

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

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

Mayor Adler called the Council Meeting to order at 3:01 p.m.

**CONSENT AGENDA**

The following items were acted on by one motion.

1. Approve the minutes of the Austin City Council special called meeting of October 12, 2017, work session of October 17, 2017, and regular meeting of October 19, 2017.  
**The minutes from the City Council special called meeting of October 12, 2017, work session of October 17, 2017 and regular meeting of October 19, 2017 were approved on consent on Council Member Renteria's motion, Council Member Pool's second on an 11-0 vote.**
2. Approve an ordinance waiving City Code Chapter 14-11 (Use of Right of Way) and Section 10-2-60 of Chapter 10-2 (Medical Transfer Services); and authorizing negotiation and execution of a license agreement with Acadian Ambulance Service, Inc. for a limited term; and declaring an emergency.  
**Ordinance No. 20171102-002 was approved on consent on Council Member Renteria's motion, Council Member Pool's second on an 11-0 vote.**
3. 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 waivers were approved on consent on Council Member Renteria's motion, Council Member Pool's second on an 11-0 vote.**

**Board/Nominee****Nominated by****Joint Inclusion Committee**

Francoise Luca

Parks &amp; Recreation Board Rep.

**Mechanical, Plumbing & Solar Board**

David Nichols

Mayor Pro Tem Tovo

Robert Mueller Municipal Airport Plan  
Implementation Advisory Commission  
Troy Bodley

Council Member Houston

Charter Review Commission  
Ingrid Weigand

Mayor Pro Tem Tovo

### Waivers

There are no waivers at this time.

### Council Subcommittee's

The following appointments and committee chair assignments were made by Mayor Adler to the Council Committees.

**Judicial Committee: Council Member Flannigan (Chair), Council Member Casar (Vice-Chair)**

4. Approve an ordinance waiving or reimbursing certain fees for the House the Homeless Annual Memorial Service, sponsored by House the Homeless, which will be held on November 19, 2017, at the Memorial Site at Lady Bird Lake. Council Sponsors: Council Member Sabino 'Pio' Renteria, Council Member Delia Garza, Council Member Gregorio Casar, Council Member Ann Kitchen.  
**Ordinance No. 20171102-004 was approved on consent on Council Member Renteria's motion, Council Member Pool's second on an 11-0 vote.**
5. Approve an ordinance waiving or reimbursing certain fees for the StrengthsFinder and Change Resilience Training, sponsored by Communities in Schools of Central Texas, which will be held on November 7, 2017, at the Emma S. Barrientos Mexican American Cultural Center. Council Sponsors: Council Member Gregorio Casar, Council Member Sabino 'Pio' Renteria, Mayor Pro Tem Kathie Tovo, Council Member Ann Kitchen.  
**Ordinance No. 20171102-005 was approved on consent on Council Member Renteria's motion, Council Member Pool's second on an 11-0 vote.**

Items 6 through 8 were Executive Session Items.

Items 9 and 10 were Zoning Ordinances / Restrictive Covenants (HEARINGS CLOSED) Items.

Items 11 through 19 were Zoning and Neighborhood Plan Amendment Items (Public Hearing and Possible Action).

Items 20 and 21 were public hearing items set for 4:00 p.m.

Item 22 was an Addendum item.

### **BRIEFING**

22. Update on EMS Labor Meet and Confer Agreement

**Presentation was made by Larry Watts, Deputy Labor Relations Officer, Labor Relations; Ed Van Eenoo, Deputy Chief Financial Officer, Budget Office; and Sylvia Flores, Deputy Labor Relations Officer, Labor Relations.**

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

9. C14-2017-0064 - Verizon Wireless - Armadillo - District 2 - Approve second and third readings of an ordinance amending City Code Title 25 by rezoning property locally known as 6705-1/2 Emerald Forest Drive (Williamson Creek Watershed). Applicant Request: To rezone 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. First Reading approved on September 28, 2017. Vote: 9-0, Council Members Renteria and Troxclair off the dais. Owner/Applicant: James Hembree and Tina Keeling. Agent: Vincent Gerard & Associates, Inc. (Vincent G. Huebinger). City Staff: Wendy Rhoades, 512-974-7719. District(s) Affected: District 2.  
**Ordinance No. 20171102-009 for neighborhood office-mixed use-conditional overlay-neighborhood plan (NO-MU-CO-NP) combining district zoning, to change a condition of zoning was approved on Council Member Pool's motion, Council Member Flannigan's second on a 9-0 vote. Council Members Casar and Garza were off the dais.**
10. C14-2017-0104 - 3812 S. 1St Street - District 3 - Approve an ordinance on second and third readings of an ordinance amending City Code Title 25 by rezoning property locally known as 3812 South First Street (East & West Bouldin Creek Watersheds). Applicant Request: To rezone from family residence (SF-3) district zoning to neighborhood commercial - mixed use (LR-MU) combining district zoning. First Reading approved neighborhood commercial - mixed use - conditional overlay (LR-MU-CO) combining district zoning on October 5, 2017, vote 11-0. Owner: Rahul and Shalini Singh. City Staff: Andrew Moore, 512-974-7604.  
**Ordinance No. 20171102-010 for neighborhood commercial - mixed use (LR-MU) combining district zoning was approved on Council Member Pool's motion, Council Member Flannigan's second on a 9-0 vote. Council Members Casar and Garza were off the dais.**
11. C14-2017-0074 - Gilfillan Place - District 9 -Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 603 West 8th Street (Shoal Creek Watershed). Applicant Request: To rezone from general office-historic landmark (GO-H) combining district zoning, general office-mixed use (GO-MU) combining district zoning, and general office (GO) district zoning to downtown mixed use-historic landmark (DMU-H) combining district zoning. Staff Recommendation: To grant downtown mixed use-historic landmark-conditional overlay (DMU-H-CO) combining district zoning. Historic Landmark Commission Recommendation: To be reviewed on October 23, 2017. Planning Commission Recommendation: To be reviewed on November 17, 2017. Owner/Applicant: 2015 Austin Gilfillan LP (Rene O. Campos). Agent: Drenner Group (Dave Anderson). City Staff: Scott Grantham, 512-974-3574. District(s) Affected: District 9.  
**This item was postponed to December 7, 2017 at the request of staff on Council Member Pool's motion, Council Member Flannigan's second on a 9-0 vote. Council Members Casar and Garza were off the dais.**
12. C14-2016-0021 - Double Creek Residences - District 5 - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 420 East FM 1626 Road (Onion Creek Watershed). Applicant Request: To rezone from general commercial

services-conditional overlay (CS-CO) combining district zoning; general commercial services-mixed use-conditional overlay (CS-MU-CO) combining district zoning and community commercial (GR-CO) combining district zoning to general commercial services-mixed use-conditional overlay (CS-MU-CO) combining district zoning. Staff Recommendation: To grant general commercial services-mixed use-conditional overlay (CS-MU-CO) combining district zoning, with conditions. Zoning and Platting Commission Recommendation: To grant Applicant indefinite postponement. Owner/Applicant: Riddell Family Limited Partnership (Jim Henry). Agent: Walters Southwest (Amanda Swor). City Staff: Wendy Rhoades, 512-974-7719. District(s) Affected: District 5.

**This item was postponed indefinitely at the request of the applicant on Council Member Pool's motion, Council Member Flannigan's second on a 9-0 vote. Council Members Casar and Garza were off the dais.**

13. C14-2016-0090 130/Parmer - District 1 - 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). Applicant Request: To rezone from interim-rural residence (I-RR) district zoning to community commercial-mixed use (GR-MU) combining district zoning. Staff Recommendation: To grant Staff indefinite postponement. Zoning and Platting Commission Recommendation: To grant Staff indefinite postponement. Owner: Cottonwood Holdings, Ltd. (Pete Dwyer). Applicant: Land Strategies, Inc. (Paul Linehan). City Staff: Heather Chaffin, 512- 974-2122. District(s) Affected: District 1.

**This item was postponed indefinitely at the request of staff on Council Member Pool's motion, Council Member Flannigan's second on a 9-0 vote. Council Members Casar and Garza were off the dais.**

14. C14-98-0146(RCT) - 6610 McNeil Drive Termination of Restrictive Covenant - District 6 - Conduct a public hearing to terminate a public restrictive covenant on a property locally known as 6610 McNeil Drive and 12602 Blackfoot Trail (Rattan Creek Watershed). Staff Recommendation: To grant the restrictive covenant termination. Zoning and Platting Commission Recommendation: To grant the restrictive covenant termination. Owner/Applicant: Abraham Birgani. Agent: Shaw Hamilton Consultants (Shaw Hamilton). City Staff: Sherri Sirwaitis, 512-974-3057. District(s) Affected: District 6.

**This item was postponed to December 7, 2017 at the request of staff on Council Member Pool's motion, Council Member Flannigan's second on a 9-0 vote. Council Members Casar and Garza were off the dais.**

15. C14-2017-0096 - Walnut Park II - District 7 - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 12139-12205 North Lamar Boulevard (Walnut Creek Watershed). Applicant Request: To rezone from limited office (LO) district zoning to multi-family residence-low density (MF-2) district zoning. Staff Recommendation: To grant indefinite postponement. Zoning and Platting Commission Recommendation: To grant Staff indefinite postponement. Owner/Applicant: Crestmont Office Center, Ltd. (Jeffrey Schwartz, Vice President). Agent: Civile, LLC (Lawrence M. Hanrahan). City Staff: Sherri Sirwaitis, 512-974-3057. District(s) Affected: District 7.

**This item was postponed indefinitely at the request of staff on Council Member Pool's motion, Council Member Flannigan's second on a 9-0 vote. Council Members Casar and Garza were off the dais.**

16. C14-2017-0028 - Great Hills Mixed Use - District 10 - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 9828 Great Hills Trail and 10224 Research Boulevard (Walnut Creek Watershed). Applicant Request: To rezone

from community commercial (GR) district zoning and limited office (LO) district zoning to general commercial services-mixed use- vertical mixed use building (CS-MU-V) combining district zoning. Staff Recommendation: To grant general commercial services-mixed use- vertical mixed use building (CS-MU-V) combining district zoning. Zoning and Platting Commission Recommendation: To grant general commercial services-mixed use- vertical mixed use building (CS-MU-V) combining district zoning. Owner/Applicant: Great Hills Retail, Inc. Agent: Drenner Group, PC (Amanda Swor). City Staff: Sherri Sirwaitis, 512-974-3057. District(s) Affected: District 10.

**This item was postponed to December 7, 2017 on Council Member Pool's motion, Council Member Flannigan's second on a 9-0 vote. Council Members Casar and Garza were off the dais.**

17. C14-2016-0121 - 7700 Parmer Lane - District 6 - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 7700 West Parmer Lane (Lake Creek Watershed). Applicant Request: To rezone from limited industrial-planned development area (LI-PDA) combining district zoning to limited industrial-planned development area (LI-PDA) combining district zoning, to change a condition of zoning. Staff Recommendation: To grant limited industrial-planned development area (LI-PDA) combining district zoning. Zoning and Platting Commission Recommendation: To grant limited industrial-planned development area (LI-PDA) combining district zoning. Owner/Applicant: BRI 1869 Parmer, LLC. Agent: Drenner Group (Amanda Swor). City Staff: Sherri Sirwaitis, 512-974-3057. District(s) Affected: District 6.

**The public hearing was conducted and a motion to close the public hearing and approve the ordinance on first reading only for limited industrial-planned development area (LI-PDA) combining district zoning, to change a condition of zoning was approved on Council Member Pool's motion, Council Member Flannigan's second on a 9-0 vote. Council Members Casar and Garza were off the dais.**

18. C14-2017-0092 - East 12th Street NCCD Partial Rezoning - District 1 - Conduct a public hearing and approve an ordinance amending City Code Title 25 by zoning property locally known as 1425 E 12th St., 1501 E 12th St., 1511 E 12th St., 1517 E 12th St., 1521 E 12th St., 1601 E 12th St., 1603 E 12th St., 1611 E 12th St., 1615 E 12th St., 1701 E 12th St., 1709 E 12th St., 1717 E 12th St., 1721 E 12th St., 1713 E 12th St., 1803 E 12th St., 1805 E 12th St., 1809 E 12th St., 1817 E 12th St., Unassigned Address- TCAD # 197347, 1901 E 12th St., 1905 E 12th St., 1915 E 12th St., 1919 E 12th St., and 1192 1/2 Poquito St. (Boggy Creek Watershed). Applicant Request: To rezone from community commercial-mixed use-neighborhood conservation combining district-neighborhood plan (GR-MU-NCCD-NP) combining district zoning, general commercial services-mixed use-neighborhood conservation combining district-neighborhood plan (CS-MU-NCCD-NP) combining district zoning, multifamily residence-moderate-high density-neighborhood conservation combining district-neighborhood plan (MF-4-NCCD-NP) combining district zoning, and community commercial-mixed use-historic-neighborhood conservation combining district-neighborhood plan (GR-MU-H-NCCD-NP) combining district zoning to community commercial-mixed use-neighborhood conservation combining district-neighborhood plan (GR-MU-NCCD-NP) combining district zoning, general commercial services-mixed use-neighborhood conservation combining district-neighborhood plan (CS-MU-NCCD-NP) combining district zoning, multifamily residence-moderate-high density-neighborhood conservation combining district-neighborhood plan (MF-4-NCCD-NP) combining district zoning, and community commercial-mixed use-historic-neighborhood conservation combining district-neighborhood plan (GR-MU-H-NCCD-NP) combining district zoning, to change a condition of zoning. Staff Recommendation: to deny community commercial-mixed use-neighborhood conservation combining district-neighborhood plan (GR-MU-NCCD-NP) combining district zoning, general

commercial services-mixed use-neighborhood conservation combining district-neighborhood plan (CS-MU-NCCD-NP) combining district zoning, multifamily residence-moderate-high density-neighborhood conservation combining district-neighborhood plan (MF-4-NCCD-NP) combining district zoning, and community commercial-mixed use-historic-neighborhood conservation combining district-neighborhood plan (GR-MU-H-NCCD-NP) combining district zoning, to change a condition of zoning. Planning Commission Recommendation: to grant community commercial-mixed use-neighborhood conservation combining district-neighborhood plan (GR-MU-NCCD-NP) combining district zoning, general commercial services-mixed use-neighborhood conservation combining district-neighborhood plan (CS-MU-NCCD-NP) combining district zoning, multifamily residence-moderate-high density-neighborhood conservation combining district-neighborhood plan (MF-4-NCCD-NP) combining district zoning, and community commercial-mixed use-historic-neighborhood conservation combining district-neighborhood plan (GR-MU-H-NCCD-NP) combining district zoning, to change a condition of zoning. Owners: OFLP 1 LTD, Passon WH Historical Society, Patrick Houck, 1517 East 12th Street LP, Yellow Birch LP, Bill Ray Hunter ET AL, 2013 Austin East 12th Street LP, 2017 Koala Cove LP, Andrew & Dorothy Jones, Simpson United Methodist Church, Linda G Connor, W G & Ida M Hunt, Revocable Living Trust, Mission Possible Austin Inc., Don B Burnett, 2016 Thurgood LP, ZMM CENAJOHN EAST LP, Adam Talianchich & Ashley Menger, and Maria Luz Rico. Applicant: City of Austin Planning Department (Jerry Rusthoven). City Staff: Heather Chaffin, 512- 974-2122 District(s) Affected: District 1.

**This item was postponed to November 9, 2017 at the request of staff on Council Member Pool's motion, Council Member Flannigan's second on a 9-0 vote. Council Members Casar and Garza were off the dais.**

19. C14-2017-0110 - 7505 Wynne Lane - District 5 - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 7505 Wynne Lane (South Boggy Creek Watershed). Applicant's Request: To rezone from single family residence-standard lot (SF-2) district zoning to family residence (SF-3) district zoning. Staff Recommendation: To grant family residence (SF-3) district zoning. Zoning and Platting Commission Recommendation: To grant family residence (SF-3) district zoning. Owner/Applicant: La Picharow, LLC (Glenn Latta). Agent: Talia, Inc. (Hachem Dadouch). City Staff: Wendy Rhoades, 512-974-7719. District(s) Affected: District 5.

**The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20171102-019 for family residence (SF-3) district zoning was approved on Council Member Pool's motion, Council Member Flannigan's second on a 9-0 vote. Council Members Casar and Garza were off the dais.**

## **PUBLIC HEARINGS**

20. Conduct a public hearing and approve an ordinance adopting the tenth modification to the East 11th and 12th Streets Urban Renewal Plan to amend site development standards for properties located on the south side of East 12th Street between Comal Street and Poquito Street and the property located at 1425 East 12th Street.  
**This item was postponed to November 9, 2017 at the request of staff on Council Member Pool's motion, Council Member Flannigan's second on a 9-0 vote. Council Members Casar and Garza were off the dais.**

21. Conduct a public hearing and consider an ordinance adopting the 2015 International Fire Code and related local amendments.  
**This item was postponed to December 7, 2017 at the request of staff without objection. Council Members Casar and Garza were off the dais.**

Mayor Adler recessed the Council Meeting to go into Executive Session at 4:37 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.**

6. 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.**
7. Discuss legal issues related to Adrian Aguado v. City of Austin et al, Cause No. 1:16-cv-0930, in the United States District Court for the Western Division of Texas (Private consultation with legal counsel - Section 551.071 of the Government Code).
8. Discuss personnel and legal issues related to the search for and appointment of a new city manager (Private consultation with legal counsel - Section 551.071 of the Government Code and Personnel matters - Section 551.074 of the Government Code.)

**Executive Session ended and Mayor Adler adjourned the meeting at 5:15 p.m. without objection.**

**The minutes were approved on this the 9<sup>th</sup> day of November 2017 on Council Member Garza's motion, Council Member Pool's second on an 11-0 vote.**