

**AUSTIN CITY COUNCIL
MINUTES****REGULAR MEETING
THURSDAY, NOVEMBER 9, 2017**

Invocation: Chaplain Scott Crosley, Texas Army National Guard

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 9, 2017 in the Council Chambers of City Hall, 301 West Second Street, Austin, Texas.

Mayor Adler called the Council Meeting to order at 10:22 a.m.

CONSENT AGENDA

The following items were acted on by one motion.

1. Approve the minutes of the Austin City Council special called of October 26, 2017, Council discussion of October 28, 2017, Austin City Council special called of October 31, 2017, and regular meeting of November 2, 2017.
The minutes from the City Council special called of October 26, 2017, Council discussion of October 28, 2017, special called of October 31, 2017 and regular meeting of November 2, 2017 were approved on consent on Council Member Garza's motion, Council Member Casar's second on an 11-0 vote.
2. Authorize negotiation and execution of an amendment to the cost reimbursement agreement with OSF West Fifth, LP to increase the amount of the City's cost reimbursement by \$44,981 for a total amount not to exceed \$112,256. District(s) Affected: District 9.
The motion authorizing negotiation and execution of an amendment to the cost reimbursement agreement with OSF West Fifth, LP was approved on consent on Council Member Garza's motion, Council Member Casar's second on an 11-0 vote.

Item 3 was pulled for discussion.

4. Authorize negotiation and execution of an amendment to the professional services agreement with AECOM Technical Services, Inc., for additional construction phase services for the South Austin Regional Wastewater Treatment Plant Filter Improvements project in the amount of \$213,452, for a total contract amount not to exceed \$3,114,779. (Note: This amendment will be awarded in compliance with City Code 2-9B (Minority Owned and Women Owned Business Enterprise Procurement Program). Current participation to date is 23.72% MBE and 36.16% WBE.) District(s) Affected: District 1.
This item was postponed to December 7, 2017 on consent on Council Member Garza's motion, Council Member Casar's second on an 11-0 vote.

5. Authorize negotiation and execution of an amendment to the professional services agreement with Terracon Consultants, Inc., for additional engineering services for the Construction Materials Testing for ABIA Terminal and Apron Expansion in the amount of \$2,400,000, for a total contract amount not to exceed \$3,458,000. (Note: This amendment will be awarded in compliance with City Code 2-9B (Minority Owned and Women Owned Business Enterprise Procurement Program). Current participation to date is 0.00% MBE and 11.75% WBE.). District(s) Affected: District 2.
The motion authorizing negotiation and execution of an amendment to the professional services agreement with Terracon Consultants, Inc. was approved on consent on Council Member Garza's motion, Council Member Casar's second on an 11-0 vote.
6. Authorize award and execution of a construction contract with Southwest Corporation, for the Gilleland Creek Substation Control House project, in the amount of \$254,243. (Note: This contract will be awarded in compliance with City Code Chapter 2-9A (Minority Owned and Women Owned Business Enterprise Procurement Program) through the achievements of Good Faith Efforts with 0.0% MBE and 1.42% WBE participation.).
The motion authorizing award and execution of a construction contract with Southwest Corporation was approved on consent on Council Member Garza's motion, Council Member Casar's second on an 11-0 vote.
7. Authorize the use of the construction manager-at-risk method of contracting in accordance with the Texas Government Code Chapter 2269, for the construction of the Information Technology Building at the Austin-Bergstrom International Airport. (Note: MBE/WBE goals will be established prior to issuance of this solicitation.). District(s) Affected: District 2.
The motion authorizing the use of the construction manager-at-risk method of contracting in accordance with the Texas Government Code Chapter 2269 was approved on consent on Council Member Garza's motion, Council Member Casar's second on an 11-0 vote.
8. Authorize negotiation and execution of a job order assignment with Hensel Phelps, for the On-Site Energy Resources Austin Marriott Downtown project, for a total amount not to exceed \$855,000. (Note: This Job Order Contract was awarded in compliance with City Code Chapter 2-9A (Minority Owned and Women Owned Business Enterprise Procurement Program) by meeting the goals with 13.69% MBE and 7.40% WBE participation.). District(s) Affected: District 9.
The motion authorizing negotiation and execution of a job order assignment with Hensel Phelps was approved on consent on Council Member Garza's motion, Council Member Casar's second on a 10-1 vote. Council Member Troxclair voted nay.
9. Authorize an amendment to the construction contract with Peabody General Contractors, Inc., for the Waterline On-Call Services Indefinite Delivery/Indefinite Quantity contract, for additional funding in the amount of \$500,000 and for additional time of three months, for a total contract amount not to exceed \$6,500,000, and a total contract term of three years and three months. (Note: This contract was awarded in compliance with City Code 2-9B (Minority Owned and Women Owned Business Enterprise Procurement Program). Current participation to date is 8.46% MBE and 59.53% WBE). District(s) Affected: District 1, District 2, District 3, District 4, District 5, District 6, District 7, District 8, District 9, District 10.
The motion authorizing an amendment to the construction contact with Peabody General Contractors, Inc. was approved on consent on Council Member Garza's motion, Council Member Casar's second on an 11-0 vote.

10. Authorize the use of the competitive sealed proposal contracting method in accordance with Texas Government Code Chapter 2269, for the construction of the new Consolidated Maintenance Facility at Austin-Bergstrom International Airport. (Note: MBE/WBE goals will be established prior to issuance of this solicitation.) District(s) Affected: District 2.
The motion authorizing the use of the competitive sealed proposal contracting method in accordance with Texas Government Code Chapter 2269 was approved on consent on Council Member Garza's motion, Council Member Casar's second on an 11-0 vote.

Items 11 & 12 were pulled for discussion.

13. Authorize negotiation and execution of interlocal agreements with Emergency Service Districts (ESD) 1, 3, 4, 5, 8, 9, 11, and 12 related to the co-location of ambulance vehicles and personnel in ESD stations.
The motion authorizing negotiation and execution of interlocal agreements with Emergency Service Districts (ESD) 1, 3, 4, 5, 8, 9, 11 and 12 was approved on consent on Council Member Garza's motion, Council Member Casar's second on an 11-0 vote.
14. Approve an ordinance authorizing acceptance of an additional \$50,000 in grant funds from the State Homeland Security Grant Program and amending the Fiscal Year 2017-2018 Management Services Department Operating Budget Special Revenue Fund (Ordinance No. 20170913-001) to appropriate \$50,000 to buy radiological detection equipment for the Austin Fire Department.
Ordinance No. 20171109-014 was approved on consent on Council Member Garza's motion, Council Member Casar's second on an 11-0 vote.

Items 15 & 16 were pulled for discussion.

17. Approve an ordinance setting the council meeting schedule for calendar year 2018.
Ordinance No. 20171109-017 was approved on consent on Council Member Garza's motion, Council Member Casar's second on an 11-0 vote.
18. Approve third reading of an ordinance relating to special events and high capacity event venues, repealing and replacing City Code Chapter 14-8 relating to right-of-way closures for special events and neighborhood block parties, amending requirements for temporary food establishments during a special event, repealing City Code Section 14-6-3 relating to closures for a street festivity, amending City Code Chapter 9-2 relating to 24-hour live music and multi-day special event permits; and creating offenses and establishing penalties.
This item was withdrawn on consent on Council Member Garza's motion, Council Member Casar's second on an 11-0 vote.

Item 19 was pulled for discussion.

20. Approve a resolution consenting to the issuance of Multi-family Private Activity Bonds, by Austin Affordable PFC, Inc., an affiliate of the Housing Authority of the City of Austin, in an amount not to exceed \$25,000,000 to finance, in part, the new construction of a multi-family rental development to be known as the Bridge at Cameron Apartments located at 9201 Cameron Road. District(s) Affected: District 1.
Resolution No. 20171109-020 was approved on consent on Council Member Garza's motion, Council Member Casar's second on a 10-0 vote. Council Member Troxclair abstained.
21. Approve a resolution consenting to the issuance of Multi-family Private Activity Bonds, by Austin Affordable PFC, Inc., an affiliate of the Housing Authority of the City of Austin, in an

amount not to exceed \$26,000,000 to finance, in part, the new construction of a multi-family rental development to be known as the Commons at Goodnight Ranch Apartments located at 2022 Slaughter Lane. District(s) Affected: District 2.

Resolution No. 20171109-0021 was approved on consent on Council Member Garza's motion, Council Member Casar's second on a 10-0 vote. Council Member Troxclair abstained.

22. Approve a resolution to be submitted to the Texas Department of Housing and Community Affairs by Pathways at Chalmers Courts South, LP, or an affiliated entity, supporting an allocation of low income housing tax credits for the new construction of affordable multi-family rental units at the southwest corner of East 3rd Street and Chalmers Avenue, and acknowledging that the City of Austin has more than twice the state average of units per capita supported by low income housing tax credits or private activity bonds at the time of application. District(s) Affected: District 3.

Resolution No. 20171109-022 was approved on consent on Council Member Garza's motion, Council Member Casar's second on a 10-0 vote. Council Member Troxclair abstained.

23. Approve a resolution consenting to the issuance of Multi-family Private Activity Bonds, by Austin Affordable PFC, Inc., an affiliate of the Housing Authority of the City of Austin, in an amount not to exceed \$15,000,000 to finance, in part, the new construction of an affordable rental development located at the southwest corner of East 3rd Street and Chalmers Avenue. District(s) Affected: District 3.

Resolution No. 20171109-023 was approved on consent on Council Member Garza's motion, Council Member Casar's second on a 10-0 vote. Council Member Troxclair abstained.

24. Approve an ordinance vacating approximately 8,470 square feet of right-of-way, being that unconstructed portion of Viola Street, also known as Christopher Street, located north of Copeland Street, east of Christopher Street and west of the 900 block of South 2nd Street, to 1st Street Highlands, LP. District(s) Affected: District 9.

Ordinance No. 20171109-024 was approved on consent on Council Member Garza's motion, Council Member Casar's second on a 10-0 vote. Mayor Pro Tem recused herself.

25. C7a-2017-0002 - HOLT CAT Subdivision - Approve an ordinance to annex the HOLT CAT Subdivision annexation area for full purposes (approximately 27 acres in southern Travis County along IH-35 approximately three-tenths of a mile south of Slaughter Lane; contiguous to District 5). District(s) Affected: District 5.

Ordinance No. 20171109-025 was approved on consent on Council Member Garza's motion, Council Member Casar's second on a 10-1 vote. Council Member Troxclair voted nay.

Item 26 was pulled for discussion.

27. C7a-2017-0004 - River Place Outparcels - Approve an ordinance to annex the River Place Outparcels annexation area for full purposes (approximately 212 acres in northwestern Travis County adjacent to the boundary of the River Place Municipal Utility District and the city's full purpose jurisdiction; contiguous to District 6). District(s) Affected: District 6.

Ordinance No. 20171109-027 was approved on consent on Council Member Garza's motion, Council Member Casar's second on an 11-0 vote.

28. Authorize negotiation and execution of contracts for initial 12-month terms through September 30, 2018 with two twelve month renewal options, for the provision of HIV-related housing services under the U.S. Department of Housing and Urban Development, Housing Opportunities

for Persons with AIDS grant, with the following providers: AIDS Services of Austin, Inc. in an amount not to exceed \$906,681 for the first 12-month term and \$904,030 for each 12-month renewal option, for a total contract amount not to exceed \$2,714,741; Project Transitions, Inc. in an amount not to exceed \$354,416 for the first 12-month term and \$354,010 for each 12-month renewal option, for a total contract amount not to exceed \$1,062,436.

The motion authorizing negotiation and execution of contracts with AIDS Services of Austin, Inc. and Project Transitions, Inc. was approved on consent on Council Member Garza's motion, Council Member Casar's second on a 10-0 vote. Council Member Troxclair abstained.

29. Authorize negotiation and execution of an amendment to the interlocal agreement with the Central Texas Regional Mobility Authority (CTRMA) for the relocation and improvement of water, wastewater, and reclaimed utilities in connection with CTRMA's Bergstrom Expressway (183 South) Project to increase the amount by \$1,187,838, for a total contract amount not to exceed \$8,915,995. District(s) Affected: District 1, District 2, District 3.

The motion authorizing negotiation and execution of an amendment to the interlocal agreement with the Central Texas Regional Mobility Authority (CTRMA) was approved on consent on Council Member Garza's motion, Council Member Casar's second on an 11-0 vote.

Item 30 was pulled for discussion.

31. Authorize negotiation and execution of a contract with Motorola Solutions, Inc., to continue to support hosting services and related adjuncts and interfaces for the existing customer service request system, for a term of five years in an amount not to exceed \$2,500,000. (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 Motorola Solutions, Inc. was approved on consent on Council Member Garza's motion, Council Member Casar's second on an 11-0 vote.

32. Authorize award and execution of a multi-term contract with KBS Electric Inc., to provide transformer load tap changer parts, for up to five years for a total contract amount not to exceed \$340,619. (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 required for this solicitation, there were no subcontracting opportunities; therefore, no subcontracting goals were established.).

The motion authorizing award and execution of a multi-term contract with KBS Electric Inc. was approved on consent on Council Member Garza's motion, Council Member Casar's second on an 11-0 vote.

33. Authorize negotiation and execution of a multi-term contract with Airbus Helicopters Inc., to provide helicopter parts, for up to five years for a total contract amount not to exceed \$500,000. (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 multi-term contract with Airbus Helicopters, Inc. was approved on consent on Council Member Garza's motion, Council Member Casar's second on a 10-0 vote. Council Member Troxclair abstained.

34. Authorize negotiation and execution of a multi-term contract with Bureau Veritas North America, Inc., to provide permit plan review services, for up to five years for a total contract amount not to exceed \$1,900,000. (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 services required for this solicitation, there were no subcontracting opportunities; therefore, no subcontracting goals were established.).
The motion authorizing negotiation and execution of a multi-term contract with Bureau Veritas North America, Inc. was approved on consent on Council Member Garza's motion, Council Member Casar's second on an 11-0 vote.
35. Authorize negotiation and execution of a contract with GCR, Inc., to provide system upgrade and continued maintenance and support on the property and revenue management software system for a term of five years in an amount not to exceed \$468,543. (Note: 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 GCR, Inc. was approved on consent on Council Member Garza's motion, Council Member Casar's second on an 11-0 vote.
36. Authorize award and execution of a contract with Dejana Truck & Utility Equipment Company, LLC, to provide a self-propelled cable reel trailer, in an amount not to exceed \$254,197. (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 Dejana Truck & Utility Equipment Company, LLC. was approved on consent on Council Member Garza's motion, Council Member Casar's second on an 11-0 vote.
37. Authorize award and execution of a multi-term contract with Empire Roofing Companies, Inc., to provide roofing maintenance, repair, and parts services, for up to five years for a total contract amount not to exceed \$7,350,000. (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 met and the resulting contract will include 3.06% WBE participation.)
The motion authorizing award and execution of a multi-term contract with Empire Roofing Companies, Inc. was approved on consent on Council Member Garza's motion, Council Member Casar's second on an 11-0 vote.
38. Authorize negotiation and execution of a lease-purchase contract with Textron Inc. DBA E-Z-GO, for electric golf carts and utility carts, for a term of four years in an amount not to exceed \$1,000,000. (This solicitation is exempt from the Minority Owned and Women Owned Business Enterprise Procurement Program.).
This item was withdrawn on consent on Council Member Garza's motion, Council Member Casar's second on an 11-0 vote.
39. Authorize negotiation and execution of multi-term contracts with Account Control Technology, Inc., Credit Protection Association, L.P., and Transworld Systems, Inc., to provide primary level collection of delinquent utility accounts; and a multi-term contract with Penn Credit Corporation, to provide secondary level collection of delinquent utility accounts; each for up to five years for

combined total contract amounts not to exceed \$4,650,000; divided among the contractors. (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 multi-term contracts with Account Control Technology, Inc., Credit Protection Association, L.P., and Transworld Systems, Inc. and a multi-term contract with Penn Credit Corporation was approved on consent on Council Member Garza's motion, Council Member Casar's second on an 11-0 vote.

40. Authorize award and execution of a multi-term contract with TDIndustries, Inc., to provide uninterruptable power supply services and related parts, for up to five years for a total contract amount not to exceed \$750,000. (This solicitation was reviewed for subcontracting opportunities in accordance with City Code Chapter 2-9C Minority Owned and Women Owned Business Enterprise Procurement Program. For the goods and services required for this solicitation, there were no subcontracting opportunities; therefore, no subcontracting goals were established.).

The motion authorizing award and execution of a multi-term contract with TDIndustries, Inc. was approved on consent on Council Member Garza's motion, Council Member Casar's second on an 11-0 vote.

41. Authorize award and execution of a multi-term contract with Maldonado Nursery and Landscaping Inc., to provide grounds maintenance services for Austin Energy power plants, for up to five years for a total contract amount not to exceed \$475,000. (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 authoring award and execution of a multi-term contract with Maldonado Nursery and Landscaping Inc. was approved on consent on Council Member Garza's motion, Council Member Casar's second on an 11-0 vote.

42. Approve an ordinance amending City Code Chapter 2-7, Article 6 relating to anti-lobbying and procurement.

This item was withdrawn on consent on Council Member Garza's motion, Council Member Casar's second on an 11-0 vote.

43. Approve the first reading of an ordinance granting a franchise agreement to SiEnergy to provide natural gas distribution services.

The ordinance was approved on first reading only on consent on Council Member Garza's motion, Council Member Casar's second on an 11-0 vote.

44. 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 waivers were approved on consent on Council Member Garza's motion, Council Member Casar's second on an 11-0 vote.

Nominations

Board/Nominee

Nominated by

Anti-Displacement Task Force Jose Velasquez	Mayor Adler
Anti-Displacement Task Force Raul Alvarez	Mayor Adler
Anti-Displacement Task Force Nefertiti Jackmon	Mayor Adler
Anti-Displacement Task Force John Henneberger	Mayor Adler
Anti-Displacement Task Force Bree Williams	Mayor Adler
Anti-Displacement Task Force Yvette Crawford-Lee	Mayor Adler
Anti-Displacement Task Force Diana Zuniga	Mayor Adler
Anti-Displacement Task Force Ed Wendler, Jr.	Council Member Alter
Charter Review Commission Joy Authur	Mayor Adler

Waivers

There are no waivers at this time.

45. Approve an ordinance amending City Code Section 15-9-142 relating to billing adjustments for utility bills indicating excess water consumption by single-family residential customers. Council Sponsors: Council Member Ellen Troxclair, Council Member Alison Alter, Council Member Jimmy Flannigan, Council Member Delia Garza, Council Member Ann Kitchen.
Ordinance No. 20171109-045 was approved on consent on Council Member Garza's motion, Council Member Casar's second on an 11-0 vote.

Items 46 & 47 were pulled for discussion.

48. Approve a resolution relating to expanding, remodeling, or constructing residential properties. Council Sponsors: Council Member Delia Garza, Council Member Ellen Troxclair, Council Member Gregorio Casar, Council Member Alison Alter, Council Member Ann Kitchen.
Resolution No. 20171109-048 was approved on consent on Council Member Garza's motion, Council Member Casar's second on an 11-0 vote.

Item 49 & 50 were pulled for discussion.

51. Approve an ordinance waiving or reimbursing certain fees for the Kick 'N' 4 Harvey Kickball Tournament, sponsored by Kaboom II, which was held on September 16, 2017, at the University

Hills Optimist Field. Council Sponsors: Council Member Gregorio Casar, Council Member Sabino 'Pio' Renteria, Council Member Ann Kitchen, Mayor Steve Adler.

Ordinance No. 20171109-051 was approved on consent on Council Member Garza's motion, Council Member Casar's second on an 11-0 vote.

52. Set a public hearing for an application to be submitted to the Texas Department of Housing and Community Affairs by TX Parmer Austin CCF, LP, or an affiliated entity, for the new construction of an affordable multi-family development located near the intersection of Parmer Lane and Boyce Lane, in the City's Extraterritorial Jurisdiction. (Suggested date and time: December 7, 2017 beginning at 4:00 p.m. at Austin City Hall, 301 W. Second Street, Austin, TX.).

The public hearing was set on consent for December 7, 2017, 4:00 p.m. at Austin City Hall, 301 West Second Street, Austin, TX on consent on Council Member Garza's motion, Council Member Casar's second on an 11-0 vote.

53. Set a public hearing to be conducted in accordance with Texas Parks and Wildlife Code Section 26.001, et seq., to consider a resolution authorizing a change in use of dedicated parkland to animal services use for operation of the Town Lake Animal Center (TLAC) at 1156 West Cesar Chavez, Austin, Texas, at Lamar Beach at Town Lake Metro Park. (Suggested date and time: December 7, 2017 at 4:00 p.m., Austin City Hall, Council Chambers, 301 West Second Street, Austin, TX.).

The public hearing was set on consent for December 7, 2017, 4:00 p.m. at Austin City Hall, 301 West Second Street, Austin, TX on consent on Council Member Garza's motion, Council Member Casar's second on an 11-0 vote.

Item 54 was pulled for discussion.

88. Approve a resolution directing the City Manager to maintain current working conditions for employees in the Emergency Medical Services Department, and to resume labor contract negotiations with the bargaining representative for employees in the Emergency Medical Services Department. Council Sponsors: Council Member Ann Kitchen, Mayor Steve Adler, Council Member Delia Garza, Council Member Leslie Pool.

Resolution No. 20171109-088 was approved on consent on Council Member Garza's motion, Council Member Casar's second on an 11-0 vote.

89. Approve a resolution relating to the expenditure of the Downtown Density Bonus Program's funds for low-barrier permanent supportive housing vouchers. Council Sponsors: Mayor Pro Tem Kathie Tovo, Council Member Alison Alter, Council Member Ora Houston, Council Member Leslie Pool.

Resolution No. 20171109-089 was approved on consent on Council Member Garza's motion, Council Member Casar's second on a 10-1 vote. Council Member Troxclair voted nay.

90. Approve an ordinance waiving certain fees for the street name changes for Robert E. Lee Rd. and Jeff Davis Ave. Council Sponsors: Council Member Ann Kitchen, Council Member Gregorio Casar, Council Member Leslie Pool, Mayor Steve Adler.

Ordinance No. 20171109-090 was approved on consent on Council Member Garza's motion, Council Member Casar's second on a 10-1 vote. Council Member Troxclair voted nay.

DISCUSSION & NON CONSENT ITEMS

15. Approve a settlement in 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.
The motion to settle the above-referenced lawsuit, by authorizing the City to pay an amount not to exceed \$150,000 was approved on Council Member Garza's motion, Council Member Pool's second on an 11-0 vote.
3. Approve Service Extension Request No. 3953 for water service to a 32.2-acre tract located at 10304 Circle Dr. within the Drinking Water Protection Zone. District(s) Affected: District 8.
The motion approving the service extension request number 3953 failed on Council Member Troxclair's motion, Council Member Flannigan's second on a 3-8 vote. Those voting aye were: Council Members Flannigan, Houston and Troxclair. Those voting nay were: Mayor Adler, Mayor Pro Tem Tovo, Council Members Alter, Casar, Garza, Kitchen, Pool and Renteria.
47. Approve a resolution directing the City Manager to make available 2016 Mobility Bond funds for the rehabilitation of existing ADA-noncompliant sidewalks included in the Sidewalk Master Plan. Council Sponsors: Council Member Ann Kitchen, Council Member Alison Alter, Council Member Delia Garza, Council Member Jimmy Flannigan, Mayor Steve Adler.
Resolution No. 20171109-047 was approved on Council Member Kitchen's motion, Council Member Renteria's second on an 11-0 vote.

CITIZENS COMMUNICATIONS: GENERAL

Afiwa Delatina – Rasime

Sarah Wambold – Green burials. Consider allowing this service in any of the 5 City cemeteries.

Bryan Forbes – 1. First workers Day Labor Center inadequate venue and parking. 2. Nonprofits not adequately covering all community legal needs. Some groups are left out. – **Not Present.**

Tony Farmer – Austin Police Department.

Peter Beland – Police Contract negotiations.

Gus Pena – 1. Veterans Day falls on a Saturday Nov. 11, 2017. You all will have the day off on Friday Nov. 10th. We veterans will not. 2. On Friday November 10th is the United States Marine Corps Birthday. The United States Marine Corps will be 242 years old. Semper Fi (Nov. 10, 1775). 3. 6 of my brothers are Military veterans. Gilbert, Lucio III, are Navy vets, Jesse Air force, Edward Pilar and myself are United States Marine Corps veterans. The Pena Family is well represented and served our Country honorably. 4. You all will have the day off Friday Nov. 10th the U.S.M.C. Birthday. We won't. Remember what Veterans Day is all about. Thank a Veteran for his or her service to our Country. Thank our female veterans especially!! God bless America, God Bless our vets, God bless my United States Marine Corps, Semper Fi. God Bless United States of America.

Koo Hyun Kim – Humanization and Civilization of Austin City Government. – **Not Present.**

Hal Wuertz – The Police Union contract.

Barbara Szalay – Starry skies and starry eyes.

John Hanson – Local company using false minority information to win 9 contracts. – **Not Present.**

Mayor Adler recessed the Council Meeting to go into Executive Session at 12:36 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.

- 56. 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.
- 57. Discuss legal issues related to amendments to City Code Chapter 2-10 (Municipal Court) to revise and add provisions regarding indigency, fines, alternative sentencing, and commitment (Private consultation with legal counsel - Section 551.071 of the Government Code).
This item was withdrawn without objection.
- 58. Discuss legal issues related to the City's Minority and Women-Owned Business Enterprise Procurement Program (Private consultation with legal counsel - Section 551.071 of the Government Code).
This item was withdrawn without objection.
- 59. Discuss the exchange or value of an interest in real property related to the development of the Congress Avenue corridor, between East 15th Street and East Martin Luther Jr. King Boulevard (Real property - Section 551.072 of the Government Code).
This item was withdrawn without objection.
- 60. Discuss legal issues related to the development of the Congress Avenue corridor, between East 15th Street and East Martin Luther King Jr. Boulevard (Private consultation with legal counsel - Section 551.071 of the Government Code)..De
This item was withdrawn without objection.
- 61. Discuss legal issues related to City of Austin v. Walter Olenick et al, Cause No. D-1-GN-004108 in the 53rd Judicial District of Travis County (Private consultation with legal counsel - Section 551.071 of the Government Code).
- 93. Discuss legal and personnel 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).

The Mayor announced that Council would discuss item number 16 on the regular agenda during Executive Session.

16. Approve a settlement in City of Austin v. Walter Olenick et al, Cause No. D-1-GN-004108 in the 53rd Judicial District of Travis County.

Executive Session ended and Mayor Adler reconvened the meeting at 2:55 p.m.

DISCUSSION ITEMS CONTINUED

11. Authorize negotiation and execution of an amendment to a parking agreement with UP Schneider, L.P., related to parking privileges for retail patrons and employees of 401 West 2nd Street parking in the City Hall garage.

The motion authorizing negotiation and execution of an amendment to a parking agreement with UP Schneider, L.P. was approved on Mayor Pro Tem Tovo's motion, Council Member Garza's second on an 11-0 vote.

12. Authorize negotiation and execution of a parking agreement with AMLI Austin Retail, L.P., AMLI Downtown Austin, L.P., and PPF AMLI 421 West 3rd Street, L.P. related to parking privileges for retail patrons, employees, and valet operations connected with 2nd Street retail businesses, in parking garages owned by the City and AMLI entities.

A motion to amend the contract to a two year term period was made by Mayor Pro Tem Tovo and seconded by Council Member Pool.

A substitute motion to amend the contract to a five year term period was made by Council Member Garza and seconded by Mayor Adler. This motion was accepted without objection.

The motion authorizing negotiation and execution of a parking agreement with AMLU Austin Retail, L.P., AMLI Downtown Austin, L.P. and PPF AMLI 421 West 3rd Street, L.P. was approved as amended above on Mayor Pro Tem Tovo's motion, Council Member Pool's second on an 11-0 vote.

Direction was given to staff to provide a briefing to Council no later than two years with recommendations on how the program should move forward.

16. Approve a settlement in City of Austin v. Walter Olenick et al, Cause No. D-1-GN-004108 in the 53rd Judicial District of Travis County.

The motion to settle the above-referenced lawsuit, by authorizing the City to pay an amount not to exceed \$150,000 was approved as amended below on Council Member Casar's motion, Council Member Houston's second on a 10-0 vote. Council Member Troxclair abstained.

Amendments included the following:

- **The buyer of the property in question would record a right of refusal which would give the city the right to buy down permanent affordability at future developments.**
- **The buyer would record restrictive covenants that provide 15 years of affordability for four parcels in the area.**

19. Approve an ordinance amending City Code Chapter 2-10 (Municipal Court) to revise and add provisions regarding indigency, fines, alternative sentencing, and commitment.

Ordinance No. 20171109-019 was approved on Council Member Houston's motion, Council Member Garza's second on an 11-0 vote.

ZONING AND NEIGHBORHOOD PLAN AMENDMENTS

62. C14-2016-0096 - 7901 Ranch Road 2222 - District 10 - Approve third reading of an ordinance amending City Code Title 25 by zoning property locally known as 7901 Ranch to Market Road 2222 (West Bull Creek Watershed). Applicant's Request: To rezone from limited office-conditional overlay (LO-CO) combining district zoning to general office-mixed use (GO-MU) combining district zoning. Second reading approved for limited office-mixed use-conditional overlay (LO-MU-CO) combining district zoning on October 12, 2017. Vote: 10-1. Owner: Malamae/Dentastic, LP (James V. Potter). City Staff: Sherri Sirwaitis, 512-974-3057. A valid petition has been filed in opposition to this rezoning request. District(s) Affected: District 10.
Ordinance No. 20171109-062 for limited office-mixed use-conditional overlay (LO-MU-CO) combining district zoning was approved on Council Member Alter's motion, Council Member Houston's second on a 10-1 vote. Council Member Flannigan voted nay.
63. C14-2017-0085 - Charles Ford Rezoning - District 6 - Approve second and third readings of an ordinance amending City Code Title 25 by rezoning property locally known as 12101 ½ Conrad Road (Walnut Creek Watershed). Applicant's Request: To rezone from single family residence-standard lot (SF-2) district zoning to family residence (SF-3) district zoning. First reading approved on October 12, 2017. Vote: 10-1. Owner/Applicant: Charles Ford. City Staff: Sherri Sirwaitis, 512-974-3057. District(s) Affected: District 6.
Ordinance No. 20171109-063 for family residence (SF-3) district zoning was approved on Council Member Alter's motion, Council Member Houston's second on a 10-1 vote. Council Member Pool voted nay.
64. C14H-2017-0082 - McDonald-Doughtie House. Council District 10 - Approve second and third readings of an ordinance amending City Code Title 25 by rezoning property locally known as 1616 Northwood Road from family residence - neighborhood plan (SF-3-NP) combining district zoning to family residence - historic landmark - neighborhood plan (SF-3-H-NP) combining district zoning. Staff Recommendation: To family residence - historic landmark - neighborhood plan (SF-3-H-NP) combining district zoning. Historic Landmark Commission Recommendation: To grant family residence - historic landmark - neighborhood plan (SF-3-H-NP) combining district zoning. Planning Commission Recommendation: To grant family residence - historic landmark - neighborhood plan (SF-3-H-NP) combining district zoning. Approved on first reading, October 5, 2017. Applicant: Craig Duewall, owner. City Staff: Steve Sadowsky, Historic Preservation Office, Planning and Zoning Department, 512-974-6454. District(s) Affected: District 10.
Ordinance No. 20171109-064 for family residence - historic landmark - neighborhood plan (SF-3-H-NP) combining district zoning was approved on Council Member Alter's motion, Council Member Houston's second on an 11-0 vote.
65. NPA-2017-0029.01 - Austin Humane Society Rezoning -District 4 - Conduct a public hearing and approve an ordinance amending Ordinance No. 20120426-100, the St. John/Coronado Hills 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 7600, 7602, 7604, 7608, 7610, 7614, and 7616 Bennett Avenue (Buttermilk Branch Watershed) from Single Family to Mixed Use land use. Staff Recommendation: Neighborhood Mixed Use land use. Planning Commission Recommendation:.. Owner/Applicant: Austin Humane Society (Frances Jonon). Agent: Garrett-Ihnen Civil Engineers (Mike Wilson). City Staff: Maureen Meredith, (512) 974-2695. District(s) Affected: District 4.

This item was postponed to December 14, 2017 at the request of staff on Council Member Alter's motion, Council Member Houston's second on an 11-0 vote.

66. C14-2017-0086 - Austin Humane Society Rezoning - District 4 - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 7600, 7602, 7604, 7608, 7610, 7614, and 7616 Bennett Avenue (Buttermilk Branch Watershed) from family residence-neighborhood plan (SF-3-NP) combining district zoning to general commercial services-mixed use-neighborhood plan (CS-MU-NP) combining district zoning. Staff Recommendation: To grant neighborhood commercial services-mixed use-neighborhood plan (LR-MU-NP) combining district zoning. Planning Commission Recommendation: To be reviewed December 12, 2017. Owner/Applicant: Humane Society of Austin & Travis County (Frances Jonon). Agent: Garrett-Ihnen Civil Engineers (Mike Wilson). City Staff: Heather Chaffin, 512-974-2122. District(s) Affected: District 4.

This item was postponed to December 14, 2017 at the request of staff on Council Member Alter's motion, Council Member Houston's second on an 11-0 vote.

67. 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 grant Mixed Use land use. Owner/Applicant: Painter Enterprises, a Texas Corporation. Agent: Husch Blackwell (Nikelle Meade). City Staff: Maureen Meredith, 512-974-2695. District(s) Affected: District 3.

This item was postponed to December 7, 2017 at the request of the applicant on Council Member Alter's motion, Council Member Houston's second on an 11-0 vote.

68. 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). Applicant Request: To rezone 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 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. Owner: Painter Enterprises Inc. (Donald E. Painter). Applicant: Husch Blackwell LLP (Nikelle Meade). City Staff: Heather Chaffin, 512-974-2122. District(s) Affected: District 3.

This item was postponed to December 7, 2017 at the request of the applicant on Council Member Alter's motion, Council Member Houston's second on an 11-0 vote.

69. C14-2017-0115 - 2510 West Parmer Lane - District 7 - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 2510 West Parmer

Lane (Walnut Creek Watershed). Applicant's Request: To rezone from community commercial (GR) district zoning to general commercial services (CS) district zoning. Staff Recommendation: To grant general commercial services (CS) district zoning. Zoning and Platting Commission Recommendation: To grant general commercial services (CS) district zoning. Owner/Applicant: CSW 2510 West Parmer, LLC. Agent: Lenworth Consulting, LLC (Nash Gonzales). City Staff: Sherri Sirwaitis, 512-974-3057. District(s) Affected: District 7.

The public hearing was conducted and a motion to close the public hearing and approve the ordinance on first reading only for general commercial services (CS) district zoning was approved on Council Member Alter's motion, Council Member Houston's second on an 11-0 vote.

70. NPA-2016-0016.04 - The Rail Spur Building - District 3 -Conduct a public hearing and approve an ordinance amending Ordinance No. 030327-12, 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 618 Tillery Street (Boggy Creek Watershed) from Office and Mixed Use land use to Commercial and Mixed Use land use. Staff Recommendation: To grant Commercial and Mixed Use land use. Planning Commission Recommendation: To grant Applicant's request for indefinite postponement. Owner/Applicant: Peter Barlin. Agent: Peter Barlin. City Staff: Maureen Meredith, 512 - 974-2695 District(s) Affected: District 3.

This item was indefinitely postponed.

71. 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 grant Applicant's request for indefinite postponement. Owner/Agent: Peter Barlin. City Staff: Heather Chaffin, 512-974-2122. District(s) Affected: District 3.

This item was indefinitely postponed.

72. C14-2016-0111 - Burleson - District 2 - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 8219 Burleson Road (Onion Creek Watershed). Applicant Request: To rezone from limited industrial services-conditional overlay (LI-CO) combining district zoning to limited industrial services-conditional overlay (LI-CO) combining district zoning, to change a condition of zoning. Staff Recommendation: To grant limited industrial services-conditional overlay (LI-CO) combining district zoning, to change a condition of zoning, with conditions. Zoning and Platting Commission Recommendation: To be reviewed on November 7, 2017. Agent: Armbrust & Brown, PLLC (Eric deYoung). City Staff: Wendy Rhoades, 512-974-7719. District(s) Affected: District 2.

This item was postponed to December 7, 2017 at the request of staff on Council Member Alter's motion, Council Member Houston's second on an 11-0 vote.

73. 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 Watershed; Carson Creek

Watershed) from Industry to Commercial land use (Tract 3) and Mixed Use land use (Tracts 1 & 2). Staff Recommendation: To deny Commercial and Mixed Use land use. Planning Commission Recommendation: To be reviewed November 14, 2017. Owner/Applicant: Ocampo Partners, Ltd. Agent: Coats Rose (John M. Joseph). City Staff: Maureen Meredith, 512-974-2695. District(s) Affected: District 3.

This item was withdrawn.

74. 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: To be reviewed November 14, 2017. Applicant/Agent: Coats Rose/John Joseph. Owner: Ocampo Partners Ltd. City Staff: Andrew Moore, 512-974-7604. District(s) Affected: District 3.

This item was postponed to December 7, 2017 at the request of staff on Council Member Alter's motion, Council Member Houston's second on an 11-0 vote.

75. 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). Applicant Request: Applicant request: To rezone 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 for Tracts 1 & 2 and from limited industrial services - neighborhood plan (LI-NP) combining district zoning to general commercial services - neighborhood plan (CS-NP) combining district zoning for Tract 3. Staff Recommendation: To deny general commercial services - mixed use - neighborhood plan (CS-MU-NP) combining district zoning for Tracts 1 & 2 and general commercial services - neighborhood plan (CS-NP) combining district zoning for Tract 3. Planning Commission Recommendation: To be reviewed on November 14, 2017. Owner: Ocampo Partners Ltd. Applicant/Agent: Coats Rose/John Joseph. City Staff: Andrew Moore, 512-974-7604. District(s) Affected: District 3.

This item was withdrawn.

76. C14-2017-0067 - Champion Tract 1C - District 10 - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 6500 FM 2222 Road (West Bull Creek Watershed) from neighborhood commercial- conditional overlay (LR-CO) combining district to general commercial services- conditional overlay (CS-CO) combining district. Staff Recommendation: To grant general commercial services- conditional overlay (CS-CO) combining district. Zoning and Platting Commission Recommendation: To be reviewed on December 5, 2017. Owner/Applicant: Champion, Meier Assets, Ltd. (Terry Bray). Agent: Ambrust & Brown, L.L.P (Richard T. Suttle, Jr.). City Staff: Scott Grantham, 512-974-3574. District(s) Affected: District 10.

This item was postponed to December 14, 2017 at the request of staff on Council Member Alter's motion, Council Member Houston's second on an 11-0 vote.

77. 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). Applicant Request: To rezone 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 November 28, 2017. Owner/Applicant: W2 Hill ACP II LP/Simmons Vedder (Steven Freche). Agent: Thrower Design (Ron Thrower). City Staff: Andrew Moore, 512-974-7604. District(s) Affected: District 3.

This item was postponed to December 14, 2017 at the request of staff on Council Member Alter's motion, Council Member Houston's second on an 11-0 vote.

78. 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). Applicant's Request: To rezone from rural residence (RR) district zoning, limited office (LO) district zoning and general office (GO) district zoning to commercial-liquor sales-conditional overlay (CS-1-CO) combining district zoning for Tract 1 and community commercial-conditional overlay (GR-CO) combining district zoning for Tract 2. Staff Recommendation: To grant commercial-liquor sales-conditional overlay (CS-1-CO) combining district zoning for Tract 1 and community commercial-conditional overlay (GR-CO) combining district zoning for Tract 2. Zoning and Platting Commission Recommendation: To be reviewed on November 7, 2017. Owner/Applicant: Bar Czar, LLC (Matias Segura III). Agent: South Lano Strategies (Glen Coleman). City Staff: Sherri Sirwaitis, 512-974-3057. District(s) Affected: District 7.

This item was postponed to December 14, 2017 at the request of staff on Council Member Alter's motion, Council Member Houston's second on an 11-0 vote.

80. C814-2017-0024 - Holdsworth Center PUD - District 10 - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 4907 RM 2222 Road (Lake Austin Watershed). Applicant's Request: To rezone from Lake Austin residence (LA) district zoning and single family residence-standard lot (SF-2) district zoning to planned unit development (PUD) district zoning. Staff Recommendation: To grant planned unit development (PUD) district zoning, with conditions. Zoning and Platting Commission Recommendation: To grant planned unit development (PUD) district zoning, with conditions. Owner/Applicant: Holdsworth Center For Excellence In Education Leadership, LLC. Agent: Armbrust & Brown, PLLC (David Armbrust). City Staff: Wendy Rhoades, 512-974-7719. District(s) Affected: District 10.

The public hearing was conducted and a motion to close the public hearing and approve the ordinance on first reading only for planned unit development (PUD) district zoning, with conditions was approved on Council Member Alter's motion, Council Member Houston's second on an 11-0 vote.

81. C14-2017-0084 - 6507 E. Riverside - District 3 - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 6505, 6507. 6509 E. Riverside Drive and 2108 Thrasher Lane (Carson Creek Watershed) from East Riverside Corridor - neighborhood residential (ERC-NR) district zoning to East Riverside Corridor - corridor mixed use (ERC-CMU) district zoning. Staff Recommendation: To grant East Riverside Corridor - corridor mixed use (ERC-CMU) district zoning. Planning Commission Recommendation: To be reviewed November 14, 2017. Owner/Applicant: TLH Riverside 6507 MF-1, LP (David Cox). Agent: Graves, Dougherty, Moody, Hearn (Michael Whellan). City Staff: Andrew Moore, 512-974-7604. District(s) Affected: District 7.

This item was postponed to December 7, 2017 at the request of staff on Council Member Alter's motion, Council Member Houston's second on an 11-0 vote.

82. C14-2017-0111 - 3059 Hwy 71 East - District 2 - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 3059 East State Highway 71 Westbound (Colorado River Watershed). Applicant's Request: To rezone from single family residence-standard lot (SF-2) district zoning to general commercial services (CS) 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: Lenworth Consulting, LLC (Nash Gonzales). Agent: 3059 Highway 71 Investments, LLC (Saeed Minhas). City Staff: Wendy Rhoades, 512-974-7719. District(s) Affected: District 2.
- The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20171109-082 for general commercial services-conditional overlay (CS-CO) combining district zoning was approved on Council Member Alter's motion, Council Member Houston's second on a 10-1 vote. Council Member Flannigan voted nay.**
83. C14H-2017-0065 - Spencer and Ora Lee Nobles House - District 1- Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 2008 E. 8th Street from family residence - neighborhood plan (SF-3-NP) combining district zoning to family residence - historic landmark - neighborhood plan (SF-3-H-NP) combining district zoning. Staff Recommendation: To grant family residence - historic landmark - neighborhood plan (SF-3-H-NP) combining district zoning. Historic Landmark Commission Recommendation: To grant family residence - historic landmark - neighborhood plan (SF-3-H-NP) combining district zoning. Planning Commission Recommendation: To grant family residence - historic landmark - neighborhood plan (SF-3-H-NP) combining district zoning. Applicant: City of Austin, Historic Preservation Office, Planning and Zoning Department. City Staff: Steve Sadowsky, Historic Preservation Office, Planning and Zoning Department, 512-974-6454. District(s) Affected: District 1.
- The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20171109-083 for family residence - historic landmark - neighborhood plan (SF-3-H-NP) combining district zoning was approved on Council Member Alter's motion, Council Member Houston's second on an 11-0 vote.**
79. C14-2017-0072 -12611 Hymeadow Rezoning - District 6 - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 12611 Hymeadow Drive (Lake Creek Watershed). Applicant's Request: To rezone from community commercial-conditional overlay (GR-CO) combining 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-conditional overlay (CS-1-CO) combining district zoning. Owner/Applicant: Hymeadow Austin LLC (Gary K. Ferguson). Agent: Thrower Design (A. Ron Thrower). 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 Ordinance No. 20171109-079 for commercial-liquor sales-conditional overlay (CS-1-CO) combining district zoning was approved on Council Member Flannigan's motion, Council Member Garza's second on a 7-4 vote. Those voting aye were: Mayor Adler, Council Members Casar, Flannigan, Garza, Kitchen, Renteria and Troxclair. Those voting nay were: Mayor Pro Tem Tovo, Council Members Alter, Houston and Pool.**

DISCUSSION ITEMS CONTINUED

26. C7a-2017-0003 - Mooreland Addition - Approve an ordinance to annex the Mooreland Addition annexation area for full purposes (approximately 34 acres in southwestern Travis County east of the intersection of Manchaca Road and Mooreland Drive; contiguous to District 5). District(s) Affected: District 5.

A motion to approve the ordinance was made by Mayor Pro Tem Tovo and seconded by Mayor Adler.

A motion to divide the question was accepted without objection.

A motion to annex the commercial properties fronting Manchaca Road was approved on Mayor Pro Tem Tovo's motion, Mayor Adler's second on a 7-3 vote. Those voting aye were: Mayor Adler, Mayor Pro Tem Tovo, Council Members Alter, Garza, Kitchen, Pool and Renteria. Those voting nay were: Council Members Flannigan, Houston and Troxclair. Council Member Casar was off the dais.

A motion to annex the remainder of the properties failed on Mayor Pro Tem Tovo's motion, Mayor Adler's second on a 4-6 vote. Those voting aye were: Mayor Adler, Mayor Pro Tem Tovo, Council Members Garza and Renteria. Those voting nay were: Council Members Alter, Flannigan, Houston, Kitchen, Pool, and Troxclair. Council Member Casar was off the dais.

Ordinance 20171109-026 was approved as amended above.

54. Set a public hearing to be conducted in accordance with Texas Parks and Wildlife Code Section 26.001, et seq., to consider a resolution authorizing a use of dedicated parkland for public right-of-way, including Nash Hernandez Senior Road between Waller Street and Comal Street, and a realignment, with associated temporary construction easements, of the existing public access road into the Rebekah Baines Johnson and Austin Public Health complex at Edward Rendon Sr. Metro Park at Festival Beach. (Suggested date and time: December 7, 2017 at 4:00 p.m., Austin City Hall, Council Chambers, 301 West Second Street, Austin, TX.).

The public hearing was set for December 7, 2017, 4:00 p.m. at Austin City Hall, 301 West Second Street, Austin, TX on Council Member Renteria's motion, Council Member Pool's second on an 11-0 vote.

96. Conduct a public hearing and consider an ordinance adopting the 2015 International Fire Code and related local amendments.

This item was withdrawn without objection and will return to Council on December 7, 2017.

BRIEFING

91. Briefing and Discussion on City Manager Search Process
Presentation was made by Stephen Newton, Consultant, Russell Reynolds Associates.

Direction was given to staff to post a press release listing the candidates no later than Monday, November 13, 2017.

DISCUSSION ITEMS CONTINUED

Mayor Adler recessed the Council Meeting and called the Board of Directors' Meeting of the Austin Housing Finance Corporation to order at 5:04 p.m. See separate minutes.

92. 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 reconvened the Council Meeting at 5:06 p.m.

30. Authorize the negotiation and execution of an amendment to the interlocal agreement the Texas Department of Transportation for the relocation and improvement of water and wastewater utilities in connection with the TxDOT-Loop 1 Roadway Improvements Project from Davis Lane to La Crosse Avenue, to increase the amount by \$587,162.61, for a total contract amount not to exceed \$2,407,245.56. District(s) Affected: District 8. Recommended by the Water and Wastewater Commission on a 7-1 vote with Commissioner Kellough voting against and Commissioner Michel recusing.

The motion to postpone the item to December 14, 2017 was approved on Mayor Pro Tem Tovo's motion, Council Member Pool'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. Those voting nay were: Council Members Flannigan and Troxclair.

Mayor Adler recessed the meeting at 5:37 p.m.

LIVE MUSIC

Los Coast

PROCLAMATIONS

Proclamation – Ceci Gratias Day – To be presented by Council Member Jimmy Flannigan

Proclamation – Unleash Hope Month – To be presented by Mayor Steve Adler

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

Proclamation – Jorge Guerra Day – To be presented by Council Member Sabino 'Pio' Renteria and to be accepted by the family of Jorge Guerra

Proclamation - POP Austin Day – To be presented by Mayor Steve Adler and to be accepted by Steve Carlson and Bonnie Fest

Proclamation - Dagar's Day – To be presented by Mayor Steve Adler

Proclamation – Wildland Conservation Volunteers Day – To be presented by Council Member Leslie Pool and to be accepted by Marc Opperman and Gloria Wilson

Proclamation - Municipal Court Week – To be presented by Mayor Steve Adler

Mayor Adler reconvened the meeting at 7:15 p.m.

DISCUSSION ITEMS CONTINUED

46. Approve a resolution directing the City Manager to identify City-owned sites that could be used by a Major League Soccer team, as well as community benefits that could be generated by such a use. Council Sponsors: Mayor Pro Tem Kathie Tovo, Council Member Ora Houston, Mayor Steve Adler, Council Member Sabino 'Pio' Renteria, Council Member Delia Garza.
A motion to approve the resolution with the following amendments was made by Mayor Pro Tem Tovo and seconded by Council Member Renteria.

The amendments were:

To revise the report date to December 14, 2017.

To revise the first bullet point of the Be It Resolved clause to read: “Traffic and other potential impacts on businesses, places of worship, public facilities, residential neighborhoods, and schools adjacent to identified sites.”

A friendly amendment was made by Council Member Kitchen to “identify city-owned sites throughout Austin, including underutilized parking that might be appropriate for a soccer stadium as well as sites where practice fields and ancillary uses could serve an MLS team and the surrounding community.” This amendment was withdrawn.

A friendly amendment was made by Council Member Houston amending the first paragraph of the Be It Resolved clause to read: “The City Manager is directed to identify City-owned sites in the full purpose jurisdiction (including the Travis County Expo Center) as well as potentially underutilized parkland, that might be appropriate for a soccer stadium, as well as sites outside the urban core, where a stadium, practice fields and ancillary uses could serve an MLS team and the surrounding community.” and the last paragraph to read: “ The above analysis should include engagement with neighborhood groups, Precourt Sports Ventures, Austin Sports and Entertainment, area colleges and universities, Independent School Districts within Austin city limits, and other potential stakeholders.” The friendly amendment was accepted without objection.

A friendly amendment was made by Mayor Pro Tem Tovo to amend the language to the seventh WHEREAS clause to state, “Precourt Sport Ventures has confirmed that it would pay all construction and operating costs associated with a world class soccer park and practice fields.” The friendly amendment was accepted without objection.

A motion to amend the sixth Whereas clause to state, “Whereas, for a relocation to Austin to occur, a location for a stadium would need to be explored and solidified; and” failed on Council Member Pool’s motion, Council Member Kitchen’s second on a 3-7 vote. Those voting aye were: Mayor Pro Tem Tovo, Council Members Kitchen and Pool. Those voting nay were: Mayor Adler, Council Members Alter, Flannigan, Garza, Houston, Renteria and Troxclair. Council Member Casar was off the dais.

A friendly amendment was made by Mayor Adler to add the language “...any other MLS teams” To the third paragraph of the Be It Resolved clause. The friendly amendment as accepted without objection.

Resolution No. 20171109-046 was approved as amended above on Mayor Pro Tem Tovo's motion, Council Member Renteria's second on a 10-0 vote. Council Member Casar was off the dais.

49. Approve a resolution affirming Council intent to waive certain fees for Phase II of the Mobile Loaves & Fishes' Community First! Village. Council Sponsors: Mayor Pro Tem Kathie Tovo, Council Member Ellen Troxclair, Council Member Sabino 'Pio' Renteria, Council Member Leslie Pool.

Resolution No. 20171109-049 was approved on Mayor Pro Tem Tovo's motion, Council Member Renteria's second on a 10-0 vote. Council Member Casar was off the dais.

55. Approve second reading of an ordinance renewing a non-emergency medical transfer franchise to Acadian Ambulance Service, Inc. under Chapter 10-2 of the City Code. (THE PUBLIC HEARING FOR THIS ITEM WAS HELD AND CLOSED ON October 19, 2017).

The motion approving the ordinance on second reading only was approved on Council Member Houston's motion, Mayor Pro Tem Tovo's second on a 10-0 vote. Council Member Casar was off the dais.

PUBLIC HEARINGS

86. Conduct a public hearing and consider for approval the proposed amendments to the Citizen Participation Plan for public input required for reports to the US Department of Housing and Urban Development.

The public hearing was conducted and a motion to close the public hearing and approve the proposed amendments to the Citizen Participation Plan was approved on Council Member Houston's motion, Council Member Garza's second on a 10-0 vote. Council Member Casar was off the dais.

95. 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.

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

A motion to approve the ordinance with the following amendment was made by Council Member Houston and seconded by Council Member Pool. The amendment was to change the allowable maximum height to 35 feet from Comal Street to Chicon Street listed on Figure 4-24 of the Urban Renewal Agency Recommendations.

Ordinance No. 20171109-095 was approved as amended above on Council Member Houston's motion, Council Member Pool's second on a 10-1 vote. Council Member Flannigan voted nay.

DISCUSSION ITEMS CONTINUED

94. 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

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

A friendly amendment to revise PART 3 (D) (Subdistrict 2a) from 50 feet to 35 feet was made by Council Member Houston. The friendly amendment was accepted without objection.

Ordinance 20171109-094 was approved for 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 was approved as amended above on Council Member Houston's motion, Council Member Pool's second on a 10-1 vote. Council Member Flannigan voted nay.

PUBLIC HEARINGS CONTINUED

87. Conduct a public hearing and consider an ordinance authorizing execution of an agreement with Austin Independent School District establishing site development standards and allowing transfers of impervious cover for redevelopment of school campuses within the Barton Springs Zone (This action concerns land located within the Barton Springs Zone). October 24, 2017 – Approved by the Planning Commission on a 10-0 vote with Vice-Chair Kazi and Commissioner Schissler recused and Commission Anderson absent.

A motion to approve the ordinance with the following amendment was made by Mayor Pro Tem Tovo and seconded by Council Member Troxclair.

The amendment was to revise Exhibit A, Article I, 2., F7 of Exhibit A to read: "Impervious cover removed from the Akin Tract, described below, after the effective date of this Fourth Amendment, and which has not already been credited, may be credited to the total impervious cover available from the Transferring Track up to an amount equal to the impervious cover transferred to Bowie High School from the Transferring Tract under the Bowie Agreement. The Atkin Track is more particularly described as follows:...".

The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20171109-087 as amended above was approved on Mayor Pro Tem Tovo's motion, Council Member Troxclair's second on an 11-0 vote.

AFTER 10:00 P.M.

The motion to waive the rules and allow Council to meet after 10 p.m. was approved on Council Member Pool's motion, Council Member Flannigan's second on a 10-1 vote. Council Member Troxclair voted nay.

DISCUSSION ITEMS CONTINUED

50. Approve an ordinance amending Ordinance No. 20170406-023, which waived chapter 2-7, article 6 (anti-lobbying and procurement) of the City Code regarding solicitations for the collection, processing, resale, reuse, and/or disposal of municipal solid waste, refuse, biosolids, compost, organics, special waste, and recyclables. Council Sponsors: Council Member Alison Alter, Council Member Gregorio Casar, Council Member Jimmy Flannigan, Council Member Ora Houston.

A motion to approve the ordinance was made by Council Member Alter and seconded by Council Member Flannigan.

A motion to amend the ordinance as follows was approved on Council Member Casar's motion, Council Member Alter's seconded on an 11-0 vote. The amendment was to:

Revise to revise PART 3. to read: “Ordinance No. 20170406-023 Remains in Full Force For 180 Days and to delete “further modified, amended, or repealed by the City Council” and replace with “180 days after the effective date of this ordinance.”

A motion to strike PART 2. of the ordinance was approved on Mayor Adler’s motion, Council Member Kitchen’s second on a 7-4 vote. Those voting aye were: Mayor Adler, Mayor Pro Tem Tovo, Council Members Garza, Kitchen, Pool, Renteria and Troxclair. Those voting nay were: Council Members Alter, Casar, Flannigan and Houston.

Ordinance No. 20171109-050 was approved as amended above on Council Member Alter’s motion, Council Member Flannigan’s second on an 11-0 vote.

PUBLIC HEARINGS CONTINUED

84. Conduct a public hearing and consider a resolution for an application to be submitted to the Texas Department of Housing and Community Affairs by Pathways at Chalmers Courts South, LP, or an affiliated entity, for the new construction of an affordable multi-family development to be known as the Pathways at Chalmers Courts South, located at the southwest corner of East 3rd Street and Chalmers Avenue. District(s) Affected: District 3.
The public hearing was conducted and a motion to close the public hearing and approve Resolution No. 20171109-084 was approved on Council Member Renteria’s motion, Council Member Houston’s second on a 10-0 vote. Council Member Troxclair abstained.
85. Conduct a public hearing and consider a resolution regarding an application to be submitted to the Texas Department of Housing and Community Affairs by Elysium Grand, LP, or an affiliated entity, for the new construction of an affordable multi-family development to be known as the Elysium Grand, located at 3300 Oak Creek Drive. District(s) Affected: District 7.
The public hearing was conducted and a motion to close the public hearing and approve Resolution No. 20171109-085 was approved on Council Member Pool’s motion, Council Member Renteria’s second on a 9-0 vote. Council Member Troxclair abstained. Council Member Alter was off the dais.

Mayor Adler adjourned the meeting at 10:42 p.m. without objection.

The minutes were approved on this the 7th day of December 2017 on Council Member Pool’s motion, Council Member Casar’s second on a 9-0 vote. Council Member Garza and Council Member Troxclair were absent.