

**AUSTIN CITY COUNCIL
MINUTES****WORK SESSION MEETING
TUESDAY, SEPTEMBER 26, 2017**

The City Council of Austin, Texas convened in a Work Session Meeting on Tuesday, September 26, 2017 City Hall at 301 W. Second Street, Austin, Texas.

Council Member Garza called the Council Meeting to order at 9:15 a.m. Mayor Pro Tem Tovo and Council Member Troxclair were absent.

BRIEFINGS

- B.1 Boards and Commissions Transition Task Force Presentation
Presentation was made by Victor Martinez, Chair and Angela-Jo Touza-Medina, Vice-Chair.

Direction was given to staff to provide an analysis of recommendations from the task force and what was adopted by Council; statistics on the number of boards, commissions and taskforces, number of meetings cancelled for lack of quorum and attendance waivers; and an analysis of possible alternative method for determining quorum based on number of number of members seated or appointed rather than number of the board or commission.

COUNCIL ITEMS OF INTEREST

Council Member Garza introduced the agenda for the September 28, 2017 Council meeting and allowed Council to give input or ask questions on any item posted on the agenda. Staff was available to provide verbal responses to Council questions. Discussion was held on the following items taken from Thursday's agenda.

15. Approve a resolution adopting the Austin Convention and Visitors Bureau (doing business as Visit Austin) 2017-2018 Marketing Plan and Proposed Budget; setting the contract payment as required by the Chapter 351 of the Texas Tax Code; and authorizing the City Manager to file the approved documents with the City Clerk's Office as required by the Texas Tax Code.
Direction was given to staff to provide information on the amount of fee received by musicians booked through Visit Austin for events and conference including a breakdown of the payment based on the individual members of a band/group in addition to the total amount paid; clarification to Visit Austin is needed on a budget rider relating to local independent business; and details on the constraints and costs associated with Visit Austin using space at the airport to support major events.
27. Authorize negotiation and execution of an 84-month lease for approximately 59,494 square feet of office space for the Development Services Department and Austin Energy, at 5202 East Ben White

Boulevard, in Austin, Travis County, Texas, from 5204 BEN WHITE 2017, LP, A TEXAS LIMITED PARTNERSHIP, in an amount not to exceed \$10,936,187.34 (District 3).

44. Approve an ordinance amending City Code Chapter 2-7, Article 6 relating to anti-lobbying and procurement.
A request to postpone this item may be requested at the September 28, 2017 Council Meeting.

Direction was given to staff to analyze the roles and responsibilities of the Ethics Review Commission and determine if Council would need to waive or revise the role of the Ethics Review Commission duties that would allow them review and provide feedback on the proposed changes.

Direction was given to staff to confirm that if the item is passed, exceptions can be made for the Austin Water solicitation relating to biosolids; and details the exclusion of health and human services contracts from the anti-lobbying ordinance.

50. Approve a resolution relating to the creation of Neighborhood Empowerment Zones and a Multifamily Property Tax Exemption Program to improve access to affordable housing. (Notes: SPONSOR: Mayor Pro Tem Kathie Tovo CO 1: Mayor Steve Adler CO 2: Council Member Ora Houston CO 3: Council Member Ann Kitchen CO 4: Council Member Sabino "Pio" Renteria)

52. Approve a resolution directing the City Manager to explore funding options such as public improvement districts, tax increment financing, public-private partnerships, and increases in hotel occupancy taxes to fund improvements to downtown Austin, to address homelessness in downtown Austin, to support the local music industry, and to fund park, civic, and historic facilities and districts including expansion of the Convention Center. (Notes: SPONSOR: Mayor Steve Adler CO 1: Council Member Sabino "Pio" Renteria CO 2: Council Member Gregorio Casar CO 3: Council Member Jimmy Flannigan CO 4: Council Member Ann Kitchen)

Direction was given to staff to provide more details and the timeline regarding the creation of the Waller Creek TIF.

A request for an evening time certain may be requested on September 28, 2017.

55. Approve a resolution directing the City Manager to convene a stakeholder process to gain feedback on elements of a paid sick days policy for private employers in Austin. (Notes: SPONSOR: Council Member Gregorio Casar CO 1: Council Member Delia Garza CO 2: Council Member Ann Kitchen CO 3: Mayor Steve Adler)

Additional stakeholder recommendations should be posted to the Council Message Board for incorporation into the resolution.

A request for an evening time certain may be requested on September 28, 2017.

72. NPA-2016-0005.04 - 500 Montopolis Drive - 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 500 Montopolis Drive (Country Club East) from Single Family to Mixed Use land use. Staff Recommendation: To grant Mixed Use land use. Planning Commission Recommendation: To deny the change of the land use designation on the future land use map (FLUM). Owner/Applicant: Keep Investment Group, LLC (Austin Stowell). Agent: Drenner Group (Amanda Swor). City Staff: Maureen Meredith, (512) 974-2695.

An indefinite postponement may be requested at the September 28, 2017 Council Meeting.

73. C14H-2017-0055 - 500 Montopolis - District 3 - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 500 Montopolis Drive (Country Club East Creek Watershed). Applicant Request: To rezone from family residence-neighborhood plan (SF-3-NP) combining district zoning to community commercial-mixed use-historic landmark-neighborhood plan (GR-MU-H-NP) combining district zoning and community commercial-mixed use-neighborhood plan (GR-MU-NP) combining district zoning. Staff Recommendation: To grant community commercial-mixed use-historic landmark-conditional overlay-neighborhood plan (GR-MU-H-CO-NP) combining district zoning and community commercial-mixed use-conditional overlay-neighborhood plan (GR-MU-CO-NP) combining district zoning. Historic Landmark Commission: To grant community commercial-mixed use-historic landmark-conditional overlay-neighborhood plan (GR-MU-H-CO-NP) combining district zoning and community commercial-mixed use-conditional overlay-neighborhood plan (GR-MU-CO-NP) combining district zoning. Planning Commission Recommendation: To grant family residence-historic landmark-neighborhood plan (SF-3-H-NP) combining district zoning. Owner: KEEP Investment Group, LLC (Austin Stowell). Applicant: City of Austin Planning and Zoning Department (Jerry Rusthoven). City Staff: Heather Chaffin, 512- 974-2122.

An indefinite postponement may be requested at the September 28, 2017 Council Meeting.

102. Authorize negotiation and execution of a 60-month lease for approximately 6,959 square feet of office and warehouse space for the Office of Innovation and for Communication and Technology Management, located at 93 Red River Street, from 93 RED RIVER INVESTORS, LTD., in an amount not to exceed \$1,222,109.07 (District 9).

A request to postpone this item may be requested at the September 28, 2017 Council Meeting.

Direction was given to staff to schedule a Council briefing on space issues within City Hall.

101. Approve a resolution directing the City Manager to establish criteria for requiring small area planning in designated areas along major corridors and to incorporate this criteria in the CodeNext rewrite of the Land Development Code. (Notes: SPONSOR: Council Member Ann Kitchen CO 1: Mayor Steve Adler CO 2: Council Member Leslie Pool CO 3: Council Member Gregorio Casar)
25. Authorize negotiation and execution of a one-year service agreement with the AUSTIN HOUSING FINANCE CORPORATION to manage and operate various housing programs on the City's behalf during Fiscal Year 2017 - 2018 using funds received by the City from the U.S. Department of Housing and Urban Development, in addition to local City funds, in an amount not to exceed \$17,782,983.
19. Approve an ordinance amending City Code Chapter 2-10 (Municipal Court) to revise and add provisions regarding indigency.
A request to postpone this item may be requested at the September 28, 2017 Council Meeting.
56. Approve a resolution authorizing negotiation of the acquisition, restoration, programming, and maintenance of 500 Montopolis Drive as a historic museum that would attract tourists. (Notes: SPONSOR: Mayor Steve Adler CO 1: Council Member Sabino "Pio" Renteria CO 2: Mayor Pro Tem Kathie Tovo CO 3: Council Member Ora Houston)

Mayor Adler recessed the Council Meeting to go into Executive Session at 12:05 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.

- E.1 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.
- E.2 Discuss legal issues related to Breiaon King v. Officer Bryan Richter et al, Cause No. 1:16-cv-01020, in the United States District Court for the Western Division of Texas (Private consultation with legal counsel – Section 551.071 of the Government Code).
- E.3 Discuss legal issues related to HB 100 (state regulation of Transportation Network Companies) (Private consultation with legal counsel – Section 551.071 of the Government Code).

The Mayor announced that Council would discuss item numbers 18, 56, 72, 73 and 83 on the regular agenda during Executive Session.

- 18. Approve a resolution ratifying the collective bargaining agreement between the City and the Austin Firefighters Association relating to wages, hours, and terms and conditions of employment for Austin firefighters.
- 56. Approve a resolution authorizing negotiation of the acquisition, restoration, programming, and maintenance of 500 Montopolis Drive as a historic museum that would attract tourists. (Notes: SPONSOR: Mayor Steve Adler CO 1: Council Member Sabino "Pio" Renteria CO 2: Mayor Pro Tem Kathie Tovo CO 3: Council Member Ora Houston)
- 72. NPA-2016-0005.04 - 500 Montopolis Drive - 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 500 Montopolis Drive (Country Club East) from Single Family to Mixed Use land use. Staff Recommendation: To grant Mixed Use land use. Planning Commission Recommendation: To deny the change of the land use designation on the future land use map (FLUM). Owner/Applicant: Keep Investment Group, LLC (Austin Stowell). Agent: Drenner Group (Amanda Swor). City Staff: Maureen Meredith, (512) 974-2695.
- 73. C14H-2017-0055 - 500 Montopolis - District 3 - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 500 Montopolis Drive (Country Club East Creek Watershed). Applicant Request: To rezone from family residence-neighborhood plan (SF-3-NP) combining district zoning to community commercial-mixed use-historic landmark-neighborhood plan (GR-MU-H-NP) combining district zoning and community commercial-mixed use-neighborhood plan (GR-MU-NP) combining district zoning. Staff Recommendation: To grant community commercial-mixed use-historic landmark-conditional overlay-neighborhood plan (GR-MU-H-CO-NP) combining district zoning and community commercial-mixed use-conditional overlay-neighborhood plan (GR-MU-CO-NP) combining district zoning. Historic Landmark Commission: To grant community commercial-mixed use-historic landmark-conditional overlay-neighborhood plan (GR-MU-H-CO-NP) combining district zoning and community commercial-mixed use-conditional overlay-neighborhood plan (GR-MU-CO-NP) combining district zoning. Planning Commission Recommendation: To grant family residence-historic landmark-neighborhood plan (SF-3-H-NP) combining district zoning. Owner:

KEEP Investment Group, LLC (Austin Stowell). Applicant: City of Austin Planning and Zoning Department (Jerry Rusthoven). City Staff: Heather Chaffin, 512- 974-2122.

83. C14-2017-0027 - Texas Motor Transportation and Oil Field Haulers Inc. - District 1 -Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 700 East 11th Street (Waller Creek Watershed). Applicant Request: To rezone from general commercial services (CS) district zoning to Central Business District (CBD) zoning. Staff Recommendation: To grant Central Business District (CBD) zoning. Planning Commission Recommendation: To grant Central Business District (CBD) zoning. Owner/Applicant: Texas Motor Transportation & Oil Field Haulers, Inc. (John Esparza). Agent: Metcalfe Wolff Stuart & Williams (Michele R. Lynch). City Staff: Scott Grantham, 512-974-3574.

Executive Session ended and Mayor Adler called the meeting back to order at 2:57 p.m.

Mayor Adler adjourned the meeting at 2:58 p.m. without objection.

The minutes were approved on this the 5th day of October 2017 on Mayor Pro Tem Tovo's motion, Council Member Garza's second on a 11-0 vote.