

**AUSTIN CITY COUNCIL  
MINUTES****REGULAR MEETING  
THURSDAY, AUGUST 3, 2017**

**Invocation:** Reverend Mylon Avery, The ARC Community 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, August 3, 2017 in the Council Chambers of City Hall, 301 West Second Street, Austin, Texas.**

**Mayor Adler called the Council Meeting to order at 10:09 a.m.**

**CONSENT AGENDA**

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

1. Approve the minutes of the Austin City Council June 20, 2017 work session, June 21, 2017 special called, June 22, 2017 regular meeting and June 28, 2017 special called meeting.  
**The minutes from the City Council work session of June 20, 2017, special called of June 21, 2017, regular meeting of June 22, 2017 and special called meeting of June 28, 2017 were approved on consent on Council Member Kitchen's motion, Council Member Alter's second on an 11-0 vote.**
2. Authorize negotiation and execution of an interlocal agreement with the Capital Metro Transportation Authority for an amount not to exceed \$30,000 for costs related to the design and construction of an oversized water main and appurtenances associated with the Capital Metro "Downtown Station" located at 401 East 4th Street. (District 9)  
**The motion authorizing negotiation and execution of an interlocal agreement with the Capital Metro Transportation Authority was approved on consent on Council Member Kitchen's motion, Council Member Alter's second on an 11-0 vote.**
3. Authorize negotiation and execution of a financing agreement with the Texas Water Development Board (TWDB) for a 20-year low interest loan in the amount of \$45,175,000 through TWDB's State Water Implementation Fund for Texas loan program, for the implementation of multiple capital improvement projects associated with Austin Water's wastewater and reclaimed water systems.  
**The motion authorizing negotiation and execution of a financing agreement with the Texas Water Development Board was approved on consent on Council Member Kitchen's motion, Council Member Alter's second on a 10-1 vote. Council Member Troxclair voted nay.**
4. Authorize negotiation and execution of an amendment to the professional services agreement with URS CORPORATION, for additional professional engineering services for the Barton

Springs Road Bridge over Barton Creek project in the amount of \$692,387 for a total contract amount not to exceed \$1,049,387. (District 5) (Notes: This amendment will be awarded in compliance with City Code Chapter 2-9B (Minority Owned and Women Owned Business Enterprise Procurement Program). Current participation to date is 11.40% MBE and 18.43% WBE.)

**The motion authorizing negotiation and execution of an amendment to the professional services agreement with URS Corporation was approved on consent on Council Member Kitchen's motion, Council Member Alter's second on an 11-0 vote.**

5. Authorize negotiation and execution of an amendment to the professional services agreement with FREESE AND NICHOLS, INC., for additional professional engineering services for the Martin Luther King Blvd. Transit Oriented Development Stormwater Conveyance project in the amount of \$810,000 for a total contract amount not to exceed \$1,617,000. (District 1) (Notes: This amendment will be awarded in compliance with City Code Chapter 2-9B (Minority Owned and Women Owned Business Enterprise Procurement Program). Current participation to date is 17.01% MBE and 19.85% WBE participation.)

**The motion authorizing negotiation and execution of an amendment to the professional services agreement with Freese and Nichols, Inc. was approved on consent on Council Member Kitchen's motion, Council Member Alter's second on a 10-1 vote. Council Member Troxclair voted nay.**

**Item 6 was pulled for discussion.**

7. Authorize negotiation and execution of an amendment to the professional services agreement with MCKINNEY ARCHITECTS INC. dba MCKINNEY YORK ARCHITECTS, for additional professional architectural services for the Montopolis Recreation & Community Center in the amount of \$30,000, for a total contract amount not to exceed \$1,288,000. (District 3) (Notes: This amendment will be awarded in compliance with City Code Chapter 2-9B (Minority Owned and Women Owned Business Enterprise Procurement Program). Current participation to date is 38.19% MBE and 50.93% WBE.)

**The motion authorizing negotiation and execution of an amendment to the professional services agreement with McKinney Architects Inc. doing business as McKinney York Architects was approved on consent on Council Member Kitchen's motion, Council Member Alter's second on an 11-0 vote.**

8. Authorize negotiation and execution of an amendment to the professional services agreement with THE BROUSSARD GROUP, INC./TBG PARTNERS, to provide additional design administration services for the construction manager-at-risk agreement for the Town Lake Metropolitan Park - Alliance Children's Garden in an amount of \$242,000, for a total contract amount not to exceed \$3,224,163.35. (District 9) (Related to Item #9) (Notes: This amendment will be awarded in compliance with City Code Chapter 2-9B (Minority Owned and Women Owned Business Enterprise Procurement Program). Current participation to date is 10.26% MBE and 11.21% WBE.)

**The motion authorizing negotiation and execution of an amendment to the professional services agreement with The Broussard Group, Inc./TBG Partners was approved on consent on Council Member Kitchen's motion, Council Member Alter's second on an 11-0 vote.**

**Item 9 was pulled for discussion.**

10. Authorize additional contingency funding for the construction contract with GADBERRY CONSTRUCTION COMPANY, INC. (MBE-MN) for the Oakwood Cemetery Chapel Rehabilitation project in the amount of \$161,587.50 for a total contract amount not to exceed \$1,346,562.50. (District 1) (Notes: This contract was 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. Current participation to-date is 63.24% MBE and 2.30% WBE.)  
**The motion authorizing additional contingency funding for the construction contract with Gadberry Construction Company, Inc. was approved on consent on Council Member Kitchen's motion, Council Member Alter's second on an 11-0 vote.**
11. Approve a resolution amending and restating Resolution No. 20170420-005 to extend the date for completion of the issuance and sale, by Austin-Bergstrom Landhost Enterprises, Inc., of Airport Hotel Senior Revenue Refunding and Improvement Bonds Series 2017 in an aggregate amount not to exceed \$60,000,000 from July 1, 2017 to December 31, 2017.  
**Resolution No. 20170803-011 was approved on consent on Council Member Kitchen's motion, Council Member Alter's second on an 11-0 vote.**
12. Approve an ordinance amending the Fiscal Year 2016-2017 Austin Fire Department Operating Budget Special Revenue Fund (Ordinance No. 20160914-001) to accept and appropriate \$57,875 in grant funds from the Federal Emergency Management Agency Assistance to Firefighters Grant to purchase a wildfire simulation table to facilitate planning for fuels mitigation using local simulated terrain and data.  
**Ordinance No. 20170803-012 was approved on consent on Council Member Kitchen's motion, Council Member Alter's second on an 11-0 vote.**
13. Approve an ordinance amending the Fiscal Year 2016-2017 Austin Fire Department Operating Budget Special Revenue Fund (Ordinance No. 20160914-001) to accept and appropriate \$30,000 in grant funds from National Institute of Standards and Technology to enhance firefighter safety and improve emergency response through the assessment and implementation of emerging technologies like robotics.  
**Ordinance No. 20170803-013 was approved on consent on Council Member Kitchen's motion, Council Member Alter's second on a 10-0 vote. Council Member Troxclair abstained.**
14. Authorize negotiation and execution of an amendment to the legal services agreement with Renea Hicks to provide legal services related to Donald Zimmerman v. City of Austin, Cause No. 1:15-cv-00628, in the United States District Court for the Western District of Texas in the amount of \$75,000, for a total contract amount not to exceed \$255,000.00.  
**The motion authorizing negotiation and execution of an amendment to the legal services agreement with Renea Hicks was approved on consent on Council Member Kitchen's motion, Council Member Alter's second on a 10-1 vote. Council Member Troxclair voted nay.**
15. Authorize negotiation and execution of a legal services contract with the law firm of Lloyd Gosselink Rochelle and Townsend, P.C. in an amount not to exceed \$ 725,000.00, to represent the City in its water wastewater rate review.  
**The motion authorizing negotiation and execution of a legal services contract with the law firm of Lloyd Gosselink Rochelle and Townsend, P.C. was approved on consent on Council Member Kitchen's motion, Council Member Alter's second on an 11-0 vote.**

16. Approve a resolution declaring the City of Austin's official intent to reimburse itself from November 2013 Proposition 1 General Obligation Bonds to be used for expenditures in the amount of \$5,500,000 related to affordable housing. Related to Items #17 and #18.  
**Resolution No. 20170803-016 was approved on consent on Council Member Kitchen's motion, Council Member Alter's second on an 11-0 vote.**
17. Approve an ordinance amending the Fiscal Year 2016-2017 Neighborhood Housing and Community Development Department Capital Budget (Resolution 20160914-002) to appropriate \$5,500,000 in General Obligation Bond funds for expenditures related to affordable housing. Related to Items #16 and #18.  
**Ordinance No. 20170803-017 was approved on consent on Council Member Kitchen's motion, Council Member Alter's second on an 11-0 vote.**
18. Authorize the negotiation and execution of an amendment to the 2016-2017 service agreement between the Austin Housing Finance Corporation and the City of Austin in the amount of \$5,500,000 for a total amount not to exceed \$29,054,297. Related to Items #16 and #17.  
**The motion authorizing the negotiation and execution of an amendment to the 2016-2017 service agreement between the Austin Housing Finance Corporation and the City of Austin was approved on consent on Council Member Kitchen's motion, Council Member Alter's second on an 11-0 vote.**
19. Approve a resolution adopting the City's Fiscal Year 2017-2018 Action Plan related to the allocation of the U.S. Department of Housing and Urban Development (HUD) grant funds and the Fiscal Year 2017-2018 Community Development Program; authorizing the City Manager to submit grant applications and certifications related to the HUD grant funds; and authorizing the City Manager to execute documents necessary to carry out the above purposes.  
**Resolution No. 20170803-019 was approved on consent on Council Member Kitchen's motion, Council Member Alter's second on an 11-0 vote.**
20. Authorize negotiation and execution of a 60-month lease with two five-year renewal options, with EAST HOLLY, LLC, A TEXAS LIMITED LIABILITY COMPANY for approximately 3,580 square feet of lease space at 417 Red River Street, in Austin, Travis County, Texas. (District 9)  
**The motion authorizing negotiation and execution of a 60-month lease with two five-year renewal options with East Holly, LLC, a Texas Limited Liability Company was approved on consent on Council Member Kitchen's motion, Council Member Alter's second on an 11-0 vote.**
21. Authorize negotiation and execution of all documents and instruments necessary or desirable to acquire a permanent water line easement consisting of approximately 316 square feet of land, a temporary working space easement consisting of approximately 288 square feet of land, and a temporary access easement consisting of approximately 16,272 square feet of land out of Lot 1, Block A, Westminster Manor, for the TXDOT Utility Relocation Mopac 42-Inch Water Transmission Main Project, located at 4100 Jackson Avenue, City of Austin, Travis County, Texas, from WESTMINSTER MANOR, in an amount not to exceed \$64,577.00 which includes closing costs. (District 10)  
**The motion authorizing negotiation and execution of all documents and instruments necessary or desirable to acquire a permanent water line easement was approved on consent on Council Member Kitchen's motion, Council Member Alter's second on a 10-0 vote. Mayor Pro Tem Tovo recused herself.**

**Item 22 was pulled for discussion.**

23. Authorize negotiation and execution of an encroachment agreement with CHURCH OF SCIENTOLOGY OF TEXAS for the aerial encroachment of right-of-way by a 2nd floor and roof structure and a surface encroachment of right-of-way of existing fire escape stairs at the intersection of West 22nd Street and Guadalupe Street, located at 2200 Guadalupe Street. (District 9)  
**The motion authorizing negotiation and execution of an encroachment agreement with Church of Scientology of Texas was approved on consent on Council Member Kitchen's motion, Council Member Alter's second on an 11-0 vote.**
24. Approve an ordinance amending Ordinance No. 20170504-008 to correctly identify the entity requesting vacation of approximately 2,727 square feet of an alley right-of-way, located at 924 E. Dean Keeton Street, extending from E. Dean Keeton Street to Red River Street, as 924 DEAN KEETON INVESTORS, LTD. (District 9)  
**Ordinance No. 20170803-024 was approved on consent on Council Member Kitchen's motion, Council Member Alter's second on an 11-0 vote.**
25. Approve an ordinance authorizing the negotiation and execution of all documents and instruments necessary or desirable to purchase ten properties at risk of flooding, located at 4601 and 4603 South Pinehurst Drive, 4602 Tamarisk Cove, 11109 Champions Lane, and 11218, 11244, 11253, 11256, 11260, and 11262 Pinehurst Drive, in a total amount not to exceed \$4,987,500, establishing acquisition and relocation guidelines, and waiving requirements of City Code Chapter 14-3. (District 5)  
**Ordinance No. 20170803-025 was approved on consent on Council Member Kitchen's motion, Council Member Alter's second on a 10-1 vote. Council Member Troxclair voted nay.**
26. Authorize award and execution of a 24-month contract with HD SUPPLY WATERWORKS, to provide brass pipe fittings, in an estimated amount of \$490,000, with three 12-month extension options in an estimated amount of \$245,000 per extension option, for a total contract amount not to exceed \$1,225,000. (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 required for this solicitation, there were no subcontracting opportunities; therefore, no subcontracting goals were established.)  
**The motion authorizing award and execution of a contract with HD Supply Waterworks was approved on consent on Council Member Kitchen's motion, Council Member Alter's second on an 11-0 vote.**
27. Authorize negotiation and execution of a 24-month contract with ENVIRONMENTAL IMPROVEMENTS INC., to provide proprietary chemical feed equipment parts, in an estimated amount of \$343,920, with three 12-month extension options in an estimated amount of \$171,960 per extension option, for a total contract amount not to exceed \$859,800. (Notes: Sole Source contracts are 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 Environmental Improvements Inc. was approved on consent on Council Member Kitchen's motion, Council Member Alter's second on an 11-0 vote.**
28. Authorize award and execution of a 24-month contract with FERGUSON ENTERPRISES INC. DBA FERGUSON WATERWORKS to provide polyvinyl chloride water and sewer pipes, in an estimated amount of \$260,240 with three 12-month extension options in an estimated amount of \$130,120 per extension option, for a total contract amount not to exceed \$650,600. (Notes: This

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

**The motion authorizing award and execution of a contract with Ferguson Enterprises Inc. doing business as Ferguson Waterworks was approved on consent on Council Member Kitchen's motion, Council Member Alter's second on an 11-0 vote.**

29. Authorize award and execution of three contracts with HALIFAX SECURITY INC. DBA NORTH AMERICAN VIDEO, SCHNEIDER ELECTRIC BUILDINGS AMERICAS, INC., and COTHRON SECURITY SOLUTIONS, to provide security system parts for the Austin-Bergstrom International Airport, each with an initial 36-month term in an estimated amount of \$210,000, and each with two 12-month extension options in a estimated amount of \$90,000 per extension option, for total contract amounts not to exceed \$390,000, 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 were no subcontracting opportunities; therefore, no subcontracting goals were established.)

**The motion authorizing award and execution of three contracts with Halifax Security Inc. doing business as North American Video, Schneider Electric Buildings Americas, Inc., and Cothron Security Solutions was approved on consent on Council Member Kitchen's motion, Council Member Alter's second on an 11-0 vote.**

30. Authorize negotiation and execution of a 12-month contract with AUDIO FIDELITY COMMUNICATIONS CORPORATION DBA THE WHITLOCK GROUP, or one of the other qualified offerors to the Request For Proposals PAX0141, to provide video and audio system, design, build, implementation and installation services, in an estimated amount of \$1,320,870, with four 12-month extension options for warranty services, maintenance and support in an estimated amount of \$87,203 for the first extension option, \$142,173 for the second extension option, \$164,513 for the third extension option, and \$186,943 for the fourth extension option, for a total contract amount not to exceed \$1,901,702. (Notes: This solicitation was reviewed for subcontracting opportunities in accordance with City Code Chapter 2-9C Minority Owned and Women Owned Business Enterprise Procurement Program and subcontractor goals were applied to the solicitation. The subcontracting goals were exceeded and the resulting contract will include 2.00% MBE and 1.00% WBE participation.)

**The motion authorizing negotiation and execution of a contract with Audio Fidelity Communications Corporation doing business as The Whitlock Group was approved on consent on Council Member Kitchen's motion, Council Member Alter's second on an 11-0 vote.**

31. Authorize negotiation and execution of four contracts with MCCOY-ROCKFORD, INC., AUSTIN BUSINESS FURNITURE, TECH CENTER DESIGN, INC. (WBE) and EVANS CONSOLES, INC., through the Texas Multiple Award Schedule, Houston-Galveston Area Council, and The Cooperative Purchasing Network cooperative purchasing programs, for furniture for Austin Energy's System Control Center Network Operations Center, in an amount not to exceed \$500,000, 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 required for this procurement, there were no subcontracting opportunities; therefore, no subcontracting goals were established.)

**The motion authorizing negotiation and execution of four contracts with McCoy-Rockford, Inc., Austin Business Furniture, Tech Center Design, Inc. and Evans Consoles, Inc. was approved on consent on Council Member Kitchen's motion, Council Member Alter's second on a 10-1 vote. Council Member Troxclair voted nay.**

32. Authorize award and execution of a 12-month contract with CAPITAL PRINTING CO., to provide printing services for Austin Energy's PowerPlus newsletter, in an estimated amount of \$98,400, with four 12-month extension options in an estimated amount of \$98,400 per extension option, for a total contract amount not to exceed \$492,000. (Notes: This solicitation was reviewed for subcontracting opportunities in accordance with City Code Chapter 2-9C Minority Owned and Women Owned Business Enterprise Procurement Program. For the services required for this solicitation, there were no subcontracting opportunities; therefore, no subcontracting goals were established.)

**The motion authorizing award and execution of a contract with Capital Printing Co. was approved on consent on Council Member Kitchen's motion, Council Member Alter's second on a 10-1 vote. Council Member Troxclair voted nay.**

33. Authorize negotiation and execution of a 24-month contract with PIKE ELECTRIC LLC, to provide substation repair and maintenance, in an estimated amount of \$1,200,000, with three 12-month extension options in an estimated amount of \$600,000 per extension option, for a total contract amount not to exceed \$3,000,000. (Notes: This solicitation was reviewed for subcontracting opportunities in accordance with City Code Chapter 2-9C Minority Owned and Women Owned Business Enterprise Procurement Program. For the services required for this solicitation, there were no available MBE/WBE firms; therefore, no subcontracting goals were established.)

**The motion authorizing negotiation and execution of a contract with Pike Electric LLC was approved on consent on Council Member Kitchen's motion, Council Member Alter's second on a 10-0 vote. Council Member Troxclair abstained.**

34. Authorize negotiation and execution of a contract with DIEBOLD POWER SOLUTIONS LLC, or one of the other qualified offerors to the Request for Proposals CAK0018, to provide a battery monitoring system, installation, and training, in an amount not to exceed \$1,234,000. (Notes: This solicitation was reviewed for subcontracting opportunities in accordance with City Code Chapter 2-9C Minority Owned and Women Owned Business Enterprise Procurement Program. For the goods and services required for this solicitation, there were insufficient subcontracting opportunities; therefore, no subcontracting goals were established.)

**The motion authorizing negotiation and execution of a contract with Diebold Power Solutions LLC was approved on consent on Council Member Kitchen's motion, Council Member Alter's second on an 11-0 vote.**

35. Authorize award and execution of a contract with POWELL ELECTRICAL SYSTEMS, INC. to provide tertiary switchgear in an amount not to exceed \$559,880. (Notes: This solicitation was reviewed for subcontracting opportunities in accordance with City Code Chapter 2-9 C Minority Owned and Women Owned Business Enterprise Procurement Program. For the goods required for this solicitation, there were no subcontracting opportunities; therefore, no subcontracting goals were established.)

**The motion authorizing award and execution of a contract with Powell Electrical Systems, Inc. was approved on consent on Council Member Kitchen's motion, Council Member Alter's second on an 11-0 vote.**

36. Authorize award and execution of a 24-month contract with TECHLINE INC., to provide rectangular shaped, shoebox style lighting and ancillary equipment in an estimated amount of \$1,165,048 with three 12-month extension options in an estimated amount of \$582,524 per extension option, for a total contract amount not to exceed \$2,912,620. (Notes: This solicitation was reviewed for subcontracting opportunities in accordance with City Code Chapter 2-9D Minority Owned and Women Owned Business Enterprise Procurement Program. For the goods required for this solicitation, there were no subcontracting opportunities; therefore, no subcontracting goals were established.)

**The motion authorizing award and execution of a contract with Techline Inc. was approved on consent on Council Member Kitchen's motion, Council Member Alter's second on an 11-0 vote.**

37. Authorize amendments to prior Council action authorizing proposed contracts to provide vehicles and support, to correct a vendor name from CHASTANG ENTERPRISES, INC. to CHASTANG ENTERPRISES - ANGLETON, LLC, through the Local Government Purchasing Cooperative, administered by Texas Association of School Boards, Inc. (BuyBoard), and to add as a vendor CYCLONE TECHNOLOGY, LLC, through the Houston-Galveston Area Council cooperative purchase program. (Notes: This procurement was previously reviewed for subcontracting opportunities in accordance with City Code Chapter 2-9D Minority Owned and Women Owned Business Enterprise Procurement Program. For the goods required for this procurement, there was an insufficient availability of MBE/WBE firms; therefore, no subcontracting goals were established.)

**The motion authorizing amendments to prior Council action authorizing proposed contracts to correct a vendor name from Chastang Enterprises, Inc. to Chastang Enterprises – Angleton, LLC. was approved on consent on Council Member Kitchen's motion, Council Member Alter's second on an 11-0 vote.**

38. Authorize award and execution of two contracts with MWI ANIMAL HEALTH and PATTERSON VETERINARY SUPPLY INC., to provide veterinary pharmaceuticals and supplies, each with an initial 24-month term, in an estimated amount of \$1,150,000, with three 12-month extension options in an estimated amount of \$575,000 per extension option, for total contract amounts not to exceed \$2,875,000, divided between 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 were no subcontracting opportunities; therefore, no subcontracting goals were established.)

**The motion authorizing award and execution of two contracts with MWI Animal Health and Patterson Veterinary Supply Inc. was approved on consent on Council Member Kitchen's motion, Council Member Alter's second on an 11-0 vote.**

**Item 39 was pulled for discussion.**

40. Authorize award and execution of two contracts through the Local Government Cooperative, administered by Texas Association of School Boards, Inc. (BuyBoard) with GT DISTRIBUTORS INC. and PRECISION DELTA CORP. to provide ammunition, for a 32-month term, in an amount not to exceed \$1,200,000, divided between 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 required for this procurement, there were no subcontracting opportunities; therefore, no subcontracting goals were established.)



**The motion authorizing award and execution of two contracts through the Local Government Cooperative, administered by Texas Association of School Boards, Inc. with GT Distributors Inc. and Precision Delta Corp. was approved on consent on Council Member Kitchen's motion, Council Member Alter's second on an 11-0 vote.**

**Item 41 was pulled for discussion.**

42. Authorize negotiation and execution of a 24-month contract with BIBLIOCOMMONS, INC., to provide subscription, support and maintenance services for the website builder and content management system for the Austin Public Library, in an estimated amount of \$173,788, with three 12-month extension options in an estimated amount of \$88,548 for the first extension option, \$92,327 for the second extension option, and \$96,062 for the third extension option, for a total contract amount not to exceed \$450,725. (Notes: Sole Source contracts are 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 Bibliocommons, Inc. was approved on consent on Council Member Kitchen's motion, Council Member Alter's second on an 11-0 vote.**

43. Authorize award and execution of a 12-month contract with TESSCO, Inc., to provide two-way radio parts and accessories, in an estimated amount of \$250,000, with four 12-month extension options in an estimated amount of \$250,000 per extension option, for a total contract amount not to exceed \$1,250,000. (Notes: This solicitation was reviewed for subcontracting opportunities in accordance with City Code Chapter 2-9D Minority Owned and Women Owned Business Enterprise Procurement Program. For the goods and services required for this solicitation, there were insufficient subcontracting opportunities; therefore, no subcontracting goals were established.)

**The motion authorizing award and execution of a contract with Tescso, Inc. was approved on consent on Council Member Kitchen's motion, Council Member Alter's second on an 11-0 vote.**

44. Authorize negotiation and execution of a 36-month contract with DOUG BURDITT DBA CENTRAL TEXAS OFFICIALS ASSOCIATION, to provide athletic official management services for adult sports programs, in an estimated amount of \$330,000, with two 12-month extension options each in an estimated amount of \$110,000 per extension option, for a total contract amount not to exceed \$550,000. (Notes: This solicitation was reviewed for subcontracting opportunities in accordance with City Code Chapter 2-9C Minority Owned and Women Owned Business Enterprise Procurement Program. For the services required for this solicitation, there were no subcontracting opportunities; therefore, no subcontracting goals were established.)

**The motion authorizing negotiation and execution of a contract with Doug Burditt doing business as Central Texas Officials Association was approved on consent on Council Member Kitchen's motion, Council Member Alter's second on a 10-1 vote. Council Member Troxclair voted nay.**

45. Authorize negotiation and execution of a 60-month contract with JOHN BEAN TECHNOLOGIES, to provide safety inspections, emergency repair services, and replacement parts for passenger boarding bridges, for a total contract amount not to exceed \$2,750,000. (Notes: Sole Source contracts are 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 John Bean Technologies was approved on consent on Council Member Kitchen's motion, Council Member Alter's second on an 11-0 vote.**

46. Authorize award and execution of a 12-month contract with TEXAS ELECTRIC COOPERATIVES; a local bidder that offers the City the best combination of contract price and additional economic development opportunities, including the employment of residents and increased tax revenues; to provide relays for switchgear and control panels in an estimated amount of \$274,157 with four 12-month extension options in an estimated amount of \$274,157 per extension, for a total contract amount not to exceed \$1,370,785. (Notes: This solicitation was reviewed for subcontracting opportunities in accordance with City Code Chapter 2-9D Minority Owned and Women Owned Business Enterprise Procurement Program. For the goods required for this solicitation, there were no subcontracting opportunities; therefore, no subcontracting goals were established.)

**This item was postponed to August 17, 2017 on consent on Council Member Kitchen's motion, Council Member Alter's second on an 11-0 vote.**

47. Authorize negotiation and execution of a contract for various 60-month lease agreements with ALTEC INDUSTRIES, INC., or the other qualified offeror to the Request for Proposals GGU0103, to provide customized utility vehicles in an amount not to exceed \$21,000,000. (Notes: This solicitation was reviewed for subcontracting opportunities in accordance with City Code Chapter 2-9D Minority Owned and Women Owned Business Enterprise Procurement Program. For the goods required for this solicitation, there were no subcontracting opportunities; therefore, no subcontracting goals were established.)

**The motion authorizing negotiation and execution of a contract for various lease agreements with Altec Industries, Inc. was approved on consent on Council Member Kitchen's motion, Council Member Alter's second on an 11-0 vote.**

48. Approve a resolution authorizing negotiation and execution of an interlocal agreement with the Texas Department of Transportation in an amount not to exceed \$43,731, for the City to furnish, install, and be reimbursed for traffic signal equipment placed at the intersections of I.H. 35 and U.S. 183, and I.H. 35 and St. Johns Avenue. (District 4)

**Resolution No. 20170803-048 was approved on consent on Council Member Kitchen's motion, Council Member Alter's second on an 11-0 vote.**

**Item 49 was pulled for discussion.**

50. Approve an ordinance amending City Code Chapter 14-4, relating to the regulation and permitting of sidewalk cafes.

**Ordinance No. 20170803-050 was approved on consent on Council Member Kitchen's motion, Council Member Alter's second on an 11-0 vote.**

**Item 51 was pulled for discussion.**

52. Authorize negotiation and execution of a professional services agreement with AECOM TECHNICAL SERVICES, INC. (staff recommendation), or one of the other qualified responders to the Request for Qualifications Solicitation No. CLMP228, to provide engineering services for the William Cannon Railroad Overpass (East End) project for a total contract amount not to exceed \$400,000. (District 2 and 9) (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 of 16.00% MBE and 16.00% WBE participation.)

**The motion authorizing negotiation and execution of a professional services agreement with Aecom Technical Services, Inc. was approved on consent on Council Member Kitchen's motion, Council Member Alter's second on an 11-0 vote.**

53. Authorize negotiation and execution of a professional services agreement with HALFF ASSOCIATES, INC. (staff recommendation), or one of the other qualified responders to the Request for Qualifications Solicitation No. CLMP225, to provide engineering services for the Fallwell Lane Capital Renewal Project for a total contract amount not to exceed \$3,000,000. (District 2) (Notes: This contract will be awarded in compliance with City Code Chapter 2-9B (Minority Owned and Women Owned Business Enterprise Procurement Program) and 49 Code of Federal Regulations Part 26 by meeting the goals with 15.00% Disadvantaged Business Enterprise participation.)  
**The motion authorizing negotiation and execution of a professional services agreement with Halff Associates, Inc. was approved on consent on Council Member Kitchen's motion, Council Member Alter's second on an 11-0 vote.**
54. Approve a resolution authorizing negotiation and execution of an interlocal agreement with the City of Sunset Valley for the establishment and construction of a shared use pathway along Jones Road between Westgate Boulevard and Pillow Road in an amount not to exceed \$350,000 (District 5).  
**Resolution No. 20170803-054 was approved on consent on Council Member Kitchen's motion, Council Member Alter's second on an 11-0 vote.**
55. 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 Council Member Kitchen's motion, Council Member Alter's second on an 11-0 vote.**

#### Nominations

<u>Board/Nominee</u>	<u>Nominated by</u>
<u>Airport Advisory Commission</u> Jeremy Hendricks	Council Member Pool
<u>Commission on Veterans Affairs</u> Manuel Jimenez	Council Member Renteria
<u>Community Technology &amp; Telecommunications Commission</u> Irfan Syed	Council Member Flannigan
<u>Downtown Commission</u> Melissa Henao-Robledo	Design Commission
<u>2018 Charter Review Commission</u> Matt Hersh	Council Member Pool
<u>2018 Charter Review Commission</u> Roger Borgelt	Council Member Troxclair
<u>Historic Landmark Commission</u>	

Trish Hudson

Council Member Flannigan

Joint Sustainability Committee

Blythe Christopher de Orive

Zero Waste Advisory Commission

Lesbian, Gay, Bisexual, Transgender, & Queer Quality of Life Advisory Commission

Brittany Kitchens

LGBTQQOL Commission

Lesbian, Gay, Bisexual, Transgender, & Queer Quality of Life Advisory Commission

Tarik Daniels

LGBTQQOL Commission

Lesbian, Gay, Bisexual, Transgender, & Queer Quality of Life Advisory Commission

Kathryn Gonzales

LGBTQ QOL Commission

Lesbian, Gay, Bisexual, Transgender, & Queer Quality of Life Advisory Commission

Charles Curry

LGBTQ QOL Commission

Music Commission

Paul Pinon

Council Member Flannigan

**Waivers**

Approve a waiver of the residency requirement in Section 2-1-21 of the City Code for the service of Carol Lee on the Public Safety Commission.

Approve a waiver of the residency requirement in Section 2-1-21 of the City Code for the service of Manuel Jimenez on the Commission on Veterans Affairs.

Approve a waiver of the attendance requirement in Section 2-1-26 of the City Code for the service of Thomas Dodd on the Construction Advisory Committee. The waiver includes absences through today's date.

Approve a waiver of the attendance requirement in Section 2-1-26 of the City Code for the service of Calvin Williams on the Construction Advisory Committee. The waiver includes absences through today's date.

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

**Library Commission**

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

**Items 56 through 58 were pulled for discussion.**

59. Approve the waiver or reimbursement of certain fees under City Code Chapter 14-8 for the 14th annual Moonlight Margarita Run, sponsored by the Trail Foundation, which was held Thursday June 8, 2017, beginning at Lady Bird Lake and ending on the Great Lawn in front of the former Seaholm Power Plant. (Notes: SPONSOR: Council Member Leslie Pool CO 1: Mayor Pro Tem Kathie Tovo CO 2: Council Member Ann Kitchen CO 3: Mayor Steve Adler CO 4: Council Member Alison Alter)

**The motion approving the waiver or reimbursement of certain fees under City Code Chapter 14-8 for the 14<sup>th</sup> annual Moonlight Margarita Run was approved on consent on Council Member Kitchen's motion, Council Member Alter's second on an 11-0 vote.**

60. Approve the waiver or reimbursement of certain fees under City Code Chapter 14-8 for the Fourth of July Parade and Celebration sponsored by the North Shoal Creek Neighborhood Association which was held on Tuesday July 4, 2017 at Pillow Elementary School. (Notes: SPONSOR: Council Member Leslie Pool CO 1: Council Member Delia Garza CO 2: Council Member Ann Kitchen CO 3: Council Member Jimmy Flannigan CO 4: Council Member Alison Alter)

**The motion approving the waiver or reimbursement of certain fees under City Code Chapter 14-8 for the Fourth of July Parade and Celebration was approved on consent on Council Member Kitchen's motion, Council Member Alter's second on an 11-0 vote.**

61. Approve the waiver or reimbursement of certain fees under City Code Chapter 14-8 for Ciclovía: Dove Springs sponsored by Bike Austin which will be held on Saturday October, 7 2017 at Widen Elementary. (Notes: SPONSOR: Council Member Delia Garza CO 1: Council Member Leslie Pool CO 2: Council Member Ann Kitchen CO 3: Council Member Sabino "Pio" Renteria CO 4: Mayor Pro Tem Kathie Tovo)

**The motion approving the waiver or reimbursement of certain fees under City Code Chapter 14-8 for Ciclovía: Dove Springs was approved on consent on Council Member Kitchen's motion, Council Member Alter's second on an 11-0 vote.**

62. Approve an ordinance waiving or reimbursing certain fees for the Japanese Folk Dance Presentation, sponsored by the Austin Japanese Minyo Group, which was held on Saturday July 8, 2017, at the Asian American Resource Center. (Notes: SPONSOR: Council Member Jimmy Flannigan CO 1: Mayor Pro Tem Kathie Tovo CO 2: Council Member Sabino "Pio" Renteria CO 3: Council Member Alison Alter)

**Ordinance No. 20170803-062 was approved on consent on Council Member Kitchen's motion, Council Member Alter's second on an 11-0 vote.**

63. Approve an ordinance waiving or reimbursing certain fees required for hanging a banner designed to assist the YMCA of Austin with advertising for jobs sponsored by the YMCA. (Notes: SPONSOR: Council Member Alison Alter CO 1: Council Member Ora Houston CO 2: Council Member Leslie Pool CO 3: Mayor Pro Tem Kathie Tovo)

**Ordinance No. 20170803-063 was approved on consent on Council Member Kitchen's motion, Council Member Alter's second on an 11-0 vote.**

64. Approve an ordinance amending Ordinance No. 20170608-034 to authorize waiving or reimbursing certain additional fees for the Umlauf Garden Party - Under a Texas Sky event sponsored by the Umlauf Sculpture Garden and Museum that was held on Thursday April 27, 2017 at Umlauf Gardens. (Notes: SPONSOR: Council Member Ann Kitchen CO 1: Council Member Sabino "Pio" Renteria CO 2: Council Member Jimmy Flannigan CO 3: Council Member Gregorio Casar)

**Ordinance No. 20170803-064 was approved on consent on Council Member Kitchen's motion, Council Member Alter's second on an 11-0 vote.**

**Council Member Alter stated she was adding \$200 in fee waiver contributions.**

65. Set a public hearing to consider a request by Charles Lofli, agent of CNJ Austin Wings III Inc. dba Wingstop, located at 7112 Ed Bluestein Blvd., Unit 167, to waive the distance requirement of City Code Section 4-9-4(A), which requires a minimum of 300 feet between a business that sells

alcoholic beverages and a public school. (Suggested date and time: August 31, 2017, 4:00 p.m. at Austin City Hall, 301 W. Second Street, Austin, TX).

**The public hearing was set on consent for August 31, 2017, 4:00 p.m. at 301 W. Second Street, Austin, TX on Council Member Kitchen's motion, Council Member Alter's second on an 11-0 vote.**

66. Set a public hearing to consider an ordinance relating to the 2015 International Property Maintenance Code and local amendments. (Suggested date and time: September 28, 2017, 4:00 p.m., at Austin City Hall, 301 W. Second Street, Austin, TX).

**The public hearing was set on consent for September 28, 2017, 4:00 p.m. at 301 W. Second Street, Austin, TX on Council Member Kitchen's motion, Council Member Alter's second on an 11-0 vote.**

67. Set a public hearing for an application to be submitted to the Texas Department of Housing and Community Affairs by LDG Manchaca Commons, LP, or an affiliated entity, for the new construction of an affordable multi-family development to be located at 12040 Manchaca Road. (Suggested date and time: August 10, 2017, beginning at 4:00 p.m. at Austin City Hall, 301 W. Second Street, Austin, TX 78701.)

**The public hearing was set on consent for August 10, 2017, 4:00 p.m. at 301 W. Second Street, Austin, TX on Council Member Kitchen's motion, Council Member Alter's second on an 11-0 vote.**

68. Set a public hearing to consider an ordinance relating to the 2015 International Fire Code and local amendments. (Suggested date and time: September 28, 2017, at 4:00 p.m., at Austin City Hall, 301 W. Second Street, Austin, TX).

**The public hearing was set on consent for September 28, 2017, 4:00 p.m. at 301 W. Second Street, Austin, TX on Council Member Kitchen's motion, Council Member Alter's second on an 11-0 vote.**

69. Set a public hearing to receive comment on growth-related projects within the Drinking Water Protection Zone to be included in the Fiscal Year 2017-2018 Capital Budget. (Suggested date and time: August 17, 2017, 4:00 p.m. at Austin City Hall, 301 W. Second Street, Austin, TX 78701).

**The public hearing was set on consent for August 17, 2017, 4:00 p.m. at 301 W. Second Street, Austin, TX on Council Member Kitchen's motion, Council Member Alter's second on an 11-0 vote.**

70. Set a public hearing regarding Oncor Electric's proposal to increase customer electric utility rates. (Suggested date and time August 17, 2017; 4:00 p.m. at City Hall; 301 W. Second Street, Austin, TX).

**This item was withdrawn.**

71. Set a public hearing to receive public comment on the proposed rate and fee changes for Austin Water as part of the Fiscal Year 2017-2018 Proposed Budget. (Suggested date and time: August 17, 2017, 4:00 p.m. at Austin City Hall, 301 West 2nd St., Austin, TX)

**The public hearing was set on consent for August 17, 2017, 4:00 p.m. at 301 W. Second Street, Austin, TX on Council Member Kitchen's motion, Council Member Alter's second on an 11-0 vote.**

72. Set a public hearing to consider an ordinance amending the Land Development Code, Chapter 25-10 relating to the regulation of signs. (Suggested date and time: August 17, 2017, 4:00 p.m. at Austin City Hall, 301 W. Second Street, Austin, TX.)  
**The public hearing was set on consent for August 17, 2017, 4:00 p.m. at 301 W. Second Street, Austin, TX on Council Member Kitchen's motion, Council Member Alter's second on an 11-0 vote.**
73. Set a public hearing to receive public comment on the proposed rate and fee changes for Austin Energy as part of the Fiscal Year 2017-2018 Proposed Budget. (Suggested date and time: August 17, 2017, 4:00 p.m. at Austin City Hall, 301 West 2nd St., Austin, TX)  
**The public hearing was set on consent for August 17, 2017, 4:00 p.m. at 301 W. Second Street, Austin, TX on Council Member Kitchen's motion, Council Member Alter's second on an 11-0 vote.**
74. Set a public hearing to receive public comments on the Austin Resource Recovery rate changes for the Fiscal Year 2017-2018 Proposed Budget. (Suggested date and time: August 17, 2017, 4:00 p.m., Austin City Hall, 301 W. Second Street, Austin, TX)  
**The public hearing was set on consent for August 17, 2017, 4:00 p.m. at 301 W. Second Street, Austin, TX on Council Member Kitchen's motion, Council Member Alter's second on an 11-0 vote.**
75. Set a public hearing to consider an ordinance repealing and replacing Article 4 of City Code Chapter 25-12 to adopt the 2017 National Electrical Code and local amendments. (Suggested date and time: September 28, 2017, 4:00 p.m. at Austin City Hall, 301 W. Second Street, Austin, TX.)  
**The public hearing was set on consent for September 28, 2017, 4:00 p.m. at 301 W. Second Street, Austin, TX on Council Member Kitchen's motion, Council Member Alter's second on an 11-0 vote.**
76. Set a public hearing to receive public comment on the City of Austin Fiscal Year 2017-2018 Proposed Budget. (Suggested date and time: August 17, 2017, 4:00 p.m. at Austin City Hall, 301 W. Second Street, Austin, TX).  
**The public hearing was set on consent for August 17, 2017, 4:00 p.m. at 301 W. Second Street, Austin, TX on Council Member Kitchen's motion, Council Member Alter's second on an 11-0 vote.**

Item 77 was the Austin Housing and Finance Corporation Meeting set for 3:00 p.m.

Items 78 through 80 were Executive Session Items.

Items 81 through 85 were Zoning Ordinances / Restrictive Covenants (HEARINGS CLOSED)

Items 86 through 117 were Zoning and Neighborhood Plan Amendment Items (Public Hearing and Possible Action).

Items 118 through 120 were public hearing items set for 4:00 p.m.

**Mayor Adler recessed the Council Meeting and called the Board of Directors' Meeting of the Austin Housing Finance Corporation to order at 10:30 a.m. See separate minutes.**

77. 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 10:34 a.m.**

### **DISCUSSION ITEMS**

6. Authorize negotiation and execution of a professional services agreement with the three staff-recommended firms, or other qualified responders to Request for Qualifications Solicitation No. CLMP227: TERRACON CONSULTANTS, INC., FERKAM MANAGEMENT CORPORATION, and BAER ENGINEERING & ENVIRONMENTAL CONSULTING, INC. for The 2017 Asbestos, Lead Paint, and Mold Consulting Services Rotation List for an estimated period of three years, or until financial authorization is expended, for a total contract amount not to exceed \$3,300,000 divided among the three firms. (Notes: This contract will be awarded in compliance with City Code Chapter 2-9B (Minority Owned and Women Owned Business Enterprise Procurement Program). No goals were established for this solicitation.)  
**The motion authorizing negotiation and execution of a professional services agreement with Terracon Consultants, Inc., Ferkam Management Corporation, and Baer Engineering & Environmental Consulting, Inc. was approved on Council Member Houston's motion, Council Member Flannigan's second on an 11-0 vote.**
9. Authorize negotiation and execution of a construction manager-at-risk agreement with SPAWGLASS CONSTRUCTORS INC., for pre-construction and construction phase services for Town Lake Metropolitan Park Alliance Children's Garden for a total contract amount not to exceed \$4,000,000. (District 9) (Related to Item #8) (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 established Combined MBE/WBE goal with 8.33% participation. Additional subcontracting opportunities will also arise during the Construction Phase of this project; however, the specific scopes and magnitude of the construction work cannot be determined until design has been sufficiently completed. Prior to entering into the Construction Phase, the City will establish Minority-owned Business Enterprise and Women-owned Business Enterprise goals for construction and the construction manager-at-risk firm will submit a Compliance Plan meeting the construction goals or documentation detailing their Good Faith Effort(s) to meet the established goals.)  
**The motion authorizing negotiation and execution of a construction manager-at-risk agreement with Spawglass Constructors Inc. was approved on Council Member Houston's motion, Council Member Troxclair's second on an 11-0 vote.**
22. Authorize negotiation and execution of an encroachment agreement with CARLYLE LIPPINCOTT 1998 HERITAGE TRUST, MARY LIPPINCOTT 1998 HERITAGE TRUST, and LIPPINCOTT CAPITAL LTD. for the aerial encroachment of right-of-way by balconies and canopies at the intersection of West Elizabeth Street and Eva Street, located at 110 West Elizabeth Street. (District 9)  
**This item was postponed to August 17, 2017 on Mayor Pro Tem Tovo's motion, Council Member Alter's second on a 10-1 vote. Council Member Flannigan voted nay.**
56. Approve a resolution directing the City Manager to initiate the process of renaming "Water Treatment Plant 4" to the "Berl L. Handcox, Sr. Water Treatment Plant." (Notes: SPONSOR: Council Member Jimmy Flannigan CO 1: Council Member Ora Houston CO 2: Council Member Sabino "Pio" Renteria CO 3: Mayor Steve Adler)



**Resolution No. 20170803-056 was approved on Council Member Flannigan's motion, Council Member Houston's second on an 11-0 vote.**

39. Authorize negotiation and execution of a 12-month contract with MOBILE VETERINARY SPECIALIST PLLC, to provide veterinary surgical services, in an estimated amount of \$100,000, with two 12-month extension options in an estimated amount of \$100,000 per extension option, for a total contract amount not to exceed \$300,000. (Notes: This procurement was reviewed for subcontracting opportunities in accordance with City Code Chapter 2-9C Minority Owned and Women Owned Business Enterprise Procurement Program. For the services required for this procurement, there were no subcontracting opportunities; therefore, no subcontracting goals were established.)

**The motion authorizing negotiation and execution of a contract with Mobile Veterinary Specialist PLLC was approved on Council Member Houston's motion, Council Member Renteria's second on an 11-0 vote.**

41. Authorize an amendment to the contract with FARMSHARE AUSTIN, to provide continued mobile farmer's markets, for an increase in an estimated amount of \$14,500 to the current contract term, and to increase each of the four 12-month extension options in an estimated amount of \$14,500 per extension option, for a revised contract amount not to exceed \$362,500. (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.)

**The motion authorizing an amendment to the contract with Farmshare Austin was approved on Council Member Houston's motion, Council Member Pool's second on an 11-0 vote.**

49. Approve issuance of a street closure permit under City Code Chapter 14-8 for 2nd Street District's White Linen Night, a fee-paid event in the 200 block of West 3rd Street, which will be held on Saturday, August 5, 2017 from 10:00 a.m. to 11:00 p.m. (District 9)

**The motion approving issuance of a street closure permit under City Code Chapter 14-8 for the 2<sup>nd</sup> Street District's White Linen Night was approved on Mayor Adler's motion, Mayor Pro Tem Tovo's second on a 9-1 vote. Council Member Houston voted nay. Council Member Pool abstained.**

51. Authorize negotiation and execution of a professional services agreement with TOOLE DESIGN GROUP, LLC. (staff recommendation), or one of the other qualified responders to the Request for Qualification Solicitation No. CLMP229, to provide engineering services for Street Design Staff Augmentation for an initial two-year term, with four renewal options, for a total contract amount not to exceed \$6,000,000 including all renewals, subject to annual appropriations. (Notes: This contract will be awarded in compliance with City Code Chapter 2-9B (Minority Owned and Women Owned Business Enterprise Procurement Program). No goals were established for this solicitation.)

**The motion authorizing negotiation and execution of a professional services agreement with Toole Design Group, LLC. was approved on Council Member Garza's motion, Council Member Flannigan's second on an 8-2 vote. Those voting aye were: Mayor Adler, and Council Members Alter, Casar, Flannigan, Garza, Kitchen, Pool, and Renteria. Council Members Houston and Troxclair voted nay. Mayor Pro Tem Tovo was off the dais.**

57. Approve a resolution relating to the Low-Income Housing Tax Credit Program. (Notes: SPONSOR: Council Member Gregorio Casar CO 1: Mayor Steve Adler CO 2: Council Member Delia Garza CO 3: Council Member Sabino "Pio" Renteria)

A motion to approve the resolution as amended below was made on Council Member Casar's motion and seconded by Council Member Garza.

The amendments were:

To revise the first Be It Resolved clause to read:

"For any 4% and 9% low-income housing tax credit request for resolution received by Neighborhood Housing and community Development after this Resolution is adopted, the City Council directs the City Manager to provide Council an assessment of whether the proposed development is consistent with the Fair Housing Act and aligns with the City's Analysis of Impediments, Fair Housing Action Plan, Strategic Housing Blueprint, or Assessment of Fair Housing Action Plan, and to consider a scoring matrix as a potential tool for evaluating the proposed development relative to these city goals and plan; and"

To revise the second Be It Resolved clause to read:

"With the goal of increasing the total number of income-restricted units throughout the city, The City Council directs the City Manager to explore the feasibility of programs and incentives to support properties that participate in the Low-Income Housing Tax Credit Program and are located in moderate-to-high-opportunity or gentrifying areas, including, but not limited to, the use of City funding, zoning changes, or other tools and incentives; and to provide any recommendations by November 30, 2017, and to include any recommendations in the Strategic Housing Blueprint Implementation plan; and"

To revise the last Be It Resolved clause to read:

"The City Council directs the City Manager to explore the City's authority to provide additional protections for tenants who reside at a property participating in the Low-Income Housing Tax Credit Program and, to the extent the City is authorized to provide additional protections, to include the protections in the Strategic Housing Blueprint Implementation Plan."

Resolution No. 20170803-057 was approved as amended above on Council Member Casar's motion, Council Member Garza's second on a 10-0 vote. Council Member Troxclair was off the dais.

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

Jere Locke - % 100 by 2030.

Erin Kelly - I wish for Austin City Council to support a Certificate of Obligation to fund phase 6 of the Austin Locker Room Project and push the project to be completed in a reasonable timeline.

Arthur Graves - TBA.

Kaitlin Shirley - TBA. - **Not Present**

Julian Reyes - Current state of Austin's houseless, poor and peasants.

Brian Seay - Update to traffic congestion in the City of Austin. - **Not Present**

Richard Franklin - Investing properly.

Hailey Easley - ARC non profit funding.

Aditi Joshi - Asian American Resource Center Nonprofit

### **DISCUSSION ITEMS CONTINUED**

58. Approve a resolution directing the City Manager to add certain information to the City's Resources for Renters webpage. (Notes: SPONSOR: Mayor Pro Tem Kathie Tovo CO 1: Council Member Delia Garza CO 2: Council Member Leslie Pool CO 3: Council Member Alison Alter)  
**A motion to approve the resolution with the following amendment was made by Mayor Pro Tem Tovo and seconded by Council Member Alter.**

**The amendment was to have the second Be It Further Resolved clause to read:**

**“The City Manager is directed to continue her work on creating a database of subsidized and unsubsidized affordable housing developments within the Austin city limits with features such as average rental prices, unit size, number of bedrooms, number of bathrooms, and other features, as well as their proximity to amenities such as health clinics, schools, grocery stores, transit, community centers, and characteristics that help renters identify areas of higher opportunity.”**

**A friendly amendment was made by Council Member Flannigan to revise the first Be It Resolved clause to read:**

- **“Austin Independent School District, Del Valle Independent School District, Round Rock Independent School District, and Leander Independent School District’s polices and resources for children impacted by displacement, as well information about AISD’s newly developed Language Line;**
- **Austin Energy and Austin Water’s policies for households who experience displacement, such as waived hook-up fees;**
- **Contact information for the Austin Tenants’ Council, Texas Rio Grande Legal Aid, Building and Strengthening Tenant Action (BASTA), and other tenants’ organizing groups;**
- **The Housing Authority of the City of Austin’s waitlist policy regarding income-eligible households who have been displaced;**
- **Travis County’s and Williamson County’s eviction appeals and record expungement processes;**
- **Information about how to request affordable or free translation services.”**

**The friendly amendment was accepted without objection.**

**Direction was given to staff to incorporate information about other school districts that fall within the City of Austin.**

**A friendly amendment was made by Mayor Adler to add a further Be It Resolved clause to read: “Without impacting the timeline for the above requested actions, the City Manager is directed to make recommendations to Council regarding best practices for ensuring that both information regarding availability and opportunities to lease subsidized rental units are made equitably available to households targeted for such housing, including consideration of the City taking a more direct role in the leasing of subsidized units to targeted populations.” The friendly amendment was accepted without objection.**

**Resolution No. 20170803-058 was approved as amended on Mayor Pro Tem Tovo’s motion, Council Member Alter’s second on an 11-0 vote.**

Mayor Adler recessed the Council Meeting to go into Executive Session at 12:37 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.**

78. 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**
79. Discuss legal issues related to Jordan Marecek v. City of Austin, Cause No. D-1-GN-16-003343 in the 200th Judicial District for Travis County, Texas (Private consultation with legal counsel - Section 551.071).  
**This item was withdrawn without objection**
80. Discuss legal issues related to English v. City of Austin, Cause No. D-1-GN-15-002015 in the 345th Judicial District of Travis County, Texas (Private consultation with legal counsel - Section 551.071 of the Government Code).  
**This item was withdrawn without objection.**

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

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

81. C14-2016-0125 – 13007 Cantarra - District 1 - Approve second and third readings of an ordinance amending City Code Title 25 by zoning property locally known as 13007 Cantarra Drive (Harris Branch Watershed) from neighborhood commercial-mixed use-conditional overlay (LR-MU-CO) combining district zoning to neighborhood commercial-mixed use-conditional overlay combining (LR-MU-CO) district zoning, to change a condition of zoning. First reading approved on June 15, 2017. Vote: 10-1, Council Member Flannigan voted nay. Owner/Applicant: Unity Five Investment, LLC (Nasruddin Mahesania). Agent: Alice Glasco Consulting (Alice Glasco). City Staff: Sherri Sirwaitis, 512-974-3057.  
**Ordinance No. 20170803-081 was approved for neighborhood commercial-mixed use-conditional overlay combining (LR-MU-CO) district zoning, to change a condition of zoning on Council Member Garza's motion, Council Member Casar's second on a 10-1 vote. Council Member Flannigan voted nay.**
82. C14-2016-0134 – Pioneer at Walnut Creek - District 1 -Approve third reading 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. Second reading approved on June 8, 2017. Vote: 9-0, Council Members Kitchen and Garza were off the dais. Owner/Applicant: Nirav Amin. Agent: Vincent Gerard & Associates (Vincent G. Huebinger). City Staff: Sherri Sirwaitis, 512-974-3057.

**This item was postponed to October 5, 2017 at the request of Council on Council Member Garza's motion, Council Member Casar's second on an 11-0 vote.**

83. C14-2017-0029 – Great Hills Country Club - District 10 - Approve second and third readings of an ordinance amending City Code Title 25 by zoning property locally known as 5914 Lost Horizon Drive (Bull Creek Watershed) from single family residence-standard lot (SF-2) district zoning and community commercial-conditional overlay (GR-CO) combining district zoning to commercial recreation (CR) district zoning for Tract 1 and from community commercial-conditional overlay (GR-CO) combining district zoning to commercial-liquor sales (CS-1) district zoning for Tract 2. First reading approved on June 15, 2017. Vote: 11-0. Owner/Applicant: Great Hills Golf Club of Austin, Inc. (Hayden Stewart). Agent: Thrower Design (A. Ron Thrower). City Staff: Sherri Sirwaitis, 512-974-3057.  
**Ordinance No. 20170803-083 was approved for commercial recreation (CR) district zoning for Tract 1 and commercial-liquor sales (CS-1) district zoning for Tract 2 on Council Member Garza's motion, Council Member Casar's second on an 11-0 vote.**
84. C14H-2017-0038 - Pennybacker-Alexander House - District 9 - Approve second and third readings of an ordinance amending City Code Title 25 by rezoning property locally known as 811 E. 38th Street from single family residence-standard lot-conditional overlay-neighborhood plan (SF-2-CO-NP) combining district zoning to single family residence-standard lot-historic landmark-conditional overlay-neighborhood plan (SF-2-H-CO-NP) combining district zoning. First Reading approved on June 22, 2017. Vote: 7-2; Council Members Casar and Flannigan voted nay; Council Member Renteria was off the dais; Council Member Troxclair was absent. Applicant: Phoebe Allen, agent for Alexander M. Davern, owner. City Staff: Steve Sadowsky, Historic Preservation Office, Planning and Zoning Department, 512-974-6454.  
**Ordinance No. 20170803-084 was approved for single family residence-standard lot-historic landmark-conditional overlay-neighborhood plan (SF-2-H-CO-NP) combining district zoning on Council Member Garza's motion, Council Member Casar's second on a 10-1 vote. Council Member Flannigan voted nay.**
85. C14H-2017-0039 - Carrington Bluff - District 9 - Approve second and third readings of an ordinance amending City Code Title 25 by rezoning property locally known as 1900 David Street from family residence-conditional overlay-neighborhood plan (SF-3-CO-NP) combining district zoning to family residence-historic landmark-conditional overlay-neighborhood plan (SF-3-H-CO-NP) combining district zoning. First Reading approved on June 22, 2017. Vote: 8-1; Council Member Flannigan voted nay; Council Member Renteria was off the dais; Council Member Troxclair was absent. Applicant: Phoebe Allen, agent for Old West 19th, Ltd., owners. City Staff: Steve Sadowsky, Historic Preservation Office, Planning and Zoning Department, 512-974-6454.  
**Ordinance No. 20170803-085 was approved for family residence-historic landmark-conditional overlay-neighborhood plan (SF-3-H-CO-NP) combining district zoning on Council Member Garza's motion, Council Member Casar's second on a 10-1 vote. Council Member Flannigan voted nay.**
86. C14-2017-0020 - The Rail Spur Building - District 3 - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 618 Tillery Street (Colorado River Watershed) from limited office-conditional overlay-neighborhood plan (LO-CO-NP) combining district zoning and limited office-mixed use-conditional overlay-neighborhood plan (LO-MU-CO-NP) combining district zoning to community commercial-conditional overlay-neighborhood plan (GR-CO-NP) combining district zoning and community commercial-mixed use-conditional overlay-neighborhood plan (GR-MU-CO-NP) combining district zoning. Staff

Recommendation: Pending. Planning Commission Recommendation: To be reviewed on August 8, 2017. Owner/Agent: Peter Barlin. City Staff: Heather Chaffin, 512-974-2122.

**This item was postponed to October 5, 2017 at the request of staff on Council Member Garza's motion, Council Member Casar's second on an 11-0 vote.**

87. NPA-2017-0013.01 - Bouldin Creek Neighborhood Plan Area-Wide Neighborhood Plan Amendment to Add Garage Placement Design Tool - 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 with text amendments to the plan document. Planning Commission Recommendation: To grant adding the Garage Placement Design tool with text amendments to the plan document. 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 September 28, 2017 at the request of the neighborhood on Council Member Garza's motion, Council Member Casar's second on an 11-0 vote.**
88. C14-2017-0026 - Bouldin Creek Neighborhood Plan Area-Wide Neighborhood Plan Amendment to Add Garage Placement Design Tool - 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 (Sec. 25-2-1604) area-wide in this planning area. Staff Recommendation: To recommend adoption of the Garage Placement Design tool. Planning Commission Recommendation: To grant adding the Garage Placement Design Tool (Sec. 25-2-1604) to the planning area. 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 September 28, 2017 at the request of the neighborhood on Council Member Garza's motion, Council Member Casar's second on an 11-0 vote.**
89. NPA-2016-0016.01 - 3212 E. Cesar Chavez Street - District 3 - District 3 - Conduct a public hearing and approve an ordinance amending Ordinance No. 20030327-12, the Govalle/Johnston Terrace Combined Neighborhood Plan, an element of the Imagine Austin Comprehensive Plan, to change the land use designation on the future land use map (FLUM) on property locally known as 3212 East Cesar Chavez Street and 111 Tillery Street (Colorado River Watershed) from Commercial and Industry land uses to Multifamily and Mixed Use land uses. Staff Recommendation: To grant Mixed Use land use. Planning Commission Recommendation: To be reviewed on August 8, 2017. Owner/Applicant: Painter Enterprises, a Texas Corporation. Agent: Husch Blackwell (Nikelle Meade). City Staff: Maureen Meredith, 512-974-2695.  
**This item was postponed to August 17, 2017 at the request of staff on Council Member Garza's motion, Council Member Casar's second on an 11-0 vote.**
90. C14-2016-0079 - 3212 E. Cesar Chavez Street - District 3 - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 3212 East Cesar Chavez Street and 111 Tillery Street (Colorado River Watershed) from limited industrial services-conditional overlay-neighborhood plan (LI-CO-NP) combining district zoning and general commercial services-conditional overlay-neighborhood plan (CS-CO-NP) combining district zoning to multifamily residence- highest density-conditional overlay-neighborhood plan (MF-6-CO-NP) combining district zoning and general commercial services-mixed use-

conditional overlay-neighborhood plan (CS-MU-CO-NP) combining district zoning. Staff Recommendation: To grant multifamily residence-highest density-conditional overlay-neighborhood plan (MF-6-CO-NP) combining district zoning and general commercial services-mixed use-conditional overlay-neighborhood plan (CS-MU-CO-NP) combining district zoning. Planning Commission Recommendation: To be reviewed on August 8, 2017. Owner: Painter Enterprises Inc. (Donald E. Painter). Applicant: Husch Blackwell LLP (Nikelle Meade). City Staff: Heather Chaffin, 512-974-2122..

**This item was postponed to August 17, 2017 at the request of staff on Council Member Garza's motion, Council Member Casar's second on an 11-0 vote.**

93. NPA-2016-0005.02 – Montopolis - Ben White FLUM Amendment - District 3 – Conduct a public hearing and approve an ordinance amending Ordinance No. 20010927-05, the Montopolis Neighborhood Plan, an element of the Imagine Austin Comprehensive Plan, to change the land use designation on the future land use map (FLUM) on property locally known as 6700 and 6800 E. Ben White Blvd., & 2601 Montopolis Drive (Country Club East & Carson Creek Watershed) from Industry to Mixed Use land use. Staff Recommendation: To deny Mixed Use land use. Planning Commission Recommendation: To be reviewed on August 8, 2017. Owner/Applicant: Ocampo Partners, Ltd. Agent: Coats Rose (John M. Joseph). City Staff: Maureen Meredith, (512) 974-2695.

**The item was postponed to August 31, 2017 at the request of staff on Council Member Garza's motion, Council Member Casar's second on an 11-0 vote.**

94. C14-2016-0085 – Montopolis – E. Ben White Zoning – District 3 – Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 6700 and 6800 East Ben White Boulevard, and 2601 Montopolis Drive (Country Club East Watershed; Carson Creek Watershed) from limited industrial services-neighborhood plan (LI-NP) combining district zoning to general commercial services-mixed use-neighborhood plan (CS-MU-NP) combining district zoning. Staff Recommendation: To deny general commercial services-mixed use-neighborhood plan (CS-MU-NP) combining district zoning. Planning Commission Recommendation: To be reviewed on August 8, 2017. Owner: Ocampo Partners Ltd. Applicant/Agent: Coats Rose/John Joseph. City Staff: Andrew Moore, 512-974-7604.

**The item was postponed to August 31, 2017 at the request of staff on Council Member Garza's motion, Council Member Casar's second on an 11-0 vote.**

95. C14-78-220 (RCT) –Montopolis – Ben White Subdivision – District 3 – Conduct a public hearing to terminate a restrictive covenant on property locally known as 6700 & 6800 E. Ben White Blvd and 2601 Montopolis Drive (Country Club West and Carson Creek Watersheds). Staff Recommendation: To grant the termination of the Restrictive Covenant as it relates to this property. Planning Commission Recommendation: Recommended to terminate the restrictive covenant as it relates to this property. Applicant/Agent: Coats Rose/John Joseph. Owner: Ocampo Partners Ltd. City Staff: Andrew Moore, 512-974-7604.

**The item was postponed to August 31, 2017 at the request of staff on Council Member Garza's motion, Council Member Casar's second on an 11-0 vote.**

96. NPA-2017-0014.01 - McComb Commercial - District 2 -Conduct a public hearing to approve an ordinance amending Ordinance No. 021010-11, the Southeast 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 8008 Burleson Road (Onion Creek Watershed) from Warehouse/Limited Office land use to Commercial land use. Staff Recommendation: To grant Commercial land use. Planning Commission Recommendation: To

grant Commercial land use. Owner/Applicant: Jim and Shirlene McComb. Agent: Thrower Design (Ron Thrower). City Staff: Maureen Meredith, 512-974-2695.

**The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20170803-096 to change the land use designation on the future land use map (FLUM) to Commercial land use was approved on Council Member Garza's motion, Council Member Casar's second on an 11-0 vote.**

98. C14-86-141(RCT) - McComb Commercial - District 2 - Conduct a public hearing to terminate a restrictive covenant on property locally known as 8008 Burleson Road (Onion Creek Watershed). Staff Recommendation: To grant termination of the restrictive covenant. Planning Commission Recommendation: To grant termination of the restrictive covenant. Owner/Applicant: Jim and Shirlene McComb. Agent: Thrower Design (Ron Thrower). City Staff: Wendy Rhoades, 512-974-7719.

**The public hearing was conducted and a motion to close the public hearing and grant the termination of the restrictive covenant was approved on Council Member Garza's motion, Council Member Casar's second on an 11-0 vote.**

99. NPA-2017-0025.01 – Oak Bridge Amendment – District 8 – Conduct a public hearing and approve an ordinance amending Ordinance No. 20081211-096, the Oak Hill 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 6707 Raccoon Run (Williamson Creek Watershed-Barton Springs Zone) from Single Family land use to Multifamily land use. Staff Recommendation: To grant Multifamily land use. Planning Commission Recommendation: To grant Multifamily land use. Owner/Applicant: Fidelma O'Leary. Agent: Yousef Nazif. City Staff: Maureen Meredith, 512-974-2695.

**The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20170803-099 to change the land use designation on the future land use map (FLUM) to Multifamily land use was approved on Council Member Garza's motion, Council Member Casar's second on an 11-0 vote.**

**Action was taken on item 101 but reconsidered later in the meeting.**

102. C14-2016-0135 – 2500 N. Lamar - District 9 – Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 1200 West 25th Street (Shoal Creek Watershed) from general office-mixed use-conditional overlay-neighborhood plan (GO-MU-CO-NP) combining district zoning to general office-mixed use-vertical mixed use building-neighborhood plan (GO-MU-V-NP) combining district zoning. Staff Recommendation: To grant general office-mixed use-vertical mixed use building- neighborhood plan (GO-MU-V-NP) combining district zoning. Planning Commission Recommendation: To be reviewed on August 8, 2017. Owner/Applicant: 2500 N. Lamar LLC. Agent: Drenner Group (Amanda Swor). City Staff: Scott Grantham, 512-974-3574.

**The item was postponed to September 28, 2017 at the request of staff on Council Member Garza's motion, Council Member Casar's second on an 11-0 vote.**

103. C14-2017-0002 - Strub Residential - District 7 -Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 2401 Hancock Drive (Shoal Creek Watershed) from family residence (SF-3) district zoning to neighborhood office-mixed use (NO-MU) combining district zoning. Staff Recommendation: To deny neighborhood office-mixed use (NO-MU) combining district zoning. Zoning and Platting Commission Recommendation: To be reviewed on August 1, 2017. Owner/Applicant: Moose and



Pony Property, LLC-Series Hancock (Mark Strub). Agent: Drenner Group (Jewels Nickells). City Staff: Wendy Rhoades, 512-974-7719.

**The item was postponed indefinitely at the request of the applicant on Council Member Garza's motion, Council Member Casar's second on an 11-0 vote.**

104. C14-2017-0036 - Parker Creek Ranch Residential - District 1 - Conduct a public hearing and approve an ordinance amending City Code Title 25 by zoning and rezoning property locally known as 7620 Decker Lane (Decker Creek Watershed; Walnut Creek Watershed) from interim-rural residence (I-RR) district zoning and single-family residence-standard lot (SF-2) district zoning to single family residence -small lot (SF-4A) district zoning. Staff Recommendation: To grant single family residence-small lot (SF-4A) district zoning. Zoning and Platting Commission Recommendation: To be reviewed on August 1, 2017. Owner: Continental Homes of Texas L.P. (Ian Cude). Applicant: Alice Glasco Consulting (Alice Glasco). City Staff: Heather Chaffin, 512-974-2122.

**The item was postponed to August 31, 2017 at the request of staff on Council Member Garza's motion, Council Member Casar's second on an 11-0 vote.**

105. C14-2017-0042 - 12602 Blackfoot Trail - District 6 - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 6610 McNeil Drive/12602 Blackfoot Trail (Rattan Creek Watershed) from neighborhood commercial-conditional overlay (LR-CO) combining district zoning and single family residence-standard lot (SF-2) district zoning to general commercial-mixed use (CS-MU) combining district zoning. Staff Recommendation: To grant neighborhood commercial-mixed use (LR-MU) combining district zoning, with conditions. Zoning and Platting Commission Recommendation: To be reviewed on August 15, 2017. Owner/Applicant: Abraham Birgani. Agent: Shaw Hamilton Consultants (Shaw Hamilton). City Staff: Sherri Sirwaitis, 512-974-3057.

**The item was postponed to August 31, 2017 at the request of staff on Council Member Garza's motion, Council Member Casar's second on an 11-0 vote.**

106. C14-2017-0041 – Sam's Auto Shop - District 6 - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 11815 Buckner Road (Lake Travis Watershed) from single family residence-standard lot (SF-2) district zoning to community commercial (GR) district zoning. Staff Recommendation: To grant community commercial (GR) district zoning. Zoning and Platting Commission Recommendation: To grant community commercial (GR) district zoning. Owner/Applicant: Siavash Samar. Agent: Shaw Hamilton Consultants (Shaw Hamilton). City Staff: Sherri Sirwaitis, 512-974-3057.

**The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20170803-106 for community commercial (GR) district zoning was approved on Council Member Garza's motion, Council Member Casar's second on an 11-0 vote.**

108. C14-2017-0050 – 1501 Airport Commerce Drive – District 3 – Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 1501 Airport Commerce Drive (Carson Creek Watershed) from general commercial services-conditional overlay-neighborhood plan (CS-CO-NP) combining district zoning to general commercial services-conditional overlay-neighborhood plan (CS-CO-NP) combining district zoning, to change a condition of zoning. Staff Recommendation: To grant general commercial services-conditional overlay- neighborhood plan (CS-CO-NP) combining district zoning, to change a condition of zoning. Planning Commission Recommendation: To be reviewed on August 8, 2017. Owner/Applicant: W2 Hill ACP II LP/Simmons Vedder (Steven Freche). Agent: Thrower Design (Ron Thrower). City Staff: Andrew Moore, 512-974-7604.

**The item was postponed to August 31, 2017 at the request of staff on Council Member Garza's motion, Council Member Casar's second on an 11-0 vote.**

109. C14-2017-0051 –Waters Park Commercial - District 7 - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 12219, 12219-½ and 12221 Waters Park Road (Walnut Creek Watershed) from rural residence (RR) district zoning, limited office (LO) district zoning and general office (GO) district zoning to commercial-liquor sales (CS-1) district zoning. Staff Recommendation: Pending. Zoning and Platting Commission Recommendation: To grant an indefinite postponement. Owner/Applicant: Bar Czar, LLC (Matias Segura III). Agent: South Llano Strategies (Glen Coleman). City Staff: Sherri Sirwaitis, 512-974-3057.

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

110. C14-2017-0053 - Red Bird Blue Bird - District 3 - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 206 Red Bird Lane (Williamson 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. Planning Commission Recommendation: To grant family residence-neighborhood plan (SF-3-NP) combining district zoning. Owner/Applicant: Rudolfo and Rose Conde. Agent: PTR (Justin Poses). City Staff: Wendy Rhoades, 512-974-7719.

**The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20170803-110 for family residence-neighborhood plan (SF-3-NP) combining district zoning was approved on Council Member Garza's motion, Council Member Casar's second on an 11-0 vote.**

112. C14-2017-0057 - Lot 973 Retail - District 2 - Conduct a public hearing and approve an ordinance amending City Code Title 25 by zoning property locally known as 3424 South FM 973 Road (Colorado River Watershed) from interim-rural residence (I-RR) district zoning to general commercial services-conditional overlay (CS-CO) combining district zoning. Staff Recommendation: To grant general commercial services-conditional overlay (CS-CO) combining district zoning. Zoning and Platting Commission Recommendation: To grant general commercial services-conditional overlay (CS-CO) combining district zoning. Owner/Applicant: Market Place Real Estate Group (Karl Koebel). Agent: Metcalfe Wolff Stuart & Williams, LLP (Michele R. Lynch). City Staff: Wendy Rhoades, 512-974-7719.

**The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20170803-112 for general commercial services-conditional overlay (CS-CO) combining district zoning was approved on Council Member Garza's motion, Council Member Casar's second on a 10-1 vote. Council Member Flannigan voted nay.**

114. C14-2017-0060 – 5002 - 5006 Hamilton Lane - District 10 –Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 5002 and 5006 Hamilton Lane (Bull Creek Watershed) from single family residence- standard lot (SF-2) district zoning to community commercial (GR) district zoning. Staff Recommendation: To grant community commercial (GR) district zoning. Zoning and Platting Commission Recommendation: To grant community commercial (GR) district zoning. Owner/Applicant: Edgar Michalk. Agent: The Agency Austin Inc. (Khalil Ali Salami). City Staff: Scott Grantham, 512-974-3574.

**The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20170803-114 for community commercial (GR) district zoning was approved on Council Member Garza's motion, Council Member Casar's second on an 11-0 vote.**

115. C14-2017-0063 - 11630 Manchaca Road - District 5 - Conduct a public hearing and approve an ordinance amending City Code Title 25 by zoning property locally known as 11630 Manchaca Road (Slaughter Creek Watershed) from interim-rural residence (I-RR) district zoning to community commercial (GR) district zoning. Staff Recommendation: To grant community commercial (GR) district zoning. Zoning and Platting Commission Recommendation: To grant community commercial (GR) district zoning. Owner/Applicant: Manchaca Partners, Inc. (Sufian Emmar). Agent: Lenworth Consulting LLC (Nash Gonzales). City Staff: Wendy Rhoades, 512-974-7719.

**The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20170803-115 for community commercial (GR) district zoning was approved on Council Member Garza's motion, Council Member Casar's second on an 11-0 vote.**

116. C14-2017-0064 - Verizon Wireless - Armadillo - District 2 - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 6705-1/2 Emerald Forest Drive (Williamson Creek Watershed) from neighborhood office-mixed use-conditional overlay-neighborhood plan (NO-MU-CO-NP) combining district zoning to neighborhood office-mixed use-conditional overlay-neighborhood plan (NO-MU-CO-NP) combining district zoning, to change a condition of zoning. Staff Recommendation: To grant neighborhood office-mixed use-conditional overlay-neighborhood plan (NO-MU-CO-NP) combining district zoning, to change a condition of zoning. Planning Commission Recommendation: To be reviewed on July 25, 2017. Owner/Applicant: James Hembree and Tina Keeling. Agent: Vincent Gerard & Associates, Inc. (Vincent G. Huebinger). City Staff: Wendy Rhoades, 512-974-7719.

**The item was postponed to September 28, 2017 at the request of staff on Council Member Garza's motion, Council Member Casar's second on an 11-0 vote.**

117. C14-2017-0071 – 5303 Rezoning 2017 – District 4 – Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 5303 Avenue F (Waller Creek Watershed) from neighborhood commercial- conditional overlay-neighborhood plan (LR-CO-NP) combining district zoning to neighborhood commercial-mixed use-conditional overlay-neighborhood plan (LR-MU-CO-NP) combining district zoning. Staff Recommendation: To grant neighborhood commercial-mixed use-conditional overlay-neighborhood plan (LR-MU-CO-NP) combining district zoning. Planning Commission Recommendation: To grant neighborhood commercial-mixed use-conditional overlay-neighborhood plan (LR-MU-CO-NP) combining district zoning. Owner/Applicant: Robert J. A. Dunbar. Agent: Ruby Anne Designs (Michael Winningham). City Staff: Scott Grantham, 512-974-3574.

**The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20170803-117 for neighborhood commercial-mixed use-conditional overlay-neighborhood plan (LR-MU-CO-NP) combining district zoning was approved on Council Member Garza's motion, Council Member Casar's second on an 11-0 vote.**

## **DISCUSSION ITEMS**

107. C14-2017-0048 – GMCV LLC, dba G's Liquor - District 7 - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 1800 Scofield Ridge Parkway, Suite C (Little Walnut Creek Watershed) from community commercial (GR) district zoning to commercial-liquor sales (CS-1) district zoning. Staff Recommendation:

To grant commercial-liquor sales (CS-1) district zoning. Zoning and Platting Commission Recommendation: To grant commercial-liquor sales (CS-1) district zoning. Owner/Applicant: GMCV, LLC (George Faddoul). Agent: Lenworth Consulting, LLC (Nash Gonzales). City Staff: Sherri Sirwaitis, 512-974-3057.

**The item was postponed to August 31, 2017 at the request of the neighborhood on Council Member Pool's motion, Council Member Renteria's second on a 10-1 vote. Council Member Flannigan voted nay.**

91. C14-2017-0033 - 9501 Stonebridge Drive - District 4 - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 9501 Stonebridge Drive (Little Walnut Creek Watershed) from limited office-conditional overlay-neighborhood plan (LO-CO-NP) combining district zoning to limited office-neighborhood plan (LO-NP) combining district zoning. Staff Recommendation: To grant limited office-neighborhood plan (LO-NP) combining district zoning. Planning Commission Recommendation: To grant limited office-neighborhood plan (LO-NP) combining district zoning. Owner/Applicant: David and Reyna Lippincott. City Staff: Sherri Sirwaitis, 512-974-3057.

**A motion to close the public hearing and approve the ordinance on first reading only with the following amendments was made on Council Member Casar's motion seconded by Council Member Garza.**

**The amendments were:**

**To add a new Part 2 to read:**

**"Part 2. The Property within the boundaries of the conditional overlay combining district established by this ordinance is subject to the following conditions:**

**A. The following uses are prohibited uses for the Property:**

**Medical Offices – exceeding 5000 sq. ft. gross floor area**

**Club or Lodge**

**Residential Treatment"**

**The public hearing was conducted and a motion to close the public hearing and approve the ordinance on first reading only for limited office-neighborhood plan (LO-NP) combining district zoning as amended above was approved on Council Member Casar's motion, Council Member Garza's second on a 9-2 vote. Those voting aye were: Mayor Adler, Mayor Pro Tem Tovo, Council Members Alter, Casar, Garza, Houston, Kitchen, Pool, and Renteria. Council Members Flannigan and Troxclair voted nay.**

92. C14-88-0129(RCT) - Stonebridge Drive - District 4 - Conduct a public hearing to terminate a public restrictive covenant on a property locally known as 9501 Stonebridge Drive (Little Walnut Creek Watershed). Staff Recommendation: To grant the restrictive covenant termination. May 23, 2017 Planning Commission recommended to grant the restrictive covenant termination 8-0 with Commissioners Kazi, De Hoyos Hart, Schissler, Thompson and White absent. Owner/Applicant: David and Reyna Lippincott. City Staff: Sherri Sirwaitis, 512-974-3057.

**The public hearing was conducted and a motion to close the public hearing and grant the termination of the public restrictive covenant was approved on Council Member Casar's motion, Council Member Garza's second on an 11-0 vote.**

97. C14-2017-0030 - McComb Commercial - District 2 - Conduct a public hearing and approve an ordinance amending City Code Chapter 25 by rezoning property locally known as 8008 Burleson Road (Onion Creek Watershed) from development reserve-neighborhood plan (DR-NP) combining district zoning, warehouse/limited office-neighborhood plan (W/LO-NP) combining

district zoning and industrial park-conditional overlay-neighborhood plan (IP-CO-NP) combining district zoning to general commercial services-neighborhood plan (CS-NP) combining district zoning. Staff Recommendation: To grant general commercial services-conditional overlay-neighborhood plan (CS-CO-NP) combining district zoning. Planning Commission Recommendation: To grant general commercial services-conditional overlay-neighborhood plan (CS-CO-NP) combining district zoning. Owner/Applicant: Jim and Shirlene McComb. Agent: Thrower Design (Ron Thrower). City Staff: Wendy Rhoades, 512-974-7719.

**A motion to close the public hearing and approve the ordinance was made by Council Member Garza and seconded by Council Member Pool.**

**A motion to amend the ordinance by striking the conditional overlays was made by Council Member Flannigan. The motion failed for lack of a second.**

**The public hearing was conducted and Ordinance No. 20170803-097 for general commercial services-conditional overlay-neighborhood plan (CS-CO-NP) combining district zoning was approved on Council Member Garza's motion, Council Member Pool's second on a 9-1 vote. Council Member Flannigan voted nay. Council Member Troxclair was off the dais.**

111. C14-2017-0054 – San Antonio Street Rezoning - District 9 - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 1202 San Antonio 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: Texas Association of Counties (Gene Terry). Agent: A Glasco Consulting (Alice K Glasco). City Staff: Scott Grantham, 512-974-3574.

**A motion to close the public hearing and approve the ordinance on first reading only for downtown mixed use-conditional overlay (DMU-CO) combining district zoning with an additional condition to limit trips to 2000 was made by Mayor Pro Tem Tovo and seconded by Council Member Pool.**

**A motion to amend the ordinance to remove pawn shops, bail bonds, liquor sales, and cocktail lounge as prohibited uses failed on Council Member Flannigan's motion, Council Member Troxclair's second on a 2-8 vote. Those voting aye were: Council Members Flannigan and Troxclair. Those voting nay were: Mayor Pro Tem Tovo and Council Members Alter, Casar, Garza, Houston, Kitchen, Pool, and Renteria. Mayor Adler recused himself.**

**A motion to amend the ordinance to remove the trip limitation conditional overlay failed on Council Member Flannigan's motion, Council Member Casar's second on a 5-5 vote. Those voting aye were: Council Members Casar, Flannigan, Houston, Renteria, and Troxclair. Those voting nay were: Mayor Pro Tem Tovo and Council Members Alter, Garza, Kitchen and Pool. Mayor Adler recused himself.**

**The public hearing was conducted and a motion to close the public hearing and approve the ordinance on first reading only for downtown mixed use-conditional overlay (DMU-CO) combining district zoning was approved on Mayor Pro Tem Tovo's motion, Council Member Pool's second on a 10-0 vote. Mayor Adler recused himself.**

100. C14-2017-0019 – Oak Bridge Amendment – District 8 – Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 6707 Raccoon Run (Williamson Creek Watershed-Barton Springs Zone) from single family residence-large lot-neighborhood plan (SF-1-NP) combining district zoning and rural residence-neighborhood plan (RR-NP) combining district zoning to multifamily residence-limited density-conditional overlay-neighborhood plan (MF-1-CO-NP) combining district zoning. Staff Recommendation: To grant multifamily residence- limited density-conditional overlay-neighborhood plan (MF-1-CO-NP) combining district zoning. Planning Commission Recommendation: To grant multifamily residence-limited density-conditional overlay-neighborhood plan (MF-1-CO-NP) combining district zoning. Owner/Applicant: Fidelma O’Leary. Agent: Pyramid Consulting (Yousef Nazif). City Staff: Andrew Moore, 512-974-7604.

**The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20170803-100 for multifamily residence-limited density-conditional overlay-neighborhood plan (MF-1-CO-NP) combining district zoning was approved on Council Member Troxclair’s motion, Council Member Alter’s second on a 10-1 vote. Council Member Flannigan voted nay.**

113. C14-2017-0059 – 1105 Rio Grande Street - District 9 –Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 1105 Rio Grande 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/Agent: Asa Christensen. City Staff: Scott Grantham, 512-974-3574.

**The public hearing was conducted and a motion to close the public hearing and approve the ordinance on first reading only for downtown mixed use-conditional overlay (DMU-CO) combining district zoning was approved on Mayor Pro Tem Tovo’s motion, Council Member Houston’s second on a 9-1 vote. Mayor Adler recused himself.**

**Mayor Adler recessed the meeting at 3:28 p.m.**

**Mayor Adler reconvened the meeting at 4:03 p.m.**

### **DISCUSSION ITEM**

101. C14-2016-0090 -130/Parmer - District 1 - 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: To grant community commercial-mixed use (GR-MU) combining district zoning. Zoning and Platting Commission Recommendation: To be reviewed on August 15, 2017. Owner: Cottonwood Holdings. Ltd. (Pete Dwyer). Applicant: Land Strategies, Inc. (Paul Linehan). City Staff: Heather Chaffin, 512- 974-2122.

**The item was postponed to August 31, 2017 at the request of staff on Council Member Garza’s motion, Council Member Casar’s second on an 11-0 vote.**

**A motion to reconsider the item was approved without objection on Council Member Houston’s motion seconded by Council Member Pool.**

**This item was postponed to September 28, 2017 at the request of staff on Council Member Houston's motion, Council Member Pool's second on an 8-0 vote. Council Members Casar, Garza, and Renteria were off the dais.**

### **PUBLIC HEARINGS**

118. 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 31, 2017 at the request of staff on Mayor Pro Tem Tovo's motion, Council Member Alter's second on an 11-0 vote.**

120. 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 September 28, 2017 at the request of the applicant on Council Member Houston's motion, Council Member Garza's second on an 11-0 vote.**

119. 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.

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

**Resolution No. 20170803-119 was approved on Council Member Renteria's motion, Council Member Pool's second on a 9-2 vote. Those voting aye were: Mayor Adler, Mayor Pro Tem Tovo, and Council Members Alter, Casar, Flannigan, Garza, Kitchen, Pool, and Renteria. Those voting nay were Council Members Houston and Troxclair.**

**Mayor Adler adjourned the meeting at 4:25 p.m. without objection.**

### **LIVE MUSIC**

Inside Out Steelband

### **PROCLAMATIONS**

Proclamation - 27th Anniversary of the Americans With Disabilities Act - To be presented by Mayor Steve Adler and to be accepted by David Ondich and Lee Nguyen

Distinguished Service Award - Lemuel Williams - To be presented by Council Member Jimmy Flannigan and to be accepted by the honoree

**The minutes were approved on this the 10<sup>th</sup> day of August 2017 on Council Member Houston's, Council Member Garza's second on a 7-0 vote. Council Members Casar and Troxclair were off the dais. Mayor Adler and Council Member Renteria were absent.**