 15' to 10' and Residential 4 (R4) Zone from 15' to 10' to facilitate a more pedestrian-friendly environment.

An amendment was proposed by Council Member Pool, seconded by Council Member Kitchen to incorporate "to ensure the success of transition zones, provide for public safety, walkability, and access to multimodal transportation, reduce parking requirements and map missing middle zoning behind corridors, only after the following:

- Sidewalks for these transition areas are prioritized in Sidewalk Master Plan Scoring Matrix.
- Funding for sidewalk infrastructure is included in the City's 5-year CIP plan"

The amendment failed on a 4-7 vote. Those voting aye were: Council Members Alter, Kitchen, Pool, and Tovo. Those voting nay were: Mayor Adler, Mayor Pro Tem Garza, Council Members Casar, Ellis, Flannigan, Harper-Madison, and Renteria.

A motion to divide the question and vote on R3 and R4 separately was approved without objection.

The amendment relating to R3 was approved 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.

The amendment relating to R4 was approved on an 8-3 vote. Those voting aye were: Mayor Adler, Mayor Pro Tem Garza, Council Members Casar, Ellis, Flannigan, Harper-Madison, Kitchen, and Renteria. Those voting nay were: Council Members Alter, Pool, and Tovo.

An amendment was proposed by Council Member Flannigan for R4 and RM1, ensure that a combination of house forms, such as multiple ADUs, will be allowed up to the total allowable number of dwelling units in the base zone.

The amendment was approved on an 11-0 vote.

Direction to staff was proposed by Council Member Pool to reduce or eliminate transition zoning (R4, RM1) with its higher impervious cover limits from areas identified as having local area flooding issues.

The direction failed on a 4-6 vote. Those voting aye were: Council Members Alter, Kitchen, Pool, and Tovo. Those voting nay were: Mayor Adler, Mayor Pro Tem Garza, Council Members Casar, Ellis, Flannigan, and Harper-Madison. Council Member Renteria was off the dais.

An amendment was proposed by Council Member Tovo that lots within documented localized flooding areas should be removed from transition zones unless stormwater infrastructure has been planned and funding in the immediate vicinity.

The amendment failed on a 4-7 vote. Those voting aye were: Council Members Alter, Kitchen, Pool, and Tovo. Those voting nay were: Mayor Adler, Mayor Pro Tem Garza, Council Members Casar, Ellis, Flannigan, Harper-Madison, and Renteria.

Direction was given to staff to get a list of properties that have been mapped; have been removed and the criteria being used.

An amendment was proposed by Council Member Tovo to foster complete communities per Imagine Austin, do not up-zone existing childcare centers, local businesses, cultural venues, historic districts or grocery stores located within transition areas or elsewhere.

The item was withdrawn without objection.

An amendment was proposed by Council Member Tovo to at the greatest extent feasible, where the proposed distance methodology for application of missing middle zones results in depths of greater than two lots in transition areas, develop appropriate zone criteria that reduce the depth to two lots for transition areas located on transit priority networks that are determined to produce negligible increases in housing capacity as per the Cascadia capacity analysis, which was based on land values, local market conditions, and building pro-formas.

The item was tabled without objection.

An amendment was proposed by Council Member Tovo to the extent feasible, revise the criteria for application of missing middle zones to exclude transition area parcels that lack direct connectivity to the corridor.

The amendment failed a 4-7 vote. Those voting aye were: Council Members Alter, Kitchen, Pool, and Tovo. Those voting nay were: Mayor Adler, Mayor Pro Tem Garza, Council Members Casar, Ellis, Flannigan, Harper-Madison, and Renteria.

Direction to staff was proposed by Council Member Alter and approved without objection to provide the impact on housing capacity if the mapping and zoning criteria for transportation corridors were revised to zone RM1 and R4 residential zones no more than 2 lots in from Project Connect corridors identified in the Long-Term Vision Plan and; to provide a list of properties not counted as part of the capacity analysis.

III. CENTERS AND CORRIDORS [RM/MU/MS/CC/DC/UC]

An amendment was proposed by Council Member Harper-Madison as follows:

- 23-3C-7050 Add item (C)
 - (C) Properties located within a Regional Center Zones that are less than 2 acres shall be initially exempt from the requirements of Section 23-9E-3010(B)(2), except:
 - (1) Where a local watershed study has been completed at a minimum of 10 years after adoption of the Title 23,
 - (2) The local watershed study documents multiple properties over 2 acres in size have complied with Section 23-9E-3010(B)(2), and
 - (3) The local watershed study provides evidence that compliance with Section 23-9E-3010(B)(2) for sites less 2 acres will have a reduction in local watershed flooding of at least 10%, then
 - (4) This exemption may be removed for specific watersheds.
- 23-3C-6050 Add item (D)
 - (D) Properties located within Main Street Zones that are less than 2 acres shall be initially exempt from the requirements of Section 23-9E-3010(B)(2), except:
 - (1) Where a local watershed study has been completed at a minimum of 10 years after adoption of the Title 23,
 - (2) The local watershed study documents multiple properties over 2 acres in size have complied with Section 23-9E-3010(B)(2), and
 - (3) The local watershed study provides evidence that compliance with Section 23-9E-3010(B)(2) for sites less 2 acres will have a reduction in local watershed flooding of at least 10%, then
 - (4) This exemption may be removed for specific watersheds.

The item was withdrawn without objection.

An amendment was proposed by Council Member Casar to regulate Microbreweries as follows:

- <5,000 barrels per year, increase tasting room size to 75% of the floor area
- 5,000-15,000, maintain 50% tasting room of the floor area

The amendment was approved on a 9-0 vote. Council Members Alter and Pool abstained.

An amendment was proposed by Council Member Casar to expand the West Campus subdistrict boundaries and add height as an affordability bonus in the manner recommended by the Planning Commission in 2019.

The motion to amend was approved 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.

An amendment was proposed by Council Member Casar to read as follows:

a. **Density Bonus:**

1. **Boundaries**

- South of 15th Street, in areas that were ineligible for the Downtown Density Bonus in the Downtown Austin Plan;
- North of 15th Street, in areas that the Downtown Austin Plan designated as eligible for the Downtown Density Bonus with reduced maximum bonus entitlements (height limits of 90, 100, or 120 feet, and FAR caps of 3:1, 4:1, or 5:1).

2. **FAR:** For the purpose of the density bonus, above-ground parking will count towards FAR. The maximum allowable FAR available for a property under the Northwest District Density Bonus will depend on the base zoning as follows:

CC-40	CC-60	CC-80	CC-120
3.0	4.5	7.5	7.5

3. **Height:** Properties in the Northwest District south of 15th Street are eligible for additional height up to 50% greater than the height allowed by base zoning, but only for the purposes of improved design or compatibility: for example, to protect trees, save historic building facades, or reproduce original building set-backs. Above-ground parking is not permitted in projects that utilize bonus height.

4. **Fifteenth Street:** On the south side of Fifteenth Street, rezone properties currently zoned CC to CC-120 and make them eligible for the Northwest District Density Bonus.

- b. **Compatibility standards A, B, and C described in 23-3C-10080(E) shall not apply to properties south of 15th Street. However, compatibility standards would still apply for properties north of 15th St.**

c. **FAR and Height Limits:**

- For the area along the west side of Nueces, from a half-block north of 15th up to MLK, the height limit should remain 90', but the FAR cap should be raised to 7:1;

- For the area along the east side of Nueces, from a half-block north of 15th up to 18th, the height limit should be raised to 140', and the FAR cap should be raised to 8:1;
 - The third area, much of which is along San Antonio, should have unlimited height and FAR, like the other areas to the east.
- d. **Setbacks:** If the smallest existing front setback on the blockface is smaller than the setback shown, the minimum required front setback will be equal to the smallest existing front setback on that blockface. The maximum front setbacks in the Northwest District shall be the setbacks described in 23-3C-100070(D)(4).
- e. **Northwest District Uses:**
- Properties that front the following East-West streets must be dedicated entirely to residential uses: 7th, 8th, 9th, 10th, 11th, 13th, and 14th.
 - Properties that front the following North-South streets must be dedicated entirely to residential uses above their ground floor: Guadalupe, San Antonio, Rio Grande, West, and Shoal Creek south of 15th Street. All uses allowed by base zoning, including residential uses, will continue to be allowed on the ground floor of these properties.
 - Properties south of 15th Street that front Nueces Street must be dedicated to residential or hotel uses above their ground floor. All uses allowed by base zoning, including residential and hotel uses, will continue to be allowed on the ground floor of these properties.
 - All uses allowed by base zoning will continue to be allowed on properties that front 12th Street and the south side of 15th Street.
 - Properties north of 15th Street shall be predominantly dedicated to residential uses.

Downtown Austin Plan Amendment – Council recognizes that amendments to the Downtown Austin Plan are necessary to implement the 1st Reading Draft, as well as direction on the Northwest District provided at 2nd Reading, and will be considered by Planning Commission in the near future and presented to Council in advance of action on 3rd Reading.

The motion to amend was approved on a 7-2 vote. Those voting aye were: Mayor Adler, Mayor Pro Tem Garza, Council Member's Casar, Ellis, Flannigan, Harper-Madison, and Renteria. Those voting nay were: Council Members Alter and Tovo. Council Members Kitchen and Pool abstained.

An amendment was proposed by Council Member Kitchen to maximize housing and to create walkable, multi-modal, pedestrian friendly environments along corridors

receiving significant public dollar investments from bond elections:

- Reduce allowance of uses that do not provide path for inclusion of residential units in the development or are in conflict with the vision for public spaces and multi-modal use, such as drive-through uses and storage facilities.

- Remove mapping of MU5B, which allows storage facilities, on Project Connect and corridors identified for bond investments; and
- Amend Current Draft Code for Storage Facilities:
23-3D-1300 Personal Storage
(A) Location Restrictions. A Personal Storage use requires a conditional use permit and is prohibited within 1000 feet of another property with a Personal Storage use and must comply with Subsection 23-3B-1040(E)(2) (Conditional Use Permit). The distance is measured to the lot line

A friendly amendment was made by Council Member Flannigan and approved without objection. The amendment is as follows:

To maximize housing and to create walkable, multi-modal, pedestrian friendly environments along corridors receiving significant public dollar investments from bond elections:

- Reduce allowance of uses that do not provide path for inclusion of residential units in the development or are in conflict with the vision for public spaces and multi-modal use, such as drive-through uses and storage facilities.
- Change the mapping of MU5B to MU5A, which restricts storage facilities, on Project Connect and corridors identified for bond investments; and
- Amend Current Draft Code for Storage Facilities:
23-3D-1300 Personal Storage
(A) Location Restrictions. A Personal Storage use is prohibited within 1000 feet of another property with a Personal Storage use. The distance is measured to the lot line

The amendment as revised above was approved on an 11-0 vote.

An amendment was proposed by Council Member Flannigan for the parking design requirements in the DC and CC zones, allow the headlight screening of a parking structure to be designed and constructed to provide a minimum of 70% opaque screening of the first 42" above the surface of a vehicle parking space oriented towards an adjacent lot or lot across a street, other than an alley, from the parking structure. Allow a Vegetated Wall meeting the requirements of the Functional Green Landscape section to be acceptable for meeting the requirements of headlight screening requirements for the purpose of achieving 70% opaque screening.

The amendment was approved on an 11-0 vote.

An amendment was proposed by Council Member Flannigan to parking maximums for regional center zones (UC, CC, DC and existing regulating plans and TODs) should match the parking maximums as defined in Main Street zones for lots with frontage on a corridor or wholly or partially located within a center.

This item was tabled without objection.

An amendment was proposed by Council Member Pool to make changes to the North Burnet Gateway Regulating Plan subdistricts as part of the new code and maps, treating this regional center intended as Austin's "Second Downtown" as a "test case" for amending existing regulating plans and Transit Oriented Districts (TODs). Direction:

- a. Revise the Transit Oriented District (TOD) and Commercial Mixed Use (CMU) subdistricts within the NBG area to right-size entitlements for desired development, focusing on the parcels between the Broadmoor and McKalla Place tracts for changes.
- b. Revise Neighborhood Mixed Use (NMU), Neighborhood Residential (NR), and Warehouse Mixed Use (WMU) subdistricts to accommodate a wider variety of housing types, especially missing middle, and generally higher housing density.
- c. Update the NGB Regulating Plan density bonus program requirements to more closely align with or exceed the proposed Affordable Housing Bonus Program (AHBP) requirements and to help meet the Austin Strategic Housing Blueprint (ASHB) goals; tie all increases of entitlements in all of the subdistricts to an affordability requirement.
- d. Review the Warehouse Mixed Use (WMU) and Commercial Industrial (CI) subdistricts, and the existing parcels within, for opportunities to transition to residential and live/work uses.

The amendment was approved on an 11-0 vote.

Direction was given to staff to provide the capacity numbers.

Direction to staff was proposed by Council Member Pool to adjust MU2 to require a Conditional Use Permit (CUP) for Bar/Nightclub uses to allow for more community input.

This item was tabled without objection.

The following direction was proposed by Council Member Pool to:

- a. Review District 7 application of new zones for consistency, especially in areas with recent "Character" or "Special" district designations as part of a recently adopted neighborhood plan.
- b. For example, Buell Avenue in the North Shoal Creek neighborhood is designated as the "Buell Avenue Special District". Notably, this growing live/work area is a community asset identified in the recent neighborhood plan as a gathering space to "incorporate spaces for tradespeople, shop keepers, craftspeople, artists, and residents to interact while enjoying the calm live/work environment." An adjustment to the mapping on Buell Avenue from "MU5B-Q" to "IF" on both sides of the avenue, for instance, would better reflect consistency and alignment with the North Shoal Creek Neighborhood Plan designation on the Future Land Use Map (FLUM).

This item was withdrawn without objection.

An amendment was proposed by Council Member Ellis to re-review the application

of comparable equivalent zoning categories for commercial properties within the Barton Springs Zone to ensure appropriate water quality protections for the area covered by the 1985 Oak Hill Area Study.

The amendment was approved on an 11-0 vote.

1. Approve second and third readings of an ordinance amending the Imagine Austin Comprehensive Plan to revise the Growth Concept Map and associated text, adopted in the Austin Strategic Mobility Plan, to designate areas for multi-unit house-scale residential development and existing single family uses.

No action occurred, please refer to the minutes of the February 13, 2020 Council Meeting.

3. Approve a resolution directing the City Manager to provide resources and support for neighborhoods to develop alternative maps associated with the Land Development Code revision (Tovo Programmatic Motion No. 36).

No action occurred, please refer to the minutes of the February 13, 2020 Council Meeting.

EXECUTIVE SESSION

4. Discuss legal issues related to the adoption of a comprehensive revision to the Land Development Code (Private consultation with legal counsel - Section 551.071 of the Government Code).

Withdrawn without objection.

Mayor Adler adjourned the meeting at 10:00 p.m. without objection.

The minutes were approved on this the 12th day of March 2020 on Council Member Tovo's motion, Council Member Pool's second on a 10-0 vote. Council Member Harper-Madison was absent.