



## **AUSTIN CITY COUNCIL WORK SESSION**

**Tuesday, August 09, 2016**

The Austin City Council will convene at 9:00 AM on  
Tuesday, August 09, 2016 at Austin City Hall  
301 W. Second Street, Austin, TX



**Mayor Steve Adler**  
**Mayor Pro Tem Kathie Tovo, District 9**  
**Council Member Ora Houston, District 1**  
**Council Member Delia Garza, District 2**  
**Council Member Sabino “Pio” Renteria, District 3**  
**Council Member Gregorio Casar, District 4**  
**Council Member Ann Kitchen, District 5**  
**Council Member Don Zimmerman, District 6**  
**Council Member Leslie Pool, District 7**  
**Council Member Ellen Troxclair, District 8**  
**Council Member Sheri Gallo, District 10**

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

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

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

**9:00 AM – City Council Convenes**

- A. Pre-Selected Agenda Items
- B. Briefings
  - B.1 Briefing on Public Improvement Districts
  - B.2 Proposed 2016 Bond Package and Proposition
- C. Council Items of Interest
- D. Council Discussion
  - D.1 Discussion and possible action on the Council Budget Concept Menu.
- E. Executive Session
  - E.1 Discuss legal issues related to open government matters (Private consultation with legal counsel - Section 551.071 of the Government Code).
  - E.2 Discuss legal issues related to a general obligation bond election (Private consultation with legal counsel - Section 551.071 of the Government Code).
  - E.3 Discuss legal issues related to Donald Zimmerman v. City of Austin, Cause No. 1:15-cv-00628LY, in the United States District Court for the Western Division of Texas (Private consultation with legal counsel - Section 551.071 of the Government Code).
  - E.4 Discuss legal issues related to the City's electric power purchase agreement with Nacogdoches Power LLC (Private consultation with legal counsel - Section 551.071 of the Government Code).

**Consent**

**Approval of Minutes**

1. Approve the minutes of the Austin City Council work session of August 2, 2016, budget work session of August 3, 2016 and regular meeting of August 4, 2016.

## **Budget**

2. Discussion and possible action on the Council Budget Concept Menu.

## **City Clerk**

3. Approve an ordinance ordering a general municipal election to be held in the City of Austin on November 8, 2016, for the purpose of electing City Council Members for District 2, District 4, District 6, District 7, and District 10; ordering a special election for the purpose of authorizing the issuance of general obligation bonds for transportation and mobility; providing for the conduct of the election; authorizing the City Clerk to enter into joint election agreements with other local political subdivisions as may be necessary for the orderly conduct of the election; and declaring an emergency.

## **Communications and Technology Management**

4. Authorize negotiation and execution of an interlocal agreement with the City of Pflugerville for installation, programming, maintenance, and repair of Pflugerville's wireless communications equipment for an initial term ending September 30, 2017, with an estimated amount of \$5,000 payable to the City and with annual automatic renewal terms in the same estimated amount per renewal.

## **Convention Center**

5. Authorize the negotiation and execution of a five-year agreement with one five-year extension option with the Austin Convention and Visitors Bureau for convention and tourism promotion services in an estimated amount not to exceed \$16,472,944 for Fiscal Year 2016-2017.

## **Parks and Recreation**

6. Approve an ordinance authorizing negotiation and execution of an agreement with the Austin Area Garden Center, Inc. for use of the Zilker Garden Center and waiving certain building-use fees as part of the agreement in an amount not to exceed \$175,551.

## **Planning and Zoning**

7. Approve an ordinance adopting the First Amendment to the Strategic Partnership Agreement with the River Place Municipal Utility District.
8. Approve an ordinance amending City Code 9-2 relating to requirements for non-peak hour concrete installation within portions of the Central Business District and Public zoning districts.

## **Police**

9. Approve a resolution authorizing the acceptance of \$116,008.47 in grant funding from the State of Texas, Governor's Office, Criminal Justice Division to implement the Austin Police Department project entitled the Austin Police Department Coverdell Project which provides funding for the APD crime lab.
10. Approve a resolution authorizing the acceptance of \$37,600 in grant funding from the State of Texas, Governor's Office, Criminal Justice Division to implement the Austin Police Department project entitled Austin Police Department Juvenile Justice and Delinquency Prevention Project.
11. Authorize negotiation and execution of an agreement with Texas State University – San Marcos to reimburse costs of law enforcement services for the FY 2017 Texas Tobacco Enforcement Program for a total reimbursement not to exceed \$28,650.

### **Purchasing Office**

12. Authorize negotiation and execution of a contract with MATRIX CONSULTING GROUP for human resources consulting services in an amount not to exceed \$90,000.  
( Notes: This solicitation was reviewed for subcontracting opportunities in accordance with City Code Chapter 2-9C Minority Owned and Women Owned Business Enterprise Procurement Program. For the goods required for this solicitation, there were insufficient subcontracting opportunities; therefore, no subcontracting goals were established. )
13. Authorize negotiation and execution of a 60-month contract through the STATE OF TEXAS DEPARTMENT OF INFORMATION RESOURCES cooperative purchasing program with DELL MARKETING, L.P., to provide computer deployment services in an amount not to exceed \$875,000. Related to Item #14  
( Notes: This contract will be awarded by a cooperative purchase agreement with the Texas Department Information Resources in accordance with Chapter 2054 of the Texas Government Code; therefore, goals were not established. )
14. Authorize negotiation and execution of a 60-month contract through the STATE OF TEXAS DEPARTMENT OF INFORMATION RESOURCES cooperative purchasing program with DELL FINANCIAL SERVICES LLC., to provide lease purchase of personal computers, workstations, and laptops in an amount not to exceed \$12,100,000. Related to Item #13  
( Notes: This contract will be awarded by a cooperative purchase agreement with the Texas Department Information Resources in accordance with Chapter 2054 of the Texas Government Code; therefore, goals were not established. )
15. Authorize award and execution of a 36-month contract with 5-F

MECHANICAL GROUP, INC. to provide plumbing maintenance, installation, and repair services in an amount not to exceed \$2,955,000, with three 12-month extension options in an amount not to exceed \$985,000 per extension option, for a total contract amount not to exceed \$5,910,000. ( Notes: This solicitation was reviewed for subcontracting opportunities in accordance with City Code Chapter 2-9C Minority Owned and Women Owned Business Enterprise Procurement Program. For the goods and services required for this solicitation, there was an insufficient number of certified M/WBEs; therefore, no subcontracting goals were established. )

16. Authorize negotiation and execution of a 36-month contract with CLINICAL PATHOLOGY LABORATORIES, INC., or one of the other qualified offerors to Request for Proposals EAD0126, to provide laboratory services in an amount not to exceed \$2,825,859, with three 12-month extension options in an amount not to exceed \$941,953 per extension option, for a total contract amount not to exceed \$5,651,718. ( Notes: This solicitation was reviewed for subcontracting opportunities in accordance with City Code Chapter 2-9C Minority Owned and Women Owned Business Enterprise Procurement Program. For the services required for this solicitation, there were insufficient subcontracting opportunities and an insufficient number of certified M/WBEs; therefore, no subcontracting goals were established. )
17. Authorize award and execution of a 24-month contract with NESCO, LLC, to provide for the rental of aerial towers and digger derricks, in an amount not to exceed \$233,350, with three 12-month extension options in an amount not to exceed \$116,675 per extension option, for a total contract amount not to exceed \$583,375. ( Notes: This solicitation was reviewed for subcontracting opportunities in accordance with City Code Chapter 2-9D Minority Owned and Women Owned Business Enterprise Procurement Program. For the goods and services required for this solicitation, there were insufficient subcontracting opportunities; therefore, no subcontracting goals were established. )
18. Authorize an amendment to the contract with ENVIRONMENTAL SYSTEMS RESEARCH INSTITUTE, INC. for the purchase of software, consulting services, software maintenance, training, cloud services and support for the City's Geographic Information System to add a 12-month extension option in an amount not to exceed \$1,125,000, for a total revised contract amount not to exceed \$5,664,000. ( Notes: This contract is exempt from City Code Chapter 2-9C Minority Owned and Women Owned Business Enterprise Procurement Program; therefore, no goals were established for this solicitation. )
19. Authorize negotiation and execution of three 36-month contracts with ACM BODY AND FRAME INC., KAISER AND SONS DBA NETWORK AUTO BODY (MBE), and LEIF JOHNSON FORD, or one of the other qualified offerors to Request For Proposals SLW0202REBID, to provide

automotive body repair services in an amount not to exceed \$2,505,000 each and combined, with three 12-month extension options in an amount not to exceed \$835,000 per extension option each and combined, for total contract amounts not to exceed \$5,010,000 each and combined.

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

20. Authorize negotiation and execution of a contract through the TEXAS LOCAL GOVERNMENT PURCHASING COOPERATIVE program for vehicles with SILSBEE FORD, INC. in an amount not to exceed \$84,062.  
( Notes: This contract was reviewed for subcontracting opportunities in accordance with City Code Chapter 2-9D Minority Owned and Women Owned Business Enterprise Procurement Program. For the goods required for this contract, there were no subcontracting opportunities identified; therefore, no subcontracting goals were established. )
21. Authorize award and execution of a 36-month contract with CENTEX MATERIALS, LLC, to provide ready mix concrete, in an amount not to exceed \$532,500, with three 12-month extension options in an amount not to exceed \$177,500 per extension option, for a total contract amount not to exceed \$1,065,000.  
( Notes: This solicitation was reviewed for subcontracting opportunities in accordance with City Code Chapter 2-9D Minority Owned and Women Owned Business Enterprise Procurement Program. For the goods required for this solicitation, there were an insufficient number of certified M/WBEs and no subcontracting opportunities; therefore, no subcontracting goals were established. )
22. Authorize negotiation and execution of a 36-month contract with DOOSAN GRIDTECH, to provide energy storage and control software implementation, economic modeling and analysis services, for a total contract amount not to exceed \$4,501,000.  
( Notes: This contract is exempt from the City Code Chapter 2-9C Minority Owned and Women Owned Business Enterprise Procurement Program; therefore, no subcontracting goals were established. )
23. Authorize an amendment to the contract with NALCO COMPANY to provide continued equipment supply and service for chemical water treatment programs at various City facilities to add one six-month extension option in an amount not to exceed \$800,000 for a revised total contract amount not to exceed \$9,800,000.  
( Notes: The contract was awarded in compliance with City Code Chapter 2-9C Minority Owned and Women Owned Business Enterprise Procurement Program. No subcontracting opportunities were identified; therefore, no goals were established. )

24. Authorize negotiation and execution of a 36-month contract with PAYMENTECH LLC, or one of the other qualified offerors to Request For Proposals TVN0055REBID, to provide merchant card processing services in an amount not to exceed \$3,700,000, with two 24-month extension options in an amount not to exceed \$3,300,000 for the first extension option, and \$3,800,000 for the second extension option, for a total contract amount not to exceed \$10,800,000.  
( Notes: This solicitation was reviewed for subcontracting opportunities in accordance with City Code Chapter 2-C Minority Owned and Women Owned Business Enterprise Procurement Program. For the goods and services required for this solicitation, there were insufficient subcontracting opportunities; therefore, no subcontracting goals were established. )
25. Authorize negotiation and execution of a 60-month contract with SYNAGRO OF TEXAS-CDR, INC., or one of the other qualified offerors to Request For Proposals CDL2003, for the management of biosolids reuse in an amount not to exceed \$9,424,778, with five 12-month extension options in an amount not to exceed \$2,185,180 per extension option, for a total contract amount not to exceed \$20,350,678.  
( Notes: This solicitation was reviewed for subcontracting opportunities in accordance with City Code Chapter 2-9C Minority Owned and Women Owned Business Enterprise Procurement Program. For the services required for this solicitation, there were insufficient subcontracting opportunities and an insufficient number of certified M/WBEs; therefore, no subcontracting goals were established. )
26. Authorize negotiation and execution of a 12-month revenue contract with ALLEN CLICK, or one of the other qualified offerors to Request For Proposals JXP0501, for the sale and removal of compost material for an estimated revenue amount of \$64,500, with five 12-month extension options with an estimated revenue of \$64,500 per extension option, for a total estimated revenue amount of \$387,000.  
( Notes: This revenue generating contract is exempt from the City Code Chapter 2-9C Minority Owned and Women Owned Business Enterprise Procurement Program; therefore, no subcontracting goals were established. )

**Item(s) from Council**

27. Approve appointments and certain related waivers to citizen boards and commissions, to Council committees and other intergovernmental bodies and removal and replacement of members; and amendments to board and commission bylaws.
28. Approve an ordinance waiving or reimbursing certain fees and requirements and authorize payment of certain costs under City Code Chapter 14-8 for the City co-sponsored Austin PRIDE Parade sponsored by Austin Pride Foundation which is to be held on August 27, 2016.

( Notes: SPONSOR: Mayor Steve Adler CO 1: Mayor Pro Tem Kathie Tovo CO 2: Council Member Delia Garza CO 3: Council Member Sabino "Pio" Renteria CO 4: Council Member Gregorio Casar )

29. Approve an ordinance waiving or reimbursing additional fees for the Annual Garden Party sponsored by the Umlauf Sculpture Garden and Museum which took place Thursday, April 28, 2016 at the Umlauf Sculpture Garden and Museum.

( Notes: SPONSOR: Council Member Ann Kitchen CO 1: Mayor Steve Adler CO 2: Council Member Leslie Pool CO 3: Council Member Sheri Gallo )

30. Approve an ordinance waiving development fees for parcels or lots located within subdistricts 1, 2, and 4 of the East 11th Street Neighborhood Conservation Combining District owned and developed by non-profit corporations.

( Notes: SPONSOR: Council Member Ora Houston CO 1: Council Member Leslie Pool CO 2: Mayor Steve Adler CO 3: Council Member Sabino "Pio" Renteria )

31. Approve a resolution directing the City Manager to create a Bond Election Advisory Task Force and present briefings on related issues in anticipation of a 2017 or 2018 bond process.

( Notes: SPONSOR: Council Member Ann Kitchen CO 1: Mayor Steve Adler CO 2: Council Member Delia Garza CO 3: Council Member Gregorio Casar CO 4: Council Member Leslie Pool )

32. Approve a resolution directing the City Manager to grant an exception to the administrative moratorium on new road closures for special events, and authorize the Gay Softball World Series closing ceremony to take place on Fourth Street between Colorado and Lavaca on August 19 and 20, 2016 and be issued a special event permit so long as all other Austin Center for Events requirements are met.

( Notes: SPONSOR: Mayor Steve Adler CO 1: Mayor Pro Tem Kathie Tovo CO 2: Council Member Leslie Pool CO 3: Council Member Gregorio Casar )

33. Approve a resolution regarding Austin Energy programs for increasing energy efficiency.

( Notes: SPONSOR: Council Member Ann Kitchen CO 1: Council Member Gregorio Casar CO 2: Council Member Leslie Pool CO 3: Council Member Sabino "Pio" Renteria )

34. Approve the waiver or reimbursement of certain fees for the Ciclovía North Austin event under City Code Chapter 14-8 sponsored by Bike Austin which is to be held Saturday, August 27, 2016 at the North Austin Event Center.

( Notes: SPONSOR: Council Member Gregorio Casar CO 1: Council Member Delia Garza CO 2: Council Member Sabino "Pio" Renteria CO 3:

Council Member Leslie Pool )

35. Approve an ordinance waiving or reimbursing certain fees for a banner to assist the YMCA of Austin with advertising for jobs sponsored by the YMCA.  
( Notes: SPONSOR: Council Member Gregorio Casar CO 1: Mayor Steve Adler CO 2: Council Member Ann Kitchen CO 3: Mayor Pro Tem Kathie Tovo )
36. Approve the waiver or reimbursement of certain fees and costs under City Code Chapter 14-8 for the 2nd Annual Austin Duck Derby event sponsored by the Austin Boys and Girls Clubs Foundation, which was held Saturday, August 6, 2016 on the Ann Richards Bridge at Lady Bird Lake.  
( Notes: SPONSOR: Council Member Gregorio Casar CO 1: Council Member Delia Garza CO 2: Council Member Leslie Pool CO 3: Mayor Pro Tem Kathie Tovo )
37. Approve a resolution related to indigent defendants in the Austin Municipal Court.  
( Notes: SPONSOR: Council Member Delia Garza CO 1: Council Member Gregorio Casar CO 2: Council Member Sabino "Pio" Renteria CO 3: Council Member Leslie Pool CO 4: Council Member Ann Kitchen )

## **Non-Consent**

### **Zoning Ordinances / Restrictive Covenants (HEARINGS CLOSED)**

38. C14-2016-0016 – Loma Vista – District 1 – Approve second and third readings of an ordinance amending City Code Chapter 25-2 by rezoning property locally known as Hidden West Boulevard (Walnut Creek Watershed; Elm Creek Watersheds) from limited industrial services-conditional overlay (LI-CO) combining district zoning to mobile home residence (MH) district zoning. First reading approved on June 16, 2016. Vote: 10-0, Council Member Gallo was off the dais. Owner: Roberts Resorts (Scott Roberts). Applicant: Conley Engineering (Carl Conley). City Staff: Heather Chaffin, 512-974-2122.
39. C14-2016-0045 – Austin River Oaks Apartments – District 5 – Approve second and third readings of an ordinance amending City Code Chapter 25-2 by zoning property locally known as 6607 Brodie Lane (Williamson Creek Watershed-Barton Springs Zone) from interim-rural residence (I-RR) district zoning to multifamily residence-low density (MF-2) district zoning. First reading approved on June 16, 2016. Vote: 11-0. Owner/Applicant: CPF River Oaks Austin, LLC (John R. Wooten). Agent: Graves, Dougherty, Hearon & Moody (Peter Cesaro). City Staff: Wendy Rhoades, 512-974-7719.

## **Zoning and Neighborhood Plan Amendments (Public Hearings and Possible Action)**

40. C14-2015-0160 – Champions Tract #3 – District 10 – 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 6409 City Park Road (West Bull Creek Watershed) from general office-conditional overlay (GO-CO) combining district zoning to general office-mixed use-conditional overlay (GO-MU-CO) combining district zoning. First reading approved for multifamily residence-moderate-high density-conditional overlay (MF-4-CO) combining district zoning on June 23, 2016. Vote: 11-0. Owner/Applicant: Champion Assets LTD & Champion Legacy Partners LP (Josie Ellen Champion, Alma Juanita Champion Meier, Margaret Jo Roberson Duff). Agent: Armbrust & Brown, PLLC (Richard Suttle). City Staff: Jerry Rusthoven, 512-974-3207.
41. C14-2016-0031 – Kaleidoscope Village – District 1 – 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 6314 FM 969 and 6307 Parliament Drive (Walnut Creek Watershed) from townhouse and condominium residence-neighborhood plan (SF-6-NP) combining district zoning, neighborhood commercial-mixed use-neighborhood plan (LR-MU-NP) combining district zoning, and neighborhood commercial-neighborhood plan (LR-NP) combining district zoning to multifamily residence-low density-neighborhood plan (MF-2-NP) combining district zoning on Tract 1; and from neighborhood commercial-neighborhood plan (LR-NP) combining district zoning and townhouse and condominium residence-neighborhood plan (SF-6-NP) combining district zoning to neighborhood commercial-mixed use-neighborhood plan (LR-MU-NP) combining district zoning on Tract 2. Owner/ Applicant: KV Creation LP (Clifford May). City Staff: Heather Chaffin, 512-974-2122.
42. NPA-2015-0005.04 - Lenox Oaks - 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 6705, 6707, 6709 Ponca Street; 434 Bastrop Highway Southbound; 444, 446, 448, 450, 452, 454, 456 Bastrop Highway Southbound; and 500 Bastrop Highway Southbound (Carson Creek Watershed) from Single Family, Office and Commercial land uses to Mixed Use land use. Staff Recommendation: To grant Mixed Use, Commercial, Mixed Use/Office and Multifamily land uses. Planning Commission Recommendation: To forward to Council without a recommendation. Owner/Applicant: 422 Bastrop Hwy., Ltd; 500 Bastrop Hwy., Ltd., and Chase Equities, Inc. (Jimmy Nassour). Agent: Smith, Robertson, Elliott & Douglas, L.L.P. (David Hartman). City Staff: Maureen Meredith, 512-974-2695.

43. C14-2015-0104 - Lenox Oaks - District 3 - Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 434-500 Bastrop Highway Southbound and 6705-6709 Ponca Street (Carson Creek Watershed; Colorado River Watershed) from general commercial services-neighborhood plan (CS-NP) combining district zoning, family residence-neighborhood plan (SF-3-NP) combining district zoning and single family residence-standard lot-neighborhood plan (SF-2-NP) combining district zoning to general commercial services-mixed use-neighborhood plan (CS-MU-NP) combining district zoning for Tract 1 and Tract 2; from general commercial services-neighborhood plan (CS-NP) combining district zoning to general commercial services-mixed use-neighborhood plan (CS-MU-NP) combining district zoning for Tract 3; from general commercial services-neighborhood plan (CS-NP) combining district zoning, general office-neighborhood plan (GO-NP) combining district zoning, family residence-neighborhood plan (SF-3-NP) combining district zoning and single family residence-standard lot-neighborhood plan (SF-2-NP) combining district zoning to general commercial services-mixed use-neighborhood plan (CS-MU-NP) combining district zoning for Tract 4; and from family residence-neighborhood plan (SF-3-NP) combining district zoning to general commercial services-mixed use-neighborhood plan (CS-MU-NP) combining district zoning for Tract 5. Staff Recommendation: To grant general commercial services-conditional overlay-neighborhood plan (CS-CO-NP) combining district zoning, general commercial services-mixed use-conditional overlay-neighborhood plan (CS-MU-CO-NP) combining district zoning and neighborhood commercial-mixed use-conditional overlay-neighborhood plan (LR-MU-CO-NP) combining district zoning for Tract 1 and Tract 2; general commercial services-conditional overlay-neighborhood plan (CS-CO-NP) combining district zoning and general commercial services-mixed use-conditional overlay-neighborhood plan (CS-MU-CO-NP) combining district zoning for Tract 3; general commercial services-conditional overlay-neighborhood plan (CS-CO-NP) combining district zoning, general commercial services-mixed use-conditional overlay-neighborhood plan (CS-MU-CO-NP) combining district zoning, general office-mixed use-conditional overlay-neighborhood plan (GO-MU-CO-NP) combining district zoning and multifamily residence-low density-conditional overlay-neighborhood plan (MF-2-CO-NP) combining district zoning for Tract 4; and multifamily residence-low density-conditional overlay-neighborhood plan (MF-2-CO-NP) combining district zoning for Tract 5. Planning Commission Recommendation: To forward to Council without a recommendation. Owner/Applicant: UT Land Company, Ltd./Jimmy Nassour. Agent: Smith, Robertson, Elliot & Douglas, LLP (David Hartman). City Staff: Andrew Moore, 512-974-7604.
44. NPA-2015-0015.03 - 5010 & 5012 Heflin Lane - District 1 - Conduct a public hearing and approve an ordinance amending Ordinance No. 021107-Z-11 the East MLK 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 5010 and 5012 Heflin Lane

(Fort Branch Creek Watershed) from Single Family land use to High Density Single Family land use. Staff Recommendation: Pending. Planning Commission Recommendation: To be reviewed on September 13, 2016. Owner: Heflin Phase I, LLC and Shirley Green (Lynn Yuan). Applicant: Metcalfe Wolff Stuart & Williams, LLP (Michele Rogerson Lynch). City Staff: Kathleen Fox, 512-974-787.

45. C14-2015-0114 - 5010 & 5012 Heflin Lane - District 1 - Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 5010 and 5012 Heflin Lane (Fort Branch Creek Watershed) from single family residence-small lot-neighborhood plan (SF-4A-NP) combining district zoning to townhouse and condominium residence-neighborhood plan (SF-6-NP) combining district zoning. Staff Recommendation: Pending. Planning Commission Recommendation: To be reviewed on September 13, 2016. Owner: Heflin Phase I, LLC and Shirley Green (Lynn Yuan). Applicant: Metcalfe Wolff Stuart & Williams, LLP (Michele Rogerson Lynch). City Staff: Heather Chaffin, 512- 974-2122.
46. NPA-2016-0010.02 – East Sixth Street Village – District 3 – Conduct a public hearing and approve an ordinance amending Ordinance No. 011213-43, the Holly 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 622 Pedernales Street (Lady Bird Lake Watershed) from Industry to Mixed Use land use. Staff Recommendation: To grant Mixed Use land use. Planning Commission Recommendation: To grant Mixed Use land use. Owner/Applicant: 2422 Hidalgo Street, LP (M. Timothy Clark). Agent: 2422 Hidalgo Street, LP (David Cox). City Staff: Maureen Meredith, (512) 974-2695.
47. C14-2016-0041 – East Sixth Street Village South – District 3 – Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 2416 East Sixth Street (Lady Bird Lake Watershed) from limited industrial services-conditional overlay-neighborhood plan (LI-CO-NP) combining district zoning to general commercial services-vertical mixed use building-conditional overlay-neighborhood plan (CS-V-CO-NP) combining district zoning. Staff Recommendation: To grant general commercial services-vertical mixed use building-conditional overlay-neighborhood plan (CS-V-CO-NP) combining district zoning. Planning Commission Recommendation: To grant general commercial services-vertical mixed use building-conditional overlay-neighborhood plan (CS-V-CO-NP) combining district zoning. Owner/Applicant: 2416 East Sixth Street, L.P. (David Cox). City Staff: Heather Chaffin, 512- 974-2122.
48. C14-2016-0043 – East Sixth Street Village North – District 3 – Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 622 Pedernales Street (Lady Bird Lake Watershed) from limited industrial-conditional overlay-neighborhood plan

(LI-CO-NP) combining district zoning to general commercial services-mixed use-conditional overlay-neighborhood plan (CS-MU-CO-NP) combining district zoning. Staff Recommendation: To grant general commercial services-mixed use-conditional overlay-neighborhood plan (CS-MU-CO-NP) combining district zoning. Planning Commission Recommendation: Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 622 Pedernales Street (Lady Bird Lake Watershed) from limited industrial services-conditional overlay-neighborhood plan (LI-CO-NP) combining district zoning to general commercial services-mixed use-conditional overlay-neighborhood plan (CS-MU-CO-NP) combining district zoning. Staff Recommendation: To grant general commercial services-mixed use-conditional overlay-neighborhood plan (CS-MU-CO-NP) combining district zoning. Planning Commission Recommendation: To grant general commercial services-mixed use-conditional overlay-neighborhood plan (CS-MU-CO-NP) combining district zoning. Owner/Applicant: 2416 East Sixth Street, L.P. (David Cox). City Staff: Heather Chaffin, 512- 974-2122.

49. C14-2015-0119 - Neal Mixed Use Zoning - District 9 - Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 1507, 1509, 1511, 1601 and 1603 Shoal Creek Boulevard (Shoal Creek Watershed) from general office (GO) district zoning, limited office (LO) district zoning, and family residence (SF-3) district zoning to general office-mixed use-vertical mixed use building (GO-MU-V) combining district zoning, as amended. Staff Recommendation: To grant general office-mixed use-vertical mixed use building (GO-MU-V) combining district zoning. Planning Commission Recommendation: To be reviewed on August 23, 2016. Owner/Applicant: F. Scott Holdings, LLC (John Neal). Agent: Site Specifics (John Hussey). City Staff: Andrew Moore, 512-974-7604.
50. C14-2015-0146 - W. Oltorf Street - District 5 - Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 1404, 1408, 1412 and 1414 West Oltorf Street and 2043 South Lamar Boulevard (West Bouldin Creek Watershed) from general commercial services (CS) district zoning, family residence (SF-3) district zoning and general commercial services-conditional overlay (CS-CO) combining district zoning to general commercial services-mixed use-conditional overlay (CS-MU-CO) combining district zoning for Tract 1 and from general commercial services-vertical mixed use building-conditional overlay (CS-MU-V-CO) combining district zoning to general commercial services-vertical mixed use building-conditional overlay (CS-MU-V-CO) combining district zoning for Tract 2. Staff Recommendation: To grant general commercial services-mixed use-conditional overlay (CS-MU-CO) combining district zoning for Tract 1 and general commercial services-vertical mixed use building-conditional overlay (CS-MU-V-CO) combining district zoning for Tract 2. Planning Commission Recommendation: To grant general commercial services-mixed use-conditional overlay (CS-MU-CO)

combining district zoning for Tract 1 and general commercial services-vertical mixed use building-conditional overlay (CS-MU-V-CO) combining district zoning for Tract 2. Applicant: Metcalfe Wolff Stuart & Williams, LLP (Michele Rogerson Lynch). Owner: Scott Trainer. City Staff: Andrew Moore, 512-974-7604.

51. C14-2015-0163 – Wey Tract Rezoning – District 5 – Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 900 West Slaughter Lane (Slaughter Creek Watershed) from development reserve (DR) district zoning to townhouse and condominium residence (SF-6) district zoning. Staff Recommendation: To grant townhouse and condominium residence (SF-6) district zoning. Zoning and Platting Commission Recommendation: To grant townhouse and condominium residence (SF-6) district zoning. Owner/Applicant: Yuh-Jaan and Yecu-Chyn Wey. Agent: Coats Rose (John Joseph). City Staff: Wendy Rhoades, 512-974-7719.
52. C14-2016-0025 – St. James Missionary Baptist Church – District 1 – Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 3417 East Martin Luther King, Jr. Boulevard (Tannehill Branch Watershed) from family residence-neighborhood plan (SF-3-NP) combining district zoning to townhouse and condominium residence-neighborhood plan (SF-6-NP) combining district zoning. Staff Recommendation: To grant townhouse and condominium residence-neighborhood plan (SF-6-NP) combining district zoning. Planning Commission Recommendation: To grant townhouse and condominium residence-conditional overlay-neighborhood plan (SF-6-CO-NP) combining district zoning. Owner: St. James Missionary Baptist Church (Thomas J. Owens). Applicant: Urban Design Group (Laura Toups). City Staff: Heather Chaffin, 512- 974-2122. A valid petition has been filed in opposition to this rezoning request.
53. C14-2016-0032 – Smithers RV Storage – District 4 – Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 10400 North Lamar Boulevard (Little Walnut Creek Watershed) from community commercial-conditional overlay-neighborhood plan (GR-CO-NP) combining district zoning to general commercial services-neighborhood plan (CS-NP) combining district zoning. Staff Recommendation: To grant general commercial services-conditional overlay-neighborhood plan (CS-CO-NP) combining district zoning. Planning Commission Recommendation: To grant general commercial services-conditional overlay-neighborhood plan (CS-CO-NP) combining district zoning. Owner/Applicant: Ben F. Smithers. City Staff: Sherri Sirwaitis, 512-974-3057.
54. C14-2016-0036 – Abhyas Kendra 1 Inc. – District 10 – Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 12636 Research Boulevard Southbound,

Building C, Suite C-108 (Walnut Creek Watershed) from limited office (LO) district zoning to neighborhood commercial (LR) district zoning. Staff Recommendation: To grant neighborhood commercial (LR) district zoning. Zoning and Platting Commission Recommendation: To grant neighborhood commercial (LR) district zoning. Owner/Applicant: Hsu Realty Company, Inc. (Chi-Kao Hsu). Agent: Abhyas Kendra 1 Inc. (Venkataramana Gudipalli). City Staff: Sherri Sirwaitis, 512-974-3057.

55. C14-2016-0039 – Thornton II – District 5 – Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 2413 Thornton Road (West Bouldin Creek Watershed) from general commercial services (CS) district zoning to multifamily residence-moderate-high density-conditional overlay (MF-4-CO) combining district zoning. Staff Recommendation: To grant multifamily residence-low density (MF-2) district zoning. Planning Commission Recommendation: To grant multifamily residence-moderate-high density-conditional overlay (MF-4-CO) combining district zoning. Applicant: South Llano Strategies (Glen Coleman). Owner: John & Susan Hoberman. City Staff: Andrew Moore, 512-974-7604.
56. C14-2016-0044 – Pond Springs Development – District 6 – Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 13130 Pond Springs Road (Lake Creek Watershed) from community commercial-conditional overlay (GR-CO) combining district zoning to community commercial-mixed use (GR-MU) combining district zoning. Staff Recommendation: To grant community commercial-mixed use (GR-MU) combining district zoning. Zoning and Platting Commission Recommendation: To grant community commercial-mixed use (GR-MU) combining district zoning. Owner/Applicant: Wood Maderas, Ltd. (Mark Woods). Agent: Richmond Properties, L.P. (David M. Spatz). City Staff: Sherri Sirwaitis, 512-974-3057.
57. C14-2016-0046 – 7720 & 7800 South 1st St – District 2 – Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 7720 and 7800 South 1st Street (South Boggy Creek Watershed) from general commercial services-conditional overlay (CS-CO) combining district zoning for Tract 1 and community commercial-mixed use-conditional overlay (GR-MU-CO) combining district zoning for Tract 2, to change conditions of zoning. Staff Recommendation: To grant general commercial services-conditional overlay (CS-CO) combining district zoning for Tract 1 and community commercial-mixed use-conditional overlay (GR-MU-CO) combining district zoning for Tract 2, to change conditions of zoning. Zoning and Platting Commission Recommendation: To grant general commercial services-conditional overlay (CS-CO) combining district zoning for Tract 1 and community commercial-mixed use-conditional overlay (GR-MU-CO) combining district zoning for Tract 2, to change conditions of zoning. Owner/Applicant: Adam Diaz. City Staff: Wendy Rhoades, 512-974-7719.

58. C14-2016-0047 – 6709 Circle S Road Rezoning – District 2 – Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 6709 Circle S Road (Williamson Creek Watershed) from family residence (SF-3) district zoning and multi-family residence-medium density (MF-3) district zoning to community commercial-mixed use (GR-MU) combining district zoning. Staff Recommendation: To grant community commercial-mixed use-conditional overlay (GR-MU-CO) combining district zoning. Zoning and Platting Commission Recommendation: To grant community commercial-mixed use-conditional overlay (GR-MU-CO) combining district zoning. Owner/Applicant: Pleasant Hill Baptist Church Austin (Chris Cassell; John Ellis). Agent: Armbrust & Brown, PLLC (Lynn Ann Carley). City Staff: Wendy Rhoades, 512-974-7719.
59. C14-2016-0055 – Gateway to Tech Ridge – District 7 – Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 14125-1/2 The Lakes Boulevard (Harris Branch Watershed) from multifamily residence-low density-conditional overlay (MF-2-CO) combining district zoning to community commercial (GR) district zoning. Staff Recommendation: To grant community commercial (GR) district zoning. Zoning and Platting Commission Recommendation: To grant community commercial-conditional overlay (GR-CO) combining district zoning. Owner/Applicant: Lichter Equities, L.P. (Bob Lichter). Agent: Land Strategies (Erin Welch). City Staff: Sherri Sirwaitis, 512-974-3057.
60. C14-2016-0057 – Ross Road Homes – District 2 – Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 6101 Ross Road (Dry Creek East Watershed) from development reserve (DR) 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 single family residence-small lot (SF-4A) district zoning. Owner/Applicant: Najib F. Wehbe. Agent: Alice Glasco Consulting (Alice Glasco). City Staff: Wendy Rhoades, 512-974-7719.
61. C14-2016-0058 – KKG2 Rezoning – District 9 – Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 1911-1/2 University Avenue (Waller Creek Watershed) from multifamily residence-moderate-high density-neighborhood plan (MF-4-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/Applicant: House Association of Beta XI Chapter of Kappa Kappa Gamma (Ellen Morrison). Agent: Thrower Design (Ron Thrower). City Staff: Sherri Sirwaitis, 512-974-3057.

62. C14-2016-0059 – KKG1 Rezoning – District 9 – Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 2001 University Avenue (Waller Creek Watershed) from multifamily residence-moderate-high density-historic landmark-neighborhood plan (MF-4-H-NP) combining district zoning to general office-historic landmark-neighborhood plan (GO-H-NP) combining district zoning. Staff Recommendation: To grant general office-historic landmark-neighborhood plan (GO-H-NP) combining district zoning. Planning Commission Recommendation: To grant general office-historic landmark-neighborhood plan (GO-H-NP) combining district zoning. Owner/Applicant: House Association of Beta XI Chapter of Kappa Kappa Gamma (Ellen Morrison). Agent: Thrower Design (Ron Thrower). City Staff: Sherri Sirwaitis, 512-974-3057.
63. C14-2016-0060 – 2801 Hancock Drive – District 10 – Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 2801 Hancock Drive (Shoal Creek Watershed) from general commercial services (CS) district zoning to general commercial services-mixed use (CS-MU) combining district zoning. Staff Recommendation: To grant general commercial services-mixed use (CS-MU) combining district zoning. Zoning and Platting Commission Recommendation: To grant general commercial services-mixed use-conditional overlay (CS-MU-CO) combining district zoning. Owner/Applicant: Robert P. Stern Trust (Robert Stern). Agent: Texas Design Interests, LLC (Jeff Shindler). City Staff: Wendy Rhoades, 512-974-7719.
64. C14-2016-0062 – Goddard School of Avery Ranch – District 6 – Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by zoning property locally known as 9409-1/2 Pearson Ranch Road (South Brushy Creek Watershed) from interim-rural residence (I-RR) district zoning to limited office (LO) district zoning. Staff Recommendation: To grant limited office (LO) district zoning. Zoning and Platting Commission Recommendation: To grant limited office (LO) district zoning. Owner/Applicant: England Ranch NE Limited Partnership (Joe F. England). Agent: Drenner Group (Amanda Swor). City Staff: Sherri Sirwaitis, 512-974-3057.
65. C14-2016-0074 – Element Hotel – District 7 – Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 10728 Burnet Road (Walnut Creek Watershed) from major industrial-planned development area (MI-PDA) district zoning to major industrial-planned development area (MI-PDA) district zoning, to change a condition of zoning. Staff Recommendation: To grant industrial-planned development area (MI-PDA) district zoning. Planning Commission Recommendation: To be reviewed on August 9, 2016. Owner/Applicant: DBG Austin Domain, LLC. Agent: Bennett Consulting (Rodney Bennett).

City Staff: Sherri Sirwaitis, 512-974-3057.

66. C14-79-065(RCT) – Earl M. McClure – District 9 – Conduct a public hearing to amend a restrictive covenant on property locally known as 80 Red River Street (Waller Creek Watershed). Staff Recommendation: To grant termination of the restrictive covenant. Planning Commission Recommendation: To be reviewed on September 13, 2016. Owner/Applicant: Villas of Town Lake HOA (Gary L. Johnson). Agent: Consort, Inc. (Ben Turner). City Staff: Wendy Rhoades, 512-974-7719.
67. C14-80-133 (RCA) – Aura Riverside Restrictive Covenant Amendment – District 3 – Conduct a public hearing to amend a restrictive covenant on property locally known as 6101 and 6205 East Riverside Drive (Country Club Creek Watershed). Staff Recommendation: To grant an amendment to remove the requirement for a Planned Development Area Agreement as it applies to this property. Planning Commission Recommendation: To grant an amendment to remove the requirement for a Planned Development Area Agreement as it applies to this property. Owner: Rivermont Place General, LLC. (David Rae). Applicant: Drenner Group (Amanda Swor). City Staff: Andrew Moore, 512- 974-7604.
68. C814-2015-0074 - The Grove at Shoal Creek PUD - District 10 - Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by zoning property locally known as 4205 Bull Creek Road (Shoal Creek Watershed) from unzoned (UNZ) district zoning to planned unit development (PUD) district zoning. Staff Recommendation: To grant planned unit development (PUD) district zoning. Zoning and Platting Commission Recommendation: To grant planned unit development (PUD) district zoning. Owner/Applicant: ARG Bull Creek, Ltd. (Garrett Martin). Agent: Thrower Design (A. Ron Thrower). City Staff: Sherri Sirwaitis, 512-974-3057.

### **Executive Session**

69. Discuss legal issues related to open government matters (Private consultation with legal counsel - Section 551.071 of the Government Code).
70. Discuss legal issues related to a general obligation bond election (Private consultation with legal counsel - Section 551.071 of the Government Code).
71. Discuss legal issues related to Donald Zimmerman v. City of Austin, Cause No. 1:15-cv-00628LY, in the United States District Court for the Western Division of Texas (Private consultation with legal counsel - Section 551.071 of the Government Code).
72. Discuss legal issues related to the City's electric power purchase agreement with Nacogdoches Power LLC (Private consultation with legal counsel -

Section 551.071 of the Government Code).

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

73. Conduct a public hearing and consider an ordinance amending City Code Title 25 relating to right-of-way dedications and transportation improvements required as a condition to mitigate the impacts of development.

### **Adjourn**

 *The City of Austin is committed to compliance with the Americans with Disabilities Act. Reasonable modifications and equal access to communications will be provided upon request.*

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

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