

**AUSTIN CITY COUNCIL
MINUTES****REGULAR MEETING
THURSDAY, JUNE 8, 2017**

Invocation: Rabbi Mendy Levertov, Chabad Austin

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, June 8, 2017 in the Council Chambers of City Hall, 301 West Second Street, Austin, Texas.

Mayor Adler called the Council Meeting to order at 10:14 a.m. Council Members Garza and Kitchen were absent.

CONSENT AGENDA

The following items were acted on by one motion.

1. Approve the minutes of the Austin City Council discussion of April 18, 2017, discussion of May 16, 2017, work session of May 16, 2017, budget work session of May 17, 2017, regular meeting of May 18, 2017 and special called meeting of May 31, 2017.
The minutes from the City Council discussion of April 18, 2017, discussion of May 16, 2017, work session of May 16, 2017, budget work session of May 17, 2017, regular meeting of May 18, 2017 and special called meeting of May 31, 2017 were approved on consent on Council Member Flannigan's motion, Council Member Alter's second on a 9-0 vote. Council Members Garza and Kitchen were absent.
2. Approve issuance of a rebate to TX Apartment 33 Management LLC, for performing energy efficiency improvements at the Villas Del Sol Apartments located at 1711 and 1647 Rutland Drive, in an amount not to exceed \$107,553 (District 4).
The motion approving issuance of a rebate to TX Apartment 33 Management LLC was approved on consent on Council Member Flannigan's motion, Council Member Alter's second on an 8-1 vote. Council Member Troxclair voted nay. Council Members Garza and Kitchen were absent.
3. Approve issuance of a rebate to GW BLOCK 23 OFFICE, LLC, for performing energy efficiency improvements at 500 West 2nd Street, in an amount not to exceed \$81,453. (District 9)
The motion approving issuance of a rebate to GW Block 23 Office, LLC was approved on consent on Council Member Flannigan's motion, Council Member Alter's second on an 8-1 vote. Council Member Troxclair voted nay. Council Members Garza and Kitchen were absent.

Item 4 was pulled for discussion.

5. Authorize the use of the competitive sealed proposal procurement method for solicitation of construction of a new recreation and community building for the new Montopolis Recreation and Community Center. (Notes: MBE/WBE goals will be established for this solicitation prior to issuance.)

The motion authorizing the use of the competitive sealed proposal procurement method for solicitation of construction of a new recreation and community building for the new Montopolis Recreation and Community Center was approved on consent on Council Member Flannigan's motion, Council Member Alter's second on a 9-0 vote. Council Members Garza and Kitchen were absent.

6. Authorize negotiation and execution of a professional services agreement with JACOBS ENGINEERING GROUP, INC., (staff recommendation) or one of the other qualified responders to Request for Qualifications Solicitation No. CLMP221, to provide engineering services for the Austin Community College Chiller Plant, in an amount not to exceed \$3,000,000. (District 4) (Notes: This contract will be awarded in compliance with City Code Chapter 2-B (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 a professional services agreement with Jacobs Engineering Group, Inc. was approved on consent on Council Member Flannigan's motion, Council Member Alter's second on a 9-0 vote. Council Members Garza and Kitchen were absent.

Item 7 was pulled for discussion.

8. Approve a resolution creating the Art Space Assistance Program as an economic development program of the City, and approve program guidelines.

Resolution No. 20170608-008 was approved on consent on Council Member Flannigan's motion, Council Member Alter's second on a 9-0 vote. Council Members Garza and Kitchen were absent.

9. Approve a resolution directing the publication of an Official Notice of Intention to Issue \$35,325,000 City of Austin, Texas, Certificates of Obligation, Series 2017.

Resolution No. 20170608-009 was approved on consent on Council Member Flannigan's motion, Council Member Alter's second on an 8-1 vote. Council Member Troxclair voted nay. Council Members Garza and Kitchen were absent.

10. Authorize execution of a service agreement compensating the City for providing fire services within Travis County Emergency Service District #4.

This item was postponed to June 15, 2017 on consent on Council Member Flannigan's motion, Council Member Alter's second on a 9-0 vote. Council Members Garza and Kitchen were absent.

Item 11 was pulled for discussion.

12. Approve a resolution authorizing amendments to the Articles of Incorporation and Bylaws of the Austin/Travis County Sobriety Center Local Government Corporation.

Resolution No. 20170608-012 was approved on consent on Council Member Flannigan's motion, Council Member Alter's second on a 9-0 vote. Council Members Garza and Kitchen were absent.

13. Approve an ordinance designating the Chestnut Neighborhood Revitalization Corporation and the Guadalupe Neighborhood Development Corporation as Community Land Trusts and granting the corporations a property tax exemption on certain properties.
Ordinance No. 20170608-013 was approved on consent on Council Member Flannigan's motion, Council Member Kitchen's second on an 8-0 vote. Council Member Troxclair abstained. Council Members Garza and Kitchen were absent.
14. Authorize negotiation and execution of a 60-month lease agreement for approximately 480 square feet of rack space and 200 square feet of support space for a data center in an amount not to exceed \$1,120,083.07.
The motion authorizing negotiation and execution of a lease agreement for a data center was approved on consent on Council Member Flannigan's motion, Council Member Alter's second on a 9-0 vote. Council Members Garza and Kitchen were absent.

Items 15 and 16 were pulled for discussion.

17. Approve an ordinance amending the Fiscal Year 2016-2017 Parks and Recreation Department Operating Budget Special Revenue Fund (Ordinance No. 20160914-001) to appropriate a \$32,500 grant award from the Asian American Resource Center, Inc. for previously-incurred salary expenses for a grant-funded position at the City of Austin Asian American Resource Center.
Ordinance No. 20170608-017 was approved on consent on Council Member Flannigan's motion, Council Member Alter's second on a 9-0 vote. Council Members Garza and Kitchen were absent.
18. Approve an ordinance amending the Fiscal Year 2016-2017 Parks and Recreation Department Operating Budget Special Revenue Fund (Ordinance No. 20160914-001) to accept grant funds in the amount of \$20,000; and amending the Fiscal Year 2016-2017 Parks and Recreation Department Capital Budget (Ordinance No. 20160914-002) to transfer in and appropriate \$20,000 from the Parks and Recreation Department Operating Budget Special Revenue Fund for improvements to the City park located at Kealing Middle School.
Ordinance No. 20170608-018 was approved on consent on Council Member Flannigan's motion, Council Member Alter's second on a 9-0 vote. Council Members Garza and Kitchen were absent.
19. Approve an ordinance adopting the First Amendment to the Southeast Travis County Municipal Utility District No. 4 Consent Agreement relating to affordable housing and municipal utility district bonds (District 2).
Ordinance No. 20170608-019 was approved on consent on Council Member Flannigan's motion, Council Member Kitchen's second on a 9-0 vote. Council Members Garza and Kitchen were absent.
20. Approve an ordinance adopting the First Amendment to the Southeast Travis County Municipal Utility District No. 1 Consent Agreement relating to affordable housing, municipal utility district bonds, and temporary use of pump and haul, and waiving City Council Resolution No. 20080214-055 prohibiting the use of pump and haul for untreated wastewater except in certain circumstances (District 2).
Ordinance No. 20170608-020 was approved on consent on Council Member Flannigan's motion, Council Member Alter's second on a 9-0 vote. Council Members Garza and Kitchen were absent.

21. Approve an ordinance adopting the First Amendment to the Southeast Travis County Municipal Utility District No. 3 Consent Agreement relating to affordable housing and municipal utility district bonds (District 2).
Ordinance No. 20170608-021 was approved on consent on Council Member Flannigan's motion, Council Member Alter's second on a 9-0 vote. Council Members Garza and Kitchen were absent.
22. Approve an ordinance adopting the First Amendment to the Southeast Travis County Municipal Utility District No. 2 Consent Agreement relating to affordable housing and municipal utility district bonds (District 2).
Ordinance No. 20170608-022 was approved on consent on Council Member Flannigan's motion, Council Member Alter's second on a 9-0 vote. Council Members Garza and Kitchen were absent.
23. Authorize negotiation and execution of amendments to contracts for juvenile delinquency prevention services extending the contract term through August 31, 2017, with MEXIC-ARTE MUSEUM in an increased amount of \$18,746, for a revised total contract not to exceed \$168,717; CREATIVE ACTION in an increased amount of \$19,586, for a revised total contract amount not to exceed \$176,280; and WORKERS ASSISTANCE PROGRAM in an increased amount of \$8,870, for a revised total contract amount not to exceed \$74,604.
The motion authorizing negotiation and execution of amendments to contracts with Mexic-Arte Museum, Creative Action and Workers Assistance Program was approved on consent on Council Member Flannigan's motion, Council Member Alter's second on an 8-0 vote. Mayor Pro Tem Tovo abstained. Council Members Garza and Kitchen were absent.

Item 24 was pulled for discussion.

25. Authorize negotiation and execution of a 12-month contract through the State of Texas Department of Information Resources cooperative purchasing program with TIME WARNER ENTERTAINMENT – ADVANCED NEWHOUSE PARTNERSHIP DBA TIME WARNER CABLE, to provide broadband internet services, in an estimated amount of \$210,100, with four 12-month extension options in an estimated amount of \$210,100 per extension option, for a total contract amount not to exceed \$1,050,500. (Notes: This procurement was reviewed for subcontracting opportunities in accordance with City Code Chapter 2-9C Minority Owned and Women Owned Business Enterprise Procurement Program. For the services required for this solicitation, there were no subcontracting opportunities; therefore, no subcontracting goals were established.)
The motion authorizing negotiation and execution of a contract through the State of Texas Department of Information Resources cooperative purchasing program with Time Warner Entertainment – Advanced Newhouse Partnership doing business as Time Warner Cable was approved on consent on Council Member Flannigan's motion, Council Member Alter's second on a 9-0 vote. Council Members Garza and Kitchen were absent.
26. Authorize negotiation and execution of a 36-month contract with ENVISIONWARE, INC., to provide a single integrated solution for computer reservations, pay for print, scanning, photocopying, and fine and fee payment services, for a total contract amount not to exceed \$548,169. (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 Envisionware, Inc. was approved on consent on Council Member Flannigan's motion, Council Member Alter's second on a 9-0 vote. Council Members Garza and Kitchen were absent.

27. Authorize negotiation and execution of a 36-month contract with REDQUARTZ USA, LLC., or one of the other qualified offerors to Request For Proposals PAX0137, to provide a safety management system, in an amount not to exceed \$222,000, with three 12-month extension options in an amount not to exceed \$51,000 per extension option, for a total contract amount not to exceed \$375,000. (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; therefore, no subcontracting goals were established.)
The motion authorizing negotiation and execution of a contract with Redquartz USA, LLC was approved on consent on Council Member Flannigan's motion, Council Member Alter's second on a 9-0 vote. Council Members Garza and Kitchen were absent.

28. Approve ratification of a contract with HENSEL PHELPS CONSTRUCTION COMPANY, for emergency repair and roof replacement, in an amount not to exceed \$253,095. (Notes: Emergency contracts are exempt 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 approving ratification of a contract with Hensel Phelps Construction Company was approved on consent on Council Member Flannigan's motion, Council Member Alter's second on a 9-0 vote. Council Members Garza and Kitchen were absent.

29. Authorize negotiation and execution of a 12-month contract with JOURNAL TECHNOLOGIES, INC., or one of the other qualified offerors to Request For Proposals JTH0306, to provide a court case management system in an estimated amount of \$1,025,000, with four 12-month extension options for maintenance and support in an amount of \$455,000 per extension option, for a total contract amount not to exceed \$2,845,000. (Notes: This solicitation was reviewed for subcontracting opportunities in accordance with City Code Chapter 2-9 D Minority Owned and Women Owned Business Enterprise Procurement Program. For the goods and services required for this solicitation, there were no subcontracting opportunities; therefore, no subcontracting goals were established. However, the recommended firm has identified subcontracting opportunities and the resulting contract will include 7% MBE participation.)
The motion authorizing negotiation and execution of a contract with Journal Technologies, Inc. was approved on consent on Council Member Flannigan's motion, Council Member Alter's second on a 9-0 vote. Council Members Garza and Kitchen were absent.

30. Authorize negotiation and execution of a 12-month contract through the General Services Administration cooperative purchasing program with GEOGRAPHICAL INFORMATION SERVICES, INC., to provide geographic information systems data maintenance services, in an estimated amount of \$138,600, with three 12-month extension options in an estimated amount of \$138,600 per extension option, for a total contract amount not to exceed \$554,400. (Notes: This procurement was reviewed for subcontracting opportunities in accordance with City Code Chapter 2-9C Minority Owned and Women Owned Business Enterprise Procurement Program. For the services required for this procurement, there were no subcontracting opportunities; therefore, no subcontracting goals were established.)
The motion authorizing negotiation and execution of a contract with Geographical Information Services, Inc. was approved on consent on Council Member Flannigan's

motion, Council Member Alter's second on a 9-0 vote. Council Members Garza and Kitchen were absent.

31. Authorize negotiation and execution of a 12-month contract with AUSTIN COMMUNITY RADIO DBA KAZI FM 88.7, or one of the other qualified offerors to Request For Proposals SMB0106, to provide radio broadcast of City meetings, in an estimated amount of \$113,220, with four 12-month extension options in an estimated amount of \$80,250 per extension option, for a total contract amount not to exceed \$434,220. (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 no subcontracting opportunities; therefore, no subcontracting goals were established.)
The motion authorizing negotiation and execution of a contract with Austin Community Radio doing business as KAZI FM 88.7 was approved on consent on Council Member Flannigan's motion, Council Member Alter's second on a 9-0 vote. Council Members Garza and Kitchen were absent.

Item 32 was pulled for discussion.

33. Approve a resolution relating to improvements within the Red River Cultural District. (Notes: SPONSOR: Mayor Pro Tem Kathie Tovo CO 1: Mayor Steve Adler CO 2: Council Member Ora Houston CO 3: Council Member Jimmy Flannigan)
Resolution No. 20170608-033 was approved on consent on Council Member Flannigan's motion, Council Member Alter's second on a 9-0 vote. Council Members Garza and Kitchen were absent.
34. Approve an ordinance waiving or reimbursing certain fees for the Umlauf Garden Party - Under a Texas Sky event sponsored by the Umlauf Sculpture Garden and Museum which was held on Thursday April 27, 2017 at Umlauf Gardens. (Notes: SPONSOR: Council Member Ann Kitchen CO 1: Mayor Steve Adler CO 2: Council Member Alison Alter CO 3: Council Member Leslie Pool)
Ordinance No. 20170608-034 was approved on consent on Council Member Flannigan's motion, Council Member Alter's second on an 8-0 vote. Council Member Troxclair abstained. Council Members Garza and Kitchen were absent.
35. Approve an ordinance waiving or reimbursing certain fees for the School Field Day at Brentwood Neighborhood Park sponsored by Brentwood Elementary which was held Friday, May 19, 2017 at Brentwood Neighborhood Park. (Notes: SPONSOR: Council Member Leslie Pool CO 1: Council Member Jimmy Flannigan CO 2: Council Member Alison Alter CO 3: Council Member Ann Kitchen)
Ordinance No. 20170608-035 was approved on consent on Council Member Flannigan's motion, Council Member Alter's second on an 8-0 vote. Council Member Troxclair abstained. Council Members Garza and Kitchen were absent.
36. Approve a resolution directing the City Manager to identify funding for childcare services for participants in the Passages Program. (Notes: SPONSOR: Mayor Pro Tem Kathie Tovo CO 1: Council Member Delia Garza CO 2: Council Member Leslie Pool CO 3: Council Member Sabino "Pio" Renteria)
This item was postponed to June 15, 2017 on consent on Council Member Flannigan's motion, Council Member Alter's second on a 9-0 vote. Council Members Garza and Kitchen were absent.

37. Approve a resolution initiating amendments to City Code Title 25 (Land Development) relating to sign regulation. (Notes: SPONSOR: Council Member Ora Houston CO 1: Council Member Sabino "Pio" Renteria CO 2: Mayor Steve Adler CO 3: Council Member Leslie Pool)
Resolution No. 20170608-037 was approved on consent on Council Member Flannigan's motion, Council Member Alter's second on a 9-0 vote. Council Members Garza and Kitchen were absent.
38. Set a public hearing to consider an ordinance authorizing negotiation and execution of an agreement with Austin Independent School District establishing site development standards for redevelopment of Bowie High School, located at 4103 W. Slaughter Lane. This action concerns land located within the Barton Springs Zone. (Suggested public hearing date and time: June 22, 2017 4:00 p.m.)
The public hearing was set on consent for June 22, 2017, 4:00 p.m. at 301 W. Second Street, Austin, TX on Council Member Flannigan's motion, Council Member Alter's second on a 9-0 vote. Council Members Garza and Kitchen were absent.

Items 39 through 41 were Executive Session Items.

Items 42 through 44 were Zoning Ordinances/Restrictive Covenants (HEARINGS CLOSED).

Items 45 through 53 were Zoning and Neighborhood Plan Amendment Items (Public Hearing and Possible Action).

Item 54 was the Austin Housing and Finance Corporation Meeting set for 3:00 p.m.

Items 55 through 62 were public hearing items set for 4:00 p.m.

DISCUSSION ITEMS

4. Approve an ordinance amending the Fiscal Year 2016-2017 Austin Energy Operating Budget (Ordinance No. 20160912-001) to decrease the Austin Energy Operating Fund Ending Balance by \$889,608 and increase the Conservation Rebates expenses by \$889,608, to provide additional funding for Austin Energy's Weatherization Program and the Customer Assistance Program's Low Income Weatherization Program.
Ordinance No. 20170608-004 was approved on Council Member Alter's motion, Council Member Pool's second on a 9-0 vote. Council Members Garza and Kitchen were absent.
7. Authorize negotiation and execution of a professional services agreement with LIMBACHER & GODFREY, INC., (staff recommendation) or one of the other qualified responders to Request for Qualifications Solicitation No. CLMP223 to provide architectural services for Zilker Metro Barton Springs Bathhouse Rehabilitation in an amount not to exceed \$480,000. (Notes: This contract will be awarded in compliance with City Code Chapter 2-B (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 a professional services agreement with Limbacher & Godfrey, Inc. was approved on Mayor Pro Tem Tovo's motion, Council Member Alter's second on a 9-0 vote. Council Members Garza and Kitchen were absent.

15. Approve an ordinance amending City Code Chapter 8-1 related to park use, enforcement, amplified sound, parking, motor vehicles, penalties, and limits on special event days at Zilker Metropolitan Park, Auditorium and Vic Mathias Shores at Town Lake Metropolitan Park, and Fiesta Garden/Edward Rendon Senior Metropolitan Park at Festival Beach; and amending City Code Chapter 12-5 related to parking at park facilities and property, and creating offenses and establishing penalties.

The item was postponed to June 15, 2017 on Council Member Flannigan's motion, Council Member Casar's second on a 6-3 vote. Those voting aye were: Mayor Adler, and Council Members: Alter, Casar, Flannigan, Renteria, and Troxclair. Those voting nay were: Mayor Pro Tem Tovo and Council Members Houston and Pool. Council Members Garza and Kitchen were absent.

11. Approve a resolution adopting the City Manager Search Advisory Task Force Proposed Work Plan.

Resolution No. 20170608-011 was approved as amended below on Council Member Alter's motion, Mayor Pro Tem Tovo's second on a 9-0 vote. Council Members Garza and Kitchen were absent.

Council Member Pool recommended the following changes which were accepted without objection and incorporated into the proposed work plan:

Revise the Advisory Task Force Proposed Work Plan, page three, the third bullet to read: District Input. Task Force Members will coordinate with their respective Council Member's office to gather input for the city manager profile. The format and timing will vary according to the needs and preferences of the council member.

Revise the Advisory Task Force Proposed Work Plan, page four, the Proposed Meeting Schedule, second paragraph, to read:

June 9 – 30, 2017: District Input. Purpose: Each task force member will coordinate with their respective Council Member's office to receive feedback on the City Manager profile.

16. Approve up to 20 days that Republic Square Park may be closed to the general public per fiscal year.

This item was postponed to June 15, 2017 on Mayor Pro Tem Tovo's motion, Council Member Casar's second on a 9-0 vote. Council Members Garza and Kitchen were absent.

32. 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 Council Member Alter's motion, Council Member Houston's second on a 9-0 vote. Council Members Garza and Kitchen were absent.

Board/Nominee

Nominated by

**Animal Advisory Commission
Heather Allard**

Council Member Casar

**Asian American Quality of Life Advisory Commission
Peter Chao**

Council Member Alter

Commission on Immigrant Affairs
Nasario Jaimes

Council Member Casar

Commission on Seniors
Sandra Serna

Council Member Casar

Community Technology & Telecommunications Commission
Aaron Tao

Council Member Troxclair

Downtown Austin Community Court Advisory Board
Ann Howard

Council Member Alter

Downtown Commission
August Harris

Council Member Alter

Environmental Commission
Alesha Istvan

Council Member Casar

Historic Landmark Commission
Andrew Brown

Council Member Troxclair

Joint Inclusion Committee
Nicole Merritt

Commission on Immigrant Affairs

Joint Inclusion Committee
Robin Orlowski

Mayor's Committee for People with Disabilities

Lesbian, Gay, Bisexual, Transgender, and Queer Quality of Life Advisory Commission
Brandon Wollerson

Council Member Alter

Parks & Recreation Board
Romteen Farasat

Council Member Casar

Robert Mueller Municipal Airport Plan Implementation Advisory Commission
Kenneth Ronsonette

Council Member Alter

South Central Waterfront Advisory Board
Brooke Bailey

Mayor Adler/Mayor Pro Tem Tovo

South Central Waterfront Advisory Board (ex-officio)
Molly Alexander

Downtown Austin Alliance

South Central Waterfront Advisory Board (ex-officio)
Rebecca Giello

Neighborhood Housing & Community Development

South Central Waterfront Advisory Board (ex-officio)
Annick Beaudet

Transportation Department

Urban Transportation Commission
Michael Wilfley

Council Member Alter

Waivers

Approve a waiver of the requirement in Section 2-1-21(H) of the City Code for the appointment of Brooke Bailey. The waiver allows her simultaneous service on the Board of Adjustment and South Central Waterfront Advisory Board.

**Approval of changes to bylaws for the following boards:
Environmental Commission**

A motion to approve the appointment of Michael Cargill to the Bond Election Advisory Task Force failed on Council Member Houston's motion, Council Member Troxclair's second on a 2-7 vote. Those voting aye were: Council Members Houston and Troxclair. Those voting nay were: Mayor Adler, Mayor Pro Tem Tovo, and Council Members Alter, Casar, Flannigan, Pool, and Renteria. Council Members Garza and Kitchen were absent.

CITIZENS COMMUNICATIONS: GENERAL

Susana Almanza - CodeNEXT. The poor and working poor = the missing roots!

Daniel Llanes - CodeNEXT

Dr. Koo-Hyun Kim - Cancel trespass warning notice by 311 police.

Andrew Wood - Environmental impact of climbing community on the Barton Creek Greenbelt

CAROLANNEROSE KENNEDY - INTRANATIONAL ANTHEM

Osayekeme Ebomwonyi - Gang violence, children in the community, Churches

Kathy Mitchell - Police/community relations including use of force, accountability for misconduct, the upcoming public safety budget, and the recently started meet and confer process

Scott Henson - Police/community relations including use of force, accountability for misconduct, the upcoming public safety budget, and the recently started meet and confer process

Ashley Avey - K2 issues downtown

Danielle Wilson - Homeless problem on 6th Street and City Hall

Mayor Adler recessed the Council Meeting to go into Executive Session at 12:42 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.

39. 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.

40. Discuss legal issues related to sign regulation (Private consultation with legal counsel - Section 551.071 of the Government Code).

This item was withdrawn without objection.

41. Evaluate the performance of, and consider compensation and benefits for, the Interim City Manager (Personnel matters, Section 551.074 of the Government Code).
Conducted.

Executive Session ended and Mayor Adler reconvened the meeting at 2:08 p.m.

DISCUSSION ITEMS CONTINUED

24. Approve submission of a proposal in response to the VERA INSTITUTE OF JUSTICE Request for Proposals to receive grant funds for the delivery of immigrant legal services.
The motion approving submission of a proposal to the Vera Institute of Justice was approved on Council Member Casar's motion, Council Member Pool's second on an 8-0 vote. Council Member Troxclair was off the dais. Council Members Garza and Kitchen were absent.

Direction was given to staff that if the proposal is awarded, in addition to Catholic Charities, an agency with experience in Deportation Legal Services is to be added to the grant application to the VERA Institute from Austin Public Health.

ZONING AND NEIGHBORHOOD PLAN AMENDMENTS

43. C14-2017-0009 - 11444 Manchaca Road - District 5 - Approve second and third readings of an ordinance amending City Code Title 25 by zoning property locally known as 11444 Manchaca Road (Slaughter Creek Watershed) from interim-single family residence-standard lot (I-SF-2) district zoning to community commercial-conditional overlay (GR-CO) combining district zoning. First Reading approved on May 4, 2017. Vote: 10-0, Council Member Garza was off the dais. Owner/Applicant: 720 Lamar Place, L. C. (Guy Oliver). Agent: Husch Blackwell LLP (Nikelle Meade). City Staff: Wendy Rhoades, 512-974-7719.
Ordinance No. 20170608-043 was approved for community commercial-conditional overlay (GR-CO) combining district zoning on Council Member Renteria's motion, Council Member Flannigan's second on a 9-0 vote. Council Members Garza and Kitchen were absent.
45. NPA-2017-0013.01 - Bouldin Creek Neighborhood Plan Area-Wide Neighborhood Plan Amendment to Add Garage Placement Design Tool - District 9 - Conduct a public hearing to approve an ordinance amending Ordinance No. 20020523-32, the Bouldin Creek Neighborhood Plan, an element of the Imagine Austin Comprehensive Plan, to adopt the Garage Placement design tool for Single-Family, Duplex, and Two-Family Residential uses (Sec. 25-2-1604) area wide in this planning area. If adopted, text will be added to the plan document with general information on Section 24-2-1604. Staff Recommendation: To recommend adoption of the Garage Placement Design tool. Planning Commission Recommendation: To be reviewed on June 13, 2017. Applicant: Bouldin Creek Neighborhood Plan Contact Team (Sean Kelly, Chair/Stuart Hampton, Previous Chair). City Staff: Maureen Meredith, 512-974-2695.

This item was postponed to August 3, 2017 at the request of staff on Council Member Renteria's motion, Council Member Flannigan's second on a 9-0 vote. Council Members Garza and Kitchen were absent.

46. C14-2017-0026 - Bouldin Creek Neighborhood Plan Area-Wide Neighborhood Plan Amendment to Add Garage Placement Design Tool -District 9 - Conduct a public hearing to approve an ordinance amending Ordinance No. 20020523-33, the Bouldin Creek Neighborhood Plan zoning ordinance, an element of the Imagine Austin Comprehensive Plan, to adopt the Garage Placement design tool for Single-Family, Duplex, and Two-Family Residential uses (Section 25-2-1604) area-wide in this planning area. Staff Recommendation: To recommend adoption of the Garage Placement Design tool. Planning Commission Recommendation: To be reviewed on June 13, 2017. Applicant: Bouldin Creek Neighborhood Plan Contact Team (Sean Kelly, Chair/Stuart Hampton, Previous Chair). City Staff: Andrew Moore, 512-974-7604.

This item was postponed to August 3, 2017 at the request of staff on Council Member Renteria's motion, Council Member Flannigan's second on a 9-0 vote. Council Members Garza and Kitchen were absent.

47. NPA-2016-0002.01 - 78 San Marcos St. - District 3 - Conduct a public hearing and approve an ordinance amending Ordinance No. 19990513-70 the East Cesar Chavez 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 know 78 San Marcos Street (Lady Bird Lake Watershed) from Civic to Neighborhood Mixed Use land use. Staff Recommendation: To grant Neighborhood Mixed Use land use. Planning Commission Recommendation: To grant Neighborhood Mixed Use land use. Owner: Carrie Altemus. Agent: McLean & Howard, LLP (Jeff Howard) and Thrower Design (A. Ron Thrower). City Staff: Maureen Meredith, (512) 974-2695.

The public hearing was conducted and a motion to close the public hearing and approve the ordinance on first reading only to change the future land use map to Neighborhood Mixed Use land use was approved on Council Member Renteria's motion, Council Member Flannigan's second on a 9-0 vote. Council Members Garza and Kitchen were absent.

48. C14H-2017-0006 - 78 San Marcos Rezoning - District 3 - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 78 San Marcos Street (Lady Bird Lake Watershed) from family residence-neighborhood plan (SF-3-NP) combining district zoning to limited office-mixed use-historic landmark-conditional overlay-neighborhood plan (LO-MU-H-CO-NP) combining district zoning. Staff Recommendation: To grant limited office-mixed use-historic landmark-conditional overlay-neighborhood plan (LO-MU-H-CO-NP) combining district zoning. Planning Commission Recommendation: To grant limited office-mixed use-historic landmark-conditional overlay-neighborhood plan (LO-MU-H-CO-NP) combining district zoning. Owner: Carrie Altemus. Applicant: Thrower Design (A. Ron Thrower). City Staff: Heather Chaffin, 512-974-2122..

The public hearing was conducted and a motion to close the public hearing and approve the ordinance on first reading only for limited office-mixed use-historic landmark-conditional overlay-neighborhood plan (LO-MU-H-CO-NP) combining district zoning was approved on Council Member Renteria's motion, Council Member Flannigan's second on a 6-3 vote. Those voting aye were: Mayor Adler and Council Members Casar, Flannigan, Houston, Renteria, and Troxclair. Those voting nay were: Mayor Pro Tem Tovo and Council Members Alter and Pool. Council Members Garza and Kitchen were absent.

49. C14-2017-0004 –Lease Preparations of 704 Sandpiper - District 7 - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 704

Sandpiper Avenue (Walnut Creek Watershed) from limited office (LO) district zoning to community commercial (GR) district zoning. Staff Recommendation: To deny community commercial (GR) district zoning. Zoning and Platting Commission Recommendation: To deny community commercial (GR) district zoning. Owner/Applicant: Cloud Richards. Agent: Jennifer Powell. City Staff: Sherri Sirwaitis, 512-974-3057.

The public hearing was conducted and a motion to close the public hearing and deny community commercial (GR) district zoning was approved on Council Member Renteria's motion, Council Member Flannigan's second on a 9-0 vote. Council Members Garza and Kitchen were absent.

51. C14-2017-0034 – 3718 Manchaca Road – District 5 -Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 3718 Manchaca Road (West Bouldin Creek Watershed) from limited office (LO) district zoning to limited office-mixed use (LO-MU) combining district zoning. Staff Recommendation: To grant limited office-mixed use (LO-MU) combining district zoning. Planning Commission Recommendation: To grant limited office-mixed use (LO-MU) combining district zoning. Owner/Applicant: Margaret and Robert Anderson. City Staff: Andrew Moore, 512-974-7604.

The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20170608-051 for limited office- mixed use (LO-MU) combining district zoning was approved on Council Member Renteria's motion, Council Member Flannigan's second on a 9-0 vote. Council Members Garza and Kitchen were absent.

52. C14-2017-0037– Burrell Johnston - District 9 - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 1108 Nueces Street (Shoal Creek Watershed) from general office (GO) district zoning to downtown mixed use-conditional overlay (DMU-CO) combining district zoning. Staff Recommendation: To grant downtown mixed use-conditional overlay (DMU-CO) combining district zoning. Planning Commission Recommendation: To grant downtown mixed use-conditional overlay (DMU-CO) combining district zoning. Owner/Applicant: Burrell D. Johnston. Agent: Bennett Consulting (Rodney K. Bennett). City Staff: Scott Grantham, 512-974-3574.

The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20170608-052 for downtown mixed use-conditional overlay (DMU-CO) combining district zoning was approved on Council Member Renteria's motion, Council Member Flannigan's second on a 9-0 vote. Council Members Garza and Kitchen were absent.

53. C14-2017-0040 - Creastle .43 - District 5 - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 9618 Manchaca Road (Slaughter Creek Watershed) from single family residence-standard lot (SF-2) district zoning to community commercial-conditional overlay (GR-CO) combining district zoning. Staff Recommendation: To grant neighborhood commercial-conditional overlay (LR-CO) combining district zoning, with conditions. Zoning and Platting Commission Recommendation: To grant neighborhood commercial-conditional overlay (LR-CO) combining district zoning, with conditions. Owner/Applicant: Creastle Enterprise, Inc. (Sayeed Sadruddin; Rahin Sadruddin). Agent: Bennett Consulting (Rodney Bennett). City Staff: Wendy Rhoades, 512-974-7719.

The public hearing was conducted and a motion to close the public hearing and approve the ordinance on first reading only for neighborhood commercial-conditional overlay (LR-CO) combining district zoning, with conditions was approved on Council Member Renteria's motion, Council Member Flannigan's second on a 9-0 vote. Council Members Garza and Kitchen were absent.

DISCUSSION ITEMS

42. C14-2017-0003 – Krisland Property - District 6 -Approve third reading of an ordinance amending City Code Title 25 by zoning property locally known as 13033 Pond Springs Road (Lake Creek Watershed) from interim-rural residence (I-RR) district zoning to community commercial-mixed use (GR-MU) combining district zoning. First and Second Readings approved on May 4, 2017. Vote: 10-0, Council Member Garza was off the dais. Owner/Applicant: Krisland Property of Texas, LLC (Johan Rahardjo). Agent: Vincent Gerard & Associates (Vincent G. Huebinger). City Staff: Sherri Sirwaitis, 512-974-3057.

A motion to approve the ordinance for community commercial-mixed use (GR-MU) combining district zoning was made by Council Member Flannigan and seconded by Mayor Adler.

A motion to amend the motion to approve the Zoning and Platting Commission recommendation of community commercial-mixed use-conditional overlay (GR-MU-CO) combining district zoning failed on Mayor Pro Tem Tovo's motion, Council Member Pool's second on a 4-5 vote. Those voting aye were: Mayor Pro Tem Tovo and Council Members Alter, Houston, and Pool. Those voting nay were: Mayor Adler and Council Members Casar, Flannigan, Renteria, and Troxclair. Council Members Garza and Kitchen were absent. The amendment was:

A motion to amend the substitute motion to remove the trade school restriction from the conditional overlay. The amendment was accepted without objection.

Ordinance No. 20170608-042 was approved for community commercial-mixed use (GR-MU) combining district zoning on Council Member Flannigan's motion, Mayor Adler's second on a 7-1 vote. Council Member Pool voted nay. Council Member Houston abstained. Council Members Garza and Kitchen were absent.

44. C14-2016-0134 – Pioneer at Walnut Creek - District 1 - Approve second and third readings of an ordinance amending City Code Title 25 by zoning property locally known as 11126 Sprinkle Cutoff Road (Walnut Creek Watershed) from interim-rural residence (I-RR) district zoning to townhouse and condominium residence (SF-6) district zoning, with conditions. First Reading approved on May 4, 2017. Vote: 10-0, Council Member Garza was off the dais. Owner/Applicant: Nirav Amin. Agent: Vincent Gerard & Associates (Vincent G. Huebinger). City Staff: Sherri Sirwaitis, 512-974-3057.

A motion to approve the ordinance on second reading only was approved for townhouse and condominium residence (SF-6) district zoning, with conditions on Council Member Houston's motion, Council Member Alter's second on a 9-0 vote. Council Members Garza and Kitchen were absent.

50. C14-2017-0015 – HPI Residential Spectrum - District 6 - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 9701 Spectrum Drive (Lake Creek Watershed) from general commercial services (CS) district zoning to general commercial services-mixed use-conditional overlay (CS-MU-CO) combining district zoning. Staff Recommendation: To grant general commercial services-mixed use-conditional overlay (CS-MU-CO) combining district zoning. Zoning and Platting Commission Recommendation: To grant general commercial services-mixed use-conditional overlay (CS-MU-CO) combining district zoning. Owner/Applicant: Davis/Spectrum Investments-2007 (Richard E. Anderson). Agent: Griffin Engineering Group, Inc. (Gregory Griffin, P.E.). City Staff: Sherri Sirwaitis, 512-974-3057.

The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20170608-050 for general commercial services-mixed use (CS-MU) combining district zoning was approved on Council Member Flannigan's motion, Council Member Casar's second on a 7-1 vote. Council Member Alter voted nay. Council Member Houston was off the dais. Council Members Garza and Kitchen were absent.

Mayor Adler recessed the Council Meeting at 2:47 p.m.

DISCUSSION ITEMS CONTINUED

Mayor Adler reconvened the meeting at 3:00 p.m. and called the Board of Directors' Meeting of the Austin Housing Finance Corporation to order. See separate minutes.

54. 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 3:11 p.m. and recessed the meeting at 3:11 p.m.

Mayor Adler reconvened the meeting at 4:10 p.m.

PUBLIC HEARINGS

57. Conduct a public hearing and consider an ordinance amending City Code Section 25-1-804 related to the neighborhood plan amendment process.
The public hearing was conducted and the motion to close the public hearing and approve Ordinance No. 20170608-057 was approved on Council Member Houston's motion, Council Member Renteria's second on a 9-0 vote. Council Members Garza and Kitchen were absent.
58. Conduct a public hearing and consider a resolution supporting an application to be submitted to the Texas Department of Housing and Community Affairs by Del Valle 969 Apartments, Ltd., or an affiliated entity, for the new construction of an affordable multi-family development to be located at approximately 14011 FM 969, in the extraterritorial jurisdiction of the City of Austin.
This item was postponed to June 15, 2017 on Council Member Houston's motion, Council Member Renteria's second on a 9-0 vote. Council Members Garza and Kitchen were absent.
62. Conduct a public hearing and consider an ordinance amending City Code Section 25-2-355 relating to voting requirements applicable to zoning recommendations by the Historic Landmark Commission.
This item was postponed to August 3, 2017 at the request of staff on Council Member Houston's motion, Council Member Renteria's second on a 9-0 vote. Council Members Garza and Kitchen were absent.
55. Conduct a public hearing and consider an ordinance regarding Texas Gas Service's proposal to increase customer rates.
The public hearing was conducted and the motion to close the public hearing and approve Ordinance No. 20170608-055 was approved on Council Member Pool's motion, Council

Member Renteria's second on an 8-0 vote. Mayor Pro Tem Tovo was off the dais. Council Members Garza and Kitchen were absent.

56. Conduct a public hearing and consider an ordinance adopting the 2015 Uniform Mechanical Code with specific amendments, repealing the Solar Energy Code (Chapter 25-12, Article 8), amending requirements for the Electric Board, and amending the jurisdiction and name of the Mechanical, Plumbing, and Solar Board.

The public hearing was conducted and the motion to close the public hearing and approve Ordinance No. 20170608-056 as amended below was approved on Council Member Pool's motion, Council Member Renteria's second on a 9-0 vote. Council Members Garza and Kitchen were absent. The amendment was to change the effective date of the ordinance to September 6, 2017.

59. Conduct a public hearing and consider an appeal regarding the Planning Commission's approval of two compatibility waivers for development at 2510 South Congress Avenue. (Site Plan No. SP-2015-0300C) (District 3)

This item was withdrawn by the applicant.

60. Conduct a public hearing and consider an ordinance adopting plumbing requirements consistent with the 2015 International Residential Code and/or the 2015 Uniform Plumbing Code; and adopting specific amendments to the codes.

The public hearing was conducted and the motion to close the public hearing and postpone the approval of the item to June 15, 2017 was approved on Council Member Pool's motion, Council Member Houston's second on a 9-0 vote. Council Members Garza and Kitchen were absent.

Direction was given to staff to provide information on any legal implications Council should be aware of and to provide Affordability Impact Statements for the International Residential Code and Uniform Plumbing Code.

61. Conduct a public hearing and consider an ordinance regarding a floodplain variance for the construction of a church building and associated parking at 7604 FM 969 as requested by the owner of the property. The property is partially in the 25-year and 100-year floodplains of Walnut Creek. (District 1).

This item was postponed to June 22, 2017 on Council Member Houston's motion, Council Member Renteria's second on a 9-0 vote. Council Members Garza and Kitchen were absent.

Mayor Adler adjourned the meeting at 5:52 p.m. without objection.

LIVE MUSIC

David Messier

PROCLAMATIONS

Proclamation – Austin Art Critics Day – To be presented by Mayor Steve Adler and to be accepted by Robert Faires, Senior Arts Editor, Austin Chronicle

Proclamation – Austin Parks Foundation 25th Anniversary – To be presented by Council Member Alison Alter and to be accepted by Colin Wallis, Chief Executive Officer, Austin Parks Foundation

The minutes were approved on this the 22nd day of June 2017 on Council Member Garza’s motion, Council Member Casar’s second on a 10-0 vote. Council Member Troxclair was absent.