

**AUSTIN CITY COUNCIL  
MINUTES****REGULAR MEETING  
THURSDAY, MARCH 23, 2017**

**Invocation:** Father Basil Aguzie, Holy Cross Catholic Church

**The following represents the actions taken by the Austin City Council in the order they occurred during the meeting. While the minutes are not in sequential order, all agenda items were discussed. The City Council of Austin, Texas, convened in a regular meeting on Thursday, March 23, 2017 in the Council Chambers of City Hall, 301 West Second Street, Austin, Texas.**

**Mayor Adler called the Council Meeting to order at 10:12 a.m.**

**CONSENT AGENDA**

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

1. Approve the minutes of the Austin City Council discussion on February 25, 2017, work session of February 28, 2017, budget work session of March 1, 2017 and regular meeting of March 2, 2017.  
**The minutes from the City Council discussion on February 25, 2017, work session of February 28, 2017, budget work session of March 1, 2017 and regular meeting of March 2, 2017 were approved on consent on Mayor Pro Tem Tovo's motion, Council Member Pool's second on a 9-0 vote. Council Members Casar and Garza were off the dais.**
2. Approve a resolution declaring the City of Austin's official intent to reimburse itself from revenue bonds in an amount not to exceed \$40,000,000 for Austin-Bergstrom International Airport improvements. Related to Item(s): 3, 5, 6, 7  
**Resolution No. 20170323-002 was approved on consent on Mayor Pro Tem Tovo's motion, Council Member Pool's second on a 9-0 vote. Council Members Casar and Garza were off the dais.**
3. Approve an ordinance amending the Fiscal Year 2016-2017 Aviation Department Capital Budget (Ordinance Number 20160914-002) to appropriate \$72,000,000 from the City of Austin Airport System Revenue Bonds for airport capital improvements projects. Related to Item(s): 2, 5, 6, 7  
**Ordinance No. 20170323-003 was approved on consent on Mayor Pro Tem Tovo's motion, Council Member Pool's second on a 9-0 vote. Council Members Casar and Garza were off the dais.**
4. Authorize negotiation and execution of an amendment to the professional services agreement with CP&Y, INC., for final design phase services for the South Austin Regional Wastewater Treatment Plant Trains A and B Improvement Project in the amount of \$4,950,000 for a total contract amount not to exceed \$7,950,000. (District 2) (Notes: This contract was awarded in

compliance with Chapter 2-9B of the City Code (Minority Owned and Women Owned Business Enterprise Procurement Program) by meeting the goals with 15.80% MBE and 15.80% WBE participation.)

**The motion authorizing negotiation and execution of an amendment to the professional services agreement with CP&Y, Inc. was approved on consent on Mayor Pro Tem Tovo's motion, Council Member Pool's second on an 8-0 vote. Council Member Troxclair abstained. Council Members Casar and Garza were off the dais.**

5. Approve funding for the Austin Bergstrom International Airport Parking Garage and Administration Offices construction manager-at-risk contract with AUSTIN COMMERCIAL, LP, for the contractual construction cost limitation in an amount not to exceed \$220,000,000. (District 2) Related to Item(s): 2, 3, 6, 7 (Notes: This contract will be awarded in compliance with City Code Chapter 2-9A (Minority Owned and Women Owned Business Enterprise Procurement Program) by meeting the goals with 4.83% MBE and 2.23% WBE participation for the Preconstruction Phase Services. Prior to entering into the Construction Phase, the City will establish MBE/WBE goals for construction and the Construction Manager-at-Risk will submit a Compliance Plan meeting the construction goals or documentation detailing their Good Faith Efforts to meet the established goals.)

**The motion approving funding for the construction manager-at-risk contract with Austin Commercial, LP was approved on consent on Mayor Pro Tem Tovo's motion, Council Member Pool's second on a 9-0 vote. Council Members Casar and Garza were off the dais.**

6. Approve additional funding for the professional services agreement with M. ARTHUR GENSLER, JR. and ASSOCIATES INC., dba GENSLER to provide additional professional services for the Austin Bergstrom International Airport Terminal/Apron Expansion and Improvements Project in the amount of \$2,400,000, for a total contract amount not to exceed \$38,400,000. Related to Item(s): 2, 3, 5, 7 (Notes: This contract was awarded in compliance with City Code Chapter 2-9B (Minority Owned and Women Owned Business Enterprise Procurement Program) by meeting the goals with 17.00% MBE and 16.00% WBE participation.)

**The motion approving additional funding for the professional services agreement with M. Arthur Gensler, Jr. and Associates Inc. doing business as Gensler was approved on consent on Mayor Pro Tem Tovo's motion, Council Member Pool's second on a 9-0 vote. Council Members Casar and Garza were off the dais.**

7. Authorize additional funding to the Construction Manager-at-Risk Contract with HENSEL PHELPS CONSTRUCTION COMPANY in the amount of \$20,500,000 for a revised contractual construction cost limitation of \$296,500,000 and to increase the contingency funding amount by \$1,500,000, for additional construction at the Austin Bergstrom International Airport Terminal/Apron Expansion and Improvements project for a total contract amount not to exceed \$311,000,000. (District 2) Related to Item(s): 2, 3, 5, 6 (Notes: This request is for additional authorization. The contract was awarded for construction phase work in compliance with 49 CFR Part 26 Disadvantaged Business Enterprise Program with HENSEL PHELPS CONSTRUCTION COMPANY complying with the 8.01% DBE goal.)

**The motion authorizing additional funding to the Construction Manager-at-Risk Contract with Hensel Phelps Construction Company was approved on consent on Mayor Pro Tem Tovo's motion, Council Member Pool's second on a 9-0 vote. Council Members Casar and Garza were off the dais.**

8. Authorize award and execution of a construction contract with DALRYMPLE GRAVEL & CONSTRUCTION COMPANY, INC., for the Austin-Bergstrom International Airport Storm Water Drainage Improvements Project in the amount of \$2,363,271.50 plus a \$236,327.15

contingency, for a total contract in an amount not to exceed \$2,599,598.65. (District 2) (Notes: This contract will be awarded in compliance with City Code Chapter 2-9A of the City Code (Minority Owned and Women Owned Business Enterprise Procurement Program) by meeting the goals with 5.09% MBE and 1.34% WBE participation.)

**The motion authorizing award and execution of a construction contract with Dalrymple Gravel & Construction Company, Inc. was approved on consent on Mayor Pro Tem Tovo's motion, Council Member Pool's second on a 9-0 vote. Council Members Casar and Garza were off the dais.**

9. Authorize award and execution of a construction contract with MAJESTIC SERVICES INC., for the Austin Energy System Control Center Finish-Out Project, in the amount of \$927,000 plus a contingency of \$92,700, in an amount not to exceed \$1,019,700. (District 3) (Notes: This contract will be awarded in compliance with City Code Chapter 2-9A (Minority Owned and Women Owned Business Enterprise Procurement Program) through the achievements of Good Faith Efforts with 10.08% MBE and 44.35% WBE participation.)

**The motion authorizing award and execution of a construction contract with Majestic Services Inc. was approved on consent on Mayor Pro Tem Tovo's motion, Council Member Pool's second on a 9-0 vote. Council Members Casar and Garza were off the dais.**

10. Authorize negotiation and execution of a professional services agreement with the following five staff-recommended firms (or other qualified responders) for Request for Qualifications Solicitation No. CLMP214: HARUTUNIAN ENGINEERING, INC., CH2M HILL ENGINEERS, INC., BLACK AND VEATCH CORP., ARCADIS US, INC., and CP&Y, INC., for engineering services for the 2017 Austin Water Supervisory Control and Data Acquisition Services Rotation List for an estimated period of three years or until financial authorization is expended, with the total amount not to exceed \$5,000,000 divided among the five firms. (Notes: This contract will be awarded in compliance with City Code Chapter 2-9B (Minority Owned and Women Owned Business Enterprise Procurement Program) by meeting the goals with 7.62% MBE and 2.68% WBE participation.)

**The motion authorizing negotiation and execution of a professional services agreement with Harutunian Engineering, Inc., CH2M Hill Engineers, Inc., Black and Veatch Corp., Arcadis US, Inc., and CP&Y, Inc. was approved on consent on Mayor Pro Tem Tovo's motion, Council Member Pool's second on a 9-0 vote. Council Members Casar and Garza were off the dais.**

11. Authorize execution of a professional services agreement with JAIME BEAMAN, AIA, INC. dba CASABELLA ARCHITECTS to provide design and planning services for the Emma S. Barrientos Mexican American Cultural Center for a total contract amount not to exceed \$276,431. (District 9)

**The motion authorizing execution of a professional services agreement with Jaime Beaman, AIA, Inc. doing business as Casabella Architects was approved on consent on Mayor Pro Tem Tovo's motion, Council Member Pool's second on an 8-1 vote. Council Member Troxclair voted nay. Council Members Casar and Garza were off the dais.**

12. Authorize award and execution of a construction contract with MUNIZ CONCRETE & CONTRACTING, INC, for Americans with Disabilities Act Sidewalk and Ramp Improvements 2016-2018 Quarter Cent Projects South, Districts 2, 5, 8 – Indefinite Delivery/Indefinite Quantity for a total contract amount not to exceed \$3,000,000, to be allocated to an initial eight month term and one 12 month extension option as needed. (Districts 2, 5, and 8) (Notes: This contract will be awarded in compliance with City Code Chapter 2-9A of the City Code (Minority Owned and

Women Owned Business Enterprise Procurement Program) by meeting the goals with 92.51% MBE and 0.73% WBE participation.)

**The motion authorizing award and execution of a construction contract with Muniz Concrete & Contracting, Inc was approved on consent on Mayor Pro Tem Tovo's motion, Council Member Pool's second on a 9-0 vote. Council Members Casar and Garza were off the dais.**

13. Authorize award and execution of a construction contract with MAC, Inc., for Americans with Disabilities Act Sidewalk and Ramp Improvements 2016-2018 Quarter Cent Projects North, Districts 1, 3, 4, 6, 7, 9, 10 Indefinite Delivery/Indefinite Quantity in an amount of \$4,000,000, for a total contract amount not to exceed \$6,000,000, to be allocated to an initial eight month term and one 12 month extension option as needed. (Districts 1, 3, 4, 6, 7, 9, and 10) (Notes: This contract will be awarded in compliance with City Code Chapter 2-9A of the City Code (Minority Owned and Women Owned Business Enterprise Procurement Program) by meeting the achievements of Good Faith Efforts with 7.02% MBE and 0.93 WBE participation.)  
**The motion authorizing award and execution of a construction contract with MAC, Inc. was approved on consent on Mayor Pro Tem Tovo's motion, Council Member Pool's second on a 9-0 vote. Council Members Casar and Garza were off the dais.**
14. Authorize negotiation and execution of a construction agreement with RODRIGUEZ BARR INC. dba THE BARR COMPANY, AIA for the construction of the Onion Creek Fire/Emergency Medical Service Station for an amount not to exceed \$5,000,000. (Districts 5) (Notes: This contract will be awarded in compliance with City Code Chapter 2-9A (Minority Owned and Women Owned Business Enterprise Procurement Program) by meeting the goals with 23.72% MBE and 4.66% WBE participation.)  
**The motion authorizing negotiation and execution of a construction agreement with Rodriguez Barr Inc. doing business as The Barr Company, AIA was approved on consent on Mayor Pro Tem Tovo's motion, Council Member Pool's second on a 9-0 vote. Council Members Casar and Garza were off the dais.**
15. Authorize execution of an interlocal agreement with Travis County that commits the City and the County to each procure the services of identified professionals who will address criminal justice-related issues arising from the closing of the Austin Police Department lab that processed DNA evidence; and that commits the City and the County to share the costs of these two professional services contract equally, in an amount not to exceed \$1,919,024. Related to Item(s): 16, 17, 45  
**The motion authorizing execution of an interlocal agreement with Travis County was approved on consent on Mayor Pro Tem Tovo's motion, Council Member Pool's second on a 9-0 vote. Council Members Casar and Garza were off the dais.**
16. Authorize negotiation and execution of a 24-month contract with VAN DAAL CONSULTING, to provide consulting services for the Austin Police Department in an amount not to exceed \$850,000. Related to Item(s): 15, 17, 45  
**The motion authorizing negotiation and execution of a contract with Van Daal Consulting was approved on consent on Mayor Pro Tem Tovo's motion, Council Member Pool's second on a 9-0 vote. Council Members Casar and Garza were off the dais.**
17. Authorize negotiation and execution of an interlocal agreement with the Texas Department of Public Safety to provide forensic biology and DNA analysis services in an amount not to exceed \$3,999,144. Related to Item(s): 15, 16, 45  
**The motion authorizing negotiation and execution of an interlocal agreement with the Texas Department of Public Safety was approved on consent on Mayor Pro Tem Tovo's motion,**

**Council Member Pool's second on a 9-0 vote. Council Members Casar and Garza were off the dais.**

**Item 18 was pulled for discussion.**

19. Approve a resolution authorizing the City Manager to: submit an application to the U.S. Department of Health and Human Services for the Assets for Independence Demonstration Program for an Individual Development Account (IDA) Grant in the amount of up to \$300,000; and execute the documents associated with the administration of the IDA Grant.

**Resolution No. 20170323-019 was approved on consent on Mayor Pro Tem Tovo's motion, Council Member Pool's second on a 9-0 vote. Council Members Casar and Garza were off the dais.**

20. Approve an ordinance authorizing the negotiation and execution of all documents and instruments necessary or desirable to purchase five properties at high risk of flooding, located at 11509, 11601, 11603, 11605, and 11607 February Drive, in a total amount not to exceed \$1,900,000, establishing acquisition and relocation guidelines, and waiving the requirements of City Code Chapter 14-3. (District 1)

**This item was postponed to April 6, 2017 on consent on Mayor Pro Tem Tovo's motion, Council Member Pool's second on a 9-0 vote. Council Members Casar and Garza were off the dais.**

21. Approve an ordinance authorizing the negotiation and execution of all documents and instruments necessary or desirable to purchase four properties at high risk of flooding, located at 11703 and 11705 Charing Cross Road and 11704 and 11706 DK Ranch Road, in a total amount not to exceed \$2,000,000, establishing acquisition and relocation guidelines, and waiving the requirements of City Code Chapter 14-3. (District 10)

**This item was postponed to April 6, 2017 on consent on Mayor Pro Tem Tovo's motion, Council Member Pool's second on a 9-0 vote. Council Members Casar and Garza were off the dais.**

**Original language as approved on April 6, 2017**

22. Authorize negotiation and execution of a 36-month parking lease agreement with TOKYO ELECTRON U.S. HOLDINGS, INC., to use and occupy 83 parking spaces for employees at Austin Energy's System Control Center located near the intersection of Montopolis Drive and Grove Boulevard, in Travis County, Texas, in the amount of \$144,688.92, with one 24-month extension option in the amount of \$103,842.96, for a total amount not to exceed \$248,531.88 (District 3). Recommended by the Electric Utility Commission on a vote of 6-0, with Chair Hadden and Commissioner Biedrzycki absent, and with three vacancies.

**The motion authorizing negotiation and execution of a lease agreement with Tokyo Electron U.S. Holdings, Inc. was approved on consent on Mayor Pro Tem Tovo's motion, Council Member Pool's second on a 7-1 vote. Council Member Renteria voted nay. Mayor Adler recused himself. Council Members Casar and Garza were off the dais.**

**Amended language as approved on February 15, 2018.**

**The motion authorizing negotiation and execution of a lease agreement with Tokyo Electron U.S. Holdings, Inc. was approved on consent on Mayor Pro Tem Tovo's motion, Council Member Pool's second on a 6-2 vote. Council Members Flannigan and Renteria voted nay. Mayor Adler recused himself. Council Members Casar and Garza were off the dais.**

**Item 23 was pulled for discussion.**

24. Approve an ordinance on second and third reading adopting the Fourth Amendment to the Agreement Concerning Creation and Operation of Moore's Crossing Municipal Utility District and authorize negotiation of further amendments that may be mutually agreeable to the parties including proceeding toward a Strategic Partnership Agreement (District 2).  
**Ordinance No. 20170323-024 was approved on consent on Mayor Pro Tem Tovo's motion, Council Member Pool's second on a 9-0 vote. Council Members Casar and Garza were off the dais.**
25. Approve an ordinance amending the Fiscal Year 2016-2017 Austin Public Health Operating Budget Special Revenue Fund (Ordinance No. 20160914-001) to add five full-time equivalent grant positions that will provide psychosocial services for the 1115 Medicaid Waiver program.  
**Ordinance No. 20170323-025 was approved on consent on Mayor Pro Tem Tovo's motion, Council Member Pool's second on a 9-0 vote. Council Members Casar and Garza were off the dais.**
26. Authorize negotiation and execution of a contract with Easter Seals Central Texas, Inc. to provide rent and utility assistance services in an amount not to exceed \$103,221 for a nine-month period, with two twelve-month extension options in an amount not to exceed \$103,221, for a total contract amount not to exceed \$309,663.  
**The motion authorizing negotiation and execution of a contract with Easter Seals Central Texas, Inc. was approved on consent on Mayor Pro Tem Tovo's motion, Council Member Pool's second on a 9-0 vote. Council Members Casar and Garza were off the dais.**
27. Authorize negotiation and execution of Amendment No. 3 to an agreement with CAPITAL INVESTING IN DEVELOPMENT AND EMPLOYMENT OF ADULTS, INC. for workforce development services as part of 1115 Medicaid Waiver participation to increase funding in an amount not to exceed \$100,000, for a total contract amount not to exceed \$656,848, and to extend the term of the contract through October 31, 2018.  
**The motion authorizing negotiation and execution of amendment number three to an agreement with Capital Investing in Development and Employment of Adults, Inc. was approved on consent on Mayor Pro Tem Tovo's motion, Council Member Pool's second on a 9-0 vote. Council Members Casar and Garza were off the dais.**
28. Approve an ordinance authorizing acceptance of \$10,000 in grant funds from the DEPARTMENT OF STATE HEALTH SERVICES, AUSTIN, TEXAS, and amending the Fiscal Year 2016-2017 Austin Public Health Operating Budget Special Revenue Fund (Ordinance No. 20160914-001) to appropriate \$10,000 for Zika Epidemiology and Lab Capacity, and Public Health Emergency Response programs.  
**Ordinance No. 20170323-028 was approved on consent on Mayor Pro Tem Tovo's motion, Council Member Pool's second on a 9-0 vote. Council Members Casar and Garza were off the dais.**
29. Authorize negotiation and execution of a 24-month contract with KORTERRA INC., to provide application service provider hosting services for underground utility location, in an estimated amount of \$132,400, with three 12-month extension options in an estimated amount of \$66,200 per extension option, for a total contract amount not to exceed \$331,000. (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 Korterra Inc. was approved on consent on Mayor Pro Tem Tovo's motion, Council Member Pool's second on a 9-0 vote. Council Members Casar and Garza were off the dais.**

30. Authorize award and execution of three contracts with FERGUSON ENTERPRISES INC. DBA FERGUSON WATERWORKS, HD SUPPLY WATERWORKS LTD. and HYDRAFLO INC., to provide fire hydrant parts, for an initial 12-month term in an estimated amount of \$228,410, with four 12-month extension options in an estimated amount of \$252,647 per extension option, for a total contract amount not to exceed \$1,239,000 to be divided among the contractors. (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 was insufficient subcontracting opportunities; therefore, no subcontracting goals were established.)

**The motion authorizing award and execution of three contracts with Ferguson Enterprises Inc. doing business as Ferguson Waterworks, HD Supply Waterworks Ltd. and Hydraflo Inc. was approved on consent on Mayor Pro Tem Tovo's motion, Council Member Pool's second on a 9-0 vote. Council Members Casar and Garza were off the dais.**

31. Authorize negotiation and execution of a 60-month contract with SPOK, INC., to provide a wireless messaging system, in an estimated amount of \$3,806,755, with three 12-month extension options in an estimated amount of \$761,351 per extension option, for a total contract amount not to exceed \$6,090,806. (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 and an insufficient number of certified M/WBEs; therefore, no subcontracting goals were established.)

**The motion authorizing negotiation and execution of a contract with Spok, Inc. was approved on consent on Mayor Pro Tem Tovo's motion, Council Member Pool's second on a 9-0 vote. Council Members Casar and Garza were off the dais.**

32. Authorize negotiation and execution of a 36-month contract through the STATE OF TEXAS DEPARTMENT OF INFORMATION RESOURCES cooperative purchasing program with SOLID BORDER, to provide RedSeal software and services, in an amount not to exceed \$312,000. (Notes: This contract will be awarded by a cooperative purchase agreement with the State of Texas Department of Information Resources (DIR) in accordance with Chapter 2054 of the Texas Government Code; therefore, goals were not established.)

**The motion authorizing negotiation and execution of a contract through the State of Texas Department of Information Resources was approved on consent on Mayor Pro Tem Tovo's motion, Council Member Pool's second on a 9-0 vote. Council Members Casar and Garza were off the dais.**

33. Authorize negotiation and execution of a 36-month contract through THE COOPERATIVE PURCHASING NETWORK cooperative purchasing program with CDW GOVERNMENT LLC, to provide Autodesk products and services including maintenance and support, in an 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 goods and services required for this procurement, there were insufficient subcontracting opportunities; therefore, no subcontracting goals were established.)

**The motion authorizing negotiation and execution of a contract through The Cooperative Purchasing Network cooperative purchasing program with CDW Government LLC was approved on consent on Mayor Pro Tem Tovo's motion, Council Member Pool's second on a 9-0 vote. Council Members Casar and Garza were off the dais.**

34. Authorize negotiation and execution of a 60-month contract with TEXAS ELECTRIC COOPERATIVES to provide electric meters, in an amount not to exceed \$30,000,000. (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 Texas Electric Cooperatives was approved on consent on Mayor Pro Tem Tovo's motion, Council Member Pool's second on an 8-0 vote. Council Member Troxclair abstained. Council Members Casar and Garza were off the dais.**
35. Authorize negotiation and execution of a 24-month contract through the STATE OF TEXAS DEPARTMENT OF INFORMATION RESOURCES cooperative purchasing program with ACCUDATA SYSTEMS, to provide Palo Alto Networks Security Platform products and software including maintenance and support, in an amount not to exceed \$3,000,000. (Notes: This contract will be awarded by a cooperative agreement with the State of Texas Department of Information Resources (DIR) in accordance with Chapter 2054 of the Texas Government Code; therefore goals were not established.)  
**The motion authorizing negotiation and execution of a contract through the State of Texas Department of Information Resources cooperative purchasing program with Accudata Systems was approved on consent on Mayor Pro Tem Tovo's motion, Council Member Pool's second on a 9-0 vote. Council Members Casar and Garza were off the dais.**
36. Authorize negotiation and execution of a 24-month contract with PROFESSIONAL TURF PRODUCTS, LP, to provide original equipment manufacturer parts and repair services for Toro commercial turf and lawn equipment, in an estimated amount of \$268,000, with three 12-month extension options in an estimated amount of \$134,000 per extension option, for a total contract amount not to exceed \$670,000. (Notes: This contract is exempt from the City Code Chapter 2-9D 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 Professional Turf Products, LP was approved on consent on Mayor Pro Tem Tovo's motion, Council Member Pool's second on an 8-0 vote. Council Member Troxclair abstained. Council Members Casar and Garza were off the dais.**
37. Authorize negotiation and execution of a 36-month contract with AUSTIN TRUCK & EQUIPMENT, INC. LTD DBA FREIGHTLINER OF AUSTIN, to provide parts and repair services for vehicles with Daimler Truck of North America brand components, in an estimated amount of \$1,158,000, with two 12-month extension options in an estimated amount of \$386,000 per extension option, for a total contract amount not to exceed \$1,930,000. (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 Austin Truck & Equipment, Inc. Ltd doing business as Freightliner of Austin was approved on consent on Mayor Pro Tem Tovo's motion, Council Member Pool's second on an 8-0 vote. Council Member Troxclair abstained. Council Members Casar and Garza were off the dais.**



38. Authorize award and execution of a 24-month contract with RUSH TRUCK CENTERS OF TEXAS, LP, to provide original equipment manufacturer parts and repair services for Allison transmissions, in an estimated amount of \$312,000 with three 12-month extension options in an estimated amount of \$156,000 per extension option, for a total contract amount not to exceed \$780,000. (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 no subcontracting opportunities identified; therefore, no subcontracting goals were established.)  
**The motion authorizing award and execution of a contract with Rush Truck Centers of Texas, LP was approved on consent on Mayor Pro Tem Tovo's motion, Council Member Pool's second on an 8-0 vote. Council Member Troxclair abstained. Council Members Casar and Garza were off the dais.**
39. Authorize negotiation and execution of a 12-month contract with DUDE SOLUTIONS, INC., to provide technical support and services for a web-based work order application, in an estimated amount of \$197,414, with four 12-month extension options in an estimated amount of \$65,842 for the first extension option, \$69,134 for the second extension option, \$72,591 for the third extension option, and \$76,220 for the fourth extension option, for a total contract amount not to exceed \$481,201. (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 Dude Solutions, Inc. was approved on consent on Mayor Pro Tem Tovo's motion, Council Member Pool's second on a 9-0 vote. Council Members Casar and Garza were off the dais.**
40. Authorize negotiation and execution of three contracts with CAR2GO NA, LLC, REACHNOW, LLC, and ZIPCAR, for the City's Car-Share program, with an initial 36-month term for an estimated revenue amount of \$855,612, with two 12-month extension options in an estimated revenue amount of \$285,000 per extension option, for a total estimated revenue amount of \$1,425,612. (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.)  
**The motion authorizing negotiation and execution of three contracts with Car2go NA, LLC, Reachnow LLC, and Zipcar was approved on consent on Mayor Pro Tem Tovo's motion, Council Member Pool's second on a 9-0 vote. Council Members Casar and Garza were off the dais.**
- Direction was given to staff to work with selected vendors to align the contract to be consistent with the resolution and goals for electrification.**
41. Authorize amendments to the contracts with AFMA INC., FACILITIES RESOURCE INC. (WBE), FURNITURE MARKETING GROUP INC., HAWORTH INC., MCCOY-ROCKFORD INC., SHELTON-KELLER GROUP INC., SOUTHERN ALUMINUM MANUFACTURING INC., SOUTHWEST SOLUTIONS GROUP INC., VANGUARD ENVIRONMENTS INC. and WORKPLACE RESOURCE LLC, to provide for the continued purchase and installation of office furniture, and extend the term by 12 months for an estimated amount of \$3,663,000, for revised total contract amounts not to exceed \$12,463,000 divided among the contractors. (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 and services required for this procurement, there were insufficient subcontracting opportunities; therefore, no subcontracting goals were established. )

**The motion authorizing amendments to the contracts with AFMA Inc., Facilities Resource Inc. (WBE), Furniture Marketing Group Inc., Haworth Inc., McCoy-Rockford Inc., Shelton-Keller Group Inc., Southern Aluminum Manufacturing Inc., Southwest Solutions Group Inc., Vanguard Environments Inc. and Workplace Resource LLC was approved on consent on Mayor Pro Tem Tovo's motion, Council Member Pool's second on a 9-0 vote. Council Members Casar and Garza were off the dais.**

42. Authorize negotiation and execution of 10 contracts with 360 ENERGY SAVERS, 1ST CHOICE ENERGY, LLC, MCCULLOUGH HEATING & AIR CONDITIONING, INC., GOOD NEIGHBOR MANAGEMENT, INC., AC & A, INC., CONSERVATION SPECIALISTS OF AUSTIN, LLC, CLIMATE MECHANICAL, INC., VALDEZ REMODELING & WEATHERIZATION INC., KL AUSTIN ROOFING & CONSTRUCTION, and ENERGY GUYS, LLC, to provide weatherization services, with an initial 12-month term in the amount of \$3,800,000, with four 12-month extension options in the amount of \$3,800,000 per extension option, for total contract amounts not to exceed \$19,000,000 divided among the contractors. (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.) Recommended by the Electric Utility Commission on a vote of 6-0, with Chair Hadden and Commissioner Biedrzycki absent, and with three vacancies. March 21, 2017 – Recommended by the Resource Management Commission on a vote of 8-0, with Commissioners Gill and Santiago absent, and with one vacancy.

**The motion authorizing negotiation and execution of ten contracts with 360 Energy Savers, 1st Choice Energy, LLC, McCullough Heating & Air Conditioning, Inc., Good Neighbor Management, Inc., AC & A, Inc., Conservation Specialists of Austin, LLC, Climate Mechanical, Inc., Valdez Remodeling & Weatherization Inc., KL Austin Roofing & Construction, and Energy Guys, LLC was approved on consent on Mayor Pro Tem Tovo's motion, Council Member Pool's second on an 8-1 vote. Council Member Troxclair voted nay. Council Members Casar and Garza were off the dais.**

43. Authorize negotiation and execution of an amendment to the contract with GOODWILL INDUSTRIES OF CENTRAL TEXAS, to provide janitorial services, in the amount of \$241,571, for a revised total contract amount not to exceed \$1,575,329. (Notes: This 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 for this solicitation.) Recommended by the Electric Utility Commission on a vote of 6-0, with Chair Hadden and Commissioner Biedrzycki absent, and with three vacancies.

**The motion authorizing negotiation and execution of an amendment to the contract with Goodwill Industries of Central Texas was approved on consent on Mayor Pro Tem Tovo's motion, Council Member Pool's second on a 9-0 vote. Council Members Casar and Garza were off the dais.**

44. Authorize negotiation and execution of an amendment to the contract with ISS FACILITY SERVICES, to provide janitorial services, in the amount of \$196,000, for a revised total contract amount not to exceed \$1,510,876. (Notes: This 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

for this solicitation.) Recommended by the Electric Utility Commission on a vote of 6-0, with Chair Hadden and Commissioner Biedrzycki absent, and with three vacancies.

**The motion authorizing negotiation and execution of an amendment to the contract with ISS Facility Services was approved on consent on Mayor Pro Tem Tovo's motion, Council Member Pool's second on a 9-0 vote. Council Members Casar and Garza were off the dais.**

45. Authorize negotiation and execution of a contract with BODE CELLMARK FORENSICS, INC., for forensic serological and DNA analysis of biological evidence, in an amount not to exceed \$1,300,000. Related to Item(s): 15, 16, 17 (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 Bode Cellmark Forensics, Inc. was approved on consent on Mayor Pro Tem Tovo's motion, Council Member Pool's second on a 9-0 vote. Council Members Casar and Garza were off the dais.**

46. Approve an ordinance waiving Chapter 2-7, Article 6 (Anti-lobbying and Procurement) of the City Code regarding solicitations for organics processing services and refuse, recycling, organics, and special waste collections for City facilities.

**This item was postponed to April 6, 2017 on consent on Mayor Pro Tem Tovo's motion, Council Member Pool's second on a 9-0 vote. Council Members Casar and Garza were off the dais.**

**Action was taken on item 47 but reconsidered later in the meeting.**

48. Approve an ordinance amending the Fiscal Year 2016-2017 Telecommunications and Regulatory Affairs Department Operating Budget Special Revenue Fund (Ordinance No. 20160914-001) to accept and appropriate \$145,000 in grant funds from US Ignite for the Smart Gigabit Communities Program to develop applications that use high speed broadband networks to benefit the community.

**Ordinance No. 20170323-048 was approved on consent on Mayor Pro Tem Tovo's motion, Council Member Pool's second on a 9-0 vote. Council Members Casar and Garza were off the dais.**

49. Authorize negotiation and execution of a 12-month interlocal agreement with the Capital Area Council of Governments to provide funding and extend the City's involvement in clean air programs, in the total amount of \$50,000 for 12 months with one 12 month renewal option, for a total agreement not to exceed \$100,000.

**The motion authorizing negotiation and execution of an interlocal agreement with the Capital Area Council of Governments was approved on consent on Mayor Pro Tem Tovo's motion, Council Member Pool's second on a 9-0 vote. Council Members Casar and Garza were off the dais.**

50. 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 9-0 vote. Council Members Casar and Garza were off the dais.**

#### Nominations

**Board/Nominee****Nominated by**African American Resource Advisory Commission

Farah Muscadin

Council Member Alter

Airport Advisory Commission

Dominique Bobbio

Council Member Garza

Airport Advisory Commission

Bradley Tegeler

Council Member Troxclair

Community Development Commission

Bertha Delgado

East Cesar Chavez Contact Team

Construction Advisory Committee

Matthew Gonzales

Council Member Flannigan

Early Childhood Council

Carrie Semple

Council Member Troxclair

Economic Prosperity Commission

Amy Noel

Council Member Pool

Electric Board

David Dixon

Council Member Pool

Lesbian, Gay, Bisexual, Transgender, and QueerQuality of Life Advisory Commission

Kelly Estrella

Council Member Flannigan

Lesbian, Gay, Bisexual, Transgender, and QueerQuality of Life Advisory Commission

Deirdre Doughty

Council Member Pool

Parks and Recreation Board

Randy Mann

Council Member Garza

Water and Wastewater Commission

Mia Parton

Council Member Flannigan

Zero Waste Advisory Commission

Stacy Savage\*

Council Member Garza

Small Area Planning Joint Committee

David King

Zoning and Platting Commission

(\* Indicates reappointment of a current member.)

### Waivers

Approve a waiver of the residency requirement in Section 2-1-21 of the City Code for the service of Kelly Estrella on the Lesbian, Gay, Bisexual, Transgender, and Queer Quality of Life Advisory Commission.

Approve a waiver of the requirement in Section 2-1-21(H) of the City Code for the appointment of David Dixon. The waiver allows his simultaneous service on the Mechanical, Plumbing and Solar Board and Electric Board.

Approve a waiver of the filing deadline for the statement of financial information as prescribed in Sections 2-1-25 and 2-7-72 of the City Code and establishing a new deadline of Friday, April 7, 2017 for the following members:

William Burkhardt	Board of Adjustment
Kevin Koch	Historic Landmark Commission

51. Approve an ordinance waiving or reimbursing certain fees for the 16th Annual South Asian New Year's Festival sponsored by the Texas Bengali Cultural Alliance which will be held on Saturday April 8, 2017 at the Zilker Hillside Theater. (Notes: SPONSOR: Mayor Pro Tem Kathie Tovo CO 1: Mayor Steve Adler CO 2: Council Member Ann Kitchen CO 3: Council Member Alison Alter) **Ordinance No. 20170323-051 was approved on consent on Mayor Pro Tem Tovo's motion, Council Member Pool's second on a 9-0 vote. Council Members Casar and Garza were off the dais.**

**Original language as approved on April 6, 2017.**

52. Approve a resolution directing the City Manager to evaluate and explore the options available for repurposing the properties at 1215 Red River Street and 606 East 12th Street, which were previously occupied by HealthSouth. (Notes: SPONSOR: Council Member Ora Houston CO 1: Mayor Pro Tem Kathie Tovo CO 2: Council Member Jimmy Flannigan CO 3: Council Member Sabino "Pio" Renteria) **Resolution No. 20170323-052 was approved on Mayor Pro Tem Tovo's motion, Council Member Pool's second on an 8-1 vote. Council Member Flannigan voted nay. Council Members Casar and Garza were off the dais.**

**Amended language as approved on February 15, 2018.**

**Resolution No. 20170323-052 was approved on Mayor Pro Tem Tovo's motion, Council Member Pool's second on a 9-0 vote. Council Members Casar and Garza were off the dais.**

**Action was taken on items 53 and 54 but were reconsidered later in the meeting.**

**Item 55 was pulled for discussion.**

56. Approve an ordinance waiving or reimbursing certain fees for the Bengali New Year's Festival sponsored by the Bangladesh Association of Great Austin which will be held April 15, 2017 at

Fiesta Gardens. (Notes: SPONSOR: Council Member Jimmy Flannigan CO 1: Mayor Steve Adler CO 2: Mayor Pro Tem Kathie Tovo CO 3: Council Member Leslie Pool CO 4: Council Member Delia Garza)

**Ordinance No. 20170323-056 was approved on consent on Mayor Pro Tem Tovo's motion, Council Member Pool's second on a 9-0 vote. Council Members Casar and Garza were off the dais. Council Members Alter and Casar each contributed an additional \$250 to the fee waiver.**

57. Approve an ordinance waiving or reimbursing certain fees for the Efforts to Stop Human Trafficking event sponsored by the Zonta Club of Austin which will be held April 21, 2017 at the Asian American Resource Center. (Notes: SPONSOR: Council Member Ora Houston CO 1: Council Member Sabino "Pio" Renteria CO 2: Mayor Pro Tem Kathie Tovo CO 3: Council Member Leslie Pool)

**Ordinance No. 20170323-057 was approved on consent on Mayor Pro Tem Tovo's motion, Council Member Pool's second on a 9-0 vote. Council Members Casar and Garza were off the dais.**

58. Approve an ordinance waiving or reimbursing certain fees for the Know Your Rights training event sponsored by the University Leadership Initiative which was held February 12, 2017 at the Carver Museum. (Notes: SPONSOR: Council Member Gregorio Casar CO 1: Mayor Steve Adler CO 2: Mayor Pro Tem Kathie Tovo CO 3: Council Member Delia Garza CO 4: Council Member Leslie Pool)

**Ordinance No. 20170323-058 was approved on consent on Mayor Pro Tem Tovo's motion, Council Member Pool's second on an 8-0 vote. Council Member Troxclair abstained. Council Members Casar and Garza were off the dais.**

59. Approve the waiver or reimbursement of certain fees under City Code Chapter 14-8 for the Texas Peace Officers Memorial event sponsored by the Texas Peace Officers Memorial Foundation which is to be held April 30, 2017 at the Texas Capital. (Notes: SPONSOR: Council Member Ora Houston CO 1: Mayor Pro Tem Kathie Tovo CO 2: Council Member Leslie Pool CO 3: Council Member Sabino "Pio" Renteria)

**The motion approving the waiver or reimbursement of certain fees under City Code Chapter 14-8 for the Texas Peace Officers Memorial event was approved on consent on Mayor Pro Tem Tovo's motion, Council Member Pool's second on a 9-0 vote. Council Members Casar and Garza were off the dais.**

60. Approve the waiver or reimbursement of certain fees under City Code Chapter 14-8 for the Texas State Employees Union Lobby Day sponsored by the Texas State Employees Union which will be held April 12, 2017 at the Texas Capital. (Notes: SPONSOR: Council Member Gregorio Casar CO 1: Council Member Leslie Pool CO 2: Council Member Delia Garza CO 3: Council Member Sabino "Pio" Renteria)

**The motion approving the waiver or reimbursement of certain fees under City Code Chapter 14-8 for the Texas State Employees Union Lobby Day was approved on consent on Mayor Pro Tem Tovo's motion, Council Member Pool's second on an 8-1 vote. Council Member Troxclair voted nay. Council Members Casar and Garza were off the dais.**

61. Approve an ordinance waiving or reimbursing certain fees for the Edible Austin Children's Picnic sponsored by Edible Austin which will be held April 23, 2017 at Rosewood Park. (Notes: SPONSOR: Council Member Ora Houston CO 1: Council Member Sabino "Pio" Renteria CO 2: Council Member Delia Garza CO 3: Council Member Leslie Pool CO 4: Council Member Ann Kitchen)

**Ordinance No. 20170323-061 was approved on consent on Mayor Pro Tem Tovo's motion, Council Member Pool's second on a 9-0 vote. Council Members Casar and Garza were off the dais.**

62. Set a public hearing to consider a resolution supporting an application to be submitted to the Texas Department of Housing and Community Affairs by TX Creekview Austin, LP, or an affiliated entity, for the new construction of an affordable multi-family development to be called Creekview Apartment Homes, to be located near the intersection of Old Manor Road and Springdale Road. (District 1) (Suggested date and time: April 6, 2017 at 4:00 p.m. at Austin City Hall, 301 W. Second Street, Austin, TX.)  
**This item was postponed indefinitely on Mayor Pro Tem Tovo's motion, Council Member Pool's second on a 9-0 vote. Council Members Casar and Garza were off the dais.**
63. Set a public hearing to consider an ordinance granting a site-specific amendment to City Code Section 25-8-514 and granting variances to City Code Section 25-8-261 to allow development of the Barton Creek Trailhead Restroom in Zilker Park. This action will require a site-specific amendment to the Save Our Springs Initiative and concerns property in the Barton Springs Zone (District 8). (Suggested date and time: April 13, 2017, beginning at 4:00 p.m. at Austin City Hall, 301 W. Second Street, Austin, TX.)  
**The public hearing was set on consent for April 13, 2017, 4:00 p.m. at 301 W. Second Street, Austin, TX on Mayor Pro Tem Tovo's motion, Council Member Pool's second on a 9-0 vote. Council Members Casar and Garza were off the dais.**
64. Set a public hearing to consider an ordinance amending the Imagine Austin Comprehensive Plan by adopting the Austin Strategic Housing Plan. (Suggested date and time: April 6, 2017, 4:00 p.m., at Austin City Hall, 301 W. Second Street, Austin, TX.)  
**The public hearing was set on consent for April 6, 2017, 4:00 p.m. at 301 W. Second Street, Austin, TX on Mayor Pro Tem Tovo's motion, Council Member Pool's second on a 9-0 vote. Council Members Casar and Garza were off the dais.**

Item 65 was a Council Committee Item.

Item 66 was a Briefing Item.

Items 67 through 70 were Executive Session Items.

Items 71 and 82 were Zoning Ordinances / Restrictive Covenants (HEARINGS CLOSED).

Items 83 through 93 were Zoning and Neighborhood Plan Amendment Items (Public Hearing and Possible Action).

Item 94 was the Austin Housing and Finance Corporation Meeting set for 3:00 p.m.

### **DISCUSSION ITEMS**

23. Approve a resolution authorizing a fee-in-lieu payment as allowed under Section 4.3.2.D of the Plaza Saltillo Transit Oriented Development Regulating Plan to allow a commercial and office project located at 1801 E. 6th St. to participate in the density bonus program.  
**A motion to approve the resolution with the following amendments was made by Mayor Pro Tem Tovo and seconded by Council Member Pool. The amendments were accepted without objection.**

**To amend the fifth WHEREAS clause to read:**

**“WHEREAS, The developer has requested Council’s approval for payment of a fee in-lieu of providing affordable housing in the amount of \$491,139 for a commercial and office project located at 1801 East 6<sup>th</sup> Street;”**

**To amend the last BE IT RESOLVED clause to read:**

**“The City Council finds that the developer has demonstrated that providing the required on-site affordable housing is not economically feasible and the City Council approves payment into the Housing Assistance Fund in lieu of providing affordable housing on-site in exchange for a development bonus for the commercial and office project located at 1801 East 6<sup>th</sup> Street.**

**To add an additional sentence at the end of the resolution to read:**

**“If the proposed building is ever converted to residential use, then the on-site affordable housing shall be required per the Regulation Plan, unless the Council authorizes the developer to make a fee-in-lieu payment.”**

**The amendments above were approved on Mayor Pro Tem Tovo’s motion, Council Member Pool’s second on a 6-2 vote. Those voting aye were: Mayor Adler, Mayor Pro Tem Tovo, Council Members Alter, Houston, Kitchen, and Pool. Those voting nay were: Council Members Flannigan and Renteria. Council Member Troxclair abstained. Council Members Casar and Garza were off the dais.**

**Resolution No. 20170323-023 was approved as amended on Mayor Pro Tem Tovo’s motion, Council Member Pool’s second on a 10-0 vote. Council Member Troxclair abstained.**

53. Approve a resolution directing the City Manager to take steps to support cooperatively owned businesses. (Notes: SPONSOR: Council Member Delia Garza CO 1: Council Member Gregorio Casar CO 2: Council Member Jimmy Flannigan CO 3: Council Member Ann Kitchen CO4: Mayor Steve Adler)

**A motion to approve the resolution with the following amendments was made by Mayor Pro Tem Tovo and seconded by Council Member Pool.**

**To add an additional WHEREAS clause to read:**

**“WHEREAS, the Economic Prosperity Commission, in Recommendation Number 20170315-036, encouraged the City to adopt many of the recommendations from the “Supporting Cooperatively Owned Businesses” report;”**

**Resolution No. 20170323-053 was approved on Mayor Pro Tem Tovo’s motion, Council Member Pool’s second on an 8-0 vote. Council Member Troxclair abstained. Council Members Casar and Garza were off the dais.**

**A motion to reconsider item 53 was approved on Mayor Pro Tem Tovo’s motion, Council Member Pool’s second on an 11-0 vote.**

**Resolution No. 20170323-053 was approved as amended above on Council Member Garza’s motion, Council member Alter’s second on a 10-0 vote. Council Member Troxclair abstained.**



54. Approve a resolution to support and promote women's equality. (Notes: SPONSOR: Council Member Delia Garza CO 1: Mayor Pro Tem Kathie Tovo CO 2: Council Member Leslie Pool CO 3: Council Member Ann Kitchen CO 4: Council Member Alison Alter)

**Resolution 20170323-054 was approved on Mayor Pro Tem Tovo's motion, Council Member Pool's second on an 8-0 vote. Council Member Houston abstained. Council Members Casar and Garza were off the dais.**

**A motion to reconsider item 54 was approved on Mayor Pro Tem Tovo's motion, Council Member Pool's second on an 11-0 vote.**

**Resolution No. 20170323-054 was approved on Council Member Garza's motion, Council Member Alter's second on a 10-0 vote. Council Member Houston abstained.**

#### **CITIZENS COMMUNICATIONS: GENERAL**

CAROLANNEROSE frumthadeadKENNEDY'S – GOD.BLESS.MY.UNDERWEAR – **Not Present**

Girard Kinney – Scenic Cities program.

Susana Almanza – Join the annual Cesar E. Chavez "Si Se Puede!" march on March 25, 2017. Starts at 10:30 AM.

Daniel Llanes – Auditors Report. Neighborhood housing/contacting.

Margaret Lloyd – Scenic Cities Program.

Richard Boland – Austin Police Department.

Antoinette Powell – Health Department fee's.

Robert Battaile – Austin Bocce League.

Pinaki Ghosh – City Ordinances and Citizens Equity in East Austin.

Barbara Szalay – Austin Affordability: a Worthy Goal in Search of an Implementation Plan.

**Mayor Adler recessed the Council Meeting to go into Executive Session at 12:43 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.**

67. 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.**

68. Discuss legal issues related to City of Austin 2017 labor negotiations with employees in the Fire, Police, and EMS departments (Private consultation with legal counsel - Section 551.071 of the Government Code).  
**This item was withdrawn without objection.**
69. Discuss legal issues related to the search for and appointment of a new city manager (Private consultation with legal counsel - Section 551.071 of the Government Code).
70. Discuss legal issues related to the City of Dripping Springs' Application for a Permit to Discharge Treated Wastewater Effluent into Walnut Springs Tributary and Onion Creek (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 2:25 p.m.**

#### **DISCUSSION ITEMS CONTINUED**

47. Approve an ordinance amending City Code Chapters 2-9A, 2-9B, 2-9C, and 2-9D regarding the Minority-Owned and Women-Owned Business Enterprise Procurement Program.  
**Ordinance 20170323-047 was approved on Mayor Pro Tem Tovo's motion, Council Member Pool's second on a 9-0 vote. Council Members Casar and Garza were off the dais.**

**A motion to reconsider item 47 was approved on Mayor Pro Tem Tovo's motion, Council Member Houston's second on an 8-0 vote. Council Members Casar, Renteria, and Troxclair were off the dais.**

**A motion to approve the ordinance with the following amendments was made by Council Member Houston and seconded by Mayor Pro Tem Tovo. The motion was accepted without objection.**

**An amendment was made to amend Part 5 to read:**

**"The council finds that continuance of the Minority-Owned and Women-Owned Business Enterprise Procurement Program constitutes an emergency. Because of this emergency, this ordinance takes effect immediately and on its passage for the immediate preservation of the public peace, health, and safety."**

**Ordinance No. 20170323-047 was approved as amended above on Council Member Houston's motion, Mayor Pro Tem Tovo's second on an 8-0 vote. Council Members Casar, Renteria, and Troxclair were off the dais.**

65. Approve a resolution appointing an individual to the Municipal Civil Service Commission for a three-year term. (Notes: Committee)  
**Resolution No. 20170323-065 was approved on Mayor Pro Tem Tovo's motion, Council Member Pool's second on a 10-0 vote. Council Member Troxclair was off the dais.**

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

71. NPA-2016-0005.01 – Thrasher Lane - District 3 – Approve second and third readings of 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 2500 and 2508 Thrasher Lane (Carson

Creek Watershed; Country Club East Watershed) from Commercial to Mixed Use land use. First Reading approved on February 16, 2017 for 2500 and 2508 Thrasher Lane. Vote: 11-0. Owner/Applicant: Dalor, LTD (David Suissa). Agent: Permit Partners (David Cancialosi). City Staff: Maureen Meredith, 512-974-2695.

**Ordinance No. 20170323-071 to change the future land use map (FLUM) to mixed use land use was approved on Council Member Renteria's motion, Council Member Kitchen's second on an 11-0 vote.**

72. C14-2016-0070 – Thrasher Lane Lots – District 3 – Approve second and third readings of an ordinance amending City Code Title 25-2 by rezoning property locally known as 2500, 2508 and 2514 Thrasher Lane (Carson Creek Watershed; Country Club East Watershed) from general commercial services-neighborhood plan (CS-NP) combining district zoning to general commercial services-mixed use-conditional overlay-neighborhood plan (CS-MU-CO-NP) combining district zoning for Tract 1 and general commercial services-conditional overlay-neighborhood plan (CS-CO-NP) combining district zoning for Tract 2. First Reading approved on February 16, 2017. Vote: 10-0, Council Member Casar was off the dais. Agent: Permit Partners (David Cancialosi). Owner: Dalor Ltd. (David Suissa). City Staff: Andrew Moore, 512-974-7604. **Ordinance No. 20170323-072 was approved for general commercial services-mixed use-conditional overlay-neighborhood plan (CS-MU-CO-NP) combining district zoning for Tract 1 and general commercial services-conditional overlay-neighborhood plan (CS-CO-NP) combining district zoning for Tract 2 with the following amendment on Council Member Renteria's motion, Council Member Kitchen's second on an 11-0 vote.**

**The amendment was to remove PART 2 (B) from the ordinance.**

**Items 73 and 74 were pulled for discussion.**

75. NPA-2016-0022.01 – 3920 South IH-35 – District 3 - Approve on second and third reading an ordinance amending Ordinance No. 20050929-Z001, the Greater South River City Combined Neighborhood Plan, an element of the Imagine Austin Comprehensive Plan, to change the land use designation on the future land use map (FLUM) on property locally known as 3920 South IH-35 SVRD SB (Blunn Creek Watershed) from Office to Commercial land use. First reading approved on March 2, 2017 on a vote of 10-0 (A. Kitchen absent). Owner/Applicant: 3920 IH-35 Holdings, Ltd. (Jimmy Nassour). Agent: A. Glasco Consulting (Alice K. Glasco). City Staff: Maureen Meredith, (512) 974-2695. **Ordinance No. 20170323-075 to change the future land use map (FLUM) to commercial land use was approved on Council Member Renteria's motion, Council Member Kitchen's second on an 11-0 vote.**
76. C14-2016-0105 – 3920 S. IH-35 – District 3 –Approve second and third reading of an ordinance amending City Code Title 25-2 by rezoning property locally known as 3920 S. IH-35 (Blunn Creek Watershed) from general office-neighborhood plan (GO-NP) district zoning to general commercial services-mixed use-neighborhood plan (CS-MU-NP) combining district zoning. Staff Recommendation: To grant general commercial services-conditional overlay-neighborhood plan (CS-CO-NP) combining district zoning. First reading approved March 2, 2017 on consent, vote 10-0 (CM Kitchen off the Dais). Agent: Alice Glasco Consulting (Alice Glasco). Owner: 3920 IH-35 Holdings, LTD (Jimmy Nassour). City Staff: Andrew Moore, 512-974-7604. **Ordinance No. 20170323-076 was approved for general commercial services-mixed use-neighborhood plan (CS-MU-NP) combining district zoning on Council Member Renteria's motion, Council Member Kitchen's second on an 11-0 vote.**

77. C14-2016-0039 – Thornton II – District 5 – Approve third reading of an ordinance amending City Code Title 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. First Reading approved for multifamily residence-low density (MF-2) district zoning on November 10, 2016. Vote: 10-0, Council Member Troxclair was off the dais. Second Reading approved for multifamily residence-low density (MF-2) district zoning on March 2, 2017. Vote: 11-0. Applicant: South Llano Strategies (Glen Coleman). Owner: John & Susan Hoberman. City Staff: Andrew Moore, 512-974-7604.  
**This item was withdrawn.**

**Items 78 through 80 were pulled for discussion.**

81. C14-2016-0131 – Strobo Subdivision – District 10 – Approve second and third readings of an ordinance amending City Code Chapter 25-2 by rezoning property locally known as the 4509 City Park Road (Coldwater Creek Watershed) from development reserve (DR) district zoning to single family residence-large lot-conditional overlay (SF-1-CO) combining district zoning. First Reading approved for rural residence (RR) district zoning on March 7, 2017. Vote: 10-1, Council Member Troxclair-nay. Owner/Applicant: Robert Earl Strobo. Agent: Texas Engineering Solutions (Connor Overby). City Staff: Wendy Rhoades, 512-974-7719.  
**Ordinance No. 20170323-081 was approved for rural residence (RR) district zoning on Council Member Renteria's motion, Council Member Kitchen's second on an 11-0 vote.**
82. C14-2016-0132 – Property adjacent to 1311 S. Lamar – District 5 – Approve second and third readings of an ordinance amending City Code Title 25-2 by rezoning property locally known as 1311 S. Lamar Boulevard (West Bouldin Creek Watershed) from general commercial services-conditional overlay (CS-CO) combining district zoning to general commercial services-vertical mixed use building (CS-V) combining district zoning. Staff Recommendation: To grant general commercial services-vertical mixed use building-conditional overlay (CS-V-CO) combining district zoning. First Reading approved on March 2, 2017. Vote: 10-0, Council Member Kitchen was off the dais. Owner/Applicant: Seamless GCW, LTD (Bernard Barrett). Agent: Drenner Group (Leah Bojo). City Staff: Andrew Moore, 512-974-7604.  
**This item was postponed to April 6, 2017 at the request of the applicant on Council Member Renteria's motion, Council Member Kitchen's second on an 11-0 vote.**

**Item 83 was pulled for discussion.**

84. C14-2015-0083 – River Place – Districts 6 and 10 – Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as Milky Way Drive (West Bull Creek Watershed) from development reserve (DR) district zoning to single family residence-standard lot-conditional overlay (SF-2-CO) combining district zoning. Staff Recommendation: To grant single family residence-large lot-conditional overlay (SF-1-CO) combining district zoning, with conditions. Zoning and Platting Commission Recommendation: To grant single family residence-large lot-conditional overlay (SF-1-CO) combining district zoning, with conditions. Owner/Applicant: Berta Bradley. Agent: McLean & Howard, LLP (Jeff Howard). City Staff: Sherri Sirwaitis, 512-974-3057.  
**This item was postponed to May 4, 2017 at the request of the applicant on Council Member Renteria's motion, Council Member Kitchen's second on an 11-0 vote.**

85. C14-2015-0084 – River Place-Autism Center – Districts 6 and 10 – Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as East of River Place Boulevard (West Bull Creek Watershed) from development reserve (DR) district zoning to general office-conditional overlay (GO-CO) combining district zoning. Staff Recommendation: To grant general office-conditional overlay (GO-CO) combining district zoning. Zoning and Platting Commission Recommendation: To grant general office-conditional overlay (GO-CO) combining district zoning. Owner/Applicant: Berta Bradley. Agent: McLean & Howard, LLP (Jeff Howard). City Staff: Sherri Sirwaitis, 512-974-3057.  
**This item was postponed to May 4, 2017 at the request of the applicant on Council Member Renteria's motion, Council Member Kitchen's second on an 11-0 vote.**
86. C14-2016-0115 - 2222 Town Lake Circle - District 3 - Conduct a public hearing and approve an ordinance amending City Code Title 25-2 by rezoning property locally known as 2222 and 2400 Town Lake Circle & 2217 and 2225 Elmont Drive (Lady Bird Lake Watershed) from neighborhood mixed use (NMU) district zoning to corridor mixed use (CMU) district zoning. Staff Recommendation: Pending. Planning Commission Recommendation: To be reviewed on March 28, 2017. Agent: Graves Dougherty Hearon & Moody (Michael Whellan). Owner: Town Lake Holdings, LLC (David Cox). City Staff: Andrew Moore, 512-974-7604.  
**This item was postponed to April 20, 2017 at the request of the applicant on Council Member Renteria's motion, Council Member Kitchen's second on an 11-0 vote.**
87. C14-2016-0124 - Parmer Business Park - District 7 - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as Southwest Corner of East Howard Lane and Harris Ridge Boulevard (Harris Branch Watershed) from limited industrial services-planned development area (LI-PDA) combining district zoning to limited industrial services-planned development area (LI-PDA) combining district zoning, to change a condition of zoning. Staff Recommendation: To grant limited industrial services-planned development area (LI-PDA) combining district zoning, with conditions. Zoning and Platting Commission Recommendation: To grant limited industrial services-planned development area (LI-PDA) combining district zoning, with conditions. Owner/Applicant: Karlin McCallen Pass, LLC (Matthew Schwab). Agent: Armbrust & Brown, PLLC (Richard T. Suttle). City Staff: Sherri Sirwaitis, 512-974-3057.  
**This item was postponed to April 6, 2017 at the request of the applicant on Council Member Renteria's motion, Council Member Kitchen's second on an 11-0 vote.**
88. C14-2016-0137 – Grady .46 – District 4 – Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 600 East Grady Drive (Little Walnut Creek Watershed) from single family residence-standard lot-neighborhood plan (SF-2-NP) combining district zoning to family residence-neighborhood plan (SF-3-NP) combining district zoning. Staff Recommendation: To grant family residence-neighborhood plan (SF-3-NP) combining district zoning, with conditions. Planning Commission Recommendation: To grant family residence-neighborhood plan (SF-3-NP) combining district zoning, with conditions. Owner/Applicant: Saleem Memon. Agent: Bennett Consultants (Rodney Bennett). City Staff: Sherri Sirwaitis, 512-974-3057.  
**The public hearing was conducted and a motion to approve the ordinance on first reading only for family residence-neighborhood plan (SF-3-NP) combining district zoning was approved on Council Member Renteria's motion, Council Member Kitchen's second on an 11-0 vote.**
89. C14-85-149.100.02 (RCA) - Scofield Apartments - District 7 - Conduct a public hearing to amend a public restrictive covenant on a property locally known as 13121, 13125, 13133, 13139,

13145, 13147 FM 1325 and 3001 Scofield Ridge Parkway (Walnut Creek Watershed). Staff Recommendation: To grant the Restrictive Covenant Amendment. Zoning and Platting Commission Recommendation: To grant the Restrictive Covenant Amendment. Owner/Applicant: Ringgold Partners II, L.P. (John Bultman, III). Agent: Drenner Group (Amanda Swor). City Staff: Sherri Sirwaitis, 512-974-3057.

**This item was postponed to April 6, 2017 at the request of staff on Council Member Renteria's motion, Council Member Kitchen's second on an 11-0 vote.**

90. C14-2016-0090 –130/Parmer – District 3 – Conduct a public hearing and approve an ordinance amending City Code Title 25 by zoning property locally known as 10208 Lindell Lane (Gilleland Creek Watershed) from interim-rural residence (I-RR) district zoning to community commercial-mixed use (GR-MU) combining district zoning. Staff Recommendation: Pending. Zoning and Platting Commission Recommendation: To be reviewed April 18, 2017. Owner: Cottonwood Holdings. Ltd. (Pete Dwyer). Applicant: Land Strategies, Inc. (Paul Linehan). City Staff: Heather Chaffin, 512- 974-2122.

**This item was postponed to May 18, 2017 at the request of staff on Council Member Renteria's motion, Council Member Kitchen's second on an 11-0 vote.**

91. C14-2016-0094 – Parmer Village – District 7 – Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 800 East Parmer Lane (Walnut Creek Watershed; Harris Branch Watershed) from community commercial (GR) district zoning and neighborhood commercial-conditional overlay (LR-CO) combining district zoning to community commercial-mixed use (GR-MU) combining district zoning. Staff Recommendation: Pending; request for indefinite postponement. Zoning and Platting Commission Recommendation: To grant an indefinite postponement. Owner/Applicant: Austin Ly & Nguyen, LP (Kevin Nguyen). Agent: TRI-County Consultants (Phillip T. Duprey). City Staff: Sherri Sirwaitis, 512-974-3057.

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

**Item 92 was pulled for discussion.**

93. C14H-2017-0011 – Zilker Park Caretaker's Cottage – District 8 – Conduct a public hearing and approve an ordinance amending City Code Title 25-2 by rezoning property locally known as the Zilker Park Caretaker's Cottage, 2105 Andrew Zilker Drive, within Zilker Park from public (P) district zoning to public-historic landmark (P-H) combining district zoning. Staff Recommendation: To grant public-historic landmark (P-H) combining district zoning. Historic Landmark Commission Recommendation: To grant public-historic landmark (P-H) combining district zoning. Planning Commission Recommendation: To grant public-historic landmark (P-H) combining district zoning. Applicant: City of Austin Parks and Recreation Department. City Staff: Steve Sadowsky, Historic Preservation Office, Planning and Zoning Department, 974-6454; Kim McKnight, Parks and Recreation Department, 512-974-9478.

**The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20170323-093 for public-historic landmark (P-H) combining district zoning was approved on Council Member Renteria's motion, Council Member Kitchen's second on an 11-0 vote.**

#### **DISCUSSION ITEMS CONTINUED**

55. Approve a resolution establishing a council working group to examine and provide recommendations on Austin Resource Recovery and Austin Water organics and recycling

policies and contracts. (Notes: SPONSOR: Mayor Steve Adler CO 1: Council Member Leslie Pool CO 2: Council Member Ann Kitchen CO 3: Council Member Delia Garza)

**Resolution No. 20170323-055 was approved on Council Member Pool's motion, Council Member Kitchen's second on an 11-0 vote.**

18. Discussion and possible action regarding the overall process for selection of a new Austin City Manager.

**A motion to adopt the recommendation made by Russell Reynolds Associates was approved on Council Member Kitchen's motion, Council Member Garza's second on an 11-0 vote. The recommendation was for Council to appoint eleven representatives to serve on the citizen's committee which will meet with Russell Reynolds Associates to provide input into the job description, criteria and key competencies for city council to review and approve. A list of ten candidates will be provided by the consulting firm to Council who will review the candidates and select candidates for interviews. Council will select the top candidate and at that point the name of the selected candidate will be made public.**

**Mayor Adler recessed the Council Meeting and called the Board of Directors' Meeting of the Austin Housing Finance Corporation to order at 3:20 p.m. See separate minutes.**

94. The Mayor will recess the City Council meeting to conduct a Board of Directors' Meeting of the Austin Housing Finance Corporation. Following adjournment of the AHFC Board meeting the City Council will reconvene.

**Mayor Adler called the Council Meeting back to order at 3:26 p.m.**

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

79. C14-2016-0097 – South Congress Residences – District 3 – Approve second and third readings of an ordinance amending City Code Title 25 by rezoning property locally known as 4714 South Congress Avenue (Williamson Creek Watershed) from general commercial services-mixed use-conditional overlay-neighborhood plan (CS-MU-CO-NP) combining district zoning to general commercial services-mixed use-vertical mixed use building-conditional overlay-neighborhood plan (CS-MU-V-CO-NP) combining district zoning. First Reading approved on January 26, 2017. Vote: 11-0. Owner: Diamond Real Estate Investment, Inc. (Curt Sutherland). Applicant: Guefen Development Company (David Kulkarni). Agent: Alice Glasco Consulting (Alice Glasco). City Staff: Wendy Rhoades, 512-974-7719.

**The motion to approve the ordinance on second reading only for general commercial services-mixed use-vertical mixed use building-conditional overlay-neighborhood plan (CS-MU-V-CO-NP) combining district zoning was approved on Council Member Renteria's motion, Council Member Pool's second on an 11-0 vote.**

80. C14-2016-0106 – 4411 SOCO – District 3 – Approve second and third readings of an ordinance amending City Code Title 25 by rezoning property locally known as 4411 South Congress Avenue and 4510 Lucksinger Lane (Williamson Creek Watershed) from general commercial services-mixed use-neighborhood plan (CS-MU-NP) combining district zoning to general commercial services-mixed use-vertical mixed use building-conditional overlay-neighborhood plan (CS-MU-V-CO-NP) combining district zoning. First Reading approved on January 26, 2017. Vote: 8-2, Mayor Pro Tem Tovo and Council Member Alter voted nay; Council Member Casar was off the dais. Owner: Olivia and Harry Wilke. Applicant: LEMCO Holdings, LLC (David

Cox). Agent: Alice Glasco Consulting (Alice Glasco). City Staff: Wendy Rhoades, 512-974-7719.

**The motion to approve the ordinance on second reading only for general commercial services-mixed use-vertical mixed use building-conditional overlay-neighborhood plan (CS-MU-V-CO-NP) combining district zoning was approved on Council Member Renteria's motion, Council Member Flannigan's second on a 9-0 vote. Council Members Casar and Troxclair were off the dais.**

92. C14H-2016-0053 – Aldridge Place Historic District - District 9 - Conduct a public hearing and approve an ordinance amending City Code Title 25-2 by rezoning property within the proposed boundaries of the Aldridge Place Historic District, roughly bounded by Guadalupe Street on the west, Speedway on the east, 30th Street on the south, and 34th Street on the north, by adding historic area (HD) combining district overlay to all existing base zoning, but making no other zoning changes. Staff Recommendation: To grant historic area (HD) combining district overlay to all existing base zonings for all parcels within the proposed historic district. Historic Landmark Commission Recommendation: To grant historic area (HD) combining district overlay to all existing base zoning for all parcels within the proposed historic district. Planning Commission Recommendation: To grant the HD overlay for all parcels within the proposed historic district. Applicants: Roger Binkley, Janet Beinke, and Rick Iverson, Aldridge Place Historic District nominating team. City Staff: Steve Sadowsky, Historic Preservation Office, Planning and Zoning Department, 512-974-6454.

**A motion to approve the ordinance for historic area (HD) combining district overlay to all existing base zonings for all parcels within the proposed historic district was made by Mayor Pro Tem Tovo and seconded by Council Member Renteria.**

**A motion to approve the ordinance on first reading only for historic area (HD) combining district overlay to all existing base zonings for all parcels within the proposed historic district failed on Council Member Troxclair's motion, Council Member Casar's second on a 3-8 vote. Those voting aye were: Council Members Casar, Garza, and Troxclair. Those voting nay were: Mayor Adler, Mayor Pro Tem Tovo, Council Members Alter, Flannigan, Houston, Kitchen, Pool, and Renteria.**

**The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20170323-092 for historic area (HD) combining district overlay to all existing base zonings for all parcels within the proposed historic district was approved on Mayor Pro Tem Tovo's motion, Council Member Renteria's second on an 8-3 vote. Those voting aye were: Mayor Adler, Mayor Pro Tem Tovo, Council Members Alter, Garza, Houston, Kitchen, Pool, and Renteria. Those voting nay were: Council Members Casar, Flannigan, and Troxclair.**

### **BRIEFING**

66. Briefing on the Proposed Austin Strategic Housing Plan  
**Presentation was made by Erica Leak, Policy Planning and Outreach Manager, Neighborhood and Housing Department.**

**Direction was given to staff to provide a map identifying available properties; to identify the properties that are city owned; to determine if the available properties can be converted; and to provide an implementation plan.**

**Mayor Adler recessed the meeting at 5:36 p.m.**



**LIVE MUSIC**

TROY NoKA

**PROCLAMATIONS**

Distinguished Service Award – Sinclair Black – To be presented by Council Member Leslie Pool and to be accepted by the honoree

Proclamation – Blinded Veterans Day – To be presented by Council Member Ora Houston and to be accepted by Kevin Jackson

Proclamation – Navy Week – To be presented by Mayor Steve Adler and to be accepted by United States Navy Vice Admiral Raquel Bono

Proclamation – Art Alliance Festival – To be presented by Council Member Leslie Pool

Proclamation – Million Mile Month – To be presented by Mayor Steve Adler and to be accepted by Steve Amos, Executive Director, HealthCode

Proclamation – David Matustik – To be presented by Mayor Steve Adler and to be accepted by the honoree

Distinguished Service Award – Patricia Fraga – To be presented by Mayor Steve Adler and to be accepted by the honoree

**Mayor Adler reconvened the meeting at 7:00 p.m.**

**ZONING AND NEIGHBORHOOD PLAN AMENDMENTS CONTINUED**

**Items 73 and 74 were acted on in one combined motion.**

73. NPA-2016-0021.01 – 5016 ½ E. Ben White Blvd. – District 3 - Approve second and third readings of an ordinance amending Ordinance No. 20061116-055 of the East Riverside/Oltorf Combined Neighborhood Plan, an element of the Imagine Austin Comprehensive Plan, to change the future land use designation on the future land use map (FLUM) on property locally known as 5016 ½ E. Ben White Blvd. (Country Club West/Carson Creek Watershed) from Commercial land use to Mixed Use land use. First reading approved on February 16, 2017 for Commercial and Mixed Use land use. Vote: 10-0, with G. Casar off the dais. Owner/Applicant: Ashley Gibson. Agent: Brown and Gay Engineers (Steven Buffum, P.E.). City Staff: Maureen Meredith, (512) 974-2695.

**A motion to approve the ordinance to change the future land use map (FLUM) to mixed use land use was made on Council Member Renteria's motion and seconded by Council Member Houston.**

**A motion to approve the ordinance on second reading only was made on Council Member Garza's motion and seconded by Council Member Casar. The motion was accepted without objection.**

**The ordinance was approved on second reading only to change the future land use map (FLUM) to mixed use land use on Council Member Renteria'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, and Troxclair. Those voting nay were: Council Members Pool and Renteria.**

74. C14-2016-0069 – 5016 ½ E. Ben White Zoning – District 3 – Approve second and third readings of an ordinance amending City Code Title 25-2 by rezoning property locally known as 5016 ½ East Ben White Boulevard (West Country Club and Carson Creek Watersheds) from general commercial services-conditional overlay-neighborhood plan (CS-CO-NP) combining district zoning to general commercial services-mixed use-conditional overlay- neighborhood plan (CS-MU-CO-NP) combining district zoning for Tract 1 and from community commercial-conditional overlay-neighborhood plan (GR-CO-NP) combining district zoning to community commercial-mixed use -conditional overlay-neighborhood plan (GR-MU- CO-NP) combining district zoning for Tract 2. Staff Recommendation: To grant general commercial services-mixed use-conditional overlay-neighborhood plan (CS-MU-CO-NP) combining district zoning for Tract 1 and community commercial-mixed use-conditional overlay- neighborhood plan (GR-MU- CO-NP) combining district zoning for Tract 2. First Reading approved on February 16, 2017, vote 10-0. Applicant/Agent: Brown & Gay Engineers (Steven Buffum). Owner: Azur Property Investment. City Staff: Andrew Moore, 512-974-7604.

**A motion to approve the ordinance for general commercial services-mixed use-conditional overlay- neighborhood plan (CS-MU-CO-NP) combining district zoning for Tract 1 and community commercial-mixed use -conditional overlay-neighborhood plan (GR-MU- CO-NP) combining district zoning for Tract 2 with the following amendment was made by Council Member Renteria and seconded by Council Member Houston.**

**The amendment was to revise Part 3 to read:**

**“(A). An emergency access drive, dedicated by easement, shall be required at the time of site plan approval. The easement shall be a minimum of 25 feet wide and shall provide a connection sufficient for emergency vehicles between the existing terminus of Sunridge Drive and the frontage road of Ben White Blvd. The easement shall be designed in accordance with Section 503 of the International Fire Code (2012 edition) and City of Austin amendments.”**

**“(B). The Development Services Department has determined that the required dedication is roughly proportionate to anticipated traffic generated by the development, based on maximum development intensity allowed under applicable zoning. As part of the development, an appropriate terminus of Sunridge Drive shall be provided in compliance with City of Austin Code and criteria.”**

**A motion to approve the ordinance on second reading only with the amendments listed above was made on Council Member Garza's motion and seconded by Council Member Casar. The motion was accepted without objection.**

**The ordinance was approved on second reading only for general commercial services-mixed use-conditional overlay- neighborhood plan (CS-MU-CO-NP) combining district zoning for Tract 1 and from community commercial-conditional overlay-neighborhood plan (GR-CO-NP) combining district zoning to community commercial-mixed use -conditional overlay-neighborhood plan (GR-MU- CO-NP) combining district zoning for Tract 2 on Council Member Renteria'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, and Troxclair. Those voting nay were: Council Members Pool and Renteria.

83. C814-2014-0120 - Austin Oaks PUD - District 10 - Conduct a public hearing and approve second reading 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. First Reading approved with conditions on December 15, 2016. Vote: 6-3, Council Members Casar, Gallo and Zimmerman voted nay; Council Members Garza and Troxclair were off the dais. Applicant: Graves Dougherty Hearon & Moody (Michael Whellan). Owner: Twelve Lakes LLC, Jon Ruff. City Staff: Andrew Moore, 512-974-7604. A valid petition has been filed in opposition to this rezoning request.

**The public hearing was conducted and a motion to approve the ordinance as amended below on second reading only for planned unit development (PUD) district zoning was made by Council Member Alter and seconded by Council Member Pool, The amendment was:**

**To revise Part 4. B Definitions: Land Use Classifications of the ordinance to read:**

**“B. Land Use Classifications. In this ordinance:**

**1. AO Hotel or office is a classification for Parcel 6 as shown in Exhibit B: Land Use Plan with the uses shown on Exhibit D.**

**7. ...Spicewood Office Mixed Use is a classification for Parcel 7 as shown in Exhibit B.”**

**A. To revise Part 5. A to read: “A mixed-use development is required on Parcel 9 and Parcel 8 with retail ground floor use and multifamily residential above the ground floors.”**

**To strike the first sentence found in Part 5. F from the ordinance.**

**To revise Part 9. A to read:**

**A. “The Landowner shall mitigate transportation impacts as set forth in the Development Services Department, Transportation Review Section’s Transportation Impact Analysis (TIA) memo dated October 6, 2016, Exhibit C, and Exhibit G: Streetscape Plan. The landowner shall pay 100% of costs, including design and overhead, of the improvements specified in Exhibit C and Exhibit N.”**

**To add a new Section D to Part 9 to read:**

**“D. A site plan or building permit for the Property may not be approved, released, or issued if the completed development or uses of the Property, considered cumulatively with all existing or previously authorized development and uses, generate traffic that exceeds 19,648 trips per day.”**

**To revise Exhibit C, Section B to read: –**

**B. “Within one (1) year of the Effective Date of this Ordinance, the amount of \$561,324.38 shall be deposited with the City which must be used for design and the installation of a traffic signal at the intersection of Hart Lane and Spicewood Springs Road.”**

**To include the following Exhibit N as an attachment to the ordinance to read:**

As part of the TIA, the applicant provided probable cost estimates to perform the identified improvements.

Location	Improvements	Probable Cost (\$)	Site Traffic (%)
1. Spicewood Springs Road & Loop 1 SBFR (2018)	Create Channelized turn from Mo-Pac to Spicewood Springs	\$175,000	7.3%
2. Far West Blvd & Wood Hollow Drive (2018)	Provide a right-turn overlap signal operation	\$20,000	5.8%
3. Executive Center Drive & Wood Hollow Drive (2022)	Widen Executive Center Drive to a four-lane cross-section	\$20,000	52.6%
4. Executive Center Drive & Hart Lane (2024)	Restripe westbound approach of Executive Center Drive and Hart Lane	\$20,000	79.1%
5. Executive Center Drive & Hart Lane (2024)	Restripe Hart Lane	\$20,000	79.1%
6. Executive Center Drive & Wood Hollow Drive (2024)	Conduct Traffic signal warrant analysis	\$10,000	52.6%
7. Executive Center Drive & Wood Hollow Drive (2024)	Install a fully actuated traffic signal if warranted	\$250,000	52.6%
8. Greystone Drive & Wood Hollow Drive (2024)	Restripe northbound approach	\$20,000	40.2%
9. Spicewood Springs Road & Hart Lane (2018)	Widen Hart Lane	\$150,000	11.0%
<b>Recommended Improvements Total</b>		<b>\$685,000</b>	<b>--</b>

The following friendly amendments were made by Council member Pool and accepted without objection. The amendments were:

To insert a new superiority element in Part 7.C.5 to read:

“5. At least two of the Heritage Trees permitted to be removed under Part 10.B.6 shall be transplanted within the Austin Oaks PUD. The trees and locations selected for transplanting shall be approved by the City Arborist. Mitigation credit of 750 caliper inches per tree shall be granted for the transplanting up to two Heritage Trees. The mitigation credit shall apply to the PUD as a whole, but each site plan shall replant replacement trees to the extent feasible, as determined by the City Arborist, prior to utilizing mitigation credit from the transplanted Heritage Trees.”

To insert a new superiority element in Part 7.G to read:

“G. Excavation within 300 feet of the offsite springs, as shown in Exhibit B, shall be limited to a maximum of 15 feet in depth. This restriction does not apply to pilings, piers, columns, or similar limited diameter building support structures.”

To revise Part 10.B.10 to read:

“10. City Code Sections 25-8-621 (*Permit Required for Removal of Protected Trees: Exceptions*) and 25-8-641 (B) (*Removal Prohibited*) are modified to allow the removal of trees identified to be removed in Exhibit H: Tree Plan, including those trees identified as tag numbers 904, 952, 1075, 1094, 1163, 1289, 2008, 2031, 2033, 2037, 2107, 2227, and 2233. The Heritage Tree identified as tag number 1289 shall be preserved. Notwithstanding any other provision of this ordinance, trees identified to be removed in Exhibit H may only be removed following a pre-construction meeting with the City’s Environmental inspector at the time of site plan for each particular parcel with the PUD.”

To revise Part 10.B.11 to read:

“11. ECM Section 3.3.2.A (*General Tree Survey Standards*) is modified to allow Exhibit K: Tree Survey to be used for development applications submitted until November 22, 2033. ~~{for 20 years from the survey date}~~. Development applications submitted after November 22, 2033 shall require a new tree survey that complies with the rules and regulations in effect at the time of application. This modification is not intended to set a precedent for future development. Any amendment to the PUD that proposes a reduction in the tree preservation requirements set out in this ordinance shall require a new tree survey that complies with the rules and regulations in effect at the time of the amendment.”

A substitute motion to approve the draft ordinance with the following amendments was approved on Council Member Casar’s motion, seconded by Council Member Flannigan on a 6-5 vote. Those voting aye were: Mayor Adler, Council Members Casar, Flannigan, Garza, Renteria and Troxclair. Those voting nay: Mayor Pro Tem Tovo, Council Members Alter, Houston, Kitchen and Pool. The amendments were:

To revise Part 8.A Multifamily Rental Housing to read: “At least 10.8% of the total number of multifamily rental housing units located within the Austin Oaks PUD will be set aside for occupancy by households with incomes at 60% of or below the MFI for a rental affordability period of forty years from the date the unit is leased to an eligible household, so long as the unit remains in compliance with the terms of the affordable housing program. The 10.8% set aside under this section constitutes the “Affordable Rental Units.” In addition the Landowner agrees to comply with the following...”

To add a new number 2 under Part 8. A and to renumber the remaining sections. Part 8. A. 2 should read: At least 50% of the Affordable Rental Units must contain 2 or more bedrooms.

To revise Part 8. B to read: “At least 11.3%\_of the total number of units sold as owner-occupied residential housing units located within the Austin Oaks PUD will be set aside for occupancy by households with incomes at 80% of or below MFI for an affordability period of (1) ninety-nine years for fee-simple ownership units governed by a condominium declaration and community land trust units or (2) forty years for fee-simple units not governed by a condominium declaration. The 11.3%\_set aside under this section constitutes the Affordable Ownership units. In addition the Landowner agrees to comply with following:”

To add a new number 2 under Part 8. B and to renumber the remaining sections. Part 8. B. 2 should read: “2. At least 50% of the Affordable Ownership Units must contain 2 or more bedrooms.”

A friendly amendment to have \$800,000 for affordable housing and \$826,000 go toward traffic mitigation to be applied to Exhibit N and the traffic light in Part C was made by Council Member Flannigan. The friendly amendment was accepted without objection.

A motion to amend the ordinance as listed below was approved on Mayor Pro Tem Tovo, seconded by Council Member Houston on a 10-1 vote. Council Member Troxclair voted nay. The amendment was:

To revise Part 8.A.2 to read: “At least 50% of the Affordable Rental Units must contain 2 or more bedrooms and shall have the same minimum average unit size as the market rate units located in the same building.”

A motion to approve staff amendments to the ordinance was approved on Council Member Flannigan’s motion, Council Member Garza’s second on a 9-0 vote. Council Member Alter abstained. Council Member Houston was off the dais. The amendments were:

- To amend Part 4.A.3 to read: “SITE means a site within the Austin Oaks PUD that crosses a public street or right-of-way.”
- To add a new Part 10.A.1.b and to renumber remaining sections. Part 10.A.1.b should read: “Except as required to comply with Federal ADA requirements, the regulations in Subsections 2.2.5.B.-H. (*Internal Circulation Routes: Sidewalks and Building Placement Requirements for Large Sites*), Section 2.2 (*Relationship of Buildings to Streets and Walkways*) related to the construction of sidewalks, internal circulation routes, block standards, circulation, building placement, parking, off-street parking, and joint access do not apply within the Austin Oaks PUD. Five foot sidewalks adjacent to right-of-way and where necessary to comply with Federal ADA requirements.”
- To amend Part 10.A.1.g to read “Subsection 4.2.1.D. (*District Standards*) of Article 4 (*Mixed Use*), Section 4.2 (*Mixed Use Zoning Districts*) is modified so that the minimum site area requirements for each dwelling unit within the zoning districts do not apply within the Austin Oaks PUD.”
- To add a new Part 10.A.4 and renumber remaining sections. Part 10.A.4 should read: “Section 25-2-243 (*Proposed District Boundaries Must Be Contiguous*) is modified to provide that the boundaries of the Austin Oaks PUD may be noncontiguous.”
- To add a new Part 10.E. Fire to read: “1. Section 4.4.0 (*General Provisions for Fire Safety*) of the Fire Protection Criteria Manual is modified to provide that fire access from Spicewood Springs Road will be allowed by the construction of 3 access stairways installed approximately every 200 feet between approximately 350 feet

**west of Wood Hollow intersection to a point 200 east of Hart Lane intersection. The stairways shall be installed and maintained by the Landowner, and be a minimum 60 inches wide with handrails and landings.”**

**A motion to approve a new section D to Part 9 was approved on Council Member Pool’s motion without objection. Part 9 D should read: “Part 9. D A site plan or building permit for the Property may not be approved, released, or issued if the completed development or uses of the Property, considered cumulatively with all existing or previously authorized development and uses, generate traffic that exceeds 19,648 unadjusted trips per day. A request to change the 19,648 unadjusted trips per day limit requires approval by the City Council.”**

**The public hearing was conducted and a motion to keep the public hearing open and approve the ordinance on second reading only for planned unit development (PUD district zoning as amended above was approved on Council Member Casar’s motion, Council Member Flannigan’s second on a 7-4 vote. Those voting aye were: Mayor Adler, Council Members Casar, Flannigan, Garza, Kitchen, Renteria and Troxclair. Those voting nay were: Mayor Pro Tem Tovo, Council Members Alter, Houston and Pool.**

78. C14-2016-0063.SH – Villas at Vinson Oak Rezone – District 3 – Approve second and third readings of an ordinance amending City Code Title 25 by rezoning property locally known as 4507 and 4511 Vinson Drive (Williamson Creek Watershed) from family residence-neighborhood plan (SF-3-NP) combining district zoning to townhouse and condominium residence-conditional overlay-neighborhood plan (SF-6-CO-NP) combining district zoning. This case involves a S.M.A.R.T. Housing project. First Reading approved on February 16, 2017. Vote: 8-0-3, Council Members Houston, Pool, Renteria - abstained. Owner/Applicant: Notigius LLC – Series Vinson (Antonio Giustino). Agent: Perales Engineering, LLC (Jerry Perales, P.E.). City Staff: Wendy Rhoades, 512-974-7719. A valid petition has been filed in opposition to this rezoning request.

**A motion to approve the ordinance on second reading only for townhouse and condominium residence-conditional overlay-neighborhood plan (SF-6-CO-NP) combining district zoning was approved on Council Member Casar’s motion, Council Member Garza’s second on an 8-3 vote. Those voting aye were: Mayor Adler, Mayor Pro Tem Tovo, Council Members Alter, Casar, Flannigan, Garza, Kitchen and Troxclair. Those voting nay were: Council Members Houston, Pool, and Renteria.**

**Mayor Adler adjourned the meeting at 1:03 a.m. without objection.**

**The minutes were approved on this the 6<sup>th</sup> day of April 2017 on Council Member Alter’s motion, Council Member Kitchen’s second on an 11-0 vote.**

**The minutes were amended on February 15, 2018 on Council Member Garza’s motion, Council Member Flannigan’s second on a 10-0 vote. Council Member Casar was off the dais**

**Amendments were made to item(s) number 22 and 52.**