

**AUSTIN CITY COUNCIL
MINUTES****REGULAR MEETING
THURSDAY, NOVEMBER 12, 2015**

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, November 12, 2015 in the Council Chambers of City Hall, 301 West Second Street, Austin, Texas.

Mayor Adler called the Council Meeting to order at 10:11 am.

CONSENT AGENDA

The following items were acted on by one motion

1. Approve the minutes of the Austin City Council regular meeting of October 15, 2015, the Work Session of October 13, 2015, and the Special Called Meeting of October 22, 2015.
The minutes from the City Council work session meeting of October 13, 2015, regular council meeting of October 15, 2015 and special called meeting of October 22, 2015 were approved on consent on Council Member Zimmerman's motion, Mayor Pro Tem Tovo's second on an 11-0 vote.

Item 2 was pulled for discussion.

3. Authorize negotiation and execution of an interlocal agreement with the Texas Department of Transportation for the design and construction of the relocation of Golf Course Road at Austin-Bergstrom International Airport (District 2).
The motion authorizing the negotiation and execution of an interlocal agreement with the Texas Department of Transportation was approved on consent on Council Member Zimmerman's motion, Mayor Pro Tem Tovo's second on an 11-0 vote.

Item 4 was pulled for discussion.

5. Authorize negotiation and execution of agreements with JACOBS ENGINEERING GROUP, INC.; HDR ENGINEERING, INC.; and STANLEY CONSULTANTS, INC., or with other qualified responders to be placed on the engineering services rotation list for Austin Energy's chilled water piping projects, in a total amount not to exceed \$4,500,000 divided among the three firms. (Notes: This contract will be awarded in compliance with City Code Chapter 2-9B

(Minority Owned and Women Owned Business Enterprise Procurement Program) by meeting the goals with 15.80% MBE and 15.80% WBE participation.)

The motion authorizing the negotiation and execution of agreements with Jacobs Engineering Group, Inc.; HDR Engineering, Inc; and Stanley Consultants, Inc. was approved on consent on Council Member Zimmerman's motion, Mayor Pro Tem Tovo's second on a 9-0 vote. Council Members Troxclair and Zimmerman abstained.

Item 6 was pulled for discussion.

7. Approve third reading of an ordinance adopting and authorizing execution of an Impervious Cover Transfer Agreement associated with a 5.92 acre property located at 6308 Spicewood Springs Road known as Ace Salvage Yard and Ace Discount Glass (District 10).
This item was postponed to November 19, 2015 on consent on Council Member Zimmerman's motion, Mayor Pro Tem Tovo's second on an 11-0 vote.

Items 8 through 12 were pulled for discussion.

13. Approve a resolution to nominate Freescale Semiconductor, Inc. for designation by the Governor's Office of Economic Development and Tourism as a single Texas Enterprise Project in accordance with Chapter 2303 of the Texas Government Code.
This item was postponed to November 19, 2015 on consent on Council Member Zimmerman's motion, Mayor Pro Tem Tovo's second on an 11-0 vote.
14. Approve negotiation and execution of an amendment to the contract with COMMUNITY ACTION, INC., for the delivery of HIV-related services under the Ryan White Part C HIV Early Intervention Grant in an amount not to exceed \$16,439 for an annual contract amount of \$119,960, for the period of January 1, 2015 to December 31, 2015, and to add one 12-month renewal option in an amount not to exceed \$119,960 per renewal option, for a total contract amount not to exceed \$550,483.
The motion approving the negotiation and execution of an amendment to the contract with Community Action, Inc. was approved on consent on Council Member Zimmerman's motion, Mayor Pro Tem Tovo's second on a 9-0 vote. Council Members Troxclair and Zimmerman abstained.
15. Authorize negotiation and execution of an interlocal cooperation agreement with Texas A&M Health Sciences Center (A&M HSC) for A&M HSC to provide the City with consultative services regarding electronic health records in an amount not to exceed \$50,000 for a 12-month period beginning November 1, 2015, and with four optional 12-month renewals in a total amount not to exceed \$250,000 over the total five years of the agreement.
The motion authorizing the negotiation and execution of an interlocal cooperation agreement with Texas A&M Health Sciences Center was approved on consent on Council Member Zimmerman's motion, Mayor Pro Tem Tovo's second on a 10-0 vote. Council Member Zimmerman abstained.

Items 16 & 17 were pulled for discussion.

18. Approve an ordinance authorizing the acceptance of \$67,794 in additional funds from the U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT through a contract with the City, and amending the Fiscal Year 2015-2016 Health and Human Services Department Operating Budget Special Revenue Fund (Ordinance 20150908-001) to appropriate \$67,794 for the Housing Opportunities for Persons with AIDS services program that provides rental, mortgage, utility, and supportive services to people with the human immunodeficiency virus.
Ordinance No. 20151112-018 was approved on consent on Council Member Zimmerman's motion, Mayor Pro Tem Tovo's second on a 9-0 vote. Council Members Troxclair and Zimmerman abstained.
19. Approve negotiation and execution of a contract with SUSTAINABLE FOOD CENTER to support electronic benefits transfer technology and produce purchase incentives for farmers markets, for a 12-month term beginning on October 1, 2015 and ending on September 30, 2016, in an amount not to exceed \$69,280, with four 12-month renewal options, each in an amount not to exceed \$69,280, for a total contract amount not to exceed \$346,400.
The motion approving the negotiation and execution of a contract with the Sustainable Food Center was approved on consent on Council Member Zimmerman's motion, Mayor Pro Tem Tovo's second on a 10-0 vote. Council Member Zimmerman abstained.
20. Authorize negotiation and execution of an amendment to the interlocal agreement with Travis County to exercise the second of four renewal options, and to update the cost model and work statements, under which the City will provide Public Health Services in exchange for payment of \$3,466,683, for a 12-month period beginning October 1, 2015.
The motion authorizing the negotiation and execution of an amendment to the interlocal agreement with Travis County was approved on consent on Council Member Zimmerman's motion, Mayor Pro Tem Tovo's second on a 10-0 vote. Council Member Zimmerman abstained.

Item 21 was pulled for discussion.

22. Authorize execution of an interlocal agreement with the Capital Area Council of Governments for access to and use of the Regional Notification System which is utilized to notify citizens of emergency situations.
The motion authorizing the execution of an interlocal agreement with the Capital Area Council of Governments was approved on consent on Council Member Zimmerman's motion, Mayor Pro Tem Tovo's second on an 11-0 vote.
23. Authorize negotiation and execution of an encroachment agreement with the HOUSE ASSOCIATION OF BETA XI CHAPTER OF KAPPA KAPPA GAMMA, for the encroachment of right-of-way by an exterior building wall, a garden wall, and a roof overhang at the northwest corner of the intersection of 20th Street and the alley immediately east of University Avenue, located at 2001 University Avenue (District 9).
The motion authorizing the negotiation and execution of an encroachment agreement with the House Association of Beta XI Chapter of Kappa Kappa Gamma was approved on

consent on Council Member Zimmerman's motion, Mayor Pro Tem Tovo's second on an 11-0 vote.

24. Approve appointments and certain related waivers to citizen boards and commissions and other citizen bodies, to Council committees and other intergovernmental bodies and removal and replacement of members.

The following appointments and waivers were approved on consent on Council Member Zimmerman's motion, Mayor Pro Tem Tovo's second on an 11-0 vote.

Nominations

<u>Board/Nominee</u>	<u>Nominated by</u>
Austin Travis County Integral Care Board of Trustees Dr. Exalton Delco	Mayor Adler
Asian American Quality of Life Advisory Commission Ann Okamura	Council Member Zimmerman
Commission for Women Rossana Barrios	Council Member Garza
Joint Cultural Commission Roxanne Bogucka	Library Commission Rep.
Planning Commission Angela Pineyro De Hoyos	Mayor Adler
Water & Wastewater Commission Brian Parker	Council Member Zimmerman
Austin Integrated Water Resource Planning Community Task Force Todd Bartee	Council Member Zimmerman
Flood Mitigation Task Force Dr. Ben R. Hodges	Council Member Houston
Land Development Code Advisory Group Dr. Richard Heyman	Economic Opportunity Comm

Waivers

Approve a waiver of the residency requirement in Resolution No. 20150604-044 for the service of Dr. Ben R. Hodges on the Flood Mitigation Task Force.

25. Approve an ordinance waiving or reimbursing certain fees and authorize payment of certain costs for the City co-sponsored Austin PRIDE Parade sponsored by Austin Pride Foundation which

was held on August 29, 2015. (Notes: SPONSOR: Mayor Steve Adler CO 1: Mayor Pro Tem Kathie Tovo CO 2: Council Member Sabino "Pio" Renteria CO 3: Council Member Gregorio Casar CO 4: Council Member Delia Garza)

Ordinance No. 20151112-025 was approved on consent on Council Member Zimmerman's motion, Mayor Pro Tem Tovo's second on a 10-0 vote. Council Member Zimmerman abstained.

26. Approve an ordinance waiving or reimbursing certain fees for the Day of Tango Festival sponsored by the Academy of Tango-Texas which is to be held December 11-13, 2015 at the Ben Hur Shrine Temple Auditorium. (Notes: SPONSOR: Mayor Pro Tem Kathie Tovo CO 1: Council Member Gregorio Casar CO 2: Council Member Sabino "Pio" Renteria CO 3: Council Member Leslie Pool)

Ordinance No. 20151112-026 was approved on consent on Council Member Zimmerman's motion, Mayor Pro Tem Tovo's second on an 11-0 vote.

Item 27 was pulled for discussion.

28. Approve an ordinance waiving or reimbursing certain fees for the Taiwan National Day celebration sponsored by the Austin Chapter of Taiwanese Chambers of Commerce which was held on Saturday, November 7, 2015 at the Asian American Resource Center. (Notes: SPONSOR: Mayor Steve Adler CO 1: Mayor Pro Tem Kathie Tovo CO 2: Council Member Ann Kitchen CO 3: Council Member Leslie Pool CO4: Council Member Gallo)

Ordinance No. 20151112-028 was approved on consent on Council Member Zimmerman's motion, Mayor Pro Tem Tovo's second on an 11-0 vote.

Item 29 was pulled for discussion.

30. Set a public hearing to consider an ordinance regarding regulations for porch encroachment into street side yards. (Suggested date and time: December 17, 2015, 4:00 p.m. at 301 W. Second Street, Austin, TX).

The public hearing was set on consent for December 17, 2015, 4:00 p.m. at 301 W. Second Street, Austin, TX on Council Member Zimmerman's motion, Mayor Pro Tem Tovo's second on an 11-0 vote.

31. Set a public hearing to consider an ordinance amending City Code Title 25 related to short-term rental use. (Suggested date and time: December 10, 2015, 4:00 pm at 301 W. Second Street, Austin, TX).

The public hearing was set on consent for December 10, 2015, 4:00 pm at 301 W. Second Street, Austin, TX on Council Member Zimmerman's motion, Mayor Pro Tem Tovo's second on an 11-0 vote.

32. Set a public hearing to consider a resolution supporting an application to be submitted to the Texas Department of Housing and Community Affairs by The Mulholland Group, LLC, or an affiliated entity, for the Cross Creek Apartments, located at 1124 Rutland Drive. (District 4)

(Suggested date and time: November 19, 2015 beginning at 4:00 p.m. at Austin City Hall, 301 W. Second Street, Austin, TX)

The public hearing was set on consent for November 19, 2015, 4:00 p.m. at Austin City Hall, 301 W. Second Street, Austin, TX on Council Member Zimmerman's motion, Mayor Pro Tem Tovo's second on an 11-0 vote.

Item 33 was referred from Council Committees.

Items 34 through 37 were Zoning Ordinances/Restrictive Covenants (Hearings Closed).

Items 38 through 74 were Zoning and Neighborhood Plan Amendments.

Items 75 through 77 were Executive Session items.

Items 78 through 81 were public hearing items set for 4:00 p.m.

DISCUSSION ITEMS

4. Approve a resolution authorizing acceptance of grants from the Federal Aviation Administration, the Department of Homeland Security, and other state and federal agencies, for the Austin-Bergstrom International Airport for Fiscal Year 2015-2016 in a total amount not to exceed \$30,000,000.

Resolution No. 20151112-004 was approved on Council Member Gallo's motion, Council Member Zimmerman's second on an 11-0 vote.

6. Authorize execution of an amendment to the Conversation Corps interlocal agreement relating to community engagement to add Travis County as a participating party.

A motion to postpone the item was made by Council Member Zimmerman. The motion failed for lack of a second.

The motion authorizing the execution of an amendment to the Conversation Corps interlocal agreement was approved on Council Member Garza's motion, Council Member Pool's second on a 10-1 vote. Council Member Zimmerman voted nay.

Direction was given to staff to consider including performance measures for the project if the project is extended beyond the pilot period; to provide a summary of the type of engagement that has occurred in each district; and to provide the link to the Conversation Corps website.

8. Authorize negotiation and execution of an interlocal agreement with The University of Texas at Austin's IC2 Institute interdisciplinary research unit to accelerate small business start-up and growth for a total contract amount not to exceed \$100,000.

The motion authorizing negotiation and execution of an interlocal agreement with The University of Texas was approved on Council Member Gallo's motion, Council Member Garza's second on a 10-1 vote. Council Member Zimmerman voted nay.

9. Approve an ordinance authorizing acceptance of \$50,000 in grant funds from the United States Small Business Administration; and amending the Fiscal Year 2015-2016 Economic Development Department Operating Budget Special Revenue Fund (Ordinance No. 20150908-001) to appropriate \$50,000 for the Start Up in a Day grant program to provide entrepreneurs online tools to register and apply for all required local licenses and permits in one day or less.
Ordinance No. 20151112-009 was approved on Council Member Gallo's motion, Council Member Pool's second on a 9-1 vote. Council Member Zimmerman voted nay. Council Member Casar was off the dais.
10. Approve an ordinance authorizing acceptance of \$499,989 in grant funds from the United States Embassy in Islamabad, Pakistan; and amending the Fiscal Year 2015-2016 Economic Development Department Operating Budget Special Revenue Fund (Ordinance No. 20150908-001) to appropriate \$499,989 for an entrepreneurship grant program to provide strategic economic development assistance and to promote growth for small businesses in Austin and Islamabad. Related to items #11 and #12.
Ordinance No. 20151112-010 was approved on Mayor Pro Tem Tovo's motion, Council Member Pool's second on a 9-2 vote. Those voting aye were: Mayor Adler, Mayor Pro Tem Tovo, Council Members Casar, Gallo, Garza, Houston, Kitchen, Pool, and Renteria. Those voting nay were: Council Members Troxclair and Zimmerman.
11. Authorize negotiation and execution of a one-year agreement with the Greater Austin Asian Chamber of Commerce, for management and execution activities in Austin related to the ATX+PAK Entrepreneurship grant program from the U.S. Embassy in Islamabad, Pakistan, in an amount not to exceed \$187,050, with one 12-month extension in an amount not to exceed \$146,820 for a total contract amount not to exceed \$333,870. Related to items #10 and #12.
A motion to strike the word execution from the agreement failed on Council Member Zimmerman's motion, Council Member Troxclair's second on a 2-9 vote. Those voting aye were: Council Members Troxclair and Zimmerman. Those voting nay were: Mayor Adler, Mayor Pro Tem Tovo, Council Members Casar, Gallo, Garza, Houston, Kitchen, Pool, and Renteria.

The motion authorizing the negotiation and execution of an agreement with the Greater Austin Asian Chamber of Commerce was approved on consent on Mayor Pro Tem Tovo's motion, Council Member Pool's second on a 9-2 vote. Those voting aye were: Mayor Adler, Mayor Pro Tem Tovo and Council Members Casar, Gallo, Garza, Houston, Kitchen, Pool and Renteria. Those voting nay were: Council Members Troxclair and Zimmerman.
12. Authorize negotiation and execution and of a one-year agreement with the Information Technology University, Lahore, Pakistan, for the management and execution of activities in Pakistan related to the ATX+PAK: Launch entrepreneurship exchange and training program in an amount not to exceed \$81,880, with one 12-month extension in an amount not to exceed \$76,040 for a total contract amount not to exceed \$157,920. Related to items #10 and #11.
The motion authorizing the negotiation and execution of an agreement with the Information Technology University, Lahore, Pakistan was approved on consent on Mayor Pro Tem Tovo's motion, Council Member Pool's second on a 9-2 vote. Those voting aye were: Mayor

Adler, Mayor Pro Tem Tovo and Council Members Casar, Gallo, Garza, Houston, Kitchen, Pool and Renteria. Those voting nay were: Council Members Troxclair and Zimmerman.

ZONING AND NEIGHBORHOOD PLAN AMENDMENTS

The following zoning items were acted on by one motion. No separate action occurred on any of the items.

34. NPA-2015-0029.01 – Sunrise Pharmacy – District 4 – Approve second and third readings of an ordinance amending Ordinance No. 20120426-100, the St. John/Coronado Hills 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 7104, 7106, and 7108 Bennett Avenue (Buttermilk Branch Creek Watershed) from Single Family land use to Neighborhood Mixed Use land use. First Reading approved on September 10, 2015. Vote 11-0. Owner/Applicant: 11800 Metric, Inc. (Abdul Patel). Agent: Land Answers, Inc. (Jim Wittliff). City Staff: Maureen Meredith, 512-974-2695.
The motion to adopt Ordinance No. 20151112-034 to change the land use designation on the future land use map (FLUM) to Neighborhood Mixed Use land use was approved on Council Member Zimmerman’s motion, Council Member Gallo’s second on an 11-0 vote.
35. C14-2015-0050 – Sunrise Pharmacy – District 4 – Approve second and third readings of an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 7104, 7106, and 7108 Bennett Avenue (Buttermilk Branch Creek Watershed) from family residence-neighborhood plan (SF-3-NP) combining district zoning to neighborhood commercial-mixed use-conditional overlay-neighborhood plan (LR-MU-CO-NP) combining district zoning. First Reading approved on September 10, 2015. Vote: 11-0. Owner: 11800 Metric Inc. (Abdul Patel). Agent: Land Answers, Inc. (Jim Wittliff). City Staff: Heather Chaffin, 512-974-2122.
Ordinance No. 20151112-035 for neighborhood commercial-mixed use-conditional overlay-neighborhood plan (LR-MU-CO-NP) was approved on Council Member Zimmerman’s motion, Council Member Gallo’s second on an 11-0 vote.
41. NPA-2015-0005.02 - 7200 East Ben White Blvd. - District 3 - Conduct a public hearing and approve an ordinance amending Ordinance No. 20010927-05, the Montopolis Neighborhood Plan, an element of the Imagine Austin Comprehensive Plan, to change the land use designation on the future land use map (FLUM) on property locally known as 7200 East Ben White Boulevard (Carson Creek Watershed) from Mixed Use land use and Industry land use to Higher Density Single Family land use. Staff Recommendation: To grant Mixed Use land use and Higher Density Single Family land use. Planning Commission Recommendation: To grant Mixed Use land use and Higher Density Single Family land use. Owner/Applicant: KWH Properties. Agent: Thrower Design (A. Ron Thrower). City Staff: Maureen Meredith, 512-974-2695.
The public hearing was conducted and the motion to close the public hearing and approve the first reading of the ordinance to change the land use designation on the future land use map (FLUM) to mixed use land use and higher density single family land use was approved on Council Member Zimmerman’s motion, Council Member Gallo’s second on an 11-0 vote.

42. C14-2015-0073 - 7200 East Ben White Blvd - District 3 - Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 7200 East Ben White Boulevard (Carson Creek Watershed) from limited industrial services-neighborhood plan (LI-NP) combining district zoning and community commercial-mixed use-neighborhood plan (GR-MU-NP) combining district zoning to townhouse and condominium residence neighborhood plan (SF-6-NP) combining district zoning. Staff Recommendation: To grant community commercial-mixed use-conditional overlay-neighborhood plan (GR-MU-CO-NP) combining district zoning for Tract 1 and townhouse and condominium residence-conditional overlay-neighborhood plan (SF-6-CO-NP) combining district zoning for Tract 2. Planning Commission Recommendation: To grant community commercial-mixed use-conditional overlay-neighborhood plan (GR-MU-CO-NP) combining district zoning for Tract 1 and townhouse and condominium residence-conditional overlay neighborhood plan (SF-6-CO-NP) combining district zoning for Tract 2. Owner/Applicant: KWH Properties. Agent: Thrower Design (Ron Thrower). City Staff: Andrew Moore, 512-974-7604.

The public hearing was conducted and the motion to close the public hearing and approve the first reading of the ordinance for community commercial-mixed use-conditional overlay-neighborhood plan (GR-MU-CO-NP) combining district zoning for Tract 1 and townhouse and condominium residence-conditional overlay neighborhood plan (SF-6-CO-NP) combining district zoning for Tract 2 was approved on Council Member Zimmerman's motion, Council Member Gallo's second on an 11-0 vote.

49. NPA-2015-0015.01 - Kingsbery Community Solar Project - District 3 - Conduct a public hearing and approve an ordinance amending Ordinance No. 021107-Z-11, the East MLK 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 5017-½ Alf Avenue and 5109-½ Wilcox Avenue (Tannehill Branch Creek Watershed) from Single Family land use and Recreation/Open Space land use to Utilities land use. Staff Recommendation: To grant Utilities land use. Planning Commission Recommendation: To grant Utilities land use. Owner/Applicant: City of Austin, Austin Energy (Pamela England). Agent: PowerFin Partners (Katy Ngo). City Staff: Mark Walters, 512-974-7695.

The public hearing was conducted and the motion to close the public hearing and approve the first reading of the ordinance for Utilities land use was approved on Council Member Zimmerman's motion, Council Member Gallo's second on an 11-0 vote.

50. C14-2015-0101 – Kingsbery Community Solar Project – District 3 – Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 5017-½ Alf Avenue and 5109-½ Wilcox Avenue (Tannehill Branch Creek Watershed) from family residence-neighborhood plan (SF-3-NP) combining district zoning and public-neighborhood plan (P-NP) combining district zoning to public-neighborhood plan (P-NP) combining district zoning. Staff Recommendation: To grant public-neighborhood plan (P-NP) combining district zoning. Planning Commission Recommendation: To grant public-neighborhood plan (P-NP) combining district zoning. Owner: City of Austin, Austin Energy (Pamela England). Agent: PowerFin Partners, LLC (Katie Ngo). City Staff: Heather Chaffin, 512-974-2122.

The public hearing was conducted and the motion to close the public hearing and approve the first reading of the ordinance for public-neighborhood plan (P-NP) combining district zoning was approved on Council Member Zimmerman's motion, Council Member Gallo's second on an 11-0 vote.

53. NPA-2015-0023.01 - Boys & Girls Club Legacy Club - District 1 - Conduct a public hearing and approve an ordinance amending Ordinance No. 20070809-55 of the University Hills/Windsor Park 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 4717 Turner Lane (Walnut Creek Watershed; Little Walnut Creek Watershed) from Higher Density Single Family land use, Transportation land use, and Commercial land use to Civic land use. Staff Recommendation: To grant Civic land use. Planning Commission Recommendation: To be reviewed on December 8, 2015. Owner/Applicant: Boys and Girls Club of Austin (Chuck Carroll). Agent: Drenner Group (Stephen Rye). City Staff: Maureen Meredith, 512-974-2695.

This item was postponed to December 10, 2015 on Council Member Zimmerman's motion, Council Member Gallo's second on an 11-0 vote.

54. C14-2015-0086 – Boys and Girls – Legacy Club – District 1 – Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 4717 Turner Lane (Walnut Creek Watershed; Little Walnut Creek Watershed) from family residence-neighborhood plan (SF-3-NP) combining district zoning, townhouse and condominium residence-neighborhood plan (SF-6-NP) combining district zoning, and neighborhood commercial-conditional overlay-neighborhood plan (LR-CO-NP) combining district zoning to community commercial-conditional overlay-neighborhood plan (GR-CO-NP) combining district zoning. Staff Recommendation: To grant community commercial-conditional overlay-neighborhood plan (GR-CO-NP) combining district zoning. Planning Commission Recommendation: To be reviewed on December 8, 2015. Owner: Jimmy Nassour. Agent: Drenner Group (Stephen Rye). City Staff: Heather Chaffin, 512-974-2122.

This item was postponed to December 10, 2015 on Council Member Zimmerman's motion, Council Member Gallo's second on an 11-0 vote.

58. C14-2014-0198 - One Two East - District 1 - Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 1109, 1105, and 1107 N. IH 35 Service Road, Northbound (Waller Creek Watershed) from general commercial services-neighborhood conservation combining district-neighborhood plan (CS-NCCD-NP) combining district to general commercial services-neighborhood conservation combining district-neighborhood plan (CS-NCCD-NP) combining district, to change a condition of zoning for Tract 1, and from general commercial services-neighborhood conservation combining district-neighborhood plan (CS-1-NCCD-NP) combining district to general commercial services-neighborhood conservation combining district-neighborhood plan (CS-1-NCCD-NP) combining district, to change a condition of zoning for Tract 2. Staff Recommendation: Pending. Planning Commission Recommendation: To be reviewed December 8, 2015. Owner: JH West 12th Street Partners, Ltd. (Haythem Dawlett). Agent: Drenner Group (Stephen Rye). City Staff: Heather Chaffin, 512-974-2122.

This item was postponed to December 10, 2015 on Council Member Zimmerman's motion, Council Member Gallo's second on an 11-0 vote.

59. C14-2015-0047 – 2303 & 2309 Thornton Road – District 5 – Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 2303 & 2309 Thornton Road (West Bouldin Creek Watershed) from commercial services (CS) district zoning to commercial services-vertical mixed use-(CS-MU-V) combining district zoning. Staff Recommendation: To grant commercial services-mixed use-conditional overlay (CS-MU-CO) combining district zoning. Planning Commission Recommendation: To be reviewed on November 10, 2015, Owner/Applicant: UT Land Company, Ltd/Jimmy Nassour. Agent: Alice Glasco Consultant/Alice Glasco. City Staff: Andrew Moore, 512-974-7604.

This item was postponed to December 10, 2015 on Council Member Zimmerman's motion, Council Member Gallo's second on an 11-0 vote.

61. C14-2015-0091 - 1900 Burton Drive - District 3 - Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 1900 Burton Drive and 1901 Mariposa Drive (Lady Bird Lake Watershed) from multifamily residence-low density (MF-2) district zoning and multifamily residence- medium density (MF-3) district zoning to multifamily residence-moderate-high density (MF-4-CO) combining district zoning. Staff Recommendation: To grant multifamily-moderate-high density-conditional overlay (MF-4-CO) combining district zoning. Planning Commission Recommendation: To be reviewed on November 10, 2015. Owner/Applicant: Richard J. Bruggeman. Agent: Metcalfe, Wolff, Stuart & Williams, LLP (Michele R. Lynch). City Staff: Andy Moore, 512-974-7604.

This item was postponed to December 10, 2015 at the request of the applicant on Council Member Zimmerman's motion, Council Member Gallo's second on an 11-0 vote.

65. C14-2015-0105 - 1213 W. Slaughter Ln - District 5 - Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 1213 West Slaughter Lane (Slaughter Creek Watershed) from neighborhood commercial-conditional overlay (LR-CO) combining district zoning to neighborhood commercial-conditional overlay (LR-CO) combining district zoning, to change a condition of zoning. Staff Recommendation: To grant neighborhood commercial-conditional overlay (LR-CO) combining district zoning, to change a condition of zoning. Zoning and Platting Commission Recommendation: To grant neighborhood commercial-conditional overlay (LR-CO) combining district zoning, to change a condition of zoning. Owner/Applicant: CWS Iron Rock, L.P. (Mary Ellen Barlow). Agent: North Forest Office Space-South Austin LLC (Jon Denton). City Staff: Wendy Rhoades, 512-974-7719.

The public hearing was conducted and the motion to close the public hearing and approve Ordinance No. 2015112-065 for neighborhood commercial-conditional overlay (LR-CO) combining district zoning, to change a condition of zoning was approved on Council Member Zimmerman's motion, Council Member Gallo's second on an 11-0 vote.

66. C14-2015-0106 - 1217 W. Slaughter Ln - District 5 - Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 1217 West Slaughter Lane (Slaughter Creek Watershed) from neighborhood commercial-conditional overlay (LR-CO) combining district zoning to neighborhood commercial-conditional overlay (LR-CO)

combining district zoning, to change a condition of zoning. Staff Recommendation: To grant neighborhood commercial-conditional overlay (LR-CO) combining district zoning, to change a condition of zoning. Zoning and Platting Commission Recommendation: To grant neighborhood commercial-conditional overlay (LR-CO) combining district zoning, to change a condition of zoning. Owner/Applicant: CWS Iron Rock, L.P. (Mary Ellen Barlow). Agent: North Forest Office Space-South Austin LLC (Jon Denton). City Staff: Wendy Rhoades, 512-974-7719.

The public hearing was conducted and the motion to close the public hearing and approve Ordinance No. 20151112-066 for neighborhood commercial-conditional overlay (LR-CO) combining district zoning, to change a condition of zoning was approved on Council Member Zimmerman's motion, Council Member Gallo's second on an 11-0 vote.

67. C14-2015-0110 - Dakota Plaza - District 6 - Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by zoning property locally known as 8516 Anderson Mill Road (Lake Creek Watershed) from interim-rural residence (I-RR) district zoning to community commercial (GR) district zoning. Staff Recommendation: To grant community commercial-conditional overlay (GR-CO) combining district zoning. Zoning and Platting Commission Recommendation: To grant community commercial-conditional overlay (GR-CO) combining district zoning. Owner/Applicant: Dakota Plaza Baceline, LLC (Johnathan Ruby). Agent: McLean & Howard, LLP (Jeffrey Howard). City Staff: Sherri Sirwaitis, 512-974-3057.

The public hearing was conducted and the motion to close the public hearing and approve Ordinance No. 20151112-067 for community commercial-conditional overlay (GR-CO) combining district zoning was approved on Council Member Zimmerman's motion, Council Member Gallo's second on an 11-0 vote.

68. C14-2015-0111 – 603 W 8th Street – District 9 – Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 603 West 8th Street (Shoal Creek Watershed) from general office-historic landmark (GO-H) combining district zoning to downtown mixed use-historic landmark (DMU-H) combining district zoning. Staff Recommendation: To grant downtown mixed use-historic landmark-conditional overlay (DMU-H-CO) combining district zoning. Historic Landmark Commission Recommendation: To grant indefinite postponement. Planning Commission Recommendation: To be reviewed on November 10, 2015. Owner/Applicant: 2015 Austin Gilfillan LP (Rene O. Campos). Agent: Drenner Group (John Donisi). City Staff: Victoria Haase, 512-974-7691.

This item was postponed indefinitely by the applicant on Council Member Zimmerman's motion, Council Member Gallo's second on an 11-0 vote.

69. C14-2015-0115 – 4222 S IH 35 – District 3 – Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 4222 South IH 35 Service Road Southbound (Williamson Creek Watershed) from limited industrial services-planned development area-neighborhood plan (LI-PDA-NP) combining district zoning to commercial-liquor sales-neighborhood plan (CS-1-NP) combining district zoning. Staff Recommendation: To grant commercial-liquor sales-conditional overlay-neighborhood plan (CS-1-CO-NP) combining district zoning. Planning Commission Recommendation: To deny commercial-liquor sales-conditional overlay-neighborhood plan (CS-1-CO-NP) combining

district zoning. Owner/Applicant: BIKS, Inc. (Glenn Williams). Agent: Moncada Enterprises, LLC (Phil Moncada). City Staff: Wendy Rhoades, 512-974-7719.

This item was withdrawn without objection.

71. C14-2015-0120 – 13401 Corner – District 6 – Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 13401 Pond Springs Road (Lake Creek Watershed) from interim-rural residence (I-RR) district zoning to community commercial (GR) district zoning. Staff Recommendation: To grant community commercial-conditional overlay combining (GR-CO) district zoning. Zoning and Platting Commission Recommendation: To grant community commercial-conditional overlay combining (GR-CO) district zoning. Owner/Applicant: Pond Springs School, LTD. Agent: Shaw Hamilton. City Staff: Sherri Sirwaitis, 512-974-3057.

The public hearing was conducted and the motion to close the public hearing and approve Ordinance No. 20151112-071 for community commercial-conditional overlay combining (GR-CO) district zoning was approved on Council Member Zimmerman's motion, Council Member Gallo's second on an 11-0 vote.

72. C14-2015-0121 – 1023 Springdale – District 3 – Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 1023 Springdale Road (Tannehill Branch Creek Watershed; Boggy Creek Watershed) from general commercial services-conditional overlay-neighborhood plan (CS-CO-NP) combining district zoning to general commercial services-conditional overlay-neighborhood plan (CS-CO-NP) combining district zoning, to change a condition of zoning. Staff Recommendation: Pending. Planning Commission Recommendation: To be reviewed December 8, 2015. Owner: 1023 Holdings, LLC (Daryl Kunik). Applicant: South Llano Strategies (Glen Coleman). City Staff: Heather Chaffin, 512-974-2122.

This item was postponed to December 10, 2015 on Council Member Zimmerman's motion, Council Member Gallo's second on an 11-0 vote.

73. C14-2015-0123 – Langan Rezoning – District 2 – Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 7016 Circle S Road (South Boggy Creek Watershed) from single family residence-standard lot (SF-2) district zoning to family residence (SF-3) district zoning. Staff Recommendation: To grant family residence (SF-3) district zoning. Zoning and Platting Commission Recommendation: To grant family residence (SF-3) district zoning. Owner/Applicant: Francis X. Langan. City Staff: Wendy Rhoades, 512-974-7719.

The public hearing was conducted and the motion to close the public hearing and approve Ordinance No. 20151112-073 for family residence (SF-3) district zoning was approved on Council Member Zimmerman's motion, Council Member Gallo's second on an 11-0 vote.

74. C14-2015-0127 – Lexington Parke II – District 2 – Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by rezoning property locally known as the northwest quadrant of Ross Road and Pearce Lane (Dry Creek East Watershed, Onion Creek Watershed) from single family residence-small lot (SF-4A) district zoning and multifamily residence-medium density (MF-3) district zoning to mobile home residence (MH) district zoning.

Staff Recommendation: To grant mobile home residence (MH) district zoning. Zoning and Platting Commission Recommendation: To grant mobile home residence (MH) district zoning. Owner: Lexington 281, L.P. (Mehrdad Moayed). Applicant: Roberts Communities (Scott Roberts). Agent: Husch Blackwell, LLP (Nikelle Meade). City Staff: Wendy Rhoades, 512-974-7719.

This item was postponed to December 10, 2015 on Council Member Zimmerman's motion, Council Member Gallo's second on an 11-0 vote.

DISCUSSION ITEMS CONTINUED

16. Approve negotiation and execution of an amendment to the contract with Latino Healthcare Forum for insurance enrollment educational outreach and navigation services of the Affordable Care Act Health Insurance Marketplace, to add funding to the contract in an amount not to exceed \$142,000, for the period of October 1, 2015 through September 30, 2016, and add three 12-month renewal options, in an amount not to exceed \$200,000 per renewal option, for a total contract amount not to exceed \$800,000.

The motion approving the negotiation and execution of an amendment to the contract with Latino Healthcare Forum was approved on Council Member Pool's motion, Council Member Renteria's second on a 9-2 vote. Those voting aye were: Mayor Adler, Mayor Pro Tem Tovo and Council Members Casar, Gallo, Garza, Houston, Kitchen, Pool and Renteria. Those voting nay were: Council Members Troxclair and Zimmerman.

17. Approve negotiation and execution of Amendment No. 2 to a contract with FOUNDATION COMMUNITIES Inc., for insurance enrollment educational outreach and navigation services of the Affordable Care Act Health Insurance Marketplace, to increase funding in an amount not to exceed \$100,000, for a total contract amount not to exceed \$600,000.

The motion approving the negotiation and execution of amendment number two to a contract with Foundation Communities Inc. was approved Council Member Pool's motion, Council Member Renteria's second on a 9-2 vote. Those voting aye were: Mayor Adler, Mayor Pro Tem Tovo and Council Members Casar, Gallo, Garza, Houston, Kitchen, Pool and Renteria. Those voting nay were: Council Members Troxclair and Zimmerman.

ZONING AND NEIGHBORHOOD PLAN AMENDMENTS

Zoning items 45 thru 48, 63 and 64 were acted on by one motion. No separate action occurred on any of the items.

45. NPA-2015-0009.01 – 1800 Pennsylvania Avenue – District 1 – Conduct a public hearing and approve an ordinance amending Ordinance No. 011213-41, the Central East Austin 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 1800 Pennsylvania Avenue (Boggy Creek Watershed) from Civic to Single Family land use. Staff Recommendation: To grant Single Family land use. Planning Commission Recommendation: To grant Single Family land use. Owner: Greater Mount Zion Baptist Church. Applicant/Agent:

Central East Austin Planning Contact Team (OCEAN). City Staff: Maureen Meredith, 512-974-2695.

The public hearing was conducted and the motion to close the public hearing and approve Ordinance No. 20151112-045 for Single Family land use was approved on Council Member Houston's motion, Council Member Pool's second on a 10-0 vote. Council Member Garza was off the dais.

46. NPA-2015-0009.02 – Greater Mount Zion Church – District 1 – Conduct a public hearing and approve an ordinance amending Ordinance No. 011213-41, the Central East Austin 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 1801 and 1809 Pennsylvania Avenue and 1170 Chicon Street (Boggy Creek Watershed) from Civic land use and Single Family land use to Multifamily land use. Staff Recommendation: To grant Multifamily land use. Planning Commission Recommendation: To grant Multifamily land use. Owner: Greater Mount Zion Baptist Church. Applicant: City of Austin, Planning and Zoning Department (Jerry Rusthoven). Agent: DuBois Bryant & Campbell, LLP (Henry Gilmore). City Staff: Maureen Meredith, 512-974-2695.

The public hearing was conducted and the motion to close the public hearing and approve Ordinance No. 20151112-046 for Multifamily land use was approved on Council Member Houston's motion, Council Member Pool's second on a 10-0 vote. Council Member Garza was off the dais.

47. C14-86-103(RCT) - Greater Mt. Zion Baptist Church - District 1 - Conduct a public hearing and approve a restrictive covenant termination on property locally known as 1801 Pennsylvania Avenue (Boggy Creek Watershed). Staff Recommendation: To grant the restrictive covenant termination. Planning Commission Recommendation: To deny the restrictive covenant termination. Owner/Applicant: Greater Mt. Zion Baptist Church (David Mims Jr.). Agent: Henry H. Gilmore. City Staff: Heather Chaffin, 512-974-2122.

The public hearing was conducted and the motion to close the public hearing and to grant the restrictive covenant termination was approved on Council Member Houston's motion, Council Member Pool's second on a 10-0 vote. Council Member Garza was off the dais.

48. C14-2015-0130 – Mt. Zion Properties Rezoning – District 1 – Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 1801 and 1809 Pennsylvania Avenue and 1170 Chicon Street (Boggy Creek Watershed) from general office-neighborhood plan (GO-NP) combining district zoning and 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. Staff Recommendation: To grant multifamily residence-moderate-high density-conditional overlay-neighborhood plan (MF-4-CO-NP) combining district zoning. Planning Commission Recommendation: To grant multifamily residence-moderate-high density-conditional overlay-neighborhood plan (MF-4-CO-NP) combining district zoning. Owner/Applicant: Greater Mt. Zion Baptist Church (Henry Gilmore). Agent: City of Austin, Planning and Zoning Department (Jerry Rusthoven). City Staff: Heather Chaffin, 512-974-2122.

The public hearing was conducted and the motion to close the public hearing and approve Ordinance No. 20151112-048 for multifamily residence-moderate-high density-conditional overlay-neighborhood plan (MF-4-CO_NP) combining district zoning was approved on Council Member Houston's motion, Council Member Pool's second on a 10-0 vote. Council Member Garza was off the dais.

63. C14-2015-0093 – 1507 Nueces Street – District 9 – Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 1507 Nueces Street (Shoal Creek Watershed) from general office (GO) district zoning to downtown mixed use (DMU) district zoning. Staff Recommendation: To grant downtown mixed use-conditional overlay (DMU-CO) combining district zoning. Planning Commission Recommendation: To grant downtown mixed use-conditional overlay (DMU-CO) combining district zoning. Owner/Applicant: Philip Raney, Nueces Street Partners, LLC (Philip Raney). Agent: Bury, Inc. (Derek Villemmez). City Staff: Victoria Haase, 512-974-7691.

This item was postponed to December 10, 2015 on Council Member Houston's motion, Council Member Pool's second on a 10-0 vote. Council Member Garza was off the dais.

64. C14-2015-0094 – 507 West 16th Street – District 9 – Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 507 West 16th Street (Shoal Creek Watershed) from general office (GO) district zoning to downtown mixed use (DMU) district zoning. Staff Recommendation: To grant downtown mixed use-conditional overlay (DMU-CO) combining district zoning. Planning Commission Recommendation: To grant downtown mixed use-conditional overlay (DMU-CO) combining district zoning. Owner/Applicant: Philip Raney, Nueces Street Partners, LLC (Philip Raney). Agent: Bury, Inc. (Derek Villemmez). City Staff: Victoria Haase, 512-974-7691.

This item was postponed to December 10, 2015 on Council Member Houston's motion, Council Member Pool's second on a 10-0 vote. Council Member Garza was off the dais.

CITIZENS COMMUNICATIONS: GENERAL

Pat Johnson - The public & local tow companies screwed with auto return/APD contract.

Charline Bell Nwagboso - Illegal activity at 1804 East 4th St. Chalmers project property. Illegal trespassing & drug activity from transients damaging personal property & disputing & illegal contact physical & panhandling to me. – **Not present when called.**

Ruby Roa - Code enforcement & relocation.

Carlos León - 1) God, Jesus Christ, and the Holy Spirit reign supreme 24/7. 2) Chemtrails - zero tolerance; stop spraying humans. 3) Losing your marbles - Part XV.

Kathy Tyler - Safety for Austin Long Term Rentals.

Carol Biedrzycki - Code Enforcement

Paul Robbins - City & Budget issues

Brendan Keane - TBD

Brenda Richter - Austin water rate case

Michael Fossum - Keep current coyote management policy and contract.

Mayor Adler recessed the Council Meeting to go into Executive Session at 12:40 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.

75. Discuss legal issues related to open government matters (private consultation with legal counsel - Section 551.071 of the Government Code).
This item was withdrawn without objection.
76. Discuss legal issues related to Mercer et al v. City of Austin et al, Cause No. 1:13-cv-00830, in the United States District Court for the Western Division of Texas (private consultation with legal counsel - Section 551.071 of the Government Code) (Related to July 26, 2013 officer-involved shooting).
This item was withdrawn without objection.
77. Discuss legal issues related to City of Austin v. Travis Central Appraisal District et. al, Cause No. D-1-GN-15-003492 in the 126th Judicial District for the Travis County District Court (private consultation with legal counsel - Section 551.071 of the Government Code).

The Mayor announced that Council would discuss item number 2 on the regular agenda during Executive Session.

2. Approve an ordinance amending Ordinance No. 20150908-003 to add an electric rate schedule for service at primary voltage to customers with an average load of at least 20 megawatts and a load factor of at least 85 percent.

Executive Session ended and Mayor Adler called the Council Meeting back to order at 3:17 p.m.

DISCUSSION ITEMS CONTINUED

2. Approve an ordinance amending Ordinance No. 20150908-003 to add an electric rate schedule for service at primary voltage to customers with an average load of at least 20 megawatts and a load factor of at least 85 percent.

Ordinance No. 20151112-002 was approved on Mayor Pro Tem Tovo's motion, Council Member Houston's second on an 11-0 vote.

21. Authorize negotiation and execution of a 12-month interlocal agreement with CAPITAL METROPOLITAN TRANSPORTATION AUTHORITY (Capital Metro) to allow City employees to use Capital Metro's transportation services in an amount not to exceed \$400,000, with four 12-month extension options in an amount not to exceed \$400,000 for each extension option for a total amount not to exceed \$2,000,000.

The motion authorizing the negotiation and execution of an interlocal agreement with Capital Metropolitan Transportation Authority (Capital Metro) was approved on Council Member Pool's motion, Council Member Garza's second on a 9-2 vote. Those voting aye were: Mayor Adler, Mayor Pro Tem Tovo and Council Members Casar, Gallo, Garza, Houston, Kitchen, Pool and Renteria. Those voting nay were: Council Members Troxclair and Zimmerman.

27. Approve a resolution initiating code amendments related to relocation requirements for developments that will result in displacement of tenants. (Notes: SPONSOR: Council Member Sabino "Pio" Renteria CO 1: Mayor Pro Tem Kathie Tovo CO 2: Council Member Delia Garza CO 3: Council Member Gregorio Casar CO 4: Council Member Ann Kitchen)

Resolution No. 20151112-027 was approved as amended below on Council Member Renteria's motion, Council Member Casar's second on a 10-1 vote. Council Member Zimmerman voted nay.

The amendment was to include a new Be It Further Resolved clause to read: "The City Manager is directed to explore the viability of including the following:

- **Requirements for temporary relocations, including tenants relocation assistance requirements specifically for tenants who are displaced because of repair or rehabilitation of their rental unit by the landlord to bring the unit into compliance with code, and the tenants are expected to be able to reoccupy the unit.**
- **Requirements for emergency relocation, including tenant relocation assistance requirements specifically for tenants who are displaced from their rental unit as a result of a city or court order to vacate the unit or where vacation is required to enable compliance with a notice of code violation from the city because of imminent potential harm to the health and safety of the tenants."**

Direction was given to staff to bring back the proposed ordinance to Council as quickly as possible.

ZONING AND PUBLIC HEARINGS CONTINUED

Items 38 and 39 were acted on by one motion.

38. NPA-2015-0017.01 – Korean United Presbyterian Church – District 7 – Conduct a public hearing and approve an ordinance on second and third readings amending Ordinance No. 040401-Z-2, amending the Crestview/Wooten 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 2000 Justin Lane (portion of) (Shoal Creek Watershed) from Civic to Multifamily land use. First Reading approved on October 15, 2015: Vote: 9-0, Mayor Pro Tem Tovo and Council Member Kitchen off the dais. Owner/Applicant: Korean United Presbyterian Church (Roy M. Kim). Agent: Thrower Design (A. Ron Thrower). City Staff: Maureen Meredith, 512-974-2695.

The public hearing was conducted and the motion to close the public hearing was approved on Council Member Pool's motion, Council Member Houston's second on an 11-0 vote.

The motion adopting the second reading of the ordinance 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 Garza's second on a 9-2 vote. Those voting aye were: Mayor Adler and Council Members Casar, Gallo, Garza, Kitchen, Pool, Renteria, Troxclair and Zimmerman. Those voting nay were: Mayor Pro Tem Tovo and Council Member Houston.

Direction was given to staff to continue the conversation with the applicant and the neighbors on the number, size and price of the units and the possibility of reducing the percentage of impervious cover.

39. C14-2015-0025 – Korean United Presbyterian Church – District 7 – Conduct a public hearing and approve an ordinance on second and third readings amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 2000 Justin Lane (Shoal Creek Watershed) from single-family residence-neighborhood plan (SF-3-NP) combining district zoning to multifamily residence medium density-conditional overlay-neighborhood plan (MF-3-CO-NP) combining district zoning. First Reading approved on October 15, 2015: Vote: 9-0, Mayor Pro Tem Tovo and Council Member Kitchen off the dais. Owner/Applicant: Korean United Presbyterian Church (Roy. M. Kim). Agent: Thrower Design (Ron Thrower). City Staff: Victoria Haase, 512-974-7691. A valid petition has been filed in opposition to this rezoning request.

The public hearing was conducted and the motion to close the public hearing was approved on Council Member Pool's motion, Council Member Houston's second on an 11-0 vote.

The motion adopting the second reading of an ordinance for multifamily residence medium density-conditional overlay-neighborhood plan (MF-3-CO-NP) combining district zoning was approved on Council Member Renteria's motion, Council Member Garza's second on a 9-2 vote. Those voting aye were: Mayor Adler and Council Members Casar, Gallo, Garza, Kitchen, Pool, Renteria, Troxclair and Zimmerman. Those voting nay were: Mayor Pro Tem Tovo and Council Member Houston.

Direction was given to staff to continue the conversation with the applicant and the neighbors on the number, size and price of the units and the possibility of reducing the percentage of impervious cover.

40. C14-2014-0193 – MMK Ventures, LLC – District 7 – Conduct a public hearing and approve second and third readings of an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 1601 Cedar Bend Drive (Walnut Creek Watershed) from rural

residence (RR) district zoning to single-family residence-small lot-conditional overlay (SF-4A-CO) combining district zoning. First Reading approved on October 15, 2015. Vote: 10-0, Council Member Renteria was off the dais. Owner/Applicant: MMK Ventures, LLC (Saeed Minhas). Agent: Cuatro Consultants, Ltd. (Hugo Elizondo, Jr., P.E.). City Staff: Sherri Sirwaitis, 512-974-3057. A valid petition has been filed in opposition to this rezoning request.

The public hearing was conducted and the motion to close the public hearing was approved on Council Member Pool's motion, Council Member Zimmerman's second on a 9-0 vote. Council Members Casar and Houston were off the dais.

The motion adopting the second reading of an ordinance for single-family residence-small lot-conditional overlay (SF-4A-CO) combining district zoning was approved with the following condition on Council Member Pool's motion, Council Member Zimmerman's second on a 7-4 vote. Those voting aye were: Mayor Adler, Mayor Pro Tem Tovo, Council Members Casar, Kitchen, Gallo, Pool and Zimmerman. Those voting nay were: Council Members Garza, Houston, Renteria and Troxclair.

The condition was to prohibit vehicular access to Old Cedar Lane to Cearly except for emergency access, pedestrian and bicycle access through the use of crash gates as recommended by the Zoning and Platting Commission.

Direction was given to staff to have a discussion with the River Oaks Elementary School regarding concerns over traffic.

29. Set a public hearing to consider a resolution supporting an application to be submitted to the Texas Department of Housing and Community Affairs by 6725 Urban Oaks Partnership, LP, or an affiliated entity, for a proposed affordable multi-family development to be called the Urban Oaks Apartments, located at 6725 Circle S Road (District 2). (Suggested date and time: November 19, 2015 beginning at 4:00 p.m. at Austin City Hall, 301 W. Second Street, Austin, TX)

The public hearing was set on consent for November 19, 2015, 4:00 p.m. at Austin City Hall, 301 W. Second Street, Austin, TX on Mayor Pro Tem Tovo's motion, Council Member Renteria's second on an 11-0 vote.

51. NPA-2015-0015.02 – Little Folks Daycare – District 1 – Conduct a public hearing and approve an ordinance amending Ordinance No. 20021107-Z-11 the East MLK 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 5700 and 5702 Reicher Drive (Fort Branch Watershed) from Single Family land use to Office land use. Staff Recommendation: To grant Office land use. Planning Commission Recommendation: To grant Office land use. Owner/Applicant: Nelda Frasier, Little Folk Daycare. Agent: Vincent Gerard and Associates, Inc. (Vince Huebinger). City Staff: Kathleen Fox, 512-974-7877.

The public hearing was conducted and the motion to close the public hearing and approve the first reading of the ordinance to change the land use designation on the future land use map (FLUM) to Office land use was approved on Council Member Houston's motion, Council Member Zimmerman's second on an 11-0 vote.

52. C14-2015-0108 – Little Folks Day Care – District 1 – Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 5700 and 5702 Reicher Drive (Fort Branch Creek Watershed) from family residence-neighborhood plan (SF-3-NP) combining district zoning to neighborhood office-neighborhood plan (NO-NP) combining district zoning. Staff Recommendation: To grant neighborhood office-neighborhood plan (NO-NP) combining district zoning. Planning Commission Recommendation: To grant neighborhood office-neighborhood plan (NO-NP) combining district zoning. Owner: Nelda Frazier. Agent: Vincent Gerard and Associates (Vince Huebinger). City Staff: Heather Chaffin, 512-974-2122.

The public hearing was conducted and the motion to close the public hearing and approve the first reading of the ordinance for neighborhood office-neighborhood plan (NO-NP) combining district zoning was approved on Council Member Houston's motion, Council Member Zimmerman's second on an 11-0 vote.

36. C14-2014-0153 - The Enclave at Oak Parke - District 8 - Approve third reading of an ordinance amending City Code Chapter 25-2 by zoning property locally known as 10301-10317 Salmon Drive (Slaughter Creek Watershed-Barton Springs Zone) from interim-rural residence (I-RR) district zoning and interim-single family residence-standard lot (I-SF-2) district zoning to single family residence-standard lot (SF-2) district zoning. First Reading approved on November 20, 2014. Vote: 7-0. Second Reading approved on February 12, 2015. Vote: 11-0. Owner/Applicant: Mark Alan Cunningham. City Staff: Wendy Rhoades, 512-974-7719.

Ordinance No. 20151112-036 was approved on Council Member Zimmerman's motion, Council Member Troxclair's second on a 9-1 vote. Mayor Pro Tem Tovo voted nay. Council Member Houston abstained.

37. C814-2012-0152 – Pilot Knob Planned Unit Development - District 2 – Approve second reading of an ordinance amending City Code Chapter 25-2 by zoning property locally known as east and southeast of the intersection of East William Cannon Drive and McKinney Falls Parkway, and west of South U.S. Highway 183 and FM 1625 (Cottonmouth Creek Watershed; North Fork Creek Watershed; South Fork Creek Watershed) from interim-rural residence (I-RR) district zoning and interim-single family residence-standard lot (SF-4A) district zoning to planned unit development (PUD) district zoning. First Reading approved on October 8, 2015. Vote: 10-0, Council Member Pool was off the dais. Owner/Applicant: Carma Easton, Inc. (Logan Kimble). Agent: Armbrust & Brown, L.L.P. (Lynn Ann Carley). City Staff: Wendy Rhoades, 512-974-7719.

This item was postponed to November 19, 2015 on Council Member Garza's motion, Council Member Casar's second on a 10-0 vote. Council Member Troxclair was off the dais.

Mayor Adler recessed the Council Meeting at 6:57 p.m.

Mayor Adler reconvened the meeting at 7:47 p.m.

PUBLIC HEARINGS CONTINUED

Items 55 and 56 were acted on by one motion.

55. NPA-2015-0028.01 – Cameron Skilled Nursing Facility – District 4 – Conduct a public hearing and approve an ordinance amending Ordinance No. 20110113-059, the Heritage Hills/Windsor Hills 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 8324 Cameron Road (Little Walnut Creek Watershed) from Industry land use to Office land use. Staff Recommendation: To grant Office land use. Planning Commission Recommendation: To grant Office land use. Owner/Applicant: Madison Valley Mortgage-Cameron Industrial Park, LLC (Larry Vineyard). Agent: Cunningham-Allen (Jana Rice). City Staff: Maureen Meredith, 512-974-2695.

The public hearing was conducted and the motion to close the public hearing and approve the first and second readings of the ordinance to change the land use designation on the future land use map (FLUM) to Office land use was approved on Council Member Casar's motion, Council Member Renteria's second on a 10-0 vote. Council Member Pool was off the dais; upon her return to the dais requested the record show her in support of the motion.

56. C14-2015-0100 – Cameron Skilled Nursing Facility – District 4 – Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 8324 Cameron Road (Little Walnut Creek Watershed) from limited industrial service-neighborhood plan (LI-NP) combining district zoning to general office-neighborhood plan (GO-NP) combining district zoning. Staff Recommendation: To grant general office-neighborhood plan (GO-NP) combining district zoning. Planning Commission Recommendation: To grant general office-neighborhood plan (GO-NP) combining district zoning. Owner: Madison Valley Mortgage-Cameron Industrial Park, LLC (Larry Vineyard). Agent: Cunningham-Allen, Inc. (Jana Rice). City Staff: Heather Chaffin, 512-974-2122.

The public hearing was conducted and the motion to close the public hearing and approve the first and second readings of the ordinance for general office-neighborhood plan (GO-NP) combining district zoning was approved on Council Member Casar's motion, Council Member Renteria's second on a 10-0 vote. Council Member Pool was off the dais; upon her return to the dais requested the record show her in support of the motion.

62. C14-2015-0092 – 6015 Dillard Circle – District 4 – Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 6015 Dillard Circle (Waller Creek Watershed) from general commercial services-mixed use-vertical mixed use building-conditional overlay-neighborhood plan (CS-MU-V-CO-NP) combining district zoning to limited industrial services-conditional overlay-neighborhood plan (LI-CO-NP) combining district zoning. Staff Recommendation: To grant limited industrial services-conditional overlay-neighborhood plan (LI-CO-NP) combining district zoning. Planning Commission Recommendation: To grant limited industrial services-conditional overlay-neighborhood plan (LI-CO-NP) combining district zoning. Owner/Applicant: Powell Austin Properties, LTD (Ben H. Powell, IV). Agent: Land Answers Inc. (Jim Wittliff). City Staff: Victoria Haase, 512-974-7691.

The public hearing was conducted and the motion to close the public hearing and approve Ordinance No. 20151112-062 for limited industrial services-conditional overlay-neighborhood plan (LI-CO-NP) combining district zoning was approved on Council Member Casar's motion, Council Member Zimmerman's second on a 10-0 vote. Council Member Pool was off the dais; upon her return to the dais requested the record show her in support of the motion.

60. C14-2015-0061 – Townbridge Homes Rezoning – District 2 – Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 7513 and 7603 Cooper Lane (South Boggy Creek Watershed) from development reserve (DR) district zoning and single family residence-standard lot (SF-2) district zoning to townhouse and condominium residence (SF-6) district zoning. Staff Recommendation: To grant townhouse and condominium residence-conditional overlay (SF-6-CO) combining district zoning. Zoning and Platting Commission Recommendation: To grant townhouse and condominium residence-conditional overlay (SF-6-CO) combining district zoning. Owner/Applicant: Townbridge Homes, LLC (Aaron Levy). Agent: Thrower Design (Ron Thrower). Agent: City Staff: Wendy Rhoades, 512-974-7719.

This item was postponed to November 19, 2015 on Council Member Garza's motion, Council Member Gallo's second on a 10-0 vote. Council Member Pool was off the dais; upon her return to the dais requested the record show her in support of the motion.

79. Conduct a public hearing and consider an appeal by Daniel Llanes, regarding the Planning Commission's approval of a variance from City Code Section 25-2-721(B)(1), which prohibits the construction of a building or parking area within the primary setback of the Waterfront Overlay in the Red Bluff Subdistrict (District 3).

The public hearing was conducted and the motion to close the public hearing and grant the variance with the following conditions was approved on Mayor Adler's motion, Council Member Renteria's second on an 11-0 vote.

The conditions were:

- 1. Existing impervious cover within the Primary Setback shall be reduced by 50% and shall be limited to (i) swimming pool and related improvements, (ii) decks and patios and related roof or shade structures, and (iii) landscape features. No buildings are allowed in the primary setback.**
- 2. Development on the Site shall comply with the 35' height limit of the Waterfront Overlay.**
- 3. The Applicant shall work with the City and LCRA authorities to remove invasive species on the northern bank of the Colorado River and enhanced the ecological condition of the Site.**
- 4. The Applicant shall preserve all protected or heritage trees on the Site, excluding any dead or diseased trees which must be removed to protect people or property.**
- 5. Development on the Site shall meet or exceed all water quality requirements of Chapter 25-8 of the Austin City Code.**
- 6. Red Bluff Partners will collaborate with River Bluff and the City to ensure that the drainage culvert located between the Red Bluff Tract and the adjacent property to the west is repaired to City standards by the City or corresponding governmental entity.**

80. Conduct a public hearing and consider an ordinance granting a site specific amendment to City Code Section 25-8-514 and granting a variance to City Code Section 25-8-261 to allow redevelopment of St. Catherine of Siena Church (SP-2014-0476C). This action requires a site specific amendment to the Save Our Springs Initiative and concerns property in the Barton Springs Zone. (District 8)
This item was postponed to December 10, 2015 on Mayor Pro Tem Tovo's motion, Council Member Gallo's second on an 11-0 vote.

Items 43 and 44 were acted on by one motion.

43. NPA-2015-0016.01 - Shady Lane Mixed Use - District 3 - Conduct a public hearing and approve an ordinance amending Ordinance No. 030327-12, the Govalle/Johnston Terrace Combined Neighborhood Plan, an element of the Imagine Austin Comprehensive Plan, to change the land use designation on the future land use map (FLUM) on property locally known as 500 Shady Lane (Colorado River Watershed) from industry land use to mixed use land use. Staff Recommendation: To grant mixed use land use. Planning Commission Recommendation: To grant mixed use land use. Owner/Applicant: 600 Shady Lane, Ltd. (Jimmy Nassour). Agent: Alice Glasco Consultant (Alice Glasco) City Staff: Maureen Meredith, 512-974-2695.
The public hearing was conducted and the motion to close the public hearing was approved on Council Member Zimmerman's motion, Council Member Renteria's second on an 11-0 vote.

There was a motion to approve the ordinance on first reading only by Council Member Renteria's motion and seconded by Council Member Casar.

There was a substitute motion to postpone this item to February 11, 2016. The motion was approved on Council Member Casar's motion, Council Member Renteria's second on a 10-0 vote. Council Member Garza abstained.

44. C14-2015-0043 - Shady Lane Mixed Use - District 3 - Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 500 Shady Lane (Colorado River Watershed) from limited industrial services-condition overlay-neighborhood plan (LI-CO-NP) combining district zoning to general commercial services-mixed use-vertical mixed use building-neighborhood plan (CS-MU-V-NP) combining district zoning. Staff Recommendation: To deny general commercial services-mixed use-vertical mixed use building-conditional overlay-neighborhood plan (CS-MU-V-CO-NP) combining district zoning. Planning Commission Recommendation: To grant general commercial services-mixed use-vertical mixed use-conditional overlay-neighborhood plan (CS-MU-V-CO-NP) combining district zoning. Owner: 600 Shady Lane LTD (Jimmy Nassour). Agent: Glasco Consulting (Alice Glasco). City Staff: Heather Chaffin, 512-974-2122. A valid petition has been filed in opposition to this rezoning request.
The public hearing was conducted and the motion to close the public hearing was approved on Council Member Zimmerman's motion, Council Member Renteria's second on an 11-0 vote.

There was a motion to approve the ordinance on first reading only by Council Member Renteria's motion and seconded by Council Member Casar.

There was a substitute motion to postpone this item to February 11, 2016. The motion was approved on Council Member Casar's motion, Council Member Renteria's second on a 10-0 vote. Council Member Garza abstained.

70. C14-2015-0118 – Emerald Forest @ William Cannon Rezoning – District 2 – Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 6707 Emerald Forest Drive (Williamson Creek Watershed, South Boggy Creek Watershed) from family residence-neighborhood plan (SF-3-NP) combining district zoning and limited office-neighborhood plan (LO-NP) combining district zoning to neighborhood commercial-mixed use-neighborhood plan (LR-MU-NP) combining district zoning. Staff Recommendation: To grant neighborhood commercial-mixed use-conditional overlay-neighborhood plan (LR-MU-CO-NP) combining district zoning. Planning Commission Recommendation: To grant neighborhood commercial-mixed use-conditional overlay-neighborhood plan (LR-MU-CO-NP) combining district zoning. Owner/Applicant: JBS Holdings, LP (Sheri Krause). Agent: Alice Glasco Consulting (Alice Glasco). City Staff: Wendy Rhoades, 512-974-7719.

The public hearing was conducted and the motion to close the public hearing was approved on Council Member Zimmerman's motion, Council Member Pool's second on an 11-0 vote.

The motion to adopt the second reading of an ordinance for neighborhood commercial-mixed use-conditional overlay neighborhood plan (LR-MU-CO-NP) combining district zoning with the following conditions was approved on Council Member Garza's motion, Council Member Pool's second on an 11-0 vote.

The conditions were:

- **Prohibit drive-through uses**
- **Require a privacy fence**

The motion to waive the rules and allow Council to meet after 10 p.m. was approved on Council Member Renteria's motion, Council Member Pool's second on a 10-0 vote. Mayor Pro Tem Tovo was off the dais.

PUBLIC HEARINGS CONTINUED

57. C14-2014-0186 – Hopper-Finley Tract – District 7 – Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 2500 South Heatherwilde Boulevard (Harris Branch Watershed) from development reserve (DR) district zoning to single family residence-small lot (SF-4A) district zoning for Tract 1, multifamily residence-moderate-high density (MF-4) district zoning for Tract 2 and community commercial (GR) district zoning for Tract 3. Staff Recommendation: To grant single family residence-small lot (SF-4A) district zoning for Tract 1, multifamily residence-moderate-high density (MF-4)

district zoning for Tract 2 and community commercial (GR) district zoning for Tract 3, with conditions. Zoning and Platting Commission Recommendation: To grant single family residence-small lot-conditional overlay (SF-4A-CO) combining district zoning for Tract 1, multifamily residence-moderate-high density (MF-4) district zoning for Tract 2 and community commercial (GR) district zoning for Tract 3, with conditions. Owner/Applicant: Finley Company (Tim Finley). Agent: Graves Dougherty Hearon & Moody (Michael J. Whellan). City Staff: Sherri Sirwaitis, 512-974-3057.

The public hearing was conducted and the motion to close the public hearing was approved on Council Member Pool's motion, Council Member Zimmerman's second on a 10-0 vote. Council Member Houston was off the dais.

The motion to adopt the first reading of the ordinance for single family residence-small lot-conditional overlay (SF-4A-CO) combining district zoning for Tract 1, multifamily residence-moderate-high density (MF-4) district zoning for Tract 2 and community commercial (GR) district zoning for Tract 3, with conditions was approved with the following direction on Council Member Pool's motion, Council Member Zimmerman's second on a 11-0 vote.

Direction was given to staff to work with the applicant and the neighborhood to incorporate a compromise that would provide for a one-street connection to address the connectivity concerns.

33. Approve a resolution adopting the Austin Convention Center's Long-Range Master Plan regarding Convention Center facilities.

There was a motion to approve the resolution with the following amendments by Mayor Adler and seconded by Council Member Renteria.

The amendment was to have the Be It Resolved clauses to read as follows:

BE IT RESOLVED BY THE AUSTIN CITY COUNCIL:

The City Council directs the City Manager to explore options for implementation of the Austin Convention Center's Long-Range Master Plan, attached as Exhibit "A".

BE IT FURTHER RESOLVED

The City Manager is also hereby directed to consider and bring forth to the City Council Economic Opportunity Committee recommendations on the following related issues prior to any further Council action related to implementation of the Master Plan;

- 1. Assessment of the long term viability of the convention and exhibition industry, given further, comprehensive analysis of current industry data, historical trends, and projections, including the projected market demand for Austin Convention Center space.**

2. **Assessment of other facility needs in Austin, including sports, music, and other facilities eligible for venue tax funding, and the impact of the Master Plan's conceptual finance plan on the capacity to fund other potential eligible projects through the venue tax.**
3. **Opportunity costs of dedicating future Hotel Occupancy Tax revenue for funding the proposed Master Plan in lieu of other potentially eligible uses, including parks, cultural centers, special events and associated event costs, entertainment and cultural districts, other music industry needs as identified in the Austin Music Census, historic preservation, and transportation projects and programs.**
4. **Analysis of the Convention Center operations, use of Hotel Occupancy Tax revenue, and venue taxes in other major Texas cities.**
5. **Assessment of the potential impact of convention and tourism industry growth on Austin's median home price and median rents, including analysis of peer cities that have recently expanded their convention center.**
6. **Options for provision of a "Community Room" within the Austin Convention Center complex to allow for low-cost or no-cost use of meeting space by community-based and nonprofit groups, with certain exceptions provided to Food and Beverage requirements to enhance the ability of all groups to utilize Convention Center space.**
7. **Options for provision of local business opportunities within the Convention Center complex, including:**
 - a. **Opportunities for owners of property potentially to be acquired for the convention center to participate in a public/private equity interest in retail space developed as part of the convention center complex.**
 - b. **Preferential opportunities for rental of retail space by local Austin businesses participating in a small business incubation and mentorship program.**
 - c. **Other opportunities for provision of unique, local retail and restaurant offerings within the Convention Center that are attractive and accessible to both convention attendees and Austin community.**
 - d. **Opportunities for provision low-cost or no-cost space within the Convention Center complex to address the needs of the local Austin music industry, including, but not limited to, an Austin Music Hub as described in the Austin Music Census.**
8. **Use of open space and other facilities developed as part of the Convention Center expansion for free and meaningful community events and programs of interest to the Austin community, potentially including:**
 - a. **Cultural celebrations, musical offerings, and performing arts programs that are compelling to Austin and its diverse community.**

- There was a motion by Council Member Casar to amend the resolution to include a new item to read as follows. The motion was approved without objection.**

- Resolution No. 20151112-033 was approved with the amendments listed above on Mayor Adler's motion, Council Member Renteria's second on a 10-0 vote. Council Member Zimmerman abstained.**

78. Conduct a public hearing and consider an ordinance that suspends issuing new short-term rental Type 2 licenses.

A motion approve the ordinance with the following amendments was made by Mayor Pro Tem Tovo and seconded by Council Member Gallo.

The amendment was:

To have Part 1 read: “City Code Section 25-2-491 (Permitted, Conditional, and Prohibited Uses) is amended to amend the chart in Section (C) as follows:

Short-term rental uses regulated under Section 25-2-788 (Short-term Rental (Type 1) Regulations) and Section 25-2-790 (Short-term Rental (Type 3) Regulations) are a permitted use in the following base districts:

**Lake Austin residence (LA)
Rural residence (RR)
Single-family residence large lot (SF-1)
Single-family residence standard lot (SF-2)
Family residence (SF-3)
Single-family residence small lot (SF-4A)
Single-family residence condominium site (SF-4B)
Urban family residence (SF-5)
Townhouse and condominium residence (SF-6)
Multifamily residence limited density (MF-1)
Multifamily residence low density (MF-2)
Multifamily residence medium density (MF-3)
Multifamily residence moderate-high density (MF-4)
Multifamily residence high density (MF-5)
Multifamily residence highest density (MF-6)
Central business (CBD)
Downtown mixed use (DMU)**

To amend Part 2, Section (C) (H) to read:

(H) After November 23, 2015, the director may not issue a license to operate short-term rental use as described in Section 25-2-789 (Short-Term Rental (Type 2) Regulations).

The motion to replace Part 1 as follows was approved on Council Member Zimmerman’s motion, Council Member Troxclair’s second on a 9-1 vote. Mayor Pro Tem Tovo voted nay. Council Member Pool abstained.

The amendment was to have Part 1 read:

Part 1. City Code Section 25-2-491 (Permitted, Conditional, and Prohibited Uses) is amended to add a new footnote (17) to short-term rental in the chart in Subsection (C) as follows:

(17) Subject to the limitations in Section 25-2-791.

A motion to amend Part 3, Section (H) to read: “After November 23, 2015, the director may not issue a license to operate short-term rental use as described in Section 25-2-789 (Short-

Term Rental (Type 2) Regulations), except that for an application received prior to September 17th, that has outstanding issues is allowed to proceed through the application process was approved on Council Member Garza's motion, Council Member Pool's second on an 11-0 vote.

A motion to amend Part 3 and 4 to read: "Part 3. Council directs the City Manager to hold a public hearing on or before March 1, 2017, that allows the Council to consider the effectiveness of this ordinance and to consider revisions. Part 4. This ordinance expires on March 31, 2017." The motion was approved on Council Member Casar's motion, Council Member Houston's second on a 9-2 vote. Those voting aye were: Mayor Adler, Mayor Pro Tem Tovo and Council Members Casar, Garza, Houston, Kitchen, Renteria and Zimmerman. Those voting nay were: Council Members Gallo and Troxclair.

A motion to amend the date of September 17th date to November 12, 2015 failed on Council Member Troxclair's motion, Council Member Gallo's second on a 2-9 vote. Those voting aye were: Council Members Gallo and Troxclair. Those voting nay were: Mayor Adler, Mayor Pro Tem Tovo, Council Members Casar, Garza, Houston, Kitchen, Pool, Renteria and Zimmerman.

A motion to amend Part 2, Section (H) to add a statement that "The director may not issue a license pursuant to an application received after November 12, 2015." The motion was approved on Council Member Houston's motion, Council Member Pool's second on an 11-0 vote.

Ordinance 20151112-078 was approved with the amendments listed above on Mayor Pro Tem Tovo's motion, Council Member Gallo's second on a 10-1 vote. Council Member Troxclair voted nay.

81. Conduct a public hearing and consider an ordinance amending City Code Chapter 25-1 and Ordinance No. 20070621-027 relating to parkland dedication requirements and associated fees imposed as a condition to development approval.

There was a motion to postpone this item to November 19, 2015 by Council Member Zimmerman. The motion was later withdrawn.

The public hearing was conducted and the motion to close the public hearing was approved on Council Member Zimmerman's motion, Council Member Pool's second on an 11-0 vote.

The motion approve the ordinance with the following amendments was made by Council Member Pool and seconded by Mayor Pro Tem Tovo.

A motion to include the staff recommendation number two included in the ordinance amendment review sheet to require PARD to establish a process to let applicants determine whether payment of a fee in-lieu of dedication will be allowed before submitting a formal site plan application. This could be done with a "development assessment," or through some

other administratively established process, and would be binding for a period of one year was approved on Mayor Adler's motion, Council Member Gallo's second on an 11-0 vote.

A motion to include staff recommendation number one included in the ordinance amendment review sheet to make it clear that, during the review process, staff will work with the applicant to determine that the total impervious cover allowed on the site is allocated in a manner that maximizes development potential of the site plan while allowing for development of parkland with recreational amenities was approved on Mayor Adler's motion and approved without objection.

A motion to include staff recommendation number three included in the ordinance amendment review sheet to extend the parkland dedication/fee in-lieu requirements, as well as the parkland development fee, to hotel/motel uses. The assumed density for hotel-motel uses would be 1.7 people per occupied room, reduced to reflect the annual occupancy rate as reported by the Texas Economic Development & Tourism Office was approved on Council Member Casar's motion, Council Member Pool's second on an 11-0 vote.

The motion to approve the ordinance on first reading with the amendments listed above was approved on Council Member Pool's motion, Mayor Pro Tem Tovo's second on a 10-1 vote. Council Member Zimmerman voted nay.

Mayor Adler adjourned the meeting at 2:25 a.m. without objection.

The minutes were approved on this the 10th day of December 2015 on Council Member Gallo's motion, Council Member Renteria's second on a 9-0 vote. Council Member Kitchen was off the dais. Mayor Adler was absent.