

**AUSTIN CITY COUNCIL
MINUTES****REGULAR MEETING
THURSDAY, FEBRUARY 2, 2017**

Invocation: Kelsang Dechok, Kadampa Meditation Center

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, February 2, 2017 in the Council Chambers of City Hall, 301 West Second Street, Austin, Texas.

Mayor Adler called the Council Meeting to order at 10:18 a.m.

CONSENT AGENDA

The following items were acted on by one motion.

1. Approve the minutes of the Austin City Council special called meeting of January 11, 2017, special called joint meeting of January 11, 2017, and special called meeting of January 12, 2017. **The minutes from the City Council special called meeting of January 11, 2017, special called joint meeting of January 11, 2017 and special called meeting of January 12, 2017 were approved on consent on Mayor Pro Tem Tovo's motion, Council Member Pool's second on a 10-0 vote. Council Member Casar was off the dais.**
2. Authorize negotiation and execution of an interlocal agreement with Austin Community College (ACC) to provide on-site chilled water services at ACC's Highland Campus located at 6101 Airport Boulevard. (District 4)
The motion authorizing negotiation and execution of an interlocal agreement with Austin Community College was approved on consent on Mayor Pro Tem Tovo's motion, Council Member Pool's second on a 10-0 vote. Council Member Casar was off the dais.
3. Authorize negotiation and execution of an agreement with United Airlines to replace diesel powered equipment operated by United Airlines with electric equipment by utilizing an Environmental Protection Agency Diesel Emission Reduction Act grant, for a total contract amount not to exceed \$120,805. (District 2)
The motion authorizing negotiation and execution of an agreement with United Airlines was approved on consent on Mayor Pro Tem Tovo's motion, Council Member Pool's second on a 10-0 vote. Council Member Casar was off the dais.
4. Approve an ordinance amending City Code Chapters 2-3 and 2-7 relating to the duties and functions of the City Auditor and the Ethics Review Commission, the code of ethics, and financial disclosure; and creating an offense.

This item was postponed to February 9, 2017 at the request of staff on Mayor Pro Tem Tovo's motion, Council Member Pool's second on a 10-0 vote. Council Member Casar was off the dais.

5. Approve an ordinance amending the Fiscal Year 2016-2017 City of Austin Fee Schedule, attached as Exhibit A to Ordinance No. 20160914-003, to change the fee for providing a zoning compliance letter from \$513 to \$51.
Ordinance No. 20170202-005 was approved on consent on Mayor Pro Tem Tovo's motion, Council Member Pool's second on a 10-0 vote. Council Member Casar was off the dais.
6. Authorize negotiation and execution of an agreement with the Community Care Collaborative to provide ground emergency medical transport services to the Travis County Healthcare District's (d/b/a Central Health) eligible Medical Access Program beneficiaries for a fee of \$696,822 for a term of one year.
The motion authorizing negotiation and execution of an agreement with the Community Care Collaborative was approved on consent on Mayor Pro Tem Tovo's motion, Council Member Pool's second on a 10-0 vote. Council Member Casar was off the dais.
7. Authorize negotiation and execution of an interlocal agreement with Travis County Healthcare District (d/b/a Central Health) to provide services through the Emergency Medical Services Department Community Health Paramedic Program as funded by the Delivery System Reform Incentive Payments 1115 Waiver Program (DSRIP) in effect during the DSRIP project period from the date of execution of this agreement through September 30, 2017, in an amount not to exceed \$441,073 paid by Central Health to the City.
The motion authorizing negotiation and execution of an interlocal agreement with Travis County Healthcare District doing business as Central Health was approved on consent on Mayor Pro Tem Tovo's motion, Council Member Pool's second on a 10-0 vote. Council Member Casar was off the dais.
8. Authorize negotiation and execution of an interlocal agreement in the form of a Service Agreement with Travis County Emergency Service District #4 (ESD 4) compensating the City of Austin for providing fire services within ESD 4, providing for the transition of current ESD 4 firefighters into the Austin Fire Department workforce, and providing for the disposition of ESD 4 property and equipment.
This item was postponed to February 16, 2017 on consent on Mayor Pro Tem Tovo's motion, Council Member Pool's second on a 10-0 vote. Council Member Casar was off the dais.
9. Approve an ordinance waiving up to \$3,630 in Library Department photo/digital scan reproduction and publication fees for Arcadia Press, Inc., in exchange for royalties for use of Austin History Center historical photos.
Ordinance No. 20170202-009 was approved on consent on Mayor Pro Tem Tovo's motion, Council Member Pool's second on a 10-0 vote. Council Member Casar was off the dais.
10. Approve an ordinance amending the Fiscal Year 2016-2017 Austin Public Library Operating Budget Special Revenue Fund (Ordinance 20160914-001) to appropriate interest earned from the Bill and Melinda Gates Foundation grant funds for the My Library Keeps Me Healthy initiative.
Ordinance No. 20170202-010 was approved on consent on Mayor Pro Tem Tovo's motion, Council Member Pool's second on a 10-0 vote. Council Member Casar was off the dais.

11. Approve an ordinance waiving or reimbursing certain fees for the 12th annual Urban Music Festival 2017, sponsored by Soul Tree Collective, Inc., which is taking place on March 31 and April 1 at Vic Mathias Shores.

Ordinance No. 20170202-011 was approved on consent on Mayor Pro Tem Tovo's motion, Council Member Pool's second on a 10-0 vote. Council Member Casar was off the dais.

Item 12 was pulled for discussion.

13. Approve a resolution consenting to the issuance of multi-family private activity bonds by Austin Affordable PFC, Inc., an affiliate of the Housing Authority of the City of Austin, in an amount not to exceed \$20,000,000 to finance a portion of the cost to rehabilitate a multi-family rental development located at 1941 Gaston Place Drive that will be owned by Pathways at Gaston Place Apartments, LP. (District 1)

Resolution No. 20170202-013 was approved on consent on Mayor Pro Tem Tovo's motion, Council Member Pool's second on a 9-1 vote. Council Member Troxclair voted nay. Council Member Casar was off the dais.

14. Authorize the negotiation and execution of a 60-month lease with Texas Optometric Association, Inc. for approximately 2,930 square feet of office space at 1104 West Avenue, Austin, Texas, for the Criminal Prosecution Division of the Law Department, in an amount not to exceed \$543,514.67. (District 9).

The motion authorizing the negotiation and execution of a lease with Texas Optometric Association, Inc. was approved on consent on Mayor Pro Tem Tovo's motion, Council Member Pool's second on a 10-0 vote. Council Member Casar was off the dais.

15. Authorize the execution of an agreement with 9th Red River, LLC, for partial reimbursement of costs associated with constructing Great Streets streetscape improvements at 805 Neches Street (Holiday Inn Express Hotel) & 810 Red River Street (Indigo Hotel) in an amount not to exceed \$184,454. (District 9)

The motion authorizing the execution of an agreement with 9th Red River, LLC was approved on consent on Mayor Pro Tem Tovo's motion, Council Member Pool's second on a 10-0 vote. Council Member Casar was off the dais.

16. Approve an ordinance amending City Code Chapter 13-3 relating to escort vehicles and processions.

This item was postponed to February 9, 2017 at the request of staff on Mayor Pro Tem Tovo's motion, Council Member Pool's second on a 10-0 vote. Council Member Casar was off the dais.

17. Approve an ordinance creating temporary navigation control zones on Lake Austin during the PGA World Golf Championships-Dell Match Play and creating an offense.

Ordinance No. 20170202-017 was approved on consent on Mayor Pro Tem Tovo's motion, Council Member Pool's second on a 10-0 vote. Council Member Casar was off the dais.

18. Authorize negotiation and execution of an agreement with AUSTIN TENANTS' COUNCIL for a 56-month term beginning on February 1, 2017 to provide housing-debt reduction negotiation services for clients enrolled in housing stability programs, in an amount not to exceed \$95,000.

The motion authorizing negotiation and execution of an agreement with Austin Tenants' Council was approved on consent on Mayor Pro Tem Tovo's motion, Council Member Pool's second on a 10-0 vote. Council Member Casar was off the dais.

19. Authorize negotiation and execution of Amendment No. 5 with Central Texas Food Bank, Inc. to increase funding for the provision of food to low income individuals and families and Supplemental Food Assistance Program outreach and enrollment services in an amount not to exceed \$88,246 for the initial period of September 1, 2015 through September 30, 2018, and funding for the three remaining 12-month renewal options in an amount not to exceed \$65,483 per renewal option, for a new total agreement amount not to exceed \$284,697.
The motion authorizing negotiation and execution of amendment number five with Central Texas Food Bank, Inc. was approved on consent on Mayor Pro Tem Tovo's motion, Council Member Pool's second on a 10-0 vote. Council Member Casar was off the dais.
20. Authorize negotiation and execution of Amendment No. 3 to the agreement with Marathon Kids, Inc. to increase funding for the Healthy Food Retail Initiative by \$17,000 for a revised contract amount of \$75,000 for the period of October 1, 2016 to September 30, 2017, with one 12-month extension option not to exceed \$100,000.
The motion authorizing negotiation and execution of amendment number three with Marathon Kids, Inc. was approved on consent on Mayor Pro Tem Tovo's motion, Council Member Pool's second on a 9-0 vote. Council Member Troxclair abstained. Council Member Casar was off the dais.
21. Authorize negotiation and execution of a 36-month contract with REPUBLIC SERVICES, or one of the other qualified offerors to Request For Proposals SLW0514, to provide citywide refuse, recycling, organics and special waste collections for City facilities, in an amount not to exceed \$7,725,000, with three 12-month extension options in an amount not to exceed \$3,090,000 per extension option, for a total contract amount not to exceed \$16,995,000. (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 services required for this solicitation, there were insufficient subcontracting opportunities; therefore, no subcontracting goals were established.)
This item was postponed to February 16, 2017 at the request of staff on Mayor Pro Tem Tovo's motion, Council Member Pool's second on a 10-0 vote. Council Member Casar was off the dais.
22. Authorize negotiation and execution of a three-month contract with HYDROMAX USA LLC, to provide the Utilis satellite leak detection program subscription in an estimated amount of \$99,000, with one three-month extension option in an estimated amount of \$99,000, for a total contract amount not to exceed \$198,000. (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.)
The motion authorizing negotiation and execution of a contract with Hydromax USA LLC was approved on consent on Mayor Pro Tem Tovo's motion, Council Member Pool's second on a 10-0 vote. Council Member Casar was off the dais.
23. Authorize negotiation and execution of a 12-month contract with MUELLER WATER PRODUCTS, INC. DBA ECHOLOGICS LLC, to provide the EchoShore-M mobile transmission pipeline leak detection system, in an estimated amount of \$75,360, with three 12-month extension options, in an estimated amount of \$75,490 for the first extension option, \$68,900 for the second extension option, and \$72,375 for the third extension option, for a total contract amount not to exceed \$292,125. (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.)

The motion authorizing negotiation and execution of a contract with Mueller Water Products, Inc. doing business as Echologics LLC was approved on consent on Mayor Pro Tem Tovo's motion, Council Member Pool's second on a 10-0 vote. Council Member Casar was off the dais.

24. Authorize award and execution of a 24-month contract with NATIONAL WORKS INC., to provide televising, cleaning, smoke testing and trenchless point repair of sanitary sewer collection system pipes, in an estimated amount of \$2,078,664, with three 12-month extension options in an estimated amount of \$1,039,332 per extension option, for a total contract amount not to exceed \$5,196,660. (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 and subcontractor goals were applied to the solicitation. The subcontracting goals were met and the resulting contract will include .65% WBE participation.)
The motion authorizing award and execution of a contract with National Works Inc. was approved on consent on Mayor Pro Tem Tovo's motion, Council Member Pool's second on a 10-0 vote. Council Member Casar was off the dais.
25. Authorize award and execution of a 36-month contract with PRIESTER-MELL & NICHOLSON, INC., to provide gas-insulated padmount switchgear, in an estimated amount of \$11,081,934, with three 12-month extension options in an estimated amount of \$3,693,978 per extension, for a total contract amount not to exceed \$22,163,868. (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.)
The motion authorizing award and execution of a contract with Priester-Mell & Nicholson, Inc. was approved on consent on Mayor Pro Tem Tovo's motion, Council Member Pool's second on a 10-0 vote. Council Member Casar was off the dais.
26. Authorize award and execution of a 24-month contract with TECHLINE INC., to provide network transformers, in an estimated amount of \$7,425,364, with three 12-month extension options in an estimated amount of \$3,712,682 per extension option, for a total contract amount not to exceed \$18,563,410. (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.)
The motion authorizing award and execution of a contract with Techline Inc. was approved on consent on Mayor Pro Tem Tovo's motion, Council Member Pool's second on a 10-0 vote. Council Member Casar was off the dais.
27. Authorize negotiation and execution of a contract with HPI, LLC, to provide control system hardware and software upgrades, in an amount not to exceed \$107,000. (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.)
The motion authorizing negotiation and execution of a contract with HPI, LLC was approved on consent on Mayor Pro Tem Tovo's motion, Council Member Pool's second on a 10-0 vote. Council Member Casar was off the dais.
28. Authorize negotiation and execution of a 24-month contract with NALCO COMPANY, or one of the other qualified offerors to Request For Proposals CAK0006REBID, to provide specialty

chemical water treatment services, in an estimated amount of \$3,536,000, with three 12-month extension options in an estimated amount of \$1,768,000 per extension option, for a total contract amount not to exceed \$8,840,000. (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 were insufficient subcontracting opportunities; therefore, no subcontracting goals were established.)

The motion authorizing negotiation and execution of a contract with NALCO Company was approved on consent on Mayor Pro Tem Tovo's motion, Council Member Pool's second on a 10-0 vote. Council Member Casar was off the dais.

29. Authorize award and execution of a 36-month contract with INDUSTRIAL DISTRIBUTION GROUP INC. DBA ALAMO IRON WORKS, to provide reinforcing steel, in an estimated amount of \$844,870, with two 12-month extension options in an estimated amount of \$325,017 for the first extension option and \$357,518 for the second extension option, for a total contract amount not to exceed \$1,527,405. (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 insufficient subcontracting opportunities; therefore, no subcontracting goals were established.)

The motion authorizing award and execution of a contract with Industrial Distribution Group Inc. doing business as Alamo Iron Works was approved on consent on Mayor Pro Tem Tovo's motion, Council Member Pool's second on a 10-0 vote. Council Member Casar was off the dais.

30. Authorize negotiation and execution of an interlocal agreement with the CITY OF GARLAND, TEXAS to allow for cooperative procurement of goods and services. (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.)

The motion authorizing negotiation and execution of an interlocal agreement with the City of Garland, Texas was approved on consent on Mayor Pro Tem Tovo's motion, Council Member Pool's second on a 10-0 vote. Council Member Casar was off the dais.

31. Authorize award and execution of a contract with NETZSCH PUMPS NORTH AMERICA, LLC, to provide cavity pumps and pressure sensors, in an amount not to exceed \$128,172. (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 insufficient subcontracting opportunities; therefore, no subcontracting goals were established.)

The motion authorizing award and execution of a contract with Netzsch Pumps North America, LLC was approved on consent on Mayor Pro Tem Tovo's motion, Council Member Pool's second on a 10-0 vote. Council Member Casar was off the dais.

32. Authorize award and execution of a 24-month contract with SHRIEVE CHEMICAL COMPANY to provide anhydrous ammonia, in an estimated amount of \$476,088, with three 12-month extension options in an estimated amount of \$238,044 per extension option, for a total contract amount not to exceed \$1,190,220. (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 insufficient subcontracting opportunities and an insufficient number of certified of M/WBEs; therefore, no subcontracting goals were established.)

The motion authorizing award and execution of a contract with Shrieve Chemical Company was approved on consent on Mayor Pro Tem Tovo's motion, Council Member Pool's second on a 10-0 vote. Council Member Casar was off the dais.

33. Authorize award and execution of a contract with POWER SUPPLY, to provide shunt capacitor banks for electric system voltage stabilization, in an amount not to exceed \$1,090,000. (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 and services required for this solicitation, there were insufficient sub-contracting opportunities; therefore, no subcontracting goals were established.)
The motion authorizing award and execution of a contract with Power Supply was approved on consent on Mayor Pro Tem Tovo's motion, Council Member Pool's second on a 10-0 vote. Council Member Casar was off the dais.
34. Authorize negotiation and execution of a 12-month contract with the AUSTIN HUMANE SOCIETY, to provide animal sterilization and wellness services, in an estimated amount of \$125,000, with two 12-month extension options in an estimated amount of \$125,000 per extension option, for a total contract amount not to exceed \$375,000. (Notes: This procurement was reviewed for subcontracting opportunities in accordance with City Code Chapter 2-9C Minority Owned and Women Owned Business Enterprise Procurement Program. For the services required for this solicitation, there was insufficient subcontracting opportunities and no availability of certified firms; therefore, no subcontracting goals were established.)
The motion authorizing negotiation and execution of a contract with the Austin Humane Society was approved on consent on Mayor Pro Tem Tovo's motion, Council Member Pool's second on a 10-0 vote. Council Member Casar was off the dais.
35. Authorize negotiation and execution of a 12-month contract with RSM US, LLP, to provide compliance review services of economic development agreements, in an estimated amount of \$70,000, with four 12-month extension options in an estimated amount of \$70,000 per extension option, for a total contract amount not to exceed \$350,000. (Notes: This procurement was reviewed for subcontracting opportunities in accordance with City Code Chapter 2-9C Minority Owned and Women Owned Business Enterprise Procurement Program. For the services required for this procurement, there was insufficient subcontracting opportunities; therefore, no subcontracting goals were established.)
The motion authorizing negotiation and execution of a contract with RSM US, LLP was approved on consent on Mayor Pro Tem Tovo's motion, Council Member Pool's second on a 10-0 vote. Council Member Casar was off the dais.
36. Authorize negotiation and execution of a contract with TRANE U.S. INC., to provide an updated control system for heating, ventilating and air conditioning, in an amount not to exceed \$472,162. (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.)
The motion authorizing negotiation and execution of a contract with Trane U.S. Inc. was approved on consent on Mayor Pro Tem Tovo's motion, Council Member Pool's second on a 10-0 vote. Council Member Casar was off the dais.
37. Authorize negotiation and execution of three 16-month contracts through the TEXAS LOCAL GOVERNMENT PURCHASING COOPERATIVE (BUYBOARD), for the rental of medium and heavy-duty pneumatic rollers and milling machines, with ANDERSON MACHINERY, with COOPER EQUIPMENT CO. INC., and with HOLT CAT, in an amount not to exceed \$262,500

each and combined. (Notes: This procurement 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 procurement, there were no subcontracting opportunities identified; therefore, no subcontracting goals were established.)

The motion authorizing negotiation and execution of three contracts through the Texas Local Government Purchasing Cooperative (Buyboard) with Anderson Machinery, with Cooper Equipment Co. Inc., and with Holt Cat was approved on consent on Mayor Pro Tem Tovo's motion, Council Member Pool's second on a 10-0 vote. Council Member Casar was off the dais.

38. Authorize negotiation and execution of a contract with MCR PERFORMANCE SOLUTIONS LLC, to provide zero-based budget consulting services, in an amount not to exceed \$538,000. (Notes: This procurement was reviewed for subcontracting opportunities in accordance with City Code Chapter 2-9C Minority Owned and Women Owned Business Enterprise Procurement Program. For the goods and services required for this procurement, no subcontracting goals were established.)

The motion authorizing negotiation and execution of a contract with MCR Performance Solutions LLC was approved on consent on Mayor Pro Tem Tovo's motion, Council Member Pool's second on a 10-0 vote. Council Member Casar was off the dais.

39. Approve appointments and certain related waivers to citizen boards and commissions, to Council committees and other intergovernmental bodies and removal and replacement of members; and amendments to board and commission bylaws.

The following appointments and certain related waivers were approved on consent on Mayor Pro Tem Tovo's motion, Council Member Pool's second on a 10-0 vote. Council Member Casar was off the dais.

Nominations

Board/Nominee

Nominated by

Asian American Quality of Life Advisory Commission

Kavita Radhakrishnan

Council Member Flannigan

Board of Adjustment

William Burkhardt*

Mayor Pro Tem Tovo

Building & Fire Code Board of Appeals

Ben Hammer

Council Member Flannigan

Commission on Seniors

Karen Grampp

Council Member Flannigan

Historic Landmark Commission

Carol Brown

Council Member Flannigan

Library Commission

Catherine Hanna

Council Member Flannigan

Mayor's Committee for People with Disabilities

Sarah Webb

Council Member Flannigan

Robert Mueller Municipal Airport Plan Implementation Advisory Commission

Jonathan Schwartz

Council Member Flannigan

Zero Waste Advisory Commission

Blythe Christopher de Orive

Council Member Flannigan

(* Indicates reappointment of a current member.)

Intergovernmental Bodies**Travis Central Appraisal District Board of Directors****Approve Resolution No. 20170202-039 reappointing Eleanor Powell to the Travis Central Appraisal District Board of Directors.****Waivers****Approve a waiver of the attendance requirement in Section 2-1-26 of the City Code for the service of Caroline Espinosa on the MBEWBE/Small Business Enterprise Procurement Program Advisory Committee. The waiver includes absences through today's date.****Approve a waiver of the attendance requirement in Section 2-1-26 of the City Code for the service of Carlos Espinosa on the Hispanic/Latino Quality of Life Resource Advisory Commission. The waiver includes absences through today's date.****Item 40 was pulled for discussion.**

41. Approve a resolution relating to plan review, inspections, and enforcement of the City's Energy Code. (Notes: SPONSOR: Council Member Leslie Pool CO 1: Mayor Pro Tem Kathie Tovo CO 2: Council Member Ann Kitchen CO 3: Council Member Delia Garza)
Resolution No. 20170202-041 was approved on consent on Mayor Pro Tem Tovo's motion, Council Member Pool's second on a 10-0 vote. Council Member Casar was off the dais.

Item 42 was pulled for discussion.

43. Approve a resolution directing the City Manager to begin testing and implementation for expansion of library services to selected locations to provide for General Citizen Communication via videoconferencing, to be in conformance with City Code, Section 2-5-28; and to develop a methodology to analyze such expansion of services and to identify gaps in access to videoconferencing; and to plan for expanded services and make related reports. (Notes: SPONSOR: Council Member Ann Kitchen CO 1: Alison Alter CO 2: Council Member Leslie Pool CO 3: Council Member Jimmy Flannigan CO 4: Council Member Delia Garza)
Resolution No. 20170202-043 was approved on consent on Mayor Pro Tem Tovo's motion, Council Member Pool's second on a 10-0 vote. Council Member Casar was off the dais.

44. Approve an ordinance waiving or reimbursing certain fees for the Lunar New Year celebration, sponsored by the Austin Taiwanese Association, which was held on January 21, 2017, at the Asian American Resource Center. (Notes: SPONSOR: Council Member Ora Houston CO 1: Council Member Sabino "Pio" Renteria CO 2: Council Member Jimmy Flannigan CO 3: Council Member Delia Garza)
Ordinance No. 20170202-044 was approved on consent on Mayor Pro Tem Tovo's motion, Council Member Pool's second on a 10-0 vote. Council Member Casar was off the dais.

Item 45 was pulled for discussion.

46. Approve a resolution relating to implementing the Parkland Events Taskforce Report. (Notes: SPONSOR: Council Member Alison Alter CO 1: Council Member Leslie Pool CO 2: Mayor Pro Tem Kathie Tovo CO 3: Council Member Ann Kitchen)
Resolution No. 20170202-046 was approved on consent on Mayor Pro Tem Tovo's motion, Council Member Pool's second on a 10-0 vote. Council Member Casar was off the dais.
47. Approve the waiver or reimbursement of certain fees under City Code Chapter 14-8 for the 10th annual St. James Missions 5K/1K Run/Walk sponsored by St. James Missionary Baptist Church which is to be held on March 25, 2017, at the St. James Missionary Baptist Church. (Notes: SPONSOR: Council Member Ora Houston CO 1: Mayor Pro Tem Kathie Tovo CO 2: Council Member Sabino "Pio" Renteria CO 3: Council Member Leslie Pool CO 4: Council Member Delia Garza)
The motion approving the waiver or reimbursement of certain fees under City Code Chapter 14-8 for the 10th annual St. James Missions 5K/1K Run/Walk was approved on consent on Mayor Pro Tem Tovo's motion, Council Member Pool's second on a 10-0 vote. Council Member Casar was off the dais.

Action was taken on item 48 but was reconsidered later in the meeting.

Item 49 was a Briefing Item.

Items 50 through 53 were Executive Session Items.

Items 54 through 57 were Zoning and Neighborhood Plan Amendment Items (Public Hearing and Possible Action).

Items 58 and 59 were public hearing items set for 4:00 p.m.

DISCUSSION ITEMS

12. Approve a resolution consenting to the creation of the proposed Travis County Emergency Services District No. 15.
Resolution No. 20170202-012 was approved on Council Member Houston's motion, Council Member Renteria's second on a 10-1 vote. Council Member Troxclair voted nay.
40. Approve a resolution initiating an amendment to the City's Energy Code to require that new residential and commercial buildings are constructed to be solar-ready. (Notes: SPONSOR: Council Member Leslie Pool CO 1: Mayor Pro Tem Kathie Tovo CO 2: Council Member Ann Kitchen CO 3: Council Member Delia Garza CO 4: Council Member Jimmy Flannigan)
The motion to approve the resolution was made by Council Member Pool and seconded by Council Member Houston.

An amendment was made by Mayor Adler and seconded by Council Member Renteria to add a new Be It Further Resolved clause to read:

BE IT FURTHER RESOLVED:

“As part of the above process, the City Manager shall solicit recommendations from the appropriate boards, commissions and city departments with regard to the City’s competing priorities of environmental, development and affordability goals, as well as any other best practices or considerations they suggest City Council consider.”

An amendment was made by Mayor Pro Tem Tovo and seconded by Council Member Pool to amend the proposed Be It Further Resolved clause to read:

BE IT FURTHER RESOLVED:

“As part of the above process, the City Manager shall solicit recommendations from the appropriate boards, commissions and city departments with regard to these potential ordinance changes and to recommend any other best practices or considerations they suggest City Council consider.”

The amendment was approved on Mayor Pro Tem Tovo’s motion, Council Member Pool’s second on a 6-4 vote. Those voting aye were: Mayor Pro Tem Tovo, Council Members Alter, Garza, Houston, Kitchen and Pool. Those voting nay were: Mayor Adler, Council Members Flannigan, Renteria, and Troxclair. Council Member Casar abstained.

A motion to postpone the item was made by Mayor Adler. The motion failed due to a lack of a second.

An amendment was made by Mayor Adler and seconded by Council Member Houston to revise the Be It Further Resolved clause to read:

BE IT FURTHER RESOLVED:

“As part of the above process, the City Manager shall solicit recommendations from the appropriate boards, commissions and city departments with regard to these potential ordinance changes and to recommend any alternatives or any other best practices or considerations they suggest City Council consider.”

The amendment was approved on Mayor Adler’s motion, Council Member Houston’s second on an 11-0 vote.

Resolution No. 20170202-040 was approved as amended above on Council Member Pool’s motion, Council Member Houston’s second on a 9-2 vote. Those voting aye were: Mayor Adler, Mayor Pro Tem Tovo, Council Members Alter, Casar, Flannigan, Garza, Houston, Kitchen, and Pool. Those voting nay were: Council Members Renteria and Troxclair.

48. Set a public hearing to consider an ordinance adopting local standards of care for the City of Austin Parks and Recreation Department’s Youth Programs.
The motion to set a public hearing was approved on Mayor Pro Tem Tovo’s motion, Council Member Pool’s second on a 10-0 vote. Council Member Casar was off the dais.

A motion to reconsider item 48 was approved on Council Member Houston’s motion, Council Member Flannigan’s second on a 10-0 vote. Mayor Pro Tem Tovo was off the dais.

The public hearing was set for February 16, 2017, 4:00 p.m. at 301 W. Second Street, Austin, Texas on Council Member Houston's motion, Council Member Flannigan's second on a 10-0 vote. Mayor Pro Tem Tovo was off the dais.

BRIEFING

49. Briefing on a Service Agreement with Travis County Emergency Service District #4.
Presentation made by Rhoda Mae Kerr, Fire Chief, Fire Department.

CITIZENS COMMUNICATIONS: GENERAL

Nailah Sankofa - Fashion. – **Not Present**

Callie Limes - Texas Talking Pies.

Richard Viktorin - Harmonizing transportation (Alleys) for increasing ADU development (facing alleys). ADU is an accessory dwelling unit Ora. – **Not Present**

Shirl Renee Fuqua - All of renaming Auditorium Shores to S.R.V. Stevie Ray Vaughn. – **Not Present**

Mayor Adler recessed the Council Meeting at 12:08 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.

50. 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.
51. Discuss legal issues related to the rate appeal filed with the Public Utility Commission by Shady Hollow MUD regarding wholesale water and wastewater rates (Private consultation with legal counsel - Section 551.071 of the Government Code).
This item was withdrawn without objection.
52. Discuss the lease or acquisition of an interest in real property and improvements located at (1) 425 Riverside Drive, (2) the northeast corner of Philomena Street and Mueller Street, and (3) the southwest corner of Middle Fiskville Road and Highland Mall Boulevard (Real property - Section 551.072 of the Government Code).
This item was withdrawn without objection.
53. Discuss legal issues related to the lease or acquisition of an interest in real property and improvements located at (1) 425 Riverside Drive, (2) the northeast corner of Philomena Street and Mueller Street, and (3) the southwest corner of Middle Fiskville Road and Highland Mall Boulevard (Private consultation with legal counsel - Section 551.071 of the Government Code).
This item was withdrawn without objection.

Mayor Adler called the meeting back to order at 1:19 p.m.

DISCUSSION ITEMS CONTINUED

42. Approve a resolution initiating amendments to the Land Development Code (Title 25) relating to requirements for expedited permitting of development projects. (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)
The motion to approve the resolution was made by Council Member Kitchen and seconded by Council Member Pool.

There was an amendment made by Council Member Troxclair to strike through the specific mention of the "Better Builder" Program. The motion was later withdrawn.

Resolution No. 20170202-042 was approved on Council Member Kitchen's motion, Council Member Pool's second on a 10-1 vote. Council Member Troxclair voted nay.

Mayor Adler recessed the Council Meeting at 1:36 p.m.

Mayor Pro Tem Tovo called the meeting back to order at 2:13 p.m.

ZONING AND NEIGHBORHOOD PLAN AMENDMENTS

54. NPA-2016-0013.01 - Bouldin Courts - District 9 - Conduct a public hearing and approve an ordinance amending Ordinance No. 020523-32, the Bouldin Creek Neighborhood Plan, an element of the Imagine Austin Comprehensive Plan, to change the land use designation on the future land use map (FLUM) on property locally known as 908, 1000, & 1002 South 2nd Street (East Bouldin Watershed) from Single Family to Higher Density Single Family land use. Staff Recommendation: To grant Higher Density Single Family land use. Planning Commission Recommendation: To grant Higher Density Single Family land use. Owner/Applicant: PSW Homes, LLC (Jarrod Corbell). City Staff: Maureen Meredith, (512) 974-2695.
This item was postponed to February 9, 2017 at the request of the applicant on Council Member Pool's motion, Council Member Alter's second on a 9-0 vote. Mayor Pro Tem Tovo recused herself. Council Member Casar was off the dais.
55. C14-2016-0077 - Bouldin Courts - District 9 - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 900, 904, 908, 1000 & 1002 South 2nd Street and 705 Christopher Street (East Bouldin Creek Watershed) community commercial-mixed use-conditional overlay-neighborhood plan (GR-MU-CO-NP) combining district zoning and 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-conditional overlay-neighborhood plan (SF-6-CO-NP) combining district zoning. Planning Commission Recommendation: To grant townhouse and condominium residence-conditional overlay-neighborhood plan (SF-6-CO-NP) combining district zoning. Agent: PSW Homes (Jarred Corbell). Owner: 1st Street Highlands LP (PSW Homes). City Staff: Andrew Moore, 512-974-7604.

This item was postponed to February 9, 2017 at the request of the applicant on Council Member Pool's motion, Council Member Alter's second on a 9-0 vote. Mayor Pro Tem Tovo recused herself. Council Member Casar was off the dais.

57. C814-2014-0120 – Austin Oaks PUD – District 10 – Conduct a public hearing and approve 2nd and 3rd readings of an ordinance amending Title 25 by rezoning property locally known as 3409, 3420, 3429, 3445, 3520, 3636, 3701, 3721, 3724, and 3737 Executive Center Drive and 7601, 7718 and 7719 Wood Hollow Drive (Shoal Creek Watershed) from community commercial (GR) district zoning, neighborhood commercial (LR) district zoning, limited office (LO) district zoning and family residence (SF-3) district zoning to planned unit development (PUD) district zoning. The ordinance may include waiver of fees, alternative funding methods, modifications of City regulations, and acquisition of property. City Council: Approved First Reading PUD zoning with conditions, December 15, 2016. Applicant: Graves Dougherty Hearon & Moody (Michael Whellan). Owner: Twelve Lakes LLC, Jon Ruff. City Staff: Andrew Moore, 512-974-7604.
The motion to postpone the item to February 16, 2017 and keep the public hearing open was approved on Council Member Pool's motion, Council Member Alter's second on a 10-0 vote. Council Member Casar was off the dais.

Mayor Adler recessed the meeting at 2:18 p.m.

Mayor Adler called the meeting back to order at 2:34 p.m.

PUBLIC HEARINGS

58. Conduct a public hearing and consider an ordinance amending City Code Title 25 to require Historic Landmark Commission review of demolition applications for structures that are fifty years or older and dedicated to certain civic uses.
This item was postponed indefinitely on Mayor Pro Tem Tovo's motion, Council Member Houston's second on an 11-0 vote.

Mayor Adler recessed the Council Meeting to go into Executive Session at 4:28 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.

Mayor Adler announced that item 45 would be discussed in executive session.

45. Approve a resolution related to Austin Resource Recovery's curbside textile collection contract. (Notes: SPONSOR: Council Member Ellen Troxclair CO 1: Mayor Steve Adler CO 2: Council Member Ora Houston CO 3: Council Member Ann Kitchen)

Executive Session ended and Mayor Adler reconvened the meeting at 5:24 p.m.

59. Conduct a public hearing and consider a resolution regarding an application to be submitted to the Texas Department of Housing and Community Affairs by Pathways at Gaston Place, LP, or an affiliated entity, for low income housing tax credits in connection with the rehabilitation of an affordable multi-family development located at 1941 Gaston Place. (District 1)

The public hearing was conducted and a motion to close the public hearing and approve Resolution No. 20170202-059 was approved on Council Member Houston's motion, Council Member Renteria's second on a 10-0 vote. Council Member Casar was off the dais.

Mayor Adler recessed the meeting at 5:38 p.m.

LIVE MUSIC

Augustine Ramirez

PROCLAMATIONS

Proclamation – Teen Dating Violence Awareness Month – To be presented by Council Member Leslie Pool and to be accepted by Kirsha Haverlah

Proclamation – Dan's Hamburgers 40th Anniversary Day – To be presented by Council Member Ora Houston and to be accepted by Katie Congdon

Mayor Adler reconvened the meeting at 6:39 p.m.

DISCUSSION ITEMS CONTINUED

56. C14-2016-0023.SH - Elysium Park - District 7 - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 3300 Oak Creek Drive (Walnut Creek Watershed) from industrial park-conditional overlay (IP-CO) combining district zoning and rural residence (RR) district zoning to multifamily residence-moderate-high density-conditional overlay (MF-4-CO) combining district zoning. Staff Recommendation: To grant multifamily residence-moderate-high density-conditional overlay (MF-4-CO) combining district zoning. Zoning and Platting Commission Recommendation: To grant multifamily residence-moderate-high density-conditional overlay (MF-4-CO) combining district zoning. The ordinance may include waiver of fees. Owner/Applicant: Two-Way Land, L.P. (John K. Condon). Agent: Waeltz & Prete, Inc. (Antonio A. Prete). 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 a motion to close the public hearing was approved on Council Member Pool's motion, Council Member Garza's second on an 11-0 vote.

The motion to approve the ordinance on first reading only for multifamily residence-moderate-high density-conditional overlay (MF-4-CO) combining district zoning was approved on Council Member Pool's motion, Council Member Renteria's second on an 11-0 vote.

45. Approve a resolution related to Austin Resource Recovery's curbside textile collection contract. (Notes: SPONSOR: Council Member Ellen Troxclair CO 1: Mayor Steve Adler CO 2: Council Member Ora Houston CO 3: Council Member Ann Kitchen)
A motion to approve the resolution was made by Council Member Troxclair and seconded by Council Member Garza.

A motion was made by Council Member Kitchen to amend the resolution to read as follows. The motion was accepted without objection. The amendment was to have the resolution read:

“WHEREAS, organizations such as Goodwill, Salvation Army, Easter Seals, and others provide immense benefits and contribute to the character and culture of the City of Austin; and

WHEREAS, the City of Austin desires to do all it can to empower these organizations to continue to provide the community benefits they do; and

WHEREAS, the City of Austin has ambitious zero waste goals set out in the Austin Resource Recovery Master Plan; and

WHEREAS, the Austin Resource Recovery Plan made recommendations for a curbside textile collection pilot program; and

WHEREAS, since the contract was awarded, the organizations that recycle, reuse, and resell textiles believe that the donations to their respective organizations could be negatively impacted by the City’s pilot program; and

WHEREAS, there is insufficient data to determine the exact impact on the various non-profits and the City Council wishes to have all available information in order to make an informed decision; NOW, THEREFORE,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

The City Manager is directed to investigate options for amending the contract between the City and Simple Recycling, transferring services, changing the scope of work, or terminating the contract, and will report to Council within thirty (30) days from the date of the Resolution on the results of that investigation. The City Manager shall conduct stakeholder meetings that include City staff, industry stakeholders, and Simple Recycling to develop possible recommendations.

BE IT FURTHER RESOLVED:

The City Manager is directed to gather data from all stakeholders on textile collections and research the potential impact to non-profit organizations. This data shall be reported to Council on a monthly basis including information, if available, on the potential financial impact on non-profit organizations.

BE IT FURTHER RESOLVED:

As part of the discussions required above, the City Manager shall consider approaches and opportunities for extensive and continuous collaboration with non-profit organizations to increase reuse and resale of household items and textiles in furtherance of the City’s Austin Resource Recovery Master Plan and benefits to the citizens.

BE IT FURTHER RESOLVED:

The City Manager is directed to return to Council with the stakeholder input and its recommendations as soon as possible but no later than 180 days from the date of this Resolution.

BE IT FURTHER RESOLVED:

Concurrently, the City Manager is directed to develop and, if possible, implement a program to (1) inform Austin Resource Recovery customers that Simple Recycling is a for-profit company that sells the donated items in markets other than Austin, (2) encourage

customers to first donate useable items to one of the many non-profit organizations in the City, and as appropriate, facilitate such donations.”

A friendly amendment was made by Mayor Adler and accepted without objection to revise the first Be It Further Resolved clause to read: “BE IT FURTHER RESOLVED: The City Manager is directed to gather data from all stakeholders on textile collections and research the potential impact to non-profit organizations and the community. This data shall be reported to Council on a monthly basis including information, if available, on the potential financial impact on non-profit organizations.”

A friendly amendment was made by Council Member Troxclair and accepted without objection to revise the last Be It Further Resolved clause to read: “BE IT FURTHER RESOLVED: Concurrently, the City Manager is directed to begin to develop and implement within 30 days a public awareness campaign to (1) inform Austin Resource Recovery customers that Simple Recycling is a for-profit company that sells the donated items in markets other than Austin, (2) encourage customers to first donate useable items to one of the many non-profit organizations in the City, and as appropriate, facilitate such donations.”

A friendly amendment was made by Mayor Pro Tem Tovo and accepted without objection to revise the last Be It Further Resolved clause to include the following language: “The City Manager is encouraged to work with Simple Recycling to communicate these messages and, as appropriate and reasonable, should deploy city resources such as ATXN, utility bill inserts, and other communication methods.”

Resolution No. 20170202-045 was approved as amended above on Council Member Troxclair’s motion, Council Member Garza’s second on an 11-0 vote.

Mayor Adler adjourned the meeting at 8:47 p.m. without objection.

The minutes were approved on this the 2nd day of March 2017 on Council Member Garza’s motion, Council Member Houston’s second on an 11-0 vote.